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Adjourned Sine Die April 28, 1985

1985 Special Session
Convened, June 10, 1985
Adjourned Sine Die June 11, 1985



Wayne Ehlers, Speaker
John L. O'Brien, Speaker Pro Tempore
Dennis L. Heck, Chief Clerk
Sharon L. Case, Assistant Chief Clerk
Eljo Sutherland, Minute/Journal Clerk

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Compiled, Edited and Indexed by
Dennis L. Heck, *Chief Clerk*
Eljo Sutherland, *Minute/Journal Clerk*

EIGHTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 8, 1985.

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 Representatives Fuhrman, Hastings, Locke and Wang, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Greg Jensen and Marc Ehlers. Prayer was offered by Reverend Steven Blotzke of Walla Walla.

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

MESSAGES FROM THE SENATE

April 5, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to:

SENATE BILL NO. 3070,

ENGROSSED SENATE BILL NO. 3096,

and passed the bills as amended by the House.

Bill Gleason, Assistant Secretary.

April 4, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3198,

SUBSTITUTE SENATE BILL NO. 3240.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3198,

SUBSTITUTE SENATE BILL NO. 3240.

SECOND READING

SUBSTITUTE SENATE BILL NO. 3001, by Committee on Governmental Operations (originally sponsored by Senators nThompson, Zimmerman, Conner and von Reichbauer)

Changing manner of filling port commissioner vacancies.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 66th Day, March 20, 1985.)

On motion of Ms. Haugen, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3001 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Fuhrman, Hastings, Locke, Wang - 4.

Substitute Senate Bill No. 3001 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.

Representative Locke appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 3087, by Committee on Judiciary (originally sponsored by Senators Talmadge, Newhouse, Halsan, Hayner, Williams and Granlund)

Revising provisions relating to disposition of juvenile offenders.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3087, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Substitute Senate Bill No. 3087, having received the 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. 3090, by Committee on Judiciary (originally sponsored by Senators Talmadge and Halsan)

Providing for state reimbursement of the expenses of law enforcement officers in coroner's inquests.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3090, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Substitute Senate Bill No. 3090, having received the 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. 3129, by Senators Rasmussen, Conner, DeJarnatt, Metcalf and Granlund

Adding a member to the veterans affairs advisory committee.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Belcher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3129, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Senate Bill No. 3129, having received the 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. 3143, by Senators Talmadge, Newhouse and Conner; by Department of Licensing request

Extending the period for reregistration of trade names with the state.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3143, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson

D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Senate Bill No. 3143, having received the 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. J. King, ENGROSSED SUBSTITUTE SENATE BILL NO. 3431 was rereferred from the second reading calendar to Committee on Rules.

SENATE BILL NO. 3148, by Senators Granlund, Kreidler, Kiskaddon and Deccio; by Department of Corrections request

Repealing provisions relating to special adult supervision programs.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3148, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Senate Bill No. 3148, having received the 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. 3162, by Committee on Commerce & Labor (originally sponsored by Senators McDermott and Warnke)

Defining employer and employee relationships for entertainers for unemployment insurance.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Cole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3162, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Substitute Senate Bill No. 3162, having received the 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. 3167, by Senators Talmadge, Hayner and DeJarnatt
Extending timeshare regulation.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 78th Day, April 1, 1985.)

On motion of Mr. Armstrong, the committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3167 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 3; absent, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Barnes, Bond, Sanders - 3.

Absent: Representative West - 1.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Senate Bill No. 3167 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.

SUBSTITUTE SENATE BILL NO. 3249, by Committee on Financial Institutions (originally sponsored by Senators Kreidler, Moore and Rasmussen)

Specifying permissible terms of group life insurance for members of the Washington national guard.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass with the following amendment:

On page 1, line 18 after "guard" insert "or reserves"

On motion of Mr. Lux, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3249 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders,

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Excused: Representatives Fuhrman, Hastings, Wang - 3.

Substitute Senate Bill No. 3249 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.

SUBSTITUTE SENATE BILL NO. 3398, by Committee on Governmental Operations (originally sponsored by Senators Thompson, McCaslin and Zimmerman)

Authorizing the consideration by local government of local excise tax revenues arising from local purchases in awarding purchase contracts.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3398, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Substitute Senate Bill No. 3398, having received the 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. 3401, by Senators Peterson, Hansen and Guess; by Department of Licensing request

Revising commercial motor vehicle licensing reciprocity.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass with the following amendment:

On page 7, line 18 after "rate of" strike "four" and insert "(~~four~~) eight"

On motion of Mr. Walk, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3401 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich,

Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Substitute Senate Bill No. 3401 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. 3498, by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Bender, Vognild and Stratton)

Regulating recreational water contact facilities.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 78th Day, April 1, 1985.)

On motion of Ms. Brekke, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke 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. 3498 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Bristow - 1.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Engrossed Substitute Senate Bill No. 3498 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.

SUBSTITUTE SENATE BILL NO. 3536, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Bailey, McManus, McCaslin and Moore)

Revising the powers of public utility districts.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass with the following amendment:

On page 1, line 22 after "building" strike "plans" and insert "codes"

On motion of Ms. Haugen, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3536 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson

D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Substitute Senate Bill No. 3536 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.

SUBSTITUTE SENATE BILL NO. 3594, by Committee on Agriculture (originally sponsored by Senators Hansen, Benitz, Goltz and Newhouse)

Changing provisions relating to irrigation district voting.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Vekich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3594, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Substitute Senate Bill No. 3594, having received the 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. 3989, by Committee on Financial Institutions (originally sponsored by Senator Moore)

Revising provisions relating to insurance coverage for mastectomies.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3989, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Barnes - 1.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Substitute Senate Bill No. 3989, having received the 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. 4424, by Committee on Agriculture (originally sponsored by Senator Hansen)

Reopening the certification period of the pollution control board for certain parties to the Yakima adjudication.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 80th Day, April 3, 1985.)

On motion of Mr. Vekich, the committee amendments were adopted.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4424 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Substitute Senate Bill No. 4424 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 JOINT RESOLUTION NO. 103, by Committee on Governmental Operations (originally sponsored by Senators Granlund, Zimmerman, McCaslin, Garrett, DeJarnatt and Bailey)

Establishing procedures for the adoption of county home rule charters.

The resolution was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 78th Day, April 1, 1985.)

On motion of Ms. Haugen, the committee amendment was adopted.

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

Ms. Haugen spoke in favor of passage of the resolution.

POINT OF INQUIRY

Ms. Hine yielded to question by Ms. Brough.

Ms. Brough: "Representative Hine, a constitutional amendment very similar to Engrossed Substitute Senate Joint Resolution No. 103 was presented to the voters in 1976. The Attorney General, pursuant to statute, wrote a ballot title which read: 'Shall a state agency be created to draft several alternative model county home-rule charters for possible adoption by any county?'"

"The voters reaction was predictable, fewer than 27% voted for the constitutional amendment and it failed in every county. Obviously, the ballot title is a greater determinant of voter acceptance than are the contents of a joint resolution. Is there any assurance that the Attorney General will not mislabel Senate Joint Resolution 103 as was done to House Joint Resolution 64 in 1976?"

Ms. Hine: "There is no assurance because the Attorney General does have the opportunity to write their opinion. In 1976 efforts were made by the Chair of the Local Government Committee, the Associations of Counties and others interested in

HJR 64 to change the Attorney General's ballot title. However, should such purposeful mislabeling happen again, the Attorney General should be aware of the concern in the House of Representatives as shown by the introduction of House Bill 671 by Representative Allen and others. Certainly, it is an anomaly that proposed constitutional amendments are carefully drafted an earn two-thirds majority in each house and are then given to a separately elected official who in no way has participated in the issue. Furthermore, the Attorney General or the staff of the Attorney General, may disapprove of legislative wisdom. In either event, the Attorney General has an unfettered opportunity radically and significantly to impact voter reaction to a ballot issue. The 27% vote in favor of HJR 64 in 1976 is proof that an untrue ballot title can destroy a positive and legitimate constitutional amendment."

Ms. Brough spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 103 as amended by the House, and the resolution passed the House by the following vote: Yeas, 85; nays, 10; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Baugher, Bond, Chandler, Dobbs, Padden, Patrick, Sanders, Smith C, Thomas, Winsley - 10.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Engrossed Substitute Senate Joint Resolution No. 103 as amended by the House, having received the constitutional two-thirds majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 3776, by Committee on Governmental Operations (originally sponsored by Senators Thompson, Bluechel, Wojahn, Zimmerman, Goltz, Kiskaddon, McDermott, Warnke and McManus; by Arts Commission request)

Authorizing the continued existence of the state arts commission and restructuring the commission.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 75th Day, March 29, 1985.)

On motion of Ms. Belcher, the committee amendments were adopted.

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

Representatives Belcher and Miller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3776 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 4; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Bond, Padden, Sanders, van Dyke - 4.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Substitute Senate Bill No. 3776 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.

SUBSTITUTE SENATE BILL NO. 3015, by Committee on Commerce & Labor (originally sponsored by Senators Williams, Lee, Garrett and Vognild)

Exempting dealers of certain used items from the requirements for second-hand dealers.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Cole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3015, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Substitute Senate Bill No. 3015, having received the 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. 3826, by Senator Garrett

Modifying provisions on local government finances.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Brough spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3826, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Senate Bill No. 3826, having received the 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. 4227, by Senators Bender, Kiskaddon, Vognild and Johnson

Changing provisions relating to scoliosis screening.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 80th Day, April 3, 1985.)

Ms. Brekke moved adoption of the committee amendment, striking everything after the enacting clause.

On motion of Mr. Day, the following amendments to the committee amendment were adopted:

On page 3, line 11 after "nurse," insert "qualified licensed health practitioner."

On page 3, line 32 after "available" insert "from a qualified licensed health practitioner"

The committee amendment as amended was adopted.

On motion of Ms. Brekke, the committee amendment to the title of the bill was adopted.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4227 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Waik, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Fuhrman, Hastings, Wang - 3.

Engrossed Senate Bill No. 4227 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.

Representative Fuhrman appeared at the bar of the House.

ENGROSSED SENATE BILL NO. 3415, by Senators Bender, McDermott, Warnke, Sellar, Newhouse, Moore and Bottiger

Authorizing adjustable interest rates.

The bill was read the second time. Committed on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendment, see Journal, 80th Day, April 3, 1985.)

On motion of Mr. Lux, the committee amendment was adopted.

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

Mr. Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3415 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R,

Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Hastings, Wang - 2.

Engrossed Senate Bill No. 3415 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. 3081, by Senators Warnke and Newhouse

Authorizing reciprocal agreements with other states to collect claims payable to the department of labor and industries.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Cole spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Cole yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Cole, I notice in the summary that the director may also, on behalf of another state, maintain legal action in Washington State for the collection. Who pays for that legal action?"

Ms. Cole: "I'm sorry, Representative Sanders, I cannot answer that question."

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3081, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Dary, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Hastings, Wang - 2.

Senate Bill No. 3081, having received the 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. 3175, by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Kiskaddon, Kreidler and Stratton; by Department of Social and Health Services and Department of Fisheries request)

Regulating removal and possession of commercial quantities of shellfish.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3175, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough,

Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Hastings, Wang - 2.

Substitute Senate Bill No. 3175, having received the 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. 4129, by Senator McCaslin; by Corrections Standards Board request

Revising certain work-release provisions.

The bill was read the second time.

On motion of Ms. Brekke, the following amendment was adopted:

On page 2, line 15, after "(d)" strike all the material down to and including "discharged." on line 24 and insert "Each work release prisoner's earnings may be collected by the chief law enforcement officer or a designee. The chief law enforcement officer or a designee (~~shall collect the work release prisoner's earnings and from the earnings make~~) may deduct from the earnings moneys for the payments for the prisoner's board, personal expenses inside and outside the jail, (~~and~~) a share of the administrative expenses of this section, court-ordered victim compensation, and court-ordered restitution. Support payments for the prisoner's dependents, if any, shall be made as directed by the court. With the prisoner's consent, the remaining funds may be used to pay the prisoner's preexisting debts. Any remaining balance shall be (~~retained and paid~~) returned to the prisoner (~~when the prisoner is discharged~~)."

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

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4129 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Hastings, Wang - 2.

Senate Bill No. 4129 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.

SUBSTITUTE SENATE BILL NO. 3184, by Committee on Governmental Operations (originally sponsored by Senator Thompson)

Providing state-owned housing for certain state employees.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 78th Day, April 1, 1985.)

Ms. Belcher moved adoption of the committee amendment.

On motion of Ms. Belcher, the following amendment by Representatives Belcher and Hankins to the committee amendment was adopted:

On page 2 of the committee amendment, line 19, after "occupied" strike everything down to and including "agencies" on line 23 and insert "by an employee of the agency whose duties involve extended personnel services associated with the work site upon which the living facility is located or at work site near to where the living facility is located, the agency may make the facility available to such employee."

Mr. Todd moved adoption of the following amendment by Representatives Todd and D. Nelson to the committee amendment:

On page 4, after line 7 of the committee amendment, insert the following new section:

"NEW SECTION. Sec. 5. Each agency shall develop a program to bring living facilities under the agency's management, to the maximum extent possible, into conformance with the state energy code. Agencies shall utilize all means available to achieve an energy performance level equal to that calculated in accordance with the state energy code. Agencies shall use, to the maximum extent possible, any programs offered by utilities to achieve those energy efficient standards."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, we would challenge scope and object on this amendment and ask for your ruling."

SPEAKER'S RULING

The Speaker: "Representative Barrett, the Speaker has examined the amendment and Substitute Senate Bill No. 3184. Substitute Senate Bill 3184 deals with state-owned living facilities and includes provisions on the conditions of such living facilities. The amendment deals with the energy conservation standards for state-owned living facilities. This amendment falls within the scope and object of Substitute Senate Bill 3184 and your point is not well taken."

Mr. Todd spoke in favor of the amendment.

MOTION

Mr. Barrett moved that Substitute Senate Bill No. 3184 be rereferred to Committee on Ways & Means.

Representatives Barrett, Sanders, Lewis, Lundquist and Doty spoke in favor of the motion, and Mr. J. King spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to rerefer Substitute Senate Bill No. 3184 to Committee on Ways & Means, and the motion was lost by the following vote: Yeas, 45; nays, 51; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luvan, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wilson K, Wineberry, and Mr. Speaker - 51.

Excused: Representatives Hastings, Wang - 2.

The Speaker stated the question before the House to be the amendment by Representative Todd to the committee amendment.

Representatives Lundquist and Locke spoke against the amendment to the amendment.

With the consent of the House, Mr. Todd withdrew the amendment.

The committee amendment as amended was adopted.

Substitute Senate Bill No. 3184 as amended by the House was passed to Committee on Rules for third reading.

The Speaker declared the House to be at ease until 1:15 p.m.

AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Todd and Wang. Representative Wang was excused.

SECOND READING

SUBSTITUTE SENATE BILL NO. 4138, by Committee on Financial Institutions (originally sponsored by Senators Moore, Saling and Stratton; by Office of Insurance Commissioner request)

Revising procedures governing acquisition of domestic insurers.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4138, and the bill passed the House by the following vote: Yeas, 87; absent, 10; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smitherman, Sommers, Sutherland, Taylor, Thomas, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Waik, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 87.

Absent: Representatives Basich, Bond, Dobbs, Ebersole, King P, Schoon, Smith L, Tanner, Tilly, Todd - 10.

Excused: Representative Wang - 1.

Substitute Senate Bill No. 4138, having received the 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. 4229, by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Kiskaddon, Talmadge, Johnson, Stratton, Conner and McManus)

Providing that juveniles not be confined in adult jail or holding facilities.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Day spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4229, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven,

Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Todd - 1.

Excused: Representative Wang - 1.

Substitute Senate Bill No. 4229, having received the 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 JOINT MEMORIAL NO. 107, by Senators Talmadge, Kreidler, Williams, Hansen and Lee

Requesting congressional funding for cleanup of hazardous waste sites.

The memorial was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Ms. Rust spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Joint Memorial No. 107, and the memorial passed the House by the following vote: Yeas, 95; nays, 1; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Sanders - 1.

Absent: Representative Todd - 1.

Excused: Representative Wang - 1.

Engrossed Senate Joint Memorial No. 107, having received the constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 108, by Senators Williams, Benitz, Bottiger, McDermott, McManus, Halsan, Bailey, Wojahn, Kreidler, Granlund, Rasmussen, DeJarnatt, Owen, Thompson, Stratton, Warnke, McCaslin, Saling, Bauer, Goltz, Peterson, Garrett, Barr, Bender, Bluechel, Cantu, Conner, Craswell, Deccio, Fleming, Gaspard, Guess, Hansen, Hayner, Johnson, Kiskaddon, Lee, McDonald, Metcalf, Moore, Newhouse, Patterson, Pullen, Rinehart, Sellar, Talmadge, Vognild, von Reichbauer and Zimmerman

Requesting the federal government to withdraw the proposal to modify payments of the Bonneville Power Administration.

The memorial was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. D. Nelson spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 108, and the memorial passed the House by the following vote: Yeas, 95; nays, 1; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince,

Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Sanders - 1.

Absent: Representative Todd - 1.

Excused: Representative Wang - 1.

Senate Joint Memorial No. 108, having received the constitutional majority, was declared passed.

Mr. Todd appeared at the bar of the House.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 121, by Committee on Agriculture (originally sponsored by Senators Bauer, Hansen, Benitz, Moore, Gaspard, Barr, DeJarnatt, Goltz, Rasmussen, Bender, Wojahn and Bailey)

Urging Congress to amend federal law to assist farm banks.

The memorial was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Vekich and Lux spoke in favor of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Joint Memorial No. 121, and the memorial passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Sanders - 1.

Excused: Representative Wang - 1.

Substitute Senate Joint Memorial No. 121, having received the constitutional majority, was declared passed.

SENATE BILL NO. 3236, by Senators Moore, Sellar, Vognild, Bender, McManus, Warnke, McCaslin, Newhouse, Deccio, Wojahn, Stratton, Guess, McDermott, von Reichbauer and Conner

Relating to banks and bank holding companies.

The bill was read the second time.

Mr. Lux moved adoption of the following amendment by Representatives Lux, Sanders and Addison:

On page 1, line 11 after "state" strike all material to and including "(b)" on line 16 and insert ". Such bank, trust company, or national banking association to be acquired may be either a newly organized institution, which, at the time of acquisition, has not commenced any part of its business or an institution currently conducting business in this state, if the following terms or conditions are fulfilled: (a)"

Representatives Lux, Addison and Sanders spoke in favor of the amendment, and Representatives Winsley, Dellwo and Taylor spoke against it.

Mr. Lux spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Zellinsky moved adoption of the following amendment by Representatives Zellinsky and Lux:

On page 1, line 12 after "fulfilled:" insert the following:

"(a) Upon consummation of the acquisition and thereafter, the acquired bank posts a notice of a size and in a manner that clearly informs the public of the name and location of, and ownership by, the out-of-state bank holding company and similarly indicates such name, location and ownership in all advertisement and official correspondence;"

Renumber the remaining subsections consecutively.

Representatives Zellinsky and Lux spoke in favor of the amendment, and Representatives Winsley, Barrett and Taylor spoke against it.

The amendment was not adopted.

Mr. Lux moved adoption of the following amendment:

On page 1, line 12 after "fulfilled," insert the following:

"(a) An out-of-state bank holding company desiring to make an acquisition and the bank, trust company, or national banking association proposed to be acquired has filed an application in writing with the supervisor of banking and paid an investigation fee of an amount to cover the reasonable costs of investigation, the application to contain such information as the supervisor may prescribe by rule as necessary or appropriate for the purpose of deciding whether or not to approve a proposed acquisition;

(b) The supervisor has found that:

(i) The directors and officers of the out-of-state bank holding company are qualified by character, experience and financial responsibility to control and operate the bank, trust company, or national banking association proposed for acquisition;

(ii) The interests of the stockholders, depositors, and creditors of the bank, trust company, or national banking association proposed for acquisition and the citizens of Washington will not be jeopardized by the proposed acquisition;

(iii) The proposed change in management and ownership will not result in a monopoly or be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in the relevant financial market served by the bank, trust company, or national banking association proposed for acquisition; and

(iv) The proposed change in ownership and management will not substantially lessen competition or in any other manner be a restraint of trade in the relevant financial market served by the bank, trust company, or national banking association proposed for acquisition, unless these effects are clearly outweighed in the public interest by the probable benefits of the acquisition in meeting the convenience and needs of the relevant financial market to be served."

Renumber the remaining subsections accordingly.

Mr. Lux spoke in favor of the amendment, and Ms. Winsley spoke against it.

The amendment was not adopted.

Ms. Niemi moved adoption of the following amendment by Representatives Niemi and Sanders:

On page 1, strike subsections (b) and (c) in their entirety.

Representatives Niemi and Sanders spoke in favor of the amendment, and Representatives Winsley and Holland spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Niemi and Sanders to Senate Bill No. 3236, and the amendment was not adopted by the following vote: Yeas, 28; nays, 69; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Braddock, Bristow, Cole, Crane, Fisch, Fisher, Grimm, Hargrove, Isaacson, King J, King R, Leonard, Lundquist, Lux, McMullen, Nelson D, Niemi, Sanders, Sayan, Scott, Sommers, Todd, Unsoeld, Vaile, Wineberry, and Mr. Speaker - 28.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Brekke, Brooks, Brough, Chandler, Day, Dellwo, Dobbs, Doty, Ebersole, Fuhrman, Gallagher, Hankins, Hastings, Haugen, Hine, Holland, Jacobsen, King P, Kremen, Lewis, Locke, Long, Madsen, May, Miller, Nealey, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky - 69.

Excused: Representative Wang - 1.

Mr. Lux moved adoption of the following amendment:

On page 4, line 18 after "business," insert the following:

"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."

Renumber the remaining section consecutively.

Mr. Lux spoke in favor of the amendment, and Ms. Winsley spoke against it.

The amendment was not adopted.

Senate Bill No. 3236 was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3170, by Committee on Natural Resources (originally sponsored by Senators Owen and Metcalf)

Establishing criteria for annual natural resources reports.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 73rd Day, March 27, 1985.)

On motion of Ms. K. Wilson, the committee amendments were adopted.

On motion of Mr. Hargrove, the following amendment by Representatives Hargrove, Vekich and Lundquist was adopted:

On page 2, line 30 after "agreements," insert "the adopted sustainable harvest compared to the sales program."

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

Ms. K. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3170 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wang - 1.

Substitute Senate Bill No. 3170 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. 3596, by Senators Granlund, Kiskaddon, Talmadge, Deccio and Kreidler; by Office of Financial Management request

Changing provisions relating to the state criminal justice information system.

The bill was read the second time.

On motion of Mr. Armstrong, the following amendments were adopted:

On page 5, after line 21, insert the following:

"Sec. 7, Section 1, chapter 152, Laws of 1972 ex. sess. as amended by section 17, chapter 17, Laws of 1984 and RCW 43.43.700 are each amended to read as follows:

There is hereby established within the Washington state patrol a section on identification and criminal history hereafter referred to as the section.

In order to aid the administration of justice the section shall install systems for the identification of individuals, including the fingerprint system and such other systems as the chief deems necessary. The section shall keep a complete record and index of all information received in convenient form for consultation and comparison.

The section shall obtain from whatever source available and file for record the fingerprints, palmprints, photographs, or such other identification data as it deems necessary, of persons who have been or shall hereafter be lawfully arrested and charged with, or convicted of any criminal offense. The section may obtain like information concerning persons arrested for or convicted of crimes under the laws of another state or government.

The section shall also contain like information concerning persons, over the age of eighteen years, who have been found, pursuant to a dependency proceeding under chapter 13.34 RCW in which the person was a party, to have sexually molested, sexually abused, or sexually exploited a child.

Sec. 8. Section 2, chapter 152, Laws of 1972 ex. sess. as amended by section 14, chapter 314, Laws of 1977 ex. sess. and RCW 43.43.705 are each amended to read as follows:

Upon the receipt of identification data from criminal justice agencies within this state, the section shall immediately cause the files to be examined and upon request shall promptly return to the contributor of such data a transcript of the record of previous arrests and dispositions of the persons described in the data submitted.

Upon application, the section shall furnish to criminal justice agencies, or to the department of social and health services, hereinafter referred to as the 'department', a transcript of the criminal offender record information or dependency record information available pertaining to any person of whom the section has a record.

For the purposes of RCW 43.43.700 through 43.43.800 the following words and phrases shall have the following meanings:

'Criminal offender record information' includes, and shall be restricted to identifying data and public record information recorded as the result of an arrest or other initiation of criminal proceedings and the consequent proceedings related thereto. 'Criminal offender record information' shall not include intelligence, analytical, or investigative reports and files.

'Criminal justice agencies' are those public agencies within or outside the state which perform, as a principal function, activities directly relating to the apprehension, prosecution, adjudication or rehabilitation of criminal offenders.

'Dependency record information' includes and shall be restricted to identifying data regarding a person, over the age of eighteen, who was a party to a dependency proceeding brought under chapter 13.34 RCW and who has been found, pursuant to such dependency proceeding, to have sexually molested, sexually abused, or sexually exploited a child.

Applications for information shall be by a data communications network used exclusively by criminal justice agencies or the department or in writing and information applied for shall be used solely in the due administration of the criminal laws or for the purposes enumerated in RCW 43.43.760(3).

The section may refuse to furnish any information pertaining to the identification or history of any person or persons of whom it has a record, or other information in its files and records, to any applicant if the chief determines that the applicant has previously misused information furnished to such applicant by the section or the chief believes that the applicant will not use the information requested solely for the purpose of due administration of the criminal laws or for the purposes enumerated in RCW 43.43.760(3). The applicant may appeal such determination and denial of information to the advisory council created in RCW 43.43.785 and the council may direct that the section furnish such information to the applicant.

Sec. 9. Section 7, chapter 36, Laws of 1979 ex. sess. and RCW 43.43.710 are each amended to read as follows:

Information contained in the files and records of the section relative to the commission of any crime by any person shall be considered privileged and shall not be made public or disclosed for any personal purpose or in any civil court proceedings except upon a written order of the judge of a court wherein such civil proceedings are had. All information contained in the files of the section relative to criminal records and personal histories of persons arrested for the commission of a crime shall be available to all criminal justice agencies and, for the sole purpose of investigating the cause of fires under RCW 48.48.060(2) where the cause is suspected to be arson, to the state fire marshal, upon the filing of an application as provided in RCW 43.43.705.

Dependency record information contained in the files and records of the section shall be considered privileged and shall not be made public. Dependency record information may be disclosed as authorized by this chapter or may be disclosed to the same extent that information regarding dependency proceedings may generally be disclosed, as authorized by applicable laws or court rules.

Although no application for information has been made to the section as provided in RCW 43.43.705, the section may transmit such information in the chief's discretion, to such agencies as are authorized by RCW 43.43.705 to make application for it.

Sec. 10. Section 4, chapter 152, Laws of 1972 ex. sess. and RCW 43.43.715 are each amended to read as follows:

The section shall, consistent with the procedures set forth in this 1972 act, cooperate with all other criminal justice agencies, and the department, within or without the state, in an exchange of information regarding convicted criminals and those suspected of or wanted for the commission of crimes, and persons who are the subject of dependency record information, to the end that proper identification may rapidly be made and the ends of justice served.

Sec. 11. Section 6, chapter 152, Laws of 1972 ex. sess. and RCW 43.43.725 are each amended to read as follows:

Any copy of a criminal offender record, photograph, fingerprint, or other paper or document in the files of the section, including dependency record information, certified by the chief or his designee to be a true and complete copy of the original or of information on file with the section, shall be admissible in evidence in any court of this state pursuant to the provisions of RCW 5.44.040.

Sec. 12. Section 7, chapter 152, Laws of 1972 ex. sess. as amended by section 16, chapter 314, Laws of 1977 ex. sess. and RCW 43.43.730 are each amended to read as follows:

(1) Any individual shall have the right to inspect criminal offender record information, or dependency record information, on file with the section which refers to him. If an individual believes such information to be inaccurate or incomplete, he may request the section to purge, modify or supplement it and to advise such persons or agencies who have received his record and whom the individual designates to modify it accordingly. Should the section decline to so act, or should the individual believe the section's decision to be otherwise unsatisfactory, the individual may appeal such decision to the superior court in the county in which he is resident, or the county from which the disputed record emanated or Thurston county. The court shall in such case conduct a de novo hearing, and may order such relief as it finds to be just and equitable.

(2) The section may prescribe reasonable hours and a place for inspection, and may impose such additional restrictions, including fingerprinting, as are reasonably necessary both to assure the record's security and to verify the identities of those who seek to inspect them: PROVIDED, That the section may charge a reasonable fee for fingerprinting.

Sec. 13. Section 8, chapter 152, Laws of 1972 ex. sess. and RCW 43.43.735 are each amended to read as follows:

(1) It shall be the duty of the sheriff or director of public safety of every county, and the chief of police of every city or town, and of every chief officer of other law enforcement agencies duly operating within this state, to cause the photographing and fingerprinting of all persons lawfully arrested for the commission of any criminal offense constituting a felony or gross misdemeanor: PROVIDED, That an exception may be made when the arrest is for a violation punishable as a gross misdemeanor and the arrested person is not taken into custody.

(2) It shall be the right, but not the duty, of the sheriff or director of public safety of every county, and the chief of police of every city or town, and every chief officer of other law enforcement agencies operating within this state to photograph and record the fingerprints of all persons lawfully arrested, or all persons who are the subject of dependency record information.

(3) Such sheriffs, directors of public safety, chiefs of police, and other chief law enforcement officers, may record, in addition to photographs and fingerprints, the palmprints, soleprints, toeprints, or any other identification data of all persons lawfully arrested for the commission of any criminal offense, or all persons who are the subject of dependency record information, when in the discretion of such law enforcement officers it is necessary for proper identification of the arrested person or the investigation of the crime with which he is charged.

(4) It shall be the duty of the court having jurisdiction over the dependency action to cause the fingerprinting of all persons who are the subject of dependency record information and to obtain other necessary identifying information, as specified by the section in rules promulgated pursuant to chapter 34.04 RCW to carry out the provisions of this subsection.

(5) The court having jurisdiction over the dependency action may obtain and record, in addition to fingerprints, the photographs, palmprints, soleprints, toeprints, or any other identification data of all persons who are the subject of dependency record information, when in the discretion of the court it is necessary for proper identification of the person.

Sec. 14. Section 9, chapter 152, Laws of 1972 ex. sess. and RCW 43.43.740 are each amended to read as follows:

Except as provided in RCW 43.43.755 relating to the fingerprinting of juveniles:

(1) It shall be the duty of the sheriff or director of public safety of every county, and the chief of police of every city or town, and of every chief officer of other law enforcement agencies duly operating within this state to furnish within seventy-two hours from the time of arrest to the section the required sets of fingerprints together with other identifying data as may be prescribed by the chief, of any person lawfully arrested, fingerprinted, and photographed pursuant to RCW 43.43.735.

(2) Law enforcement agencies may retain and file copies of the fingerprints, photographs, and other identifying data and information obtained pursuant to RCW 43.43.735. Said records shall remain in the possession of the law enforcement agency as part of the identification record and are not returnable to the subjects thereof.

(3) It shall be the duty of the court having jurisdiction over the dependency action to furnish dependency record information, obtained pursuant to RCW 43.43.735, to the section within seven days, excluding Saturdays, Sundays, and holidays, from the date that the court enters a finding, pursuant to a dependency action brought under chapter 13.34 RCW, that a person over the age of eighteen, who is a party to the dependency action, has sexually molested, sexually abused, or sexually exploited a child.

(4) The court having jurisdiction over the dependency action may retain and file copies of the fingerprints, photographs, and other identifying data and information obtained pursuant to RCW 43.43.735. These records shall remain in the possession of the court as part of the identification record and are not returnable to the subjects thereof.

Sec. 15, Section 13, chapter 152, Laws of 1972 ex. sess. as amended by section 1, chapter 184, Laws of 1983 and RCW 43.43.760 are each amended to read as follows:

(1) Whenever a resident of this state appears before any law enforcement agency and requests an impression of his fingerprints to be made, such agency may comply with his request and make the required copies of the impressions on forms marked 'Personal Identification'. The required copies shall be forwarded to the section and marked 'for personal identification only'.

The section shall accept and file such fingerprints submitted voluntarily by such resident, for the purpose of securing a more certain and easy identification in case of death, injury, loss of memory, or other similar circumstances. Upon the request of such person, the section shall return his identification data.

(2) Whenever any person is an applicant for appointment to any position or is an applicant for employment or is an applicant for a license to be issued by any governmental agency, and the law or a regulation of such governmental agency requires that the applicant be of good moral character or not have been convicted of a crime, or is an applicant for appointment to or employment with a criminal justice agency, or the department, the applicant may request any law enforcement agency to make an impression of his fingerprints to be submitted to the section. The law enforcement agency may comply with such request and make copies of the impressions on forms marked 'applicant', and submit such copies to the section.

The section shall accept such fingerprints and shall cause its files to be examined and shall promptly send to the appointing authority, employer, or licensing authority indicated on the form of application, a transcript of the record of previous crimes committed by the person described on the data submitted, or a transcript of the dependency record information regarding the person described on the data submitted, or if there is no record of his commission of any crimes, or if there is no dependency record information, a statement to that effect.

(3) The Washington state patrol shall charge fees for processing of noncriminal justice system requests for criminal history record information pursuant to this section which will cover, as nearly as practicable, the direct and indirect costs to the patrol of processing such requests.

Any law enforcement agency may charge a fee not to exceed five dollars for the purpose of taking fingerprint impressions or searching its files of identification for noncriminal purposes." On page 1, line 2 of the title, after "10.98.100" strike "and" and after "10.98.140" insert "43.43.700, 43.43.705, 43.43.710, 43.43.715, 43.43.725, 43.43.730, 43.43.735, 43.43.740, and 43.43.760"

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3596 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wang - 1.

Engrossed Senate Bill No. 3596 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.

SUBSTITUTE SENATE BILL NO. 4128, by Committee on Human Services & Corrections (originally sponsored by Senator McCaslin; by Corrections Standards Board request)

Revising the authority of the corrections standards board.

The bill was read the second time.

Mr. Braddock moved adoption of the following amendment:

On page 18, after line 9 insert:

"NEW SECTION. Sec. 18. The legislative budget committee shall recommend to the legislature which of the corrections standards board's current responsibilities must be continued and where such continued activities, if any, shall be placed in other agencies. The legislative budget committee shall report to the legislature by January 1, 1986."

Renumber remaining sections consecutively and correct internal references accordingly.

Representatives Braddock and D. Nelson spoke in favor of the amendment, and it was adopted.

On motion of Mr. Braddock, the following amendment to the title of the bill was adopted:

On page 1, line 4 of the title after "70.48A.040;" insert "creating a new section."

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4128 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B. Williams J. Wilson K. Wilson S. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wang - 1.

Substitute Senate Bill No. 4128 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.

SUBSTITUTE SENATE BILL NO. 3553, by Committee on Transportation (originally sponsored by Senators Peterson, Sellar, Garrett, Granlund, DeJarnatt, Bottiger and Bender)

Regulating removal and disposal of abandoned, unauthorized, and junk vehicles.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 78th Day, April 1, 1985.)

On motion of Walk, the committee amendment was adopted.

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

Mr. Wineberry spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Walk yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Walk, some concern regarding the fifty dollar tow truck registration fee was raised in committee. How can we be sure companies are registering all of their trucks that they will be using for impoundment rather than just registering one vehicle and avoiding the registration fee on the remainder of their fleet?"

Mr. Walk: "I'll draw your attention to page 15, section 19 of the striking amendment, where it says the director in cooperation with the chief of the state patrol shall adopt rules to carry out the provisions and the intent of this chapter. It's

my feeling that this language would allow the agencies to enforce that section of the bill and make sure the intent is carried out properly."

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3553 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Smith L, Tanner - 2.

Excused: Representative Wang - 1.

Senate Bill No. 3553 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 resumed the Chair.

SUBSTITUTE SENATE BILL NO. 3207, by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Metcalf, Bottiger, Rasmussen, Johnson, Patterson, Owen, Bender and Bauer)

Providing for prison work programs.

The bill was read the second time.

Ms. Walker moved adoption of the following amendment:

On page 1, line 17 after "72.09.100" insert ": PROVIDED, That no prison work program may be established within two miles of a public or private school"

Representatives Walker, Barrett, Isaacson and Taylor spoke in favor of the amendment, and Representatives Brekke, Rust and Dellwo opposed it.

Mr. Crane demanded the previous question and the demand was not sustained.

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

Mr. Locke spoke against the amendment, and Mr. Smitherman spoke in favor of it.

POINT OF INQUIRY

Ms. Walker yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Walker, for clarification, when you indicate that you would not like to have a prison work program within two miles of a public or private school, would it be your intention that would only apply to K through 12 schools?"

Ms. Walker: "Yes."

Mr. G. Nelson spoke in favor of the amendment and Representatives D. Nelson and Appelwick spoke against it.

Ms. Walker spoke again in favor of the amendment.

Mr. Crane demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Walker to Substitute Senate Bill No. 3207, and the amendment was adopted by the following vote: Yeas, 60; nays, 37; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barrett, Baugher, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Grimm, Hankins, Hastings, Holland, Isaacson, King P, Kremen, Lewis, Long, Lundquist, Madsen, May, Miller, Nelson G, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, West, Williams B, Williams J, Wilson K, Winsley, Zellinsky - 60.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Basich, Belcher, Braddock, Brekke, Cole, Fisch, Fisher, Fuhrman, Gallagher, Hargrove, Haugen, Hine, Jacobsen, King J, King R, Leonard, Locke, Lux, McMullen, Nealey, Nelson D, Niemi, Nutley, O'Brien, Rust, Sayan, Scott, Sommers, Todd, Unsoeld, Vekich, Wilson S, Wineberry, and Mr. Speaker - 37.

Excused: Representative Wang - 1.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3207 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Hargrove, Locke, Nelson G - 3.

Absent: Representative Walk - 1.

Excused: Representative Wang - 1.

Substitute Senate Bill No. 3207 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 8, 1985

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3070,
SENATE BILL NO. 3096,
SENATE BILL NO. 3406,
SUBSTITUTE SENATE BILL NO. 3407,
SENATE BILL NO. 3408,
SENATE BILL NO. 3409,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 21,
HOUSE BILL NO. 409,
HOUSE BILL NO. 601,
SUBSTITUTE HOUSE BILL NO. 1063,
SENATE BILL NO. 3070,
SENATE BILL NO. 3096,
SENATE BILL NO. 3406,
SUBSTITUTE SENATE BILL NO. 3407,

SENATE BILL NO. 3408.
SENATE BILL NO. 3409.

MOTION

On motion of Mr. J. King, the House adjourned until 9:00 a.m., Tuesday, April 9, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

EIGHTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 9, 1985.

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, Pages Carlene Gordon and Matt Bell. Prayer was offered by Reverend Gregg Oliver, Grace Community Covenant 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 8, 1985

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 12,
 SUBSTITUTE HOUSE BILL NO. 15,
 HOUSE BILL NO. 92,
 SUBSTITUTE HOUSE BILL NO. 188,
 HOUSE BILL NO. 310,
 HOUSE BILL NO. 402,
 SUBSTITUTE HOUSE BILL NO. 520,
 SUBSTITUTE HOUSE BILL NO. 565,
 ENGROSSED HOUSE BILL NO. 830,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. J. King, the House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-48, by Representative P. King

WHEREAS, The Seattle Mariners is Washington's only professional major league baseball team; and

WHEREAS, The Seattle Mariners is a baseball team in which Washington fans take great pride; and

WHEREAS, The 1985 Seattle Mariners baseball team is a stronger and more improved team than the Mariners' 1984 team; and

WHEREAS, In the very near future, the Seattle Mariners will demonstrate to the rest of the teams in the American League superb pitching, powerful and frequent hitting, speedy baserunning and great enthusiasm for the nation's favorite summer sport; and

WHEREAS, The Seattle Mariners possess a sage and crafty manager in Chuck Cottier; and

WHEREAS, The Seattle Mariners will open their 1985 American League season on April 9, 1985 in the Kingdome with a game against the Oakland As; and

WHEREAS, Seattle Mariners' fans are eagerly anticipating this event which will begin the Mariners' 1985 baseball season;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington extend its best wishes for the 1985 season to the Seattle Mariners baseball team; and

BE IT FURTHER RESOLVED, That the House of Representatives urge all Seattle Mariners' fans to join with it to root the Mariners on to victory and to the World Series; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the members of the Seattle Mariners' team.

On motion of Mr. J. King, the resolution was adopted.

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

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 3146, by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Kreidler, Kiskaddon and Deccio; by Department of Corrections request)

Updating the names and capacities of corrections institutions.

The bill was read the second time.

On motion of Ms. Niemi the following amendments by Representatives Niemi and West were adopted:

On page 2, beginning on line 12 strike all of section 2.

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 4, line 8 after "RCW 72.12.050" insert "and section 109, chapter 136, Laws of 1981 and RCW 72.12.160"

Ms. Niemi moved adoption of the following amendments by Representatives Niemi and West:

On page 3, beginning on line 34 strike all of section 5.

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 4, line 8 after "RCW 72.12.050" insert "and section 2, chapter 2, Laws of 1982 2nd ex. sess. and RCW 72.13.091"

Representatives Niemi and West spoke in favor of the amendments, and Representatives Brekke, Sayan and D. Nelson spoke against them.

Mr. Sayan again opposed the amendments.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Niemi and West to page 3, line 34 and page 4, line 8 of Substitute Senate Bill No. 3146, and the amendments were adopted by the following vote: Yeas, 74; nays, 24.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, King J, King P, Kremen, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Brekke, Cole, Crane, Hine, Jacobsen, King R, Leonard, Lux, Nelson D, Rayburn, Rust, Sayan, Scott, Unsoeld, Valle, Walk, Wang, Wineberry - 24.

On motion of Ms. Niemi, the following amendments to the title of the bill were adopted:

On page 1, line 2 strike "72.65.010, and 72.13.091" and insert "and 72.65.010"

On page 1, line 2 strike "72.12.160."

On page 1, line 3 after "72.12.050" insert "and RCW 72.13.091"

On page 1, line 3 after "72.12.150" insert "and RCW 72.12.160"

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3146 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Baugher, Sayan, Van Luven - 3.

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.

SUBSTITUTE SENATE BILL NO. 3007, by Committee on Transportation (originally sponsored by Senators Bauer, Zimmerman and Thompson)

Specifying motor vehicle licensing exemptions to be declared by the department for vehicles registered in other jurisdictions.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 75th Day, March 29, 1985.)

Mr. Walk moved adoption of the committee amendment.

On motion of Mr. Sutherland, the following amendment by Representatives Tanner and Sutherland to the committee amendment was adopted:

On page 1, line 29 after "rates" strike all of the material through "state" on line 31.

On motion of Ms. Brough, the following amendment by Representatives Brough and Sutherland to the committee amendment was adopted:

On page 10, line 15 following "therefor," strike "The" and insert "When provided with a bill of sale signed by both parties the"

The committee amendment as amended was adopted.

On motion of Mr. Walk, the committee amendment to the title of the bill was adopted.

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

Ms. Nutley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3007 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Betrozoff, Long, Miller, Vander Stoep - 4.

Substitute Senate Bill No. 3007 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. 3067, by Senators Hansen, Gaspard, Bottiger, Barr, Benitz, Vognilid, Sellar, Goltz, Bailey and Newhouse

Modifying provisions relating to aquatic farming.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Vekich moved adoption of the committee amendment.

Ms. Sommers moved adoption of the following amendments to the committee amendment:

On page 1, line 26 after "control program" strike "and" and all material through "ranching" on page 2, line 2.

On page 8, line 10 after "department." strike all material through "misdemeanor." on line 23

Renumber the remaining sections consecutively and correct internal references accordingly.

Ms. Sommers spoke in favor of the amendments, and Representatives Vekich and Nealey spoke against them.

The amendments to the committee amendment were not adopted.

The committee amendment was adopted.

On motion of Mr. Vekich, the committee amendment to the title of the bill was adopted.

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

Representatives Vekich, Nealey and R. King spoke in favor of passage of the bill, and Representative Barnes opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3067 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 13.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barrett, Basich, Baugher, Braddock, Brekke, Bristow, Brooks, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Armstrong, Barnes, Belcher, Betzoff, Bond, Brough, Cole, Leonard, Lundquist, Sanders, Sommers, Williams B, Williams J - 13.

Engrossed Senate Bill No. 3067 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.

Representative Tanner was excused.

SENATE BILL NO. 3104, by Senators Talmadge and Newhouse

Repealing statutes superseded by court rules.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3104, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Lundquist, Thomas - 2.

Excused: Representative Tanner - 1.

Senate Bill No. 3104, having received the 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 9, 1985

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 21,

HOUSE BILL NO. 409,

HOUSE BILL NO. 601,

SUBSTITUTE HOUSE BILL NO. 1063,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

ENGROSSED SENATE BILL NO. 3134, by Senators Goltz, Patterson, Gaspard, Saling, Johnson, Bauer, Garrett, Benitz, McDermott, Stratton, Rinehart and Lee

Permitting installment payments of tuition and fees at institutions of higher education.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Sommers, the committee amendments were adopted.

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

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3134 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Lundquist, Nealey - 2.

Excused: Representative Tanner - 1.

Engrossed Senate Bill No. 3134 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. 3204, by Senators Gaspard, Bauer, Johnson, Goltz, Patterson, Bender and von Reichbauer

Providing for activities in observance of Veterans' Day in the schools.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Walker and Ebersole spoke in favor of passage of the bill, and Representative Schoon opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3204, and the bill passed the House by the following vote: Yeas, 91; nays, 5; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gailagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Baugher, Chandler, Lundquist, Schoon, Wilson K - 5.

Absent: Representative Holland - 1.

Excused: Representative Tanner - 1.

Senate Bill No. 3204, having received the 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. 3252, by Committee on Judiciary (originally sponsored by Senators Owen and Warnke)

Revising procedures for family conciliation courts.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass with the following amendment:

On page 2, beginning on line 5 strike all of subsection (1) and renumber the remaining subsections consecutively.

On motion of Mr. Armstrong, the committee amendment was adopted.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3279, by Committee on Education (originally sponsored by Senators Gaspard, Goltz, Saling, Johnson, Lee, Stratton, Conner, Bender, Kiskaddon and Guess)

Establishing requirements for home schooling.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

Mr. Ebersole moved adoption of the committee amendment. Representatives Ebersole and Betrozoff spoke in favor of the amendment, and it was adopted.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3302, by Committee on Judiciary (originally sponsored by Senators Fleming, Zimmerman, Sellar, Bauer, Johnson, McDermott and Gaspard)

Authorizing employment of chaplains by law enforcement agencies.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass with the following amendment:

On page 2, beginning on line 2 strike all material through "duties." on line 3.

On motion of Mr. Armstrong, the committee amendment was adopted.

Mr. West moved adoption of the following amendment:

On page 1, beginning on line 18 after "chaplain" strike all material through "agencies" on line 22.

Mr. West spoke in favor of the amendment, and Mr. Armstrong opposed it.

The amendment was adopted.

The bill was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 3319, by Senators Talmadge, McCaslin and DeJarnatt

Authorizing award of court costs in challenges to open public meeting act.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3319, and the bill passed the House by the following vote: Yeas, 92; nays, 5; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Dellwo, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Braddock, Day, Fisch, Hargrove, Niemi - 5.

Excused: Representative Tanner - 1.

Engrossed Senate Bill No. 3319, having received the 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. 3322, by Senators Gaspard, Fleming, Hayner, Benitz and von Reichbauer

Increasing the members of the boards of regents of the state universities.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Jacobsen spoke in favor of passage of the bill, and Ms. Miller spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3322, and the bill passed the House by the following vote: Yeas, 71; nays, 26; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, Isaacson, Jacobsen, King J, King P, King R, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smitherman, Sommers, Sutherland, Taylor, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Baugher, Betrozoff, Bond, Brooks, Chandler, Dobbs, Doty, Fuhrman, Haugen, Holland, Kremen, Lundquist, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Smith C, Smith L, Thomas, van Dyke, Van Luven, West, Williams J - 26.

Excused: Representative Tanner - 1.

Senate Bill No. 3322, having received the 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. 3332, by Committee on Education (originally sponsored by Senators Bauer, Zimmerman, Thompson, Barr, Patterson and Stratton)

Modifying the self-insurance authority of joint governmental entities.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Ebersole, the committee amendments were adopted.

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

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3332 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 3; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Bond, Sanders, West - 3.

Absent: Representatives Patrick, Peery - 2.

Excused: Representative Tanner - 1.

Substitute Senate Bill No. 3332 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. 3273, by Senators Goltz, Zimmerman, Bauer, McCaslin and Talmadge

Modifying terms and procedures for the delivery of mutual aid services between law enforcement agencies.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Armstrong moved adoption of the committee amendments.

POINT OF ORDER

Mr. West: "Mr. Speaker, I challenge the scope and object of the committee amendment."

SPEAKER'S RULING

The Speaker: "The Speaker has examined ESB 3273 and the proposed committee amendment. ESB 3273 creates a new chapter to be known as 'The Washington Mutual Aid Peace Officer Powers Act of 1985.' This act regulates police enforcement powers on a territorial basis and provides for reporting requirements when power is exercised outside an officer's home jurisdiction. The committee amendment adds three additional sections to the bill outside the Mutual Aid Act. These new sections deal with justifiable homicide and the use of deadly force by law enforcement officers. In the Speaker's opinion, these amendments expand the scope and object of ESB 3273 because they go beyond the question of territorial powers of law enforcement agencies to deal with matters of criminal liability and the definition of justifiable homicide. The committee amendment violates House Rule 12(E).

"Your point is well taken, Representative West."

Ms. L. Smith moved adoption of the following amendment by Representatives L. Smith, Padden, Patrick, Locke and Rayburn:

On page 7, after line 2, insert the following:

*Sec. 17. Section 1, chapter 198, Laws of 1969 ex. sess. as last amended by section 19, chapter 263, Laws of 1984 and RCW 10.31.100 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through ~~((4))~~ (5) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 10.99.040(2), 10.99.050, 26.09.060, chapter 26.26 RCW, or chapter 26.50 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence or excluding the person from a residence; or

(b) The person within the preceding four hours has assaulted that person's spouse, former spouse, or other person with whom the person resides or has formerly resided.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(f) RCW 46.61.525, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5) Any police officer having probable cause to believe that a person has committed or is committing public indecency, as defined in RCW 9A.88.010, may arrest the person.

(6) Except as specifically provided in subsections (2), (3), and (4) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

~~((6))~~ (7) No police officer may be held criminally or civilly liable for making an arrest pursuant to RCW 10.31.100(2) if the police officer acts in good faith and without malice.

Renumber the remaining section consecutively.

POINT OF ORDER

Mr. Armstrong: "Mr. Speaker, I would challenge the scope and object of this amendment."

SPEAKER'S RULING

The Speaker: "Representative Armstrong, the Speaker has examined the amendment and ESB 3273. Remarks made on the previous point of order on the committee amendment also hold true here because this does not deal with the aid agreements between law enforcement agencies. The amendment deals with the arrest for public indecency. I would rule that your point is well taken; the amendment is out of order."

Mr. G. Nelson moved adoption of the following amendment by Representatives G. Nelson and O'Brien:

On page 7, after line 2 insert the following:

*Sec. 17. Section 9A.84.030, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.84.030 are each amended to read as follows:

(1) A person is guilty of disorderly conduct if he:

(a) Uses abusive language and thereby intentionally creates a risk of assault; or

(b) Intentionally disrupts any lawful assembly or meeting of persons without lawful authority; ~~((or))~~

(c) Intentionally obstructs vehicular or pedestrian traffic without lawful authority; or

(d) Solicits in a retail establishment or other public place any compensation, gratuity, or reward for the solicitor's benefit without providing service, product, or other benefit in return.

(2) Disorderly conduct is a misdemeanor."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Armstrong: "Mr. Speaker, I ask for a ruling on the scope and object of this amendment."

SPEAKER'S RULING

The Speaker: "Representative Armstrong, the Speaker has examined the amendment. The arguments as they apply to the committee amendment and to the Smith amendment also apply in this case. The matter before us does not deal with the jurisdictional aid agreements between law enforcement agencies; rather, this amendment deals with disorderly conduct. Because of that, the Speaker would rule this amendment outside the scope and object of the bill."

Mr. Patrick moved adoption of the following amendment:

On page 7, after line 2 insert the following:

"NEW SECTION. Sec. 17. There is added to chapter 4.24 RCW a new section to read as follows:

Except as otherwise provided by statutes of this state, a peace officer as defined in RCW 9A.04.110 is not civilly liable for false arrest, false imprisonment, or any other injury resulting from an act or omission which is the result of the officer's good faith exercise of discretion occurring within the course and scope of the officer's public employment, or which is the result of an abuse of that discretion arising from a good faith mistake or negligence and does not involve intent, recklessness, or gross negligence."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. D. Nelson: "Mr. Speaker, I would ask that you rule on this amendment and whether or not it is within the scope and object of the bill."

SPEAKER'S RULING

The Speaker: "Representative Nelson, the Speaker has examined the amendment. The remarks which applied to the other proposed amendments apply to this amendment as well. The amendment deals with civil liability of peace officers in the performance of their duties, and in the view of the Speaker, that is beyond the scope and object of the Mutual Aid Act, which is the subject of ESB 3273. Your point is well taken."

The bill was passed to Committee on Rules for third reading.

Representative Isaacson was excused.

SUBSTITUTE SENATE BILL NO. 3350, by Committee on Education (originally sponsored by Senators Gaspard, Patterson and Barr)

Preventing the redesignation of a school district due to joint operation of certain programs.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3350, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey,

Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Isaacson, Tanner - 2.

Substitute Senate Bill No. 3350, having received the 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. 3363, by Senators Cantu and Talmadge

Clarifying the incest statute.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3363, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Isaacson, Tanner - 2.

Senate Bill No. 3363, having received the 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. 3373, by Senators Moore and McCaslin

Authorizing recovery of additional costs for plaintiffs against certain judgment debtors.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Armstrong, the committee amendment was adopted.

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3373 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Isaacson, Tanner - 2.

Senate Bill No. 3373 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. O'Brien to preside.

SUBSTITUTE SENATE BILL NO. 3378, by Committee on Agriculture (originally sponsored by Senators Fleming, Hansen, McDermott, Bauer, Barr, Wojahn, Bailey, Deccio, Benitz and Patterson)

Establishing a state agricultural finance commission.

The bill was read the second time. Committee on Agriculture recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Vekich moved adoption of the committee amendment striking everything after the enacting clause.

Ms. Sommers moved adoption of the following amendment to the committee amendment:

On page 1, line 26 after "operations" insert "of products not in surplus supply"

Ms. Sommers spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Sommers, this is a very interesting amendment you have here, but I'm wondering how this would be administered as to how would one define 'surplus'? Are you talking about surplus in our state or surplus in our nation or world surplus?"

Ms. Sommers: "Representative Tilly, please note that this does not amend the obligatory part of the bill that deals with industrial revenue bonds. It is simply saying that we would not have as legislative intent or legislative rhetoric, if you will, a statement that we support and advocate increasing surpluses and make it even more difficult for those who produce them."

Representatives Tilly and Nealey spoke against the amendment to the amendment.

The amendment to the amendment was not adopted.

Mr. Vekich spoke in favor of the committee amendment and Mr. Nealey spoke against it.

Mr. Vekich spoke again in favor of the committee amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the Committee on Agriculture amendment to Substitute Senate Bill No. 3378, and the amendment was not adopted by the following vote: Yeas, 47; nays, 49; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Locke, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Sayan, Scott, Smitherman, Sommers, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, Zellinsky, and Mr. Speaker - 47.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brekke, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Leonard, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Rust, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley - 49.

Excused: Representatives Isaacson, Tanner - 2.

Substitute Senate Bill No. 3378 was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3516, by Committee on Education (originally sponsored by Senators Bauer, Gaspard, Benitz, Moore, Bender, Rinehart, Lee and Johnson; by Temporary Committee on Educational Policies, Structure and Management request)

Providing for instruction in Spanish and Japanese in grades one through six.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Ebersole, the committee amendments were adopted.

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

Representatives Ebersole and L. Smith 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. 3516 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Baugher, Rayburn, Sayan - 3.

Excused: Representatives Isaacson, Tanner - 2.

Engrossed Substitute Senate Bill No. 3516 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. 3538, by Senators Warnke and Talmadge

Providing for the nontransferability between school districts of classified employees' seniority.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ebersole and Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3538, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Isaacson, Tanner - 2.

Engrossed Senate Bill No. 3538, having received the 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. 3624, by Senator Kreidler

Eliminating restrictions on political activity of persons eligible for employment security department personnel.

The bill was read the second time and passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 3782, by Senators Gaspard, Bender, Johnson, Stratton, Goltz and Conner; by Superintendent of Public Instruction request

Establishing the Washington state honors award program.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3782, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Isaacson, Tanner - 2.

Engrossed Senate Bill No. 3782, having received the 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. 4127, by Senators Wojahn, Newhouse, Vognild, Benitz, Goltz, Hansen, Halsan, Warnke, Deccio and Hayner

Revising provisions relating to alcoholic beverage licenses.

The bill was read the second time.

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

On page 2, beginning on line 8 after "beverages" strike all material down to and including "brewery," on line 9.

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

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4127 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Isaacson, Tanner - 2.

Engrossed Senate Bill No. 4127 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. 4143, by Senator Gaspard; by Superintendent of Public Instruction request

Changing provisions relating to student transportation allocations.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4143, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Isaacson, Tanner - 2.

Engrossed Senate Bill No. 4143, having received the 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. 4152, by Senators Rinehart, Gaspard, Goltz and Bauer

Including high school students and recent graduates as residents for higher education tuition and fees.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Ms. Sommers moved adoption of the committee amendment.

On motion of Mr. Hastings, the following amendment by Representatives Hastings and Sommers to the committee amendment was adopted:

On page 2, beginning on line 6 of the amendment, after "for" strike everything down to and including "certificate" on line 11 and insert "students enrolled in that community college in a course of study or program which will enable them to finish their high school education and obtain a high school diploma or certificate. The waiver shall be in effect only for those courses which lead to a high school diploma or certificate."

The committee amendment as amended was adopted.

On motion of Ms. Sommers, the committee amendment to the title of the bill was adopted.

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

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4152 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins,

Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Barnes, Baugher, Bond - 3.

Excused: Representatives Isaacson, Tanner - 2.

Engrossed Senate Bill No. 4152 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. 4206, by Senators Gaspard, Hayner and Johnson
Changing certain school bidding procedures.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Ebersole, the committee amendment was adopted.

The bill was passed to Committee on Rules for third reading.

Representative Tanner appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 3029, by Committee on Financial Institutions (originally sponsored by Senator Williams)

Modifying provisions relating to the cashing of government checks by financial institutions.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Lux moved adoption of the committee amendment.

Mr. Todd moved adoption of the following amendment by Representatives Todd and Lux to the committee amendment:

On page 2, line 2 after "institution," insert the following:

"In addition, the legislature encourages financial institutions to refrain from imposing unnecessary delays on a depositor's ability to withdraw funds deposited by check; and, in particular, to refrain from imposing delays on social security and other government checks deposited into established accounts beyond the time required to receive credit for the checks."

Representatives Todd, Lux and Long spoke in favor of the amendment to the amendment, and Representatives Barrett, Zellinsky and Padden spoke against it.

Mr. Todd spoke again in favor of the amendment to the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Todd and Lux to the committee amendment to Substitute Senate Bill No. 3029, and the amendment was adopted by the following vote: Yeas, 62; nays, 35; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Brough, Chandler, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Rayburn, Rust, Sanders, Sayan, Scott, Smith C, Smitherman, Sommers, Tanner, Taylor, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 62.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Bristow, Brooks, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Holland, Lundquist, May, Nealey, Padden, Patrick, Peery, Prince, Schmidt, Schoon, Silver, Smith L, Sutherland, Thomas, Tilly, van Dyke, West, Williams B, Williams J, Wilson S, Zellinsky - 35.

Excused: Representative Isaacson - 1.

On motion of Mr. Todd, the following amendments by Representatives Todd and Lux to the committee amendment were adopted:

On page 2, line 12 after "noncustomers," insert:

"In addition, the supervisors shall report on financial institutions' policies in delaying the availability of funds for withdrawal by a customer who has deposited funds by check."

On page 2, line 29 after "Washington," insert "and (c) information regarding the policies of financial institutions doing business in Washington, in making funds deposited by check available for withdrawal by the depositor."

The committee amendment as amended was adopted.

On motion of Mr. Lux, the committee amendment to the title of the bill was adopted.

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

Mr. Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3029 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 12; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Bond, Brooks, Dobbs, Fuhrman, Hastings, Lundquist, Padden, Sanders, Thomas, van Dyke, West, Williams J - 12.

Excused: Representative Isaacson - 1.

Substitute Senate Bill No. 3029 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

I wish to change my vote on SSB 3029 from "Nay" to "Yea."

PETER T. BROOKS, 16th District.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3450, by Committee on Judiciary (originally sponsored by Senator Talmadge)

Revising provisions relating to firearms.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass with the following amendment:

On page 3, line 27 after "employees" insert "while engaged in their employment"

On motion of Mr. Armstrong, the committee amendment was adopted.

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

Representatives Armstrong, Vekich and Fuhrman spoke in favor of passage of the bill, and Representative Allen opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3450 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 11; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Allen, Cole, Fisher, Leonard, Locke, Miller, Niemi, Sayan, Unsoeld, Wang, Wineberry - 11.

Excused: Representative Isaacson - 1.

Engrossed Substitute Senate Bill No. 3450 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.

HOUSE BILL NO. 1082, by Representatives Bristow, Wang, Patrick, McMullen, R. King, Sayan, K. Wilson and Haugen; by Joint Select Committee on Workers' Compensation request

Revising provisions relating to industrial premiums.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1082 was substituted for House Bill No. 1082 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1082 was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Patrick, R. King and Chandler:

On page 1, line 6 strike all of section 1 and section 2 and insert the following:

***NEW SECTION.** Sec. 1. It is the intent of the legislature to require the department of labor and industries to implement experience rating and retrospective rating of both accident and medical aid fund premiums no later than January 1, 1989.

The legislature believes that experience rating industrial insurance premiums is a proven method of rewarding employers who promote workplace safety and can provide a significant incentive for employers and employees to reduce work related injuries. However, the legislature finds that before experience rating is implemented it is necessary to study its potential impact on small and large employers.

NEW SECTION. Sec. 2. The department of labor and industries shall report to the commerce and labor committees of the house of representatives and senate no later than December 1, 1986 regarding its plan to implement experience and retrospective rating of the medical aid fund premium, and the impact of experience rating on employer and employee medical aid fund premium rates, including but not limited to the average change in premium rates and the maximum and minimum modification factors for small and large employers."

Representatives Wang, Patrick and Bristow spoke in favor of the amendment and it was adopted.

On motion of Mr. Wang, the following amendments to the title of the bill were adopted:

On page 1, line 3 of the title strike "51.16.035, 51.16.140 and 74.46.180; and" and insert "74.46.180;"

On page 1, line 4 of the title after "RCW" insert "; and creating new sections"

The bill was ordered engrossed and passed to Committee on Rules for third reading.

The Speaker resumed the Chair.

HOUSE BILL NO. 1084, by Representatives R. King, Wang, Patrick, McMullen, Sayan, Basich, Fisch, Gallagher, Ballard, Winsley, Hine, Ebersole, Todd and Dellwo; by Joint Select Committee on Workers' Compensation

Revising vocational rehabilitation laws.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1084 was substituted for House Bill No. 1084 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1084 was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang, Patrick, C. Smith and R. King spoke in favor of passage of the bill, and Representative Lux spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1084, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Lux - 1.

Excused: Representative Isaacson - 1.

Substitute 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.

HOUSE BILL NO. 1085, by Representatives Rayburn, Patrick, Baugher, Wang, McMullen, R. King, Bristow, Sayan, Basich, Peery, Fisch, Leonard, Gallagher, Ballard, Cole, Unsoeld, Winsley, K. Wilson, Haugen, Ebersole, Wineberry, Todd, Dellwo and Armstrong; by Joint Select Committee on Workers' Compensation request

Revising provisions relating to prompt actions by the department of labor and industries.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1085 was substituted for House Bill No. 1085 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1085 was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Patrick, R. King and J. Williams:

On page 1, after line 13 insert the following:

"Beginning in fiscal year 1987, interest payments under this subsection may be paid only from funds appropriated to the department for administrative purposes. A record of payments made under this subsection shall be submitted twice yearly to the commerce and labor committees of the senate and house of representatives and to the ways and means committees of the senate and house of representatives."

Representatives Wang and Chandler spoke in favor of the amendment, and it was adopted.

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

Ms. Rayburn spoke in favor of passage of the bill, and Mr. C. Smith spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1085, and the bill passed the House by the following vote: Yeas, 92; nays, 5; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Lundquist, Padden, Smith C, Thomas, West - 5.

Excused: Representative Isaacson - 1.

Engrossed Substitute House Bill No. 1085, having received the 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. 1089, by Representatives McMullen, R. King, Patrick, Wang and Sayan; by Joint Select Committee on Workers' Compensation request

Revising provisions relating to industrial insurance penalties.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1089 was substituted for House Bill No. 1089 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1089 was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Patrick, R. King, Chandler and Zellinsky:

On page 4, beginning on line 11 strike all material through "behalf." on line 24 and insert the following:

"(2) Any worker who believes that he or she has been discharged or otherwise discriminated against by an employer in violation of this section may file a complaint with the director alleging discrimination. Upon receipt of such complaint, the director shall, as he or she deems appropriate, cause an investigation to be made or a hearing to be held in accordance with chapter 34.04 RCW, to determine whether there has been compliance with this section or rules adopted under this section. Within 90 days of receipt of a complaint, or within 30 days of any such hearing, whichever is applicable, the director shall issue a determination including his or her findings and shall grant appropriate relief, which may include rehiring or reinstatement of the worker with back pay. Any appeal from the director's determination under this section to superior court shall be de novo."

Renumber the remaining subsection consecutively.

Representatives Wang and Chandler spoke in favor of the amendment, and it was adopted.

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

Representatives McMullen and Chandler 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. 1089, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Lundquist - 1.

Excused: Representative Isaacson - 1.

Engrossed Substitute House Bill No. 1089, having received the 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. J. King, the House adjourned until 9:30 a.m., Wednesday, April 10, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

EIGHTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 10, 1985.

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 Chandler, B. Williams and S. Wilson, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chris Coupe' and Riann Wishon. Prayer was offered by Reverend Gregg Oliver, Minister of Grace Community Covenant 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

April 9, 1985

To The Honorable,
The House of Representatives
State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on April 9, 1985, Governor Gardner approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 16: Relating to prevailing wage rates.

HOUSE BILL NO. 312: Relating to private schools.

SUBSTITUTE HOUSE BILL NO. 490: Relating to transportation.

SUBSTITUTE HOUSE BILL NO. 850: Relating to landscape architects.

Sincerely,
Terry Sebring, Counsel.

MESSAGE FROM THE SENATE

April 9, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3656,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

ESSB 3656 by Committee on Ways & Means (originally sponsored by Senator McDermott)

Adopting the 1985-87 biennial operating appropriations act.

Referred to Committee on Ways & Means.

REPORTS OF STANDING COMMITTEES

April 9, 1985

HB 338 Prime Sponsor, Representative Sayan: Authorizing self-insurance of forest industry associations for industrial insurance. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Betzoff, Chandler, Fisch, R. King, Sayan, Walker and J. Williams.

Voting nay: Representatives Cole, Vice Chair; and Fisher.

Absent: Representatives Ebersole, O'Brien, Patrick and C. Smith.

Passed to Committee on Rules for second reading.

April 9, 1985

ESB 3234 Prime Sponsor, Senator Hansen: Providing funds for noxious weed control. Reported by Committee on Rules

Referred to Committee on Ways & Means.

April 9, 1985

ESB 3444 Prime Sponsor, Senator Fleming: Establishing the higher education opportunities program. Reported by Committee on Rules

Referred to Committee on Ways & Means.

April 9, 1985

SB 3555 Prime Sponsor, Senator Moore: Requiring actions to examine the federal reserve system. Reported by Committee on Rules

Referred to Committee on Ways & Means.

On motion of Mr. Appelwick, the House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-47, by Representative Sutherland

WHEREAS, Trees are an integral part of Washington's renowned scenic beauty and natural environment; and

WHEREAS, Trees provide thousands of jobs for the citizens of our state and also provide housing, paper and other essential materials for our lives; and

WHEREAS, Washington's citizens should pause to reflect on the vital role trees have in sustaining our environment, our economy and our way of life, and should commit themselves once again to the nurturing and enhancement of this valuable resource;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives does hereby proclaim April 10, 1985 as the official 28th annual observance of Arbor Day in Washington State and invites all citizens to join in this observance to support the many Arbor Day celebrations which will rededicate our commitment to this valuable and perpetual resource.

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

MOTION

On motion of Mr. Appelwick, the rules were suspended to allow consideration of House Floor Resolution No. 85-49.

HOUSE FLOOR RESOLUTION NO. 85-49, by Representatives Belcher, Lux, Walker, Brooks, Hankins, Vekich, Sommers, R. King, Allen, Leonard, Unsoeld, Wang, Fisher, Thomas, Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Berozoff, Bond, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, Kremen, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sutherland, Tanner, Taylor, Tilly, Todd, Valle, Vander Stoep, van Dyke, Van Luven, Walk, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, Frances Perkins served this country with dedication and a commitment to help the nation's labor force; and

WHEREAS, Frances Perkins strived to improve working conditions, sought legislation for a fifty-four hour work week, and fought to bring safety and health standards into the work place; and

WHEREAS, Her efforts on behalf of labor led to her appointment as the first woman cabinet member; and

WHEREAS, Frances Perkins, as Secretary of Labor, is credited with rebuilding the Department of Labor into an effective part of our government; and

WHEREAS, Frances Perkins as the Secretary helped draft New Deal legislation such as the Civilian Conservation Corps Act, the National Labor Relations Act, the Social Security Act and the Fair Labor Standards Act; and

WHEREAS, She served the country in this capacity longer than any other Secretary and often in the face of adversity; and

WHEREAS, April 10 is the birthday of Frances Perkins, a great woman and public servant;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That, by the adoption of this Resolution, Frances Perkins be recognized and honored for her contributions to the United States, to the work force, to all humanity, and for her dedication to social justice.

Ms. Belcher moved adoption of the resolution. Representatives Belcher and Brough spoke in favor of the resolution and it was adopted.

HOUSE FLOOR RESOLUTION NO. 85-46, by Representatives Tanner, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, Eldon Robinson is a lifetime resident and valued citizen of the Woodland area in what is now Caples Precinct; and

WHEREAS, Eldon Robinson is the grandson of James A. Burke, who served in both houses of the Territorial Legislature and who, as a delegate to the constitutional convention in 1889, rode to Olympia accompanied by Henry Caples to join others in the writing of this state's Constitution; and

WHEREAS, Eldon Robinson has continued in his family's tradition of political dedication by serving for thirty-one consecutive terms as his party's precinct committeeperson; and

WHEREAS, The National Democratic Central Committee has determined that Mr. Robinson has served in that capacity longer than any other person in the United States;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor Eldon Robinson for his dedication and loyalty to the State of Washington and this nation's political process; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Eldon Robinson.

Mr. Tanner moved adoption of the resolution. Representatives Tanner and L. Smith spoke in favor of the resolution and it was adopted.

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

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1082, by Committee on Commerce & Labor (originally sponsored by Representatives Bristow, Wang, Patrick, McMullen, R. King, Sayan, K. Wilson and Haugen; by Joint Select Committee on Workers' Compensation request)

Modifying provisions on industrial insurance.

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

Mr. Bristow 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. 1082, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Chandler, Williams B, Wilson S - 3.

Engrossed Substitute House Bill No. 1082, having received the 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. 3273, by Senators Goltz, Zimmerman, Bauer, McCaslin and Talmadge

Modifying terms and procedures for the delivery of mutual aid services between law enforcement agencies.

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3273, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Chandler, Williams B, Wilson S - 3.

Engrossed Senate Bill No. 3273, having received the 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. 3279, AS AMENDED BY THE HOUSE, by Committee on Education (originally sponsored by Senators Gaspard, Goltz, Saling, Johnson, Lee, Stratton, Conner, Bender, Kiskaddon and Guess)

Establishing requirements for home schooling.

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

Representatives Ebersole, Betzoff, Appelwick, K. Wilson, Fuhrman, Patrick, Taylor and Schoon spoke in favor of passage of the bill, and Representatives Cole, Wineberry and L. Smith spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3279 as amended by the House, and the bill passed the House by the following vote: Yeas, 69; nays, 26; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Braddock, Brekke, Brough, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Gallagher, Grimm, Hankins, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rust, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Smitherman, Sommers, Sutherland, Taylor, Tilly, Todd, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, West, Wilson K, Winsley, Zellinsky, and Mr. Speaker - 69.

Voting nay: Representatives Basich, Baugher, Belcher, Bond, Bristow, Brooks, Cole, Dobbs, Fisher, Fuhrman, Hargrove, Hastings, Haugen, Leonard, Lux, Niemi, Rayburn, Scott, Smith L, Tanner, Thomas, Unsoeld, Van Luven, Wang, Williams J, Wineberry - 26.

Excused: Representatives Chandler, Williams B, Wilson S - 3.

Substitute Senate Bill No. 3279 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.

SUBSTITUTE SENATE BILL NO. 3302, AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators Fleming, Zimmerman, Sellar, Bauer, Johnson, McDermott and Gaspard)

Authorizing employment of chaplains by law enforcement agencies.

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3302 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 13; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Cole, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Miller, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Brough, Crane, Dobbs, King J, Lundquist, May, Niemi, Nutley, Rust, Silver, Sommers, Thomas, West - 13.

Excused: Representatives Chandler, Williams B, Wilson S - 3.

Substitute Senate Bill No. 3302 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.

SUBSTITUTE SENATE BILL NO. 3378, by Committee on Agriculture (originally sponsored by Senators Fleming, Hansen, McDermott, Bauer, Barr, Wojahn, Bailey, Deccio, Benitz and Patterson)

Establishing a state agricultural finance commission.

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

Representatives Vekich, K. Wilson, Doty and Addison spoke against passage of the bill, and Representative Nealey spoke in favor of it.

Mr. Vekich again opposed the bill, and Mr. Nealey spoke again in favor of it.

POINT OF INQUIRY

Mr. Vekich yielded to question by Mr. Kremen.

Mr. Kremen: "Representative Vekich, I'm a little unclear as to where you really stand on this issue, whether you are for or against it, and I wish you would clarify that."

Mr. Vekich: "I guess I'm in favor of the concept of agricultural financing to help small farmers, but this bill doesn't do that. This bill----"

POINT OF ORDER

Mr. Padden: "Mr. Speaker, I don't believe this is the proper way of using questions and answers on the floor. The speaker has already spoken twice on the issue and this is just a way to have him speak some more. I would ask you to rule that question and answer is not proper."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Your point is well taken, Representative Padden. As Chairman of the committee he has the right to close debate on this bill, however."

Mr. Vekich closed debate, again opposing passage of the bill.

The Speaker (Mr. O'Brien presiding) reminded the body that a sixty percent majority vote was required.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3378, and the bill failed to pass the House by the following vote: Yeas, 33; nays, 62; excused, 3.

Voting yea: Representatives Allen, Appelwick, Ballard, Baugher, Braddock, Bristow, Brooks, Grimm, Hankins, Haugen, Hine, Holland, Jacobsen, King J, Leonard, Locke, Long, Lundquist, Lux, May, Miller, Nealey, Nelson D, Nelson G, Niemi, Prince, Schoon, Smith C, Smitherman, Tilly, Walk, Wineberry, Winsley - 33.

Voting nay: Representatives Addison, Armstrong, Barnes, Barrett, Basich, Belcher, Betrozoff, Bond, Brekke, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hargrove, Hastings, Isaacson, King P, King R, Kremen, Lewis, Madsen, McMullen, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, Wang, West, Williams J, Wilson K, Zellinsky, and Mr. Speaker - 62.

Excused: Representatives Chandler, Williams B, Wilson S - 3.

Substitute Senate Bill No. 3378, having failed to receive the constitutional sixty percent majority, was declared lost.

SENATE BILL NO. 3624, by Senator Kreidler

Eliminating restrictions on political activity of persons eligible for employment security department personnel.

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

Ms. Fisher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3624, and the bill passed the House by the following vote: Yeas, 76; nays, 19; excused, 3.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith C, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Addison, Betrozoff, Bond, Brooks, Dobbs, Doty, Fuhrman, Hastings, Lundquist, May, Nealey, Padden, Silver, Smith L, Thomas, van Dyke, Van Luven, Vander Stoep, West - 19.

Excused: Representatives Chandler, Williams B, Wilson S - 3.

Senate Bill No. 3624, having received the 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. 4206, AS AMENDED BY THE HOUSE, by Senators Gaspard, Hayner and Johnson

Changing certain school bidding procedures.

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

Representatives Ebersole and Betrozoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4206 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 4; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozof, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams J. Wilson K. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Bond, Isaacson, Sanders, West - 4.

Excused: Representatives Chandler, Williams B. Wilson S - 3.

Engrossed Senate Bill No. 4206 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 (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

AFTERNOON SESSION

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 B. Williams and S. Wilson, who were excused.

MESSAGES FROM THE SENATE

April 9, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 142,
HOUSE BILL NO. 213,
HOUSE BILL NO. 398,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 9, 1985

Mr. Speaker:

The Senate has receded from its amendments to HOUSE BILL NO. 149 and has passed the bill without the amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 9, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3028, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 9, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3201, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 9, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3361, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 9, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3547, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 9, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3572, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 9, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 4266, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 9, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3015,
 SENATE BILL NO. 3081,
 SUBSTITUTE SENATE BILL NO. 3087,
 SUBSTITUTE SENATE BILL NO. 3090,
 SENATE BILL NO. 3129,
 SENATE BILL NO. 3143,
 SENATE BILL NO. 3148,
 SUBSTITUTE SENATE BILL NO. 3162,
 SUBSTITUTE SENATE BILL NO. 3175,
 SUBSTITUTE SENATE BILL NO. 3398,
 SUBSTITUTE SENATE BILL NO. 3594,
 SENATE BILL NO. 3826,
 SUBSTITUTE SENATE BILL NO. 3989,
 SUBSTITUTE SENATE BILL NO. 4138,
 SUBSTITUTE SENATE BILL NO. 4229,
 SENATE JOINT MEMORIAL NO. 107,
 SENATE JOINT MEMORIAL NO. 108,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 121,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 10, 1985

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3028,
 SUBSTITUTE SENATE BILL NO. 3201,
 SUBSTITUTE SENATE BILL NO. 3361,
 SENATE BILL NO. 3547,
 SENATE BILL NO. 3572,
 SENATE BILL NO. 4266.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 12,
 SUBSTITUTE HOUSE BILL NO. 15,
 HOUSE BILL NO. 92,
 HOUSE BILL NO. 142,
 HOUSE BILL NO. 149,
 SUBSTITUTE HOUSE BILL NO. 188,
 HOUSE BILL NO. 213.

HOUSE BILL NO. 310,
 HOUSE BILL NO. 398,
 HOUSE BILL NO. 402,
 SUBSTITUTE HOUSE BILL NO. 520,
 SUBSTITUTE HOUSE BILL NO. 565,
 HOUSE BILL NO. 830,
 SUBSTITUTE SENATE BILL NO. 3015,
 SENATE BILL NO. 3028,
 SENATE BILL NO. 3081,
 SUBSTITUTE SENATE BILL NO. 3087,
 SUBSTITUTE SENATE BILL NO. 3090,
 SENATE BILL NO. 3129,
 SENATE BILL NO. 3143,
 SENATE BILL NO. 3148,
 SUBSTITUTE SENATE BILL NO. 3162,
 SUBSTITUTE SENATE BILL NO. 3175,
 SUBSTITUTE SENATE BILL NO. 3201,
 SUBSTITUTE SENATE BILL NO. 3361,
 SUBSTITUTE SENATE BILL NO. 3398,
 SENATE BILL NO. 3547,
 SENATE BILL NO. 3572,
 SUBSTITUTE SENATE BILL NO. 3594,
 SENATE BILL NO. 3826,
 SUBSTITUTE SENATE BILL NO. 3989,
 SUBSTITUTE SENATE BILL NO. 4138,
 SUBSTITUTE SENATE BILL NO. 4229,
 SENATE BILL NO. 4266,
 SENATE JOINT MEMORIAL NO. 107,
 SENATE JOINT MEMORIAL NO. 108,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 121.

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 4308, by Committee on Parks & Ecology (originally sponsored by Senators Kreidler and Zimmerman)

Transferring certain responsibilities from the department of social and health services to the department of ecology.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Rust, the committee amendments were adopted.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 104, by Committee on Governmental Operations (originally sponsored by Senator Fleming)

Petitioning Congress to enact legislation to provide financial assistance to Japanese-Americans who were relocated during World War II.

The memorial was read the second time.

Mr. Sanders moved adoption of the following amendment:

Beginning on page 1, after line 26 strike all material down to and including "and" on page 2, line 1.

Mr. Sanders spoke in favor of the amendment, and Mr. Locke opposed it.

Mr. Sanders spoke again in favor of the amendment, and Mr. Locke again opposed it.

Mr. Barnes spoke in favor of the amendment.

Mr. Crane demanded the previous question and the demand was sustained.

The amendment was not adopted.

Mr. Bond moved adoption of the following amendment:

On page 2, line 34 after "dollars" insert "from the estate of Franklin D. Roosevelt"

Mr. Bond spoke in favor of the amendment, and Mr. Wang spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond to Substitute Senate Joint Memorial No. 104, and the amendment was not adopted by the following vote: Yeas, 16; nays, 78; absent, 2; excused, 2.

Voting yea: Representatives Barnes, Bond, Chandler, Dobbs, Fuhrman, Isaacson, May, Miller, Nealey, Padden, Sanders, Schoon, Smith C, van Dyke, West, Williams J - 16.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, McMullen, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 78.

Absent: Representatives Hankins, Smith L - 2.

Excused: Representatives Williams B, Wilson S - 2.

Mr. Sanders moved adoption of the following amendment:

On page 2, line 33 after "enact" strike all material down to and including "who" on line 34 and insert "legislation authorizing the direct payment of up to twenty thousand dollars to persons of Japanese descent who (1) were eighteen years of age or older on February 19, 1942 and (2)"

Representatives Sanders, van Dyke and C. Smith spoke in favor of the amendment, and Representatives Belcher and Locke spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sanders to Substitute Senate Joint Memorial No. 104, and the amendment was not adopted by the following vote: Yeas, 40; nays, 55; absent, 1; excused, 2.

Voting yea: Representatives Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Brooks, Brough, Chandler, Day, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, King P, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Rayburn, Sanders, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, van Dyke, Van Luven, Vander Stoep, Williams J - 40.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Prince, Rust, Sayan, Schmidt, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, West, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 55.

Absent: Representative Tilly - 1.

Excused: Representatives Williams B, Wilson S - 2.

Substitute Senate Joint Memorial No. 104 was passed to Committee on Rules for third reading.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3307, by Committee on Judiciary (originally sponsored by Senators Talmadge, Moore and Rasmussen)

Limiting campaign contributions.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

Ms. Fisher moved adoption of the committee amendment.

Ms. Long moved adoption of the following amendment to the committee amendment:

On page 3 of the amendment, after line 16, insert a new section as follows:

"NEW SECTION, Sec. 3. A new section is added to chapter 42.17 RCW to read as follows:

The limitation set forth in this 1985 act shall apply to all in-kind as well as cash contributions. Without limiting the preceding, the value of an organized effort to deliver campaign materials to voters' residences by volunteers shall be the same as if the material had been delivered by mail. If an organization, other than the candidates committee, organizes a volunteer effort the value of the contribution shall be reported by the outside organization."

Representatives Long, Barnes and Isaacson spoke in favor of the amendment to the committee amendment, and Representative Fisher spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Long to the committee amendment to Engrossed Substitute Senate Bill No. 3307, and the amendment was not adopted by the following vote: Yeas, 42; nays, 53; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams J - 42.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 53.

Absent: Representative Gallagher - 1.

Excused: Representatives Williams B, Wilson S - 2.

Ms. Fisher moved adoption of the following amendment to the committee amendment:

On page 1, beginning on line 16 of the amendment, after "entity," strike the remainder of the amendment and insert the following:

"(c) Is received before ((am)) a primary or general election; and

(d) Is received: (i) After the period covered by the last report required by RCW 42.17.080 and 42.17.090 to be filed before that primary; or (ii) within twenty-one days preceding that general election.

(2) Any political committee making a contribution which exceeds five hundred dollars shall also prepare and deliver to the commission the special report if the contribution is made before ((am)) a primary or general election and: (a) After the period covered by the last report required by RCW 42.17.080 and 42.17.090 to be filed before that primary; or (b) within twenty-one days preceding that general election.

(3) Except as provided in subsection (4), the special report required by this section shall be delivered in written form, including but not limited to mailgram, telegram, or nightletter. The special report required by subsection (1) shall be delivered to the commission within ((twenty-four)) forty-eight hours of the time, or on the first working day after, the contribution is received by the candidate or campaign treasurer. The special report required by subsection (2) of this section and section 2 of this 1985 act shall be delivered to the commission, and the candidate or political committee to whom the contribution is made, within twenty-four hours of the time, or on the first working day after, the contribution is made.

(4) The special report may be transmitted orally by telephone to the commission to satisfy the delivery period required by subsection (3) if the written form of the report is also mailed to the commission and postmarked within the delivery period established in subsection (3).

(5) The special report shall include at least:

(a) The amount of the contribution;

(b) The date of receipt;

(c) The name and address of the donor;

(d) The name and address of the recipient; and

(e) Any other information the commission may by rule require.

(6) Contributions reported under this section shall also be reported as required by other provisions of this chapter.

(7) The commission shall publish daily a summary of the special reports made under this section and section 2 of this 1985 act.

(8) It is a violation of this chapter for any person to make, or for any candidate or political committee to accept from any one person, contributions reportable under RCW 42.17.090 in the aggregate exceeding five thousand dollars within twenty-one days of a general election.

NEW SECTION. Sec. 2. A new section is added to chapter 42.17 RCW to read as follows:

Any lobbyist registered under RCW 42.17.150, any person who lobbies, and any lobbyist's employer making a contribution that exceeds five hundred dollars shall file a special report in the manner provided under RCW 42.17.105 if the contribution is made before a primary or general election and: (1) After the period covered by the last report required by RCW 42.17.080 and 42.17.090 to be filed before that primary; or (2) within twenty-one days preceding that general election."

Representatives Fisher and Barnes spoke in favor of the amendment to the amendment, and it was adopted.

The Speaker stated the question before the House to be the committee amendment as amended.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the committee amendment as amended to Engrossed Substitute Senate Bill No. 3307, and the amendment was adopted by the following vote: Yeas, 81; nays, 14; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Padden, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 81.

Voting nay: Representatives Barnes, Bond, Fuhrman, Hastings, Isaacson, Long, Nealey, Nelson G, Patrick, Sanders, Silver, Tilly, van Dyke, Williams J - 14.

Absent: Representative Taylor - 1.

Excused: Representatives Williams B, Wilson S - 2.

The bill was passed to Committee on Rules for third reading.

Representative Gallagher was excused.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3367, by Committee on Judiciary (originally sponsored by Senators Talmadge and Newhouse; by Public Disclosure Commission request)

Revising public disclosure laws.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Ms. Fisher moved adoption of the committee amendment.

Mr. D. Nelson moved adoption of the following amendment by Representatives D. Nelson and Fisher to the committee amendment:

On page 13, line 11 of the amendment, after "prohibit" insert ": (a) In addition to a candidate's having his or her own political committee, the candidate's participation in a political committee established to support a slate of candidates which includes the candidate; or (b)"

Representatives D. Nelson and Barnes spoke in favor of the amendment to the amendment, and it was adopted.

The Speaker stated the question before the House to be the committee amendment as amended.

Representatives Fisher and Barnes spoke in favor of the amendment as amended, and it was adopted.

On motion of Ms. Fisher, the committee amendment to the title of the bill was adopted.

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

Ms. Fisher 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. 3367 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Gallagher, Williams B, Wilson S - 3.

Engrossed Substitute Senate Bill No. 3367 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. 3376, by Committee on Education (originally sponsored by Senators Rinehart, Gaspard, McDermott, Patterson, Peterson, Goltz, Fleming, Bottiger, Bauer, Stratton, Saling, Zimmerman and Guess)

Establishing a higher education coordinating board.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 80th Day, April 3, 1985.)

Ms. Sommers moved adoption of the committee amendments.

Representatives Sommers and Prince spoke in favor of the amendments, and they were adopted.

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

Ms. Sommers 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. 3376 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 4; excused, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Brooks, Grimm, Jacobsen, Nelson D - 4.

Excused: Representatives Gallagher, Williams B, Wilson S - 3.

Engrossed Substitute Senate Bill No. 3376 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.

Representative Gallagher appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 3897, by Committee on Financial Institutions (originally sponsored by Senators Bender, Talmadge, McDermott, Halsan, Vognild and Moore)

Establishing new reporting requirements for property and casualty insurers.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Lux moved adoption of the committee amendment.

Mr. West moved adoption of the following amendment to the committee amendment:

On page 3, after line 24, insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 48.05 RCW to read as follows:

Those insurance companies that collected more than five million dollars in premiums in the aggregate during the years 1975 through 1985 and any insurance company that collects in excess of five hundred thousand dollars in premiums annually after the effective date of this act are subject to the provisions of sections 1 and 2 of this act."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives West and Sanders spoke in favor of the amendment to the amendment, and Representatives Barrett and Winsley spoke against it.

The amendment to the committee amendment was not adopted.

The Clerk read the following amendment by Representative West to the committee amendment:

On page 3, after line 24, insert the following:

"NEW SECTION. Sec. 4. Sections 1 and 2 of this act shall expire June 30, 1990, and shall be subject to a fiscal review as provided for in chapter 43.131 RCW."

Renumber the remaining sections consecutively and correct any internal references accordingly.

With the consent of the House, Mr. West withdrew the amendment to the committee amendment.

The committee amendment was adopted.

On motion of Mr. Lux, the committee amendment to the title of the bill was adopted.

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

Representatives Lux and Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3897 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Bond, Sanders, West - 3.

Excused: Representatives Williams B, Wilson S - 2.

Substitute Senate Bill No. 3897 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. 4142, by Senator Gaspard; by State Board of Education request

Revising laws regulating the organization of school districts.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

Mr. Ebersole moved adoption of the committee amendment.

Mr. Holland moved adoption of the following amendments by Representatives Holland and Ebersole to the committee amendment:

On page 1, line 22 of the amendment, after "means the" strike "~~((county))~~" and insert "county or"

On page 2, line 19 of the amendment, before "There" insert "(1)"

On page 2, line 21 of the amendment, after "~~district~~" insert ", except for an educational service district containing any portion of a class AA county."

On page 3, after line 4 of the amendment, insert:

"(2) In any educational service district containing a class AA county, each county in the educational service district shall have a regional committee on school district organization which shall be composed of registered voters of the county, the number in each county to be determined as follows:

(a) In counties having five or more members on the county legislative authority, the number of members on the regional committee for the county shall be equal to the number of members on the county legislative authority. One member on the regional committee shall be elected from each county legislative authority member district:

(b) In counties having four or fewer members on the county legislative authority, the number of members on the regional committee for the county shall be equal to twice the number of members on the county legislative authority. Two members from the regional committee shall be elected from each county legislative authority member district."

On page 4, line 31 of the amendment, after "~~each~~" insert "county or"

On page 5, line 1 of the amendment, before "~~educational~~" insert "county or"

On page 6, line 2 of the amendment, before "~~educational~~" insert "county or"

On page 6, line 30 of the amendment, before "~~educational~~" insert "members on the county legislative authority or in the number of"

On page 6, line 35 of the amendment, before "~~educational~~" insert "county or"

On page 7, line 2 of the amendment, after "~~within~~" insert "a county or"

On page 7, line 7 of the amendment, before "~~educational~~" insert "county or"

On page 7, line 15 of the amendment, strike "~~((county))~~" and insert "county legislative authority member district or"

On page 9, line 15 of the amendment, before "~~educational~~" insert "members of the county legislative authority or"

On page 10, line 31 of the amendment, strike "~~((county))~~" and insert "county or"

On page 11, line 8 of the amendment, strike "~~((county))~~" and insert "county or"

On page 19, line 28 of the amendment, after "~~respective~~" insert "counties or"

On page 36, line 6 of the amendment, strike "~~((county))~~" and insert "county or"

On page 36, line 11 of the amendment, strike "~~((counties))~~" and insert "counties or"

On page 37, line 5 of the amendment, strike "~~((county))~~" and insert "county or"

On page 39, line 9 of the amendment, strike "~~((county))~~" and insert "county or"

On page 39, line 16 of the amendment, strike "~~((county or))~~" and insert "county or"

On page 39, line 38 of the amendment, strike "~~((county))~~" and insert "county or"

On page 40, line 18 of the amendment, after "~~more~~" insert "counties or"

On page 41, line 7 of the amendment, strike "~~((county))~~" and insert "county or"

On page 45, line 8 of the amendment, before "~~educational~~" insert "county or"

On page 45, line 17 of the amendment, before "~~educational~~" insert "county or"

Representatives Holland and Ebersole spoke in favor of the amendments to the committee amendment and they were adopted.

Mr. Lux moved adoption of the following amendment to the committee amendment:

On page 37, line 23 strike "five" and insert "fifteen"

Representatives Lux and Appelwick spoke in favor of the amendment to the amendment, and Representatives Ebersole, Wang and Taylor spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lux to the committee amendment to Senate Bill No. 4142, and the amendment was not adopted by the following vote: Yeas, 36; nays, 59; absent, 1; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Chandler, Cole, Day, Doty, Gallagher, Grimm, Haugen, Hine, Holland, Jacobsen, Leonard, Locke, Long, Lux, Madsen, May, Miller, Nelson D, O'Brien, Sanders, Schmidt, Schoon, Sommers, Valle, Van Luven, Zellinsky, and Mr. Speaker - 36.

Voting nay: Representatives Addison, Ballard, Bond, Braddock, Brække, Bristow, Brooks, Brough, Crane, Dellwo, Dobbs, Ebersole, Fisch, Fisher, Fuhrman, Hankins, Hargrove, Hastings, Isaacson, King J, King P, King R, Kremen, Lewis, Lundquist, McMullen, Nealey, Nelson G, Niemi,

Nutley, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, van Dyke, Vander Stoep, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley - 59.

Absent: Representative Vekich - 1.

Excused: Representatives Williams B, Wilson S - 2.

The committee amendment as amended was adopted.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3035, by Committee on Transportation (originally sponsored by Senators McManus, DeJarnatt, Stratton, Talmadge, Garrett and Moore)

Modifying provisions relating to drivers' and motorcyclists' licenses.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Walk, the committee amendment was adopted.

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

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3035 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Williams B, Wilson S - 2.

Substitute Senate Bill No. 3035 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.

SUBSTITUTE SENATE BILL NO. 3069, by Committee on Human Services & Corrections (originally sponsored by Senators Moore, Sellar, Kreidler and Conner; by Lieutenant Governor request)

Providing that licensed health care professionals may organize nonprofit non-stock corporations.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 89th Day, April 3, 1985.)

On motion of Mr. Armstrong, the committee amendments were adopted.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3598, by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Craswell, McManus, Stratton and Kiskaddon)

Establishing protections for disabled persons assisted by service dogs.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3598, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Williams B, Wilson S - 2.

Substitute Senate Bill No. 3598, having received the 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. Appelwick, the House adjourned until 9:30 a.m., Thursday, April 11, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

EIGHTY-EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 11, 1985.

The House was called to order at 9:30 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, Pages Tom Johnson and Jonathan Endicott. Prayer was offered by Reverend Gregg Oliver, Minister of Grace Community Covenant 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 10, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 50,
HOUSE BILL NO. 175,
SUBSTITUTE HOUSE BILL NO. 389,
HOUSE BILL NO. 399,
SUBSTITUTE HOUSE BILL NO. 444,
HOUSE JOINT RESOLUTION NO. 22,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 10, 1985

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3001, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 10, 1985

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3170, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 10, 1985

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3180, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 10, 1985

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SENATE BILL NO. 3214, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 10, 1985

Mr. Speaker:

The Senate concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3309, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 10, 1985

Mr. Speaker:

The Senate concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3536, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 10, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3920,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 10, 1985

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3104,

SENATE BILL NO. 3204,

SENATE BILL NO. 3319,

SENATE BILL NO. 3322,

SUBSTITUTE SENATE BILL NO. 3350,

SENATE BILL NO. 3363,

SENATE BILL NO. 3538,

SENATE BILL NO. 3782,

SENATE BILL NO. 4143.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3104,

SENATE BILL NO. 3204,

SENATE BILL NO. 3319,

SENATE BILL NO. 3322,

SUBSTITUTE SENATE BILL NO. 3350,

SENATE BILL NO. 3363,

SENATE BILL NO. 3538,

SENATE BILL NO. 3782,

SENATE BILL NO. 4143.

INTRODUCTION AND FIRST READING

ESSB 3920 by Committee on Transportation (originally sponsored by Senator Peterson)

Adopting the 1985-87 transportation budget.

Referred to Committee on Transportation.

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

SECOND READING

SENATE BILL NO. 3120, by Senators Conner, Hansen and Garrett; by Department of Transportation request

Modifying certain motor vehicle standards.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Walk, the committee amendments were adopted.

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

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3120 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 2; absent, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, Kremen, Leonard, Lewis, Locke, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Long, West - 2.

Absent: Representatives King R, Padden, Thomas - 3.

Senate Bill No. 3120 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.

SUBSTITUTE SENATE BILL NO. 3125, by Committee on Transportation (originally sponsored by Senators Conner, Hansen and Garrett; by Department of Transportation request)

Authorizing construction of the Quinault Tribal Highway.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

Mr. Walk moved adoption of the committee amendment.

Representatives Walk, Fisch and Hargrove spoke in favor of the amendment, and Representatives Schmidt, Zellinsky, Van Luven and van Dyke spoke against it.

SPEAKER'S ADMONITION

The Speaker: "I want to make it absolutely clear, Representative van Dyke, that the reason the Speaker gaveled you down is that you should read the rules as far as impugning the motives of members of this House. It would be an interesting section for you to read."

Mr. Vekich spoke in favor of the committee amendment.

POINT OF ORDER

Mr. Zellinsky: "Mr. Speaker, I wish my colleague would refrain from impugning the motives that I don't like Indians. I think this is not an appropriate speech in that respect."

The Speaker: "Representative Vekich, please respond to the issue before us and not wander on to issues that are not before us."

Mr. Vekich concluded his remarks in favor of the amendment, and Mr. S. Wilson spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the Committee on Transportation amendment to Substitute Senate Bill No. 3125, and the amendment was adopted by the following vote: Yeas, 52; nays, 45; absent, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, West, Wilson K, Wineberry, Winsley, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland,

Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Zellinsky - 45.

Absent: Representative Baugher - 1.

Substitute Senate Bill No. 3125 as amended by the House was passed to Committee on Rules for third reading.

SENATE BILL NO. 3127, by Senators Moore, Newhouse and Stratton

Authorizing the assistant state treasurer to serve on the state investment board.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and O'Brien spoke in favor of passage of the bill, and Representative B. Williams spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3127, and the bill passed the House by the following vote: Yeas, 70; nays, 28.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Addison, Ballard, Barnes, Betozoff, Bond, Chandler, Dobbs, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Lundquist, Padden, Patrick, Sanders, Silver, Smith C, Smith L, Taylor, van Dyke, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson S - 28.

Senate Bill No. 3127, having received the 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. 3225, by Senators Fleming and McDermott

Allowing savings banks to invest in the African Development Bank.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 77th Day, March 29, 1985.)

On motion of Mr. Lux, the committee amendments were adopted.

The bill was passed to Committee on Rules for third reading.

SENATE BILL NO. 3233, by Senators Owen, Hayner, Granlund and Rasmussen

Expanding the permissible uses of the institutional impact account.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Brekke, the committee amendments were adopted.

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

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3233 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betozoff, Bond, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R,

Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D., Nelson G., Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C., Smith L., Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B., Williams J., Wilson K., Wilson S., Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Braddock - 1.

Senate Bill No. 3233 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 declared the House to be at ease until 1:15 p.m.

AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker.

MESSAGE FROM THE SENATE

April 11, 1985

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 27,
HOUSE BILL NO. 34,
SUBSTITUTE HOUSE BILL NO. 53,
SUBSTITUTE HOUSE BILL NO. 163,
HOUSE BILL NO. 183,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 189,
SUBSTITUTE HOUSE BILL NO. 220,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 253,
SUBSTITUTE HOUSE BILL NO. 321,
SUBSTITUTE HOUSE BILL NO. 403,
ENGROSSED HOUSE BILL NO. 434,
SUBSTITUTE HOUSE BILL NO. 460,
SUBSTITUTE HOUSE BILL NO. 481,
SUBSTITUTE HOUSE BILL NO. 482,
SUBSTITUTE HOUSE BILL NO. 596,
SUBSTITUTE HOUSE BILL NO. 602,
HOUSE BILL NO. 657,
HOUSE BILL NO. 670,
SUBSTITUTE HOUSE BILL NO. 731,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 746,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-45, by Representatives Ehlers, S. Wilson, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, Warren Grant Magnuson began his illustrious legislative career in the Washington State House of Representatives on January 9, 1933; and

WHEREAS, Warren Grant Magnuson went on to serve his state and country with great distinction for forty-four years in the Senate and the House of Representatives of the United States; and

WHEREAS, Warren Grant Magnuson served as Chairman of the United States Senate Commerce Committee, Chairman of the United States Senate Appropriations Committee and as President Pro Tempore of the United States Senate; and

WHEREAS, Warren Grant Magnuson became a national leader helping to make public policy in the areas of health, education, consumer protection, public power and environmental quality; and

WHEREAS, The leadership of Warren Grant Magnuson in these areas substantially improved the quality of life for millions of Washingtonians and Americans; and

WHEREAS, During his entire adult life, Warren Grant Magnuson has worked for the public good, fostered trust in government, faithfully served his state and country and encouraged thousands of young people to enter public service; and

WHEREAS, Warren Grant Magnuson is respected and admired by the citizens of Washington, by all his former colleagues in the Washington State House of Representatives, the United States Senate and the United States House of Representatives and by eight former Presidents of the United States; and

WHEREAS, The work and accomplishments of Warren Grant Magnuson on behalf of the people of Washington will always be remembered and appreciated; and

WHEREAS, Warren Grant Magnuson is now and will always be one of Washington's greatest statesmen; and

WHEREAS, On April 12, 1985 Warren Grant Magnuson will celebrate his eightieth birthday;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives, on behalf of the citizens of Washington, express its deepest appreciation to Warren Grant Magnuson for his considerable and numerous contributions to the State of Washington and the United States of America; and

BE IT FURTHER RESOLVED, That the House of Representatives extend its very best wishes to Warren Grant Magnuson and his wife Jermaine Elliot Magnuson on the event of his eightieth birthday; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted to Warren Grant Magnuson, his wife Jermaine and his family.

Mr. S. Wilson moved adoption of the resolution. Representatives S. Wilson and Jacobsen spoke in favor of the resolution, and it was adopted.

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

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3333, by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Vognild, Sellar, Wojahn, Goltz, Bottiger, Fleming, Deccio, Moore, Stratton, Peterson, Lee, Thompson, Hansen, Conner, Barr, Garrett, Owen, Kreidler, Granlund, McManus, Gaspard, Bauer, DeJarnatt, McDermott, Halsan, Guess, Bender and Metcalf)

Regulating motorcycle dealers' franchises.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

Mr. Appelwick moved adoption of the committee amendment.

Mr. Armstrong moved adoption of the following amendment by Representatives Armstrong and Padden to the committee amendment:

On page 38, following line 32, insert:

"This act shall take effect July 1, 1986, and the commerce and labor committees of the legislature shall conduct an interim study of this act and make recommendations for any appropriate changes to this act and such recommendations shall be submitted to the legislature prior to its next regular session."

Representatives Armstrong, Padden, Addison and Bond spoke in favor of the amendment to the committee amendment, and Representatives Wang, Zellinsky, Patrick and Ballard opposed it.

Mr. Zellinsky again opposed the amendment to the amendment, and Mr. Armstrong spoke again in favor of it.

The amendment to the amendment was not adopted.

The committee amendment was adopted.

The bill was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3342, by Committee on Ways & Means (originally sponsored by Senators McDermott, Deccio, Warnke, Sellar, Stratton, McCaslin and Wojahn)

Revising horse racing regulations.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 75th Day, March 29, 1985.)

Mr. Wang moved that the House do not adopt the committee amendments.

Mr. Wang spoke in favor of the motion, and it was carried.

Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Appelwick moved adoption of the committee amendment.

On motion of Mr. Wang, the following amendments by Representatives Wang and Appelwick to the committee amendment were adopted:

Beginning on page 6, line 16 after "participate," strike all the material through "race" on line 19 and insert "~~((only horses of the same breed shall be allowed to compete in any individual race))~~ horses of different breeds may be allowed to compete in the same race if such mixed races are so designated in the racing conditions"

On page 19, line 20 strike all the material down to and including "and))" on line 32 and insert "only within the enclosure of the licensee's race course and"

On page 19, beginning on line 28 strike all material through the end of line 36 and insert a new paragraph to read as follows:

"Only breeders or owners of Washington-bred horses are eligible to demand and receive a breeder's award, an owner's bonus or both. The commission shall promulgate rules and regulations to certify Washington-bred horses. In setting standards to certify horses as Washington-bred, the commission shall seek the advice of and consult with industry, including (a) the Washington Horse Breeders' Association for thoroughbreds; (b) the Washington State Standardbred Association for standardbred harness horses; (c) the Northern Racing Quarter Horse Association for quarter horses; (d) the Washington State Appaloosa Racing Association for appaloosas; and (e) the Washington State Arabian Horse Racing Association for Arabian horses."

On page 20, beginning on line 1, strike all the material through the end of line 7.

On page 20, after line 14 insert a new section as follows:

"NEW SECTION. Sec. 15. If any provisions or application of any provisions of this chapter are invalidated by a court of law, the remainder of the chapter shall not be affected."

Renumber the following section accordingly.

On motion of Mr. Appelwick, the committee amendment to the title of the bill was adopted.

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

Mr. Appelwick spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. Patrick.

Mr. Patrick: "Representative Appelwick, as I read the bill, the additional taxes do not permit any automatic take-out to the Racing Commission. Can the Racing Commission consider this revenue in the submission of its budget for the approval of the legislature?"

Mr. Appelwick: "Yes, Representative Patrick, it is true there is no automatic take-out for the Racing Commission. The Racing Commission is under the Budget and Accounting Act and it can take those revenues into account. We, as a legislature, are not bound by the budget commissions, but we would have to appropriate any moneys they receive. Those revenues may be taken into account."

Representatives Baugher, C. Smith and Rayburn spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3342 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 5.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nulley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Allen, Locke, Nelson G, Vander Stoep, Williams B - 5.

Substitute Senate Bill No. 3342 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. 3400, by Senators Owen, Patterson and Stratton

Changing provisions relating to state mineral, oil, and gas leases.

The bill was read the second time.

On motion of Ms. Leonard, the following amendments by Representatives Leonard, Lewis, Cole and D. Nelson were adopted:

On page 2, line 34 after "and" insert "(1)"

On page 2, line 35 after "or" insert "(2)"

Ms. Leonard moved adoption of the following amendments:

On page 3, line 1 after "thereon," strike "or be thereafter excused therefrom" and insert "~~((or be thereafter excused therefrom))~~"

On page 3, line 2 after "years" strike "((" and insert ". If neither conditions (1) nor (2) in the preceding sentence are met, the commissioner may, if necessary to promote the interest of the people of the state, extend a lease one time beyond the initial term for a period of up to five years. ((

On page 3, line 5 after "~~lease~~")" strike ", except the" and insert "in any event, a"

Representatives Leonard and Lewis spoke in favor of the amendments, and Representatives Sutherland and Lundquist spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Leonard and others to Engrossed Senate Bill No. 3400, and the amendments were not adopted by the following vote: Yeas, 47; nays, 51.

Voting yea: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Brooks, Cole, Crane, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hastings, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Nealey, Nelson D, Niemi, Nulley, O'Brien, Patrick, Rust, Scott, Smitherman, Sommers, Todd, Unsoeld, Valle, Vekich, Wang, Wilson K, Wineberry, and Mr. Speaker - 47.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Brough, Chandler, Day, Dobbs, Hankins, Hargrove, Haugen, Holland, Isaacson, Long, Lundquist, Madsen, May, McMullen, Miller, Nelson G, Padden, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Silver, Smith C, Smith L, Sutherland, Tanner, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walk, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 51.

Mr. Sutherland moved adoption of the following amendment by Representatives Sutherland and L. Smith:

On page 4, after line 18 insert the following:

"Sec. 5. Section 12, chapter 64, Laws of 1970 ex. sess. as amended by section 4, chapter 215, Laws of 1984 and RCW 78.44.110 are each amended to read as follows:

The permit fees required under this chapter shall be as follows:

(1) The basic fee for the permit shall be two hundred fifty dollars per permit year for each separate location, payable with submission of the application and annually thereafter with submission of the report required in RCW 78.44.130; PROVIDED, That permits for land not presently or previously engaged in surface mining on or after June 7, 1984, shall be twenty-five dollars per permit year. If a person holding a twenty-five dollar permit begins surface mining during the year, that person shall pay the remainder of the two-hundred fifty dollar fee.

(2) In addition, there shall be a five dollar per acre fee for all acreage exceeding ten acres which was newly disturbed by surface mining during the previous permit year, which acreage fee shall be paid at the time of submission of the report required in RCW 78.44.130.

(3) All fees collected shall be deposited in the general fund."

Representatives Sutherland, L. Smith and Lundquist spoke in favor of the amendment, and it was adopted.

On motion of Mr. Sutherland, the following amendment to the title of the bill was adopted:

On page 1, line 2 of the title after "79.14.030," strike the remainder of the title and insert "79.14.050 and 78.44.110."

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

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3400 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zelinsky, and Mr. Speaker - 98.

Engrossed Senate Bill No. 3400 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.

SUBSTITUTE SENATE BILL NO. 3448, by Committee on Education (originally sponsored by Senators Gaspard, Bender, Kiskaddon, Stratton, Talmadge, Garrett, Fleming, Bauer, Rinehart, Warnke, Lee and Goltz)

Providing for seismic safety in school buildings.

The bill was read the second time.

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

"On page 3, line 21 after "1987," insert the following:

"NEW SECTION, Sec. 6. If specific funding for the purposes of this act, referencing this act by bill number, is not provided in the omnibus appropriations act enacted before July 1, 1985, this act shall be null and void."

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

Mr. Ebersole spoke in favor of passage of the bill and Mr. Lewis opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3448 as amended by the House, and the bill passed the House by the following vote: Yeas, 59; nays, 39.

Voting yea: Representatives Appelwick, Armstrong, Basich, Belcher, Brekke, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hine, Jacobsen, King J, King P, King R, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 59.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzozoff, Bond, Braddock, Bristow, Brooks, Chandler, Dobbs, Doty, Hastings, Haugen, Holland, Isaacson, Kremen, Lewis, Long, Lundquist, May, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Smith C, Thomas, van Dyke, Van Luven, Vander Stoep, West, Williams B, Williams J, Zellinsky - 39.

Substitute Senate Bill No. 3448 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. 3569, by Senators Talmadge, Thompson and Zimmerman

Modifying provisions on the risk management office.

The bill was read the second time. On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3569, and the bill passed the House by the following vote: Yeas, 93; nays, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Chandler, Dobbs, Fuhrman, Lux, Vander Stoep - 5.

Senate Bill No. 3569, having received the 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. 3593, by Senators Thompson, McCaslin, Hansen, Patterson and Zimmerman

Ratifying previous local government reimbursements for costs related to the Mt. St. Helens eruption.

The bill was read the second time. On motion of Mr. Dellwo, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3593, and the bill passed the House by the following vote: Yeas, 95; nays, 1; absent, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Betzozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative van Dyke - 1.

Absent: Representatives Basich, Vekich - 2.

Senate Bill No. 3593, having received the 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. 3612, by Senators Gaspard, Kiskaddon, Johnson, Bauer, Bender, Wojahn and Conner

Placing a two-year freeze on the excess levy lid reduction and studying excess levies.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 78th Day, April 1, 1985.)

Mr. Ebersole moved adoption of the committee amendment.

Mr. Betzoff moved adoption of the following amendments by Representatives Betzoff, Grimm and Holland to the committee amendment:

On page 1, line 24 of the amendment before "percent" strike "ten" and insert "~~((ten))~~ fifteen"

On page 2, line 2 of the amendment strike "ten" and insert "~~((ten))~~ fifteen"

On page 5, line 19 strike "1993" and insert "1992"

On page 6, line 1 of the amendment strike ", 1987, and 1988"

On page 6, line 7 after "1985" strike ";" and insert "or"

On page 6, line 10 strike "or (iii) the average levy percentage for all school levies in the educational service district of the district in calendar year 1985"

On page 6, line 19 strike "1989" and insert "1986"

On page 6, beginning on line 20 of the amendment strike "~~((one-seventh))~~ one-fifth" and insert "one-seventh"

On page 6, line 27 strike "1993" and insert "1992"

On page 6, line 34 strike "1993" and insert "1992"

On page 8, after line 3 insert:

"(7) A district shall be considered in compliance with this section if the total amount actually levied by the district in any calendar year does not exceed the amount authorized to be levied by subsections (1) and (5) of this section by more than one percent."

Representatives Betzoff, Schoon and Vander Stoep spoke in favor of the amendments to the committee amendment, and Representatives Ebersole, Cole, Lewis, May, Taylor and Barnes spoke against them.

Ms. Cole again opposed the amendments, and Mr. Betzoff spoke again in favor of them.

Mr. Crane demanded the previous question and the demand was sustained.

The amendments were not adopted.

Ms. Sommers moved adoption of the following amendments by Representatives Sommers, Grimm, Holland, Betzoff, Haugen, G. Nelson, Brough, Bristow, Vander Stoep, Silver and B. Williams:

On page 5, line 11 of the amendment after "(5)" insert "Except as provided in subsection (6) of this section"

On page 6, after line 34 of the amendment insert a new subsection as follows:

"(6) (a) For any district whose 1985 authorized levy was greater than twenty-three percent, the maximum rate which may be levied for calendar years 1986 through 1993 in excess of the amount authorized in subsection (1) shall be that amount by which the 1985 levy rate exceeds the amount authorized in subsection (1) of this section, reduced by one-eighth per year beginning in the 1986 calendar year and ending with the 1993 calendar year.

(b) If for any such district the maximum authorized total levy under this subsection in calendar years 1986, 1987, or 1988 is less than twenty-three percent then that school district's base year levy percentage shall be twenty-three percent for the remainder of calendar years 1986, 1987 and 1988 and shall be reduced commencing in 1989 as provided in subsection (5)(b) of this section."

Renumber the remaining subsections accordingly.

Representatives Sommers, K. Wilson, Brough and Holland spoke in favor of the amendments to the committee amendment, and Representatives Ebersole, Cole, Long, Schoon and Taylor spoke against them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Sommers and others to the committee amendment to Engrossed Senate Bill No. 3612, and the amendments were not adopted by the following vote: Yeas, 24; nays, 72; absent, 2.

Voting yea: Representatives Ballard, Barnes, Belcher, Betzoff, Bond, Bristow, Brough, Chandler, Fisch, Grimm, Hargrove, Haugen, Holland, King J, Schmidt, Silver, Smith C, Sommers, Vander Stoep, Vekich, Walk, Williams B, Wilson K, Zellinsky - 24.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Baugher, Braddock, Brekke, Brooks, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Gallagher, Hankins, Hastings, Hine, Isaacson, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, van Dyke, Van Luven, Walker, Wang, West, Williams J, Wilson S, Wineberry, Winsley, and Mr. Speaker - 72.

Absent: Representatives Nelson G, Valle - 2.

The committee amendment was adopted.

On motion of Mr. Ebersole, the committee amendment to the title of the bill was adopted.

The bill was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 3627, by Senators Warnke, Wojahn, Goltz, Metcalf and Bender

Modifying the unemployment compensation requirements for persons with marginal labor force attachment.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Wang, the committee amendments were adopted.

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

Representatives Wang and Chandler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3627 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 9.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Bond, Fuhrman, Hastings, Padden, Sanders, Thomas, van Dyke, Van Luven, West - 9.

Engrossed Senate Bill No. 3627 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. 3717, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Modifying provisions relating to retirement systems.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Ms. Sommers moved adoption of the committee amendment.

On motion of Mr. Peery, the following amendments by Representatives Peery, Sommers and Vander Stoep to the committee amendment were adopted:

On page 19, line 25 of the amendment after "district" insert "and an educational service district"

On page 19, line 32 after "district" insert "or educational service district"

On page 19, line 37 after "district" insert "and an educational service district"

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Long, Sommers, Grimm, Holland, Braddock and Silver to the committee amendment:

On page 41 after line 33 of the committee amendment insert the following:

"NEW SECTION. Sec. 23. A new section is added to chapter 41.04 RCW to read as follows:

No statute which grants an increase in benefits to members or beneficiaries of a public retirement system created in this title or titles 2, 28B, or 43, shall be effective unless it includes an appropriation or employee contribution increase sufficient to fund the actuarial present value of the increase in fully projected benefits. This section shall not apply to retirement system plans in which employees contribute fifty percent or more of the costs of the retirement system plan."

Remember the remaining sections consecutively and correct internal references accordingly.

Representatives Tilly and Sommers spoke in favor of the amendment, and it was adopted.

On motion of Ms. Sommers, the following amendment by Representatives Sommers, Grimm, Braddock, J. King, Smitherman, Bristow, Niemi, Tilly, Taylor, Silver, Madsen, Vander Stoep, G. Nelson, Brekke, Rust, B. Williams and Hine were adopted:

On page 41, after line 33, insert the following:

"Sec. 23, Section 4, chapter 267, Laws of 1971 ex. sess. as amended by section 1, chapter 37, Laws of 1984 and RCW 2.10.040 are each amended to read as follows:

The Washington judicial retirement system is hereby created for judges appointed or elected under the provisions of chapters 2.04, 2.06, and 2.08 RCW. All judges first appointed or elected to the courts covered by these chapters on or after August 9, 1971, and prior to the effective date of this 1985 act, shall be members of this system: PROVIDED, That following February 23, 1984, and until the effective date of this 1985 act, any newly elected or appointed judge holding credit toward retirement benefits under chapter 41.40 RCW shall be allowed thirty days from the effective date of election or appointment to such judgeship to make an irrevocable choice filed in writing with the department of retirement systems to continue coverage under that chapter and to be permanently excluded from coverage under this chapter for the current or any future term as a judge. All judges first appointed or elected to the courts covered by these chapters on or after the effective date of this 1985 act may become members of the public employees' retirement system under chapter 41.40 RCW on the same basis as other elected officials as provided in RCW 41.40.120(3).

Any member of the retirement system who is serving as a judge as of the effective date of this 1985 act has the option of becoming a member of the retirement system created in chapter 41.40 RCW, subject to the conditions imposed by section 24 of this 1985 act, by making an irrevocable choice filed in writing with the department of retirement systems to be permanently excluded for the current and any future term as a judge.

NEW SECTION. Sec. 24. A new section is added to chapter 41.40 RCW to read as follows:

(1) Any member of the Washington judicial retirement system who wishes to transfer such membership to the retirement system provided for in this chapter shall file a written request with the director as required by RCW 2.10.040 on or before December 31, 1986. Upon receipt of such request, the director shall transfer from the judicial retirement system to this retirement system: (a) An amount equal to the employee contributions paid into the judicial retirement system by the member which shall be credited to the member's account established under this chapter; (b) an amount equal to the matching employer contributions as provided by RCW 2.10.090(2); and (c) a record of service credited to the member.

(2) The member shall be given year-for-year credit for years of service, as determined under RCW 2.10.030(8), earned under the judicial retirement system. Service credit granted under the judicial retirement system pursuant to RCW 2.10.220 shall not be transferred under this section. The director instead shall reverse the transfer of contributions and service credit previously made under RCW 2.10.220 and shall credit the member for such periods of service and contributions under this chapter as though no transfer had ever occurred.

(3) All employee contributions transferred pursuant to this section shall be treated the same as other employee contributions made under this chapter.

NEW SECTION. Sec. 25. It is the intent of sections 26 and 27 of this act to eliminate supplemental pension benefits for employees employed after the effective date of this act at institutions of higher education. The legislature also intends to permit certain retirement plan options for persons employed by institutions of higher education after the effective date of this act.

Sec. 26. Section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 259, Laws of 1979 ex. sess. and RCW 28B.10.400 are each amended to read as follows:

The boards of regents of the state universities, the boards of trustees of the regional universities and of The Evergreen State College, and the state board for community college education are authorized and empowered:

(1) To assist the faculties and such other employees as any such board may designate in the purchase of old age annuities or retirement income plans under such rules and regulations as any such board may prescribe. County agricultural agents, home demonstration agents, 4-H club agents, and assistant county agricultural agents paid jointly by the Washington State University and the several counties shall be deemed to be full time employees of the Washington State University for the purposes hereof:

(2) To provide, under such rules and regulations as any such board may prescribe for the faculty members or other employees under its supervision, for the retirement of any such faculty member or other employee on account of age or condition of health, retirement on account of age to be not earlier than the sixty-fifth birthday: PROVIDED, That such faculty member or such other employee may elect to retire at the earliest age specified for retirement by federal social security law: PROVIDED FURTHER, That any supplemental payment authorized by subsection (3) of this section and paid as a result of retirement earlier than age sixty-five shall be at an actuarially reduced rate:

(3) For persons who began employment before the effective date of this 1985 act, to pay to any such (~~retired~~) person upon retirement or to (~~his~~) the person's designated beneficiary(s), each year after (~~his~~) the person's retirement, a supplemental amount which, when added to the amount of such annuity or retirement income plan, or retirement income benefit pursuant to RCW 28B.10.415, received by (~~him or his~~) the person or the person's designated beneficiary(s) in such year, will not exceed fifty percent of the average annual salary paid to such retired person for (~~his~~) the person's highest two consecutive years of full time service under an annuity or retirement income plan established pursuant to subsection (1) of this section at an institution of higher education: PROVIDED, HOWEVER, That if such retired person prior to (~~his~~) retirement elected a supplemental payment survivors option, any such supplemental payments to such retired person or (~~his~~) the person's designated beneficiary(s) shall be at actuarially reduced rates: PROVIDED FURTHER, That if a faculty member or other employee of an institution of higher education who is a participant in a retirement plan authorized by this section dies, or has died before retirement but after becoming eligible for retirement on account of age, the designated beneficiary(s) shall be entitled to receive the supplemental payment authorized by this subsection (3) of this section to which such designated beneficiary(s) would have been entitled had said deceased faculty member or other employee retired on the date of death after electing a supplemental payment survivors option: PROVIDED FURTHER, That for the purpose of this subsection, the designated beneficiary(s) shall be (a) the surviving spouse of the retiree; or, (b) with the written consent of such spouse, if any, such other person or persons as shall have an insurable interest in the retiree's life and shall have been nominated by written designation duly executed and filed with the retiree's institution of higher education.

NEW SECTION. Sec. 27. A new section is added to chapter 28B.10 RCW to read as follows:

(1) Employees employed after the effective date of this act eligible to participate under RCW 28B.10.400 through 28B.10.430 may, before the end of the calendar month following the date of employment, elect through written notification to the governing body of the employing institution:

(a) To participate under RCW 28B.10.400 through 28B.10.430 without the supplemental benefits; or

(b) To participate in the retirement plan under chapter 41.32 RCW if the person has been a member under chapter 41.32 RCW.

(2) An employee, otherwise eligible, failing to make an election under subsection (1) of this section shall be covered under chapter 41.40 RCW.

NEW SECTION. Sec. 28. The legislature finds that in the past public employees and teachers who had terminated employment, withdrawn their retirement contributions, and subsequently returned to public employment or teaching either did not receive proper notification of the procedure to reinstate their withdrawn contributions or they did not fully understand the limitation on such reinstatement. In 1973, the legislature recognized this fact and provided an extraordinary reinstatement period for such employees. Further in 1983, the legislature established clear notification procedures for the proper notification of the reinstatement policy for all such returning employees. Therefore, it is the intent of sections 29 through 31 of this act to provide one last opportunity for reinstatement of withdrawn contributions to those who may have not been properly informed or misunderstood the reinstatement procedure.

Sec. 29, Section 50, chapter 80, Laws of 1947 as last amended by section 1, chapter 233, Laws of 1983 and RCW 41.32.500 are each amended to read as follows:

(1) Membership in the retirement system is terminated when a member retires for service or disability, dies, withdraws his accumulated contributions or does not establish service credit with the retirement system for five consecutive years; however, a member may retain membership in the teachers' retirement system by leaving his accumulated contributions in the teachers' retirement fund under one of the following conditions:

(a) If he is eligible for retirement;

(b) If he is a member of another public retirement system in the state of Washington by reason of change in employment and has arranged to have membership extended during the period of such employment;

(c) If he is not eligible for retirement but has established five or more years of Washington membership service credit.

The prior service certificate becomes void when a member dies, withdraws his accumulated contributions or does not establish service credit with the retirement system for five consecutive years, and any prior administrative interpretation of the board of trustees, consistent with this section, is hereby ratified, affirmed and approved.

(2) Any member, except an elected official, who reentered service and who failed to restore withdrawn contributions, shall now have from the effective date of this 1985 act through June 30, 1986, to restore the contributions, with interest as determined by the director.

(3) Within the ninety days following the employee's resumption of employment, the employer shall notify the department of the resumption and the department shall then return to the employer a statement of the potential service credit to be restored, the amount of funds required for restoration, and the date when the restoration must be accomplished. The employee shall be given a copy of the statement and shall sign a copy of the statement which signed copy shall be placed in the employee's personnel file.

Sec. 30, Section 16, chapter 274, Laws of 1947 as last amended by section 2, chapter 233, Laws of 1983 and RCW 41.40.150 are each amended to read as follows:

Should any member die, or should the individual separate or be separated from service without leave of absence before attaining age sixty years, or should the individual become a beneficiary, except a beneficiary of an optional retirement allowance as provided by RCW 41.40.185 or 41.40.190, the individual shall thereupon cease to be a member except:

(1) As provided in RCW 41.40.170.

(2) An employee not previously retired who reenters service shall upon completion of six months of continuous service and upon the restoration of all withdrawn contributions with interest as computed by the director, which restoration must be completed within a total period of five years of membership service following the member's first resumption of employment, be returned to the status, either as an original member or new member which the member held at time of separation.

(3) Any member, except an elected official, who reentered service and who failed to restore withdrawn contributions, shall now have from the effective date of this 1985 act through June 30, 1986, to restore the contributions, with interest as determined by the director.

(4) Within the ninety days following the employee's resumption of employment, the employer shall notify the department of the resumption and the department shall then return to the employer a statement of the potential service credit to be restored, the amount of funds required for restoration, and the date when the restoration must be accomplished. The employee shall be given a copy of the statement and shall sign a copy of the statement which signed copy shall be placed in the employee's personnel file.

(5) A member who separates or has separated after having completed at least five years of service shall remain a member during the period of absence from service for the exclusive purpose of receiving a retirement allowance to begin at attainment of age sixty-five, however, such a member may on written notice to the director elect to receive a reduced retirement allowance on or after age sixty which allowance shall be the actuarial equivalent of the sum necessary to pay regular retirement benefits as of age sixty-five: PROVIDED, That if such member should withdraw all or part of the member's accumulated contributions except those additional contributions made pursuant to RCW 41.40.330(2), the individual shall thereupon cease to be a member and this section shall not apply.

(6) (a) The recipient of a retirement allowance who is employed in an eligible position other than under RCW 41.40.120(12) shall be considered to have terminated his or her retirement status and shall immediately become a member of the retirement system with the status of membership the member held as of the date of retirement. Retirement benefits shall be suspended during the period of eligible employment and the individual shall make contributions and receive membership credit. Such a member shall have the right to again retire if eligible in accordance with RCW 41.40.180: PROVIDED, That where any such right to retire is exercised to become effective before the member has rendered two uninterrupted years of service the type of retirement allowance the member had at the time of the member's previous retirement shall be reinstated, but no additional service credit shall be allowed;

(b) The recipient of a retirement allowance elected to office or appointed to office directly by the governor, and who shall apply for and be accepted in membership as provided in RCW 41.40.120(3) shall be considered to have terminated his or her retirement status and shall become a member of the retirement system with the status of membership the member held as of the date of retirement. Retirement benefits shall be suspended from the date of return to membership until the date when the member again retires and the member shall make contributions and receive membership credit. Such a member shall have the right to again retire if eligible in accordance with RCW 41.40.180: PROVIDED, That where any such right to retire is exercised to become effective before the member has rendered six uninterrupted months of service the type of retirement allowance the member had at the time of the member's previous retirement shall be reinstated, but no additional service credit shall be allowed: AND PROVIDED FURTHER, That if such a recipient of a retirement allowance does not elect to apply for reentry into membership as provided in RCW 41.40.120(3), the member shall be considered to remain in a retirement status and the individual's retirement benefits shall continue without interruption.

(7) Any member who leaves the employment of an employer and enters the employ of a public agency or agencies of the state of Washington, other than those within the jurisdiction of the Washington public employees' retirement system, and who establishes membership in a retirement system or a pension fund operated by such agency or agencies and who shall continue membership therein until attaining age sixty, shall remain a member for the exclusive purpose of receiving a retirement allowance without the limitation found in RCW 41.40.180(1) to begin on attainment of age sixty-five((:)); however, such a member may on written notice to the director elect to receive a reduced retirement allowance on or after age sixty which allowance shall be the actuarial equivalent of the sum necessary to pay regular retirement benefits commencing at age sixty-five: PROVIDED, That if such member should withdraw all or part of the member's accumulated contributions except those additional contributions made pursuant to RCW 41.40.330(2), the individual shall thereupon cease to be a member and this section shall not apply.

NEW SECTION. Sec. 31. (1) There is hereby appropriated for the biennium ending June 30, 1987, one hundred six thousand dollars from the retirement systems expense fund to the department of retirement systems to carry out the administrative purposes of sections 28 through 30 of this act.

(2) There is hereby appropriated for the biennium ending June 30, 1987, two million eight hundred thousand dollars from the general fund to the department of retirement systems for the increased contributions required of the state by sections 28 through 30 of this act. Of this amount, one million two hundred thousand dollars shall be deposited in the public employees' retirement fund and one million six hundred thousand dollars shall be deposited in the teachers' retirement fund.

NEW SECTION. Sec. 32. A new section is added to chapter 43.88 RCW to read as follows:

Each omnibus biennial operating appropriations act shall include an appropriation for the full amount that will be paid out during that biennium under any postretirement cost of living adjustment adopted after the effective date of this act.

NEW SECTION. Sec. 33. 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."

Renumber the sections consecutively.

On motion of Ms. Sommers, the following amendment by Representatives Sommers and Tilly was adopted:

On page 41, after line 33 of the committee amendment insert the following:

*NEW SECTION. Sec. 24. There is created a sixteen member joint committee on public retirement during the 1985 interim as follows: (a) the president of the senate shall appoint eight members, with four members to be appointed from each caucus; (b) the speaker of the house of representatives shall appoint eight members, with four members to be appointed from each caucus."

Ms. Belcher moved adoption of the following amendment to the committee amendment:

On page 41, after line 33 insert the following:

NEW SECTION. Sec. 23. A new section is added to chapter 43.43 RCW to read as follows:

Former members of the retirement system established under this chapter who are currently members of the retirement system established under the provisions of chapter 41.40 RCW are permitted to reestablish service credit with the system subject to the following:

(1) The former member must have separated and withdrawn contributions from the system prior to July 16, 1973, and not returned to membership since that date;

(2) The former member must have had at least five years of service credit at the time of separation; and

(3) The former member must make payment to the system of the contributions withdrawn with interest at the rate set by the director from the date of withdrawal to the date of repayment.

NEW SECTION, Sec. 24. A new section is added to chapter 41.40 RCW to read as follows:

Any active member of this system who was a member of the retirement system governed by chapter 43.43 RCW may transfer service credit from that system to this system as follows:

(1) The member must have separated from the system governed by chapter 43.43 RCW prior to July 16, 1973;

(2) The member must have the service credit to be transferred currently established in the system under chapter 43.43 RCW pursuant to section 1 of this act; and

(3) The member must have been employed by the department of licensing, or its predecessor agency, in a capacity related to drivers' license examining within thirty days after leaving commissioned status with the state patrol.

Upon receipt of any application for a transfer under this section, the department shall cause a transfer of the employee's funds from the state patrol retirement system to the retirement system under this chapter. Such service shall be credited as though earned in this system except that only one month's service shall be allowed for any one calendar month."

Renumber the remaining sections consecutively.

Representatives Belcher and Sanders spoke in favor of the amendment, and it was adopted.

On motion of Ms. Sommers, the following amendments to the committee amendment were adopted:

On page 41, after line 33 of the committee amendment, insert the following:

"NEW SECTION, Sec. 23. A new section is added to chapter 41.40 RCW to read as follows:

Those currently employed members who were eligible to recover service earned prior to July 1, 1953, under a retirement system authorized pursuant to RCW 28B.10.400 through 28B.10.430, but who failed to do so, shall have until June 30, 1986, to pay the appropriate employee and employer contributions plus interest, as determined by the director of retirement systems, for such service which was not so recovered."

Renumber the remaining section and correct internal references accordingly.

On page 1, beginning on line 6 of the amendment strike all material down to and including line 29 on page 11.

Renumber the sections consecutively and correct internal references accordingly.

The committee amendment as amended was adopted.

Ms. Sommers moved adoption of the committee amendment to the title of the bill.

On motion of Ms. Sommers, the following amendments to the title amendment were adopted:

On page 42, beginning on line 10 strike "41.26.270, 41.26.005, 41.50.090,"

On page 42, beginning on line 15 strike "new sections" and insert "a new section"

On page 42, line 15 strike "and"

On page 42, line 15 after "41.40.120" and before the semicolon insert ", 2.10.040, 28B.10.400, 41.32.500, and 41.40.150"

On page 42, line 17 strike "chapter 41.32 RCW" and insert "chapters 41.04 RCW and 41.32 RCW"

On page 42, line 17 after "RCW;" insert "adding new sections to chapter 41.40 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 43.43 RCW; adding a new section to chapter 43.88 RCW;"

On page 42, line 18 after "sections;" insert "making appropriations;"

The committee amendment as amended to the title was adopted.

Engrossed Substitute Senate Bill No. 3717 as amended by the House was passed to Committee on Rules for third reading.

MOTION

On motion of Mr. J. King, the House adjourned until 9:30 a.m., Friday, April 12, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

EIGHTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 12, 1985.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Lewis, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Sweigert and Kelly Schaefer. Prayer was offered by Reverend Jennifer Clark, Minister of Calvary Presbyterian Church of Enumclaw.

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

MESSAGES FROM THE SENATE

April 11, 1985

Mr. Speaker:

The President has signed:

	HOUSE BILL NO.	12,
SUBSTITUTE	HOUSE BILL NO.	15,
	HOUSE BILL NO.	92,
	HOUSE BILL NO.	142,
	HOUSE BILL NO.	149,
SUBSTITUTE	HOUSE BILL NO.	188,
	HOUSE BILL NO.	213,
	HOUSE BILL NO.	310,
	HOUSE BILL NO.	398,
	HOUSE BILL NO.	402,
SUBSTITUTE	HOUSE BILL NO.	520,
SUBSTITUTE	HOUSE BILL NO.	565,
	HOUSE BILL NO.	830,
SUBSTITUTE	SENATE BILL NO.	3001,
SUBSTITUTE	SENATE BILL NO.	3170,
SUBSTITUTE	SENATE BILL NO.	3180,
	SENATE BILL NO.	3214,
	SENATE BILL NO.	3273,
SUBSTITUTE	SENATE BILL NO.	3309,
SUBSTITUTE	SENATE BILL NO.	3536,
SUBSTITUTE	SENATE BILL NO.	3598,
	SENATE BILL NO.	3624,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

	HOUSE BILL NO.	27,
	HOUSE BILL NO.	34,
SUBSTITUTE	HOUSE BILL NO.	50,
SUBSTITUTE	HOUSE BILL NO.	53,
SUBSTITUTE	HOUSE BILL NO.	163,
	HOUSE BILL NO.	175,
	HOUSE BILL NO.	183,
SUBSTITUTE	HOUSE BILL NO.	189,
SUBSTITUTE	HOUSE BILL NO.	220,
SUBSTITUTE	HOUSE BILL NO.	253,
SUBSTITUTE	HOUSE BILL NO.	321,
SUBSTITUTE	HOUSE BILL NO.	389,

HOUSE BILL NO.	399,
SUBSTITUTE HOUSE BILL NO.	403,
HOUSE BILL NO.	434,
SUBSTITUTE HOUSE BILL NO.	444,
SUBSTITUTE HOUSE BILL NO.	460,
SUBSTITUTE HOUSE BILL NO.	481,
SUBSTITUTE HOUSE BILL NO.	482,
SUBSTITUTE HOUSE BILL NO.	596,
SUBSTITUTE HOUSE BILL NO.	602,
HOUSE BILL NO.	657,
HOUSE BILL NO.	670,
SUBSTITUTE HOUSE BILL NO.	731,
SUBSTITUTE HOUSE BILL NO.	746,
HOUSE JOINT RESOLUTION NO.	22,
SUBSTITUTE SENATE BILL NO.	3001,
SUBSTITUTE SENATE BILL NO.	3170,
SUBSTITUTE SENATE BILL NO.	3180,
SENATE BILL NO.	3214,
SENATE BILL NO.	3273,
SUBSTITUTE SENATE BILL NO.	3309,
SUBSTITUTE SENATE BILL NO.	3536,
SUBSTITUTE SENATE BILL NO.	3598,
SENATE BILL NO.	3624.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4399, by Committee on Governmental Operations (originally sponsored by Senators Thompson and Zimmerman)

Creating a local governance study commission.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Ms. Haugen moved adoption of the committee amendment.

Mr. Madsen moved adoption of the following amendments to the committee amendment:

On page 3, line 34 after "(1)" strike "Nineteen" and insert "Twenty-one"

On page 4, line 18 after "districts;" strike "and"

On page 4, line 21 after "districts" insert ";

(g) One member nominated by the Washington public utility districts association; and

(h) One member nominated by the Washington library association"

Representatives Madsen and Zellinsky spoke in favor of the amendments to the committee amendment, and Representatives Nutley, Brough and Isaacson opposed them.

The amendments were adopted.

Ms. Haugen spoke in favor of the committee amendment as amended.

The committee amendment as amended was adopted.

On motion of Ms. Haugen, the committee amendment to the title of the bill was adopted.

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

Representatives Nutley and Brough 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. 4399 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough,

Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Engrossed Substitute Senate Bill No. 4399 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 MEMORIAL NO. 102, by Senators Owen, Rasmussen, Stratton, Metcalf, Conner, Johnson, Patterson and Barr

Requesting restrictions on importation of Canadian forest products.

The memorial was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Sutherland, the committee amendments were adopted.

On motion of Ms. Hine, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Sutherland, Lundquist and Basich spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 102 as amended by the House, and the memorial passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Senate Joint Memorial No. 102 as amended by the House, having received the constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 127, by Senators Bottiger, Bluechel and Moore

Petitioning Congress to undertake a study on vessel air emissions.

The memorial was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. Walk spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 127, and the memorial passed the House by the following vote: Yeas, 91; nays, 5; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner,

Taylor, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Bond, Brough, Sanders, Thomas, van Dyke - 5.
Absent: Representative Baugher - 1.
Excused: Representative Lewis - 1.

Senate Joint Memorial No. 127, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 3468, by Committee on Energy & Utilities (originally sponsored by Senators Williams, Bailey, Saling, Talmadge, Bauer and Rasmussen)

Authorizing the monitoring of federal research regarding the suitability of Hanford as a radioactive waste disposal facility.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 80th Day, April 3, 1985.)

Mr. D. Nelson moved adoption of the committee amendments.

Mr. D. Nelson spoke against adoption of the committee amendments, and they were not adopted.

Mr. D. Nelson moved adoption of the following amendment by Representatives D. Nelson and Isaacson:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 1, chapter 161, Laws of 1984 and RCW 43.200.015 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Board' means the nuclear waste board established in RCW 43.200.040.

(2) 'Federal department of energy' means the federal department of energy or any successor agency assigned responsibility for the long-term disposal of high-level radioactive waste.

(3) 'Nuclear regulatory commission' means the United States nuclear regulatory commission or any successor agency responsible for approving construction of a repository for the long-term disposal of high-level radioactive waste and spent nuclear fuel.

(4) 'Hanford candidate site' means the site identified by the United States department of energy as a potentially acceptable site for the disposal of spent nuclear fuel and high-level radioactive waste pursuant to the nuclear waste policy act of 1982.

(5) 'High-level radioactive waste' means 'high-level radioactive waste' as the term is defined in 42 U.S.C. Sec. 10101 (P.L. 97-425).

((4)) (6) 'Low-level radioactive waste' means waste material that contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable federal or state standards for unrestricted release. Low-level waste does not include waste containing more than one hundred nanocuries of transuranic contaminants per gram of material, nor spent reactor fuel, nor material classified as either high-level radioactive waste or waste that is unsuited for disposal by near-surface burial under any applicable federal regulations.

(7) 'Radioactive waste' means both high-level and low-level radioactive waste.

(8) 'Spent nuclear fuel' means spent nuclear fuel as the term is defined in 42 U.S.C. Sec. 10101.

(9) 'Department' means the department of ecology.

NEW SECTION. Sec. 2. A new section is added to chapter 43.200 RCW to read as follows:

The board shall monitor and evaluate the research performed by the federal department of energy that is undertaken for the purpose of determining the suitability of the Hanford candidate site for the location of a disposal facility for spent nuclear fuel and high-level radioactive waste. If the board is dissatisfied with the research performed by the federal department of energy, it shall conduct its own independent testing and evaluation activities, for which it shall seek funding from the federal government. The board shall report semiannually to the governor and the Washington state legislature on the results of research conducted under this section.

NEW SECTION. Sec. 3. A new section is added to chapter 43.200 RCW to read as follows:

(1) The board shall undertake studies: (a) To determine any potential economic, social, public health and safety, and environmental impacts of a repository for the long-term disposal of high-level radioactive waste and spent nuclear fuel on the state and its residents; (b) of the risks to the citizens of this state associated with the transportation of radioactive wastes by

whatever mode into and through the state of Washington. The study shall include recommendations for state and local authorities on alternative routes for transportation of radioactive wastes which shall be developed in accordance with 49 C.F.R. part 177, appendix A. The study shall also examine the responsibilities and capabilities of state, local, and federal agencies to respond to transportation accidents involving radioactive waste and develop recommendations for improvement where needed to best protect the public health and safety. Progress reports on the study shall be made at each meeting of the board. The board shall set a completion date for the study to coincide with the need to establish state or local routing alternatives in accordance with the federal hazardous materials transportation act; (c) of the potential impacts of siting a repository for the long-term storage or disposal of high-level radioactive waste and spent nuclear fuel at the Hanford candidate site on the financial and technical resources of all affected state agencies and local governments. The board shall commence this study as soon as practicable and shall report on its progress in its semiannual reports required by RCW 43.200.020.

(2) The board shall develop a request for impact assistance to be submitted in the event the Nuclear Regulatory Commission approves construction of a repository at the Hanford candidate site.

(3) The board may undertake any other studies or activities for which it shall seek funding from the federal government.

Sec. 4. Section 14, chapter 161, Laws of 1984 and RCW 43.200.150 are each amended to read as follows:

The department shall provide administrative and technical staff support as requested by the board. As directed by the board, the department shall be responsible for obtaining and coordinating technical expertise necessary for board participation in nuclear waste programs and shall be responsible for ongoing technical coordination and administration of program activities. Other state agencies shall assist the board in fulfilling its duties to the fullest extent possible. The board and/or the department may contract with other state agencies to obtain expertise or input uniquely available from that agency. The board may contract with private parties to obtain expertise or input necessary to perform any study required in this chapter, for which it shall seek funding from the federal government.

NEW SECTION. Sec. 5. A new section is added to chapter 43.200 RCW to read as follows:

The board shall seek federal funds pursuant to the nuclear waste policy act of 1982, section 116 (P.L. 97-425), for the activities authorized by this act. In the event federal funds are not granted, the board shall investigate potential legal causes of action.

NEW SECTION. Sec. 6. A new section is added to chapter 43.200 RCW to read as follows:

This chapter may be known and cited as the Radioactive Waste Act.

NEW SECTION. Sec. 7. 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."

Representatives D. Nelson and Isaacson spoke in favor of the amendment.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Nelson, section 59 of this act says that the board shall seek federal funds, but does not address how the receipt of any federal funds that might be obtained should be treated. Can you explain how such funds would be directed to the Nuclear Waste Board?"

Mr. D. Nelson: "Representative Isaacson, the receipt of federal funds under the Nuclear Waste Policy Act of 1982 would be treated as unanticipated receipts and would be directed by OFM to the Nuclear Waste Board for the purposes of this act."

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Ms. Hankins.

Ms. Hankins: "Representative Nelson, do you feel that an amendment to the act we have been working on, on the Waste Board, will strengthen our position in writing our agreement for the state?"

Mr. D. Nelson: "Representative Hankins, I think anything we can do to direct the Nuclear Waste Board to undertake some of the important possibilities involving the handling of high-level nuclear waste is appropriate. Now whether that makes it more possible to reach an agreement with the federal government, I would not venture. I do believe that these are some of the issues that have been under discussion between the state and the federal government and to the extent that the board is directed to undertake them, may assist those negotiations."

Ms. Hankins spoke in favor of the amendment, and it was adopted.

On motion of Mr. D. Nelson, the following amendment to the title of the bill was adopted:

On page 1, line 2 of the title after "43.200.015" strike the remainder of the title and insert ", 43.200.150; adding new sections to chapter 43.200 RCW; and declaring an emergency."

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

Mr. D. Nelson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3468 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Substitute Senate Bill No. 3468 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. 3765, by Senators Thompson and Zimmerman

Modifying provisions on municipal utilities.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 80th Day, April 3, 1985.)

Ms. Haugen moved adoption of the committee amendment.

Mr. D. Nelson moved adoption of the following amendment by Representatives D. Nelson and Haugen to the committee amendment:

On page 13, line 5 after "utility" insert ", or make extensions thereof which would expand the previous service capacity by fifty percent or more, and where an amount of such increased service capacity equal to at least fifty percent of the previous service capacity is financed by the issuance of councilmanic general obligation bonds."

Representatives D. Nelson and Isaacson spoke in favor of the amendment to the committee amendment, and it was adopted.

Ms. Haugen spoke in favor of the committee amendment as amended, and it was adopted.

On motion of Ms. Haugen, the committee amendment to the title of the bill was adopted.

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

Representatives Haugen and Brough spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Haugen yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Haugen, in reducing the vote from three-fifths to a fifty percent majority, does that apply only to councilmanic bonds?"

Ms. Haugen: "The answer is yes."

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3765 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Locke - 1.

Excused: Representative Lewis - 1.

-Senate Bill No. 3765 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. O'Brien to preside.

MOTION

On motion of Mr. J. King, the House advanced to the eighth order of business.

RESOLUTION

On motion of Mr. J. King, the rules were suspended to allow consideration of House Floor Resolution No. 85-51.

HOUSE FLOOR RESOLUTION NO. 85-51, by Representatives Ebersole, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, The Washington State Legislature in 1981 established the Washington Scholars Program to recognize selected senior students from Washington public and private high schools for their academic achievements, leadership abilities and community service contributions; and

WHEREAS, Three senior students from each of the state's forty-nine legislative districts are selected by a review committee composed of distinguished secondary and postsecondary educators; and

WHEREAS, The one hundred forty-seven students selected for special recognition as Washington Scholars have distinguished themselves by their energy and diversity as student leaders; as participants in music, debate, sports and other programs; and through valuable service to their communities; and

WHEREAS, The families of the students have nurtured and supported the interests and talents of their children; and

WHEREAS, These selected students must maintain a 3.5 grade point average at Washington's public four-year colleges and universities in order to receive a two-year waiver of tuition and fees; and

WHEREAS, The State of Washington benefits from the accomplishments of these caring and gifted individuals, not only as students but also, as citizens of our communities and our state;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives commends these students' families for their encouragement and support; and

BE IT FURTHER RESOLVED, That the one hundred forty-seven Washington Scholars be recognized for their hard work, dedication and maturity in achieving this noteworthy accomplishment.

Mr. Ebersole moved adoption of the resolution. Representatives Ebersole and Taylor spoke in favor of the resolution and it was adopted.

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

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3261, by Committee on Governmental Operations (originally sponsored by Senators Thompson and Zimmerman)

Modifying the state building code.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

Ms. Belcher moved adoption of the committee amendment.

Mr. J. Williams moved adoption of the following amendment by Representatives J. Williams and Belcher to the committee amendment:

On page 3, line 12 of the amendment, after "Sec. 3." strike everything down to and including "act." on line 31 and insert "(1) The state building code council shall contract with a private entity to conduct a study and analysis of the codes referred to in section 5 of this act and related regulations of state and local agencies to ascertain the amount and nature of any conflict and inconsistencies. The findings and proposed solutions resulting from this study and analysis shall be submitted to the state building code council no later than September 1, 1987. The state building code council shall consider these findings and proposed solutions when carrying out its responsibilities under section 2 of this act.

(2) The state building code council shall conduct a study of county and city enforcement of the requirements of the codes to which reference is made in section 5 of this act. In conducting the study, the council shall conduct public hearings at designated council meetings to seek input from interested individuals and organizations. The findings of the study shall be submitted in a report to the governor and the legislature no later than September 1, 1987.

(3) The study required under subsection (2) of this section shall include, but not be limited to, a review of the impact of discretionary building permit requirements imposed by local code enforcement personnel. This review shall be designed to determine the extent, if any, to which such discretionary requirements are based upon (a) the requirements of the state building code or (b) city or county amendments to the state building code."

Representatives J. Williams and Belcher spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Todd moved adoption of the following amendment by Representatives Todd, Hankins and Belcher to the committee amendment:

On page 3 of the amendment, after line 31, strike all material down through line 15 on page 4 and insert the following:

"NEW SECTION. Sec. 4. (1) There is hereby created the building code council account in the state treasury. Moneys deposited into the account shall be used by the building code council, after appropriation, to perform the purposes of the council.

(2) All moneys collected under subsection (3) of this section shall be deposited into the building code council account. Every four years the state treasurer shall report to the legislature on the balances in the account so that the legislature may adjust the charges imposed under subsection (3) of this section.

(3) There is imposed a fee of one dollar and fifty cents on each building permit issued by a county or a city. Quarterly each county and city shall remit moneys collected under this section to the state treasury; however, no remittance is required until a minimum of fifty dollars has accumulated pursuant to this subsection."

Representatives Todd, Belcher, J. Williams and Hankins spoke in favor of the amendment to the amendment, and Representatives Barrett and Isaacson spoke against it.

Mr. Todd spoke again in favor of the amendment to the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Todd and others to the committee amendment to Engrossed Substitute Senate Bill No. 3261, and the amendment to the amendment was adopted by the following vote: Yeas, 53; nays, 44; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Basich, Belcher, Brekke, Brough, Chandler, Cole, Crane, Dellwo, Ebersole, Fisher, Gallagher, Grimm, Hankins, Hine, Jacobsen, King J, Leonard, Locke, Lux, McMullen, Miller, Nealey, Nelson D, Niemi, O'Brien, Peery, Prince, Rust, Sayan, Schmidt, Schoon, Scott, Smith C, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Ballard, Barrett, Baugher, Betrozoff, Bond, Braddock, Bristow, Brooks, Day, Dobbs, Doty, Fisch, Fuhrman, Hargrove, Hastings, Haugen, Holland, Isaacson, King P, King R, Kremen, Long, Lundquist, Madsen, May, Nelson G, Nutley, Padden, Patrick, Rayburn, Sanders, Silver, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B - 44.

Excused: Representative Lewis - 1.

Mr. McMullen moved adoption of the following amendment to the committee amendment:

On page 11, line 35 after "government" insert ": PROVIDED, That the state building code shall not be applicable to single family residences that are constructed by an individual owner and the title to that property includes notice that the building or structure does not comply with the state building code, so long as such exemption from the state building code is permitted by an ordinance of the county where the building or structure is constructed"

Representatives McMullen, Bristow, S. Wilson, Fuhrman and Lundquist spoke in favor of the amendment to the amendment, and Representatives Belcher, Todd and Isaacson spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McMullen to the committee amendment to Engrossed Substitute Senate Bill No. 3261, and the amendment to the amendment was not adopted by the following vote: Yeas, 48; nays, 48; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Day, Dobbs, Doty, Fuhrman, Hargrove, Hastings, Haugen, Holland, Isaacson, King P, Kremen, Lundquist, McMullen, Miller, Nelson G, Padden, Patrick, Peery, Rust, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Tilly, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B, Wilson S, Winsley, Zellinsky - 48.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Betrozoff, Brekke, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hine, Jacobsen, King J, King R, Leonard, Locke, Long, Lux, Madsen, May, Nealey, Nelson D, Niemi, Nutley, O'Brien, Prince, Rayburn, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Thomas, Todd, Unsoeld, Valle, Walk, Wang, Williams J, Wineberry, and Mr. Speaker - 48.

Absent: Representative Wilson K - 1.

Excused: Representative Lewis - 1.

The committee amendment as amended was adopted.

On motion of Mr. Todd, the following amendment to the title of the bill was adopted:

On page 1, line 4 of the title after "19.27 RCW;" insert "creating a new section; and" and on line 9 strike "; and making an appropriation"

Engrossed Substitute Senate Bill No. 3261 as amended by the House was passed to Committee on Rules for third reading.

Representative Zellinsky was excused.

THIRD READING

SUBSTITUTE SENATE BILL NO. 3184 AS AMENDED BY THE HOUSE, by Committee on Governmental Operations (originally sponsored by Senator Thompson)

Providing state-owned housing for certain state employees.

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

Representatives Belcher, Sayan, Smitherman, Baugher and Lux spoke in favor of passage of the bill, and Representatives Sanders, Doty and Padden spoke against it.

Ms. Belcher spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3184 as amended by the House, and the bill passed the House by the following vote: Yeas, 61; nays, 35; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Braddock, Brekke, Brooks, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Haugen, Hine, Holland, King J, King P, King R, Kremen, Leonard, Lundquist, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 61.

Voting nay: Representatives Addison, Ballard, Barrett, Betrozoff, Bond, Bristow, Brough, Chandler, Dobbs, Doty, Fuhrman, Hargrove, Hastings, Isaacson, Jacobsen, Locke, Long, May, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Sommers, van Dyke, Van Luven, Walker, West, Williams B, Williams J, Wilson S - 35.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute Senate Bill No. 3184 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 (Mr. O'Brien presiding) declared the House recessed until 1:30 p.m.

AFTERNOON SESSION

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 Lewis and Zellinsky, who were excused.

The House reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 3008, by Senators Thompson, Zimmerman and Bauer

Modifying valuation provisions for certain articles for use tax purposes.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3008, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Senate Bill No. 3008, having received the 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. 3091, by Senators Talmadge, Newhouse and Hayner

Providing for the forfeiture of real estate contracts.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3091, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Engrossed Senate Bill No. 3091, having received the 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. 3094, by Committee on Judiciary (originally sponsored by Senators Talmadge, Newhouse, Halsan and Hayner)

Modifying provisions relating to deeds of trust.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3094, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 95.

Absent: Representative Lundquist - 1.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute Senate Bill No. 3094, having received the 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. 3103, by Senators Rasmussen and Talmadge

Modifying references to the award in lieu of homestead.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3103, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Senate Bill No. 3103, having received the 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. 3122, by Committee on Transportation (originally sponsored by Senators Garrett, Hansen, Granlund and Vognild; by Department of Transportation request)

Permitting the DOT to deliver plans and specifications for bid proposals without advance payment or written request.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3122, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute 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.

SUBSTITUTE SENATE BILL NO. 3145, by Committee on Ways & Means (originally sponsored by Senators Rasmussen and DeJarnatt; by State Treasurer request)

Clarifying the distribution of forest reserve funds for county roads and schools.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3145, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller,

Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute Senate Bill No. 3145, having received the 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. 3179, by Committee on Ways & Means (originally sponsored by Senators Halsan and Kreidler)

Enlarging the class of persons entitled to cash out annual leave.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass without Committee on State Government amendments. (For Committee on State Government amendments, see Journal, 73rd Day, March 27, 1985.)

On motion of Mr. Braddock, the committee amendments were adopted.

The bill was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 3205, by Senators Gaspard, Bauer, Patterson, Bender and Johnson

Modifying the period for accumulation of leave for school employees.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3205, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Engrossed Senate Bill No. 3205, having received the 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. 3262, by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Kiskaddon and Stratton; by Department of Social and Health Services request)

Changing provisions relating to nursing home licensing.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Day, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3262 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 94.

Absent: Representatives King P, McMullen - 2.

Excused: Representatives Lewis, Zellinsky - 2.

Engrossed Substitute Senate Bill No. 3262 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. 3298, by Senators Hansen, Barr, Goltz, Benitz and Newhouse

Modifying notice requirements for changes in water flows or levels in public waters.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Vekich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3298, and the bill passed the House by the following vote: Yeas, 92; nays, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 92.

Voting nay: Representatives Betzoff, Nelson D, Sanders, Van Luven - 4.

Excused: Representatives Lewis, Zellinsky - 2.

Senate Bill No. 3298, having received the 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. 3374, by Senators Talmadge, Newhouse and Moore

Revising provisions relating to the award of attorneys' fees.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3374, and the bill passed the House by the following vote: Yeas, 89; nays, 7; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G,

Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wineberry, Winsley, and Mr. Speaker - 89.

Voting nay: Representatives Baugher, Betzoff, Chandler, Prince, Schmidt, Thomas, Wilson S - 7.

Excused: Representatives Lewis, Zellinsky - 2.

Engrossed Senate Bill No. 3374, having received the 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. 3386, by Committee on Governmental Operations (originally sponsored by Senators Thompson, Talmadge and Zimmerman)

Revising laws on executive sessions of governing bodies.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Belcher, the committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Belcher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3386 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute Senate Bill No. 3386 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.

SUBSTITUTE SENATE BILL NO. 3387, by Committee on Governmental Operations (originally sponsored by Senators Bauer, Zimmerman, Thompson, McCaslin and Deccio)

Permitting installment payments for certain sewer connection costs.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Nutley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3387, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander

Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute Senate Bill No. 3387, having received the 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. 3393, by Senators Talmadge, Newhouse and Rasmussen

Revising statutes of limitations.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3393, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Senate Bill No. 3393, having received the 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. 3420, by Senators Granlund, Kiskaddon, Bottiger, McCaslin and Conner

Exempting transfers of open space land to nonprofit organizations from property tax recapture.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Braddock, the committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3420 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Senate Bill No. 3420 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. 3426, by Senators Warnke, Newhouse, Vognild and Conner; by Board of Industrial Insurance Appeals request

Revising provisions relating to industrial insurance appeals.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Wang, the committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3426 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Senate Bill No. 3426 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. 3436, by Senators Talmadge, Pullen and Rasmussen

Revising provisions relating to ballot titles.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Fisher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3436, and the bill passed the House by the following vote: Yeas, 90; nays, 6; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 90.

Voting nay: Representatives Brooks, Chandler, Dobbs, Lundquist, Thomas, Van Luven - 6.
Excused: Representatives Lewis, Zellinsky - 2.

Senate Bill No. 3436, having received the 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. 3456, by Senators Hansen, Guess, Goltz, Peterson and Barr

Extending certain tax exemptions relating to alcohol used in motor vehicle fuels.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 75th Day, March 29, 1985.)

On motion of Mr. Wineberry, the committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wineberry spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3456 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Senate Bill No. 3456 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. 3467, by Senators Hansen, Peterson, Barr and Sellar

Relating to legislative authority governing rail districts.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wineberry spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Wineberry yielded to question by Mr. Lux.

Mr. Lux: "Representative Wineberry, is this an effort to extend the naturalization of railroads further than we did last time?"

Mr. Wineberry: "Not in any way, Representative Lux, but it may allow for a train stop one day to be located closer to Olympia."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3467, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Engrossed Senate Bill No. 3467, having received the 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. 3486, by Senators DeJarnatt, Newhouse, Halsan, Warnke and Vognil

Limiting the area in which a county may impose a tax on gambling.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3486, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Senate Bill No. 3486, having received the 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. 3494, by Senator Gaspard

Authorizing the conduct of turkey shoots.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3494, and the bill passed the House by the following vote: Yeas, 92; nays, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 92.

Voting nay: Representatives Bond, Leonard, Van Luven, West - 4.

Excused: Representatives Lewis, Zellinsky - 2.

Engrossed Senate Bill No. 3494, having received the 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. 3540, by Committee on Financial Institutions (originally sponsored by Senators Moore, Deccio, Sellar, Newhouse, Bender and Wojahn; by Insurance Commissioner request)

Revising health maintenance organization provisions.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass with the following amendment:

On page 7, line 35 strike "~~((developmental disability))~~ mental" and insert "developmental disability"

On motion of Mr. Lux, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3540 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 95.

Voting nay: Representative van Dyke - 1.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute Senate Bill No. 3540 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 AMENDMENTS TO HOUSE BILL

April 8, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 28 with the following amendments:

On page 7, line 33 after "chapter" strike "may" and insert "shall"

On page 20, line 2 after "chapter" strike "may" and insert "shall"

On page 26, after line 20, insert the following:

"Sec. 62. Section 5, chapter 7, Laws of 1967 and RCW 35.32A.030 are each amended to read as follows:

The heads of all departments, divisions or agencies of the city government, including the library department, and departments headed by commissions or elected officials shall submit to the mayor estimates of revenues and necessary expenditures for the ensuing fiscal year in such detail, in such form and at such time as the mayor shall prescribe.

The budget director shall assemble all estimates of revenues; necessary departmental expenditures; interest and redemption requirements for any city debt; and other pertinent budgetary information as may be required by uniform regulations of the state auditor; and, under the direction of the mayor, prepare a proposed budget for presentation to the city council.

The revenue estimates shall be based primarily on the collection experience of the first six months of the current fiscal year and the last six months of the preceding fiscal year and shall not include revenue from any source in excess of the amount so collected unless it shall be reasonably anticipated that such excess amounts will in fact be realized. The estimated revenues shall ~~((be only from))~~ include sources previously established by law((:)) and unencumbered fund balances estimated to be available at the close of the current fiscal year. The estimated expenditures in the proposed budget shall, in no event, exceed such estimated revenues: PROVIDED, That the mayor may recommend expenditures exceeding the estimated revenues when accompanied by proposed legislation to raise at least an equivalent amount of additional revenue.

The mayor shall submit the proposed budget to the city council not later than ninety days prior to the beginning of the ensuing fiscal year.

The budget director shall cause sufficient copies of the proposed budget to be prepared and made available to all interested persons and shall cause a summary of the proposed budget to be published at least once in the city official newspaper.

Sec. 63. Section 6, chapter 7, Laws of 1967 and RCW 35.32A.040 are each amended to read as follows:

The city council shall forthwith consider the proposed budget submitted by the mayor and shall cause such public hearings to be scheduled on two or more days to allow all interested persons to be heard. Such hearings shall be announced by public notice published in the city official newspaper as well as provided to general news media.

The city council may insert new expenditure allowances, increase or decrease expenditure allowances recommended by the mayor, or revise estimates of revenues subject to the same restrictions as are herein imposed on the mayor; but may not adopt a budget in which the total expenditure allowances exceed the total estimated revenues as defined in RCW 35.32A.030 for the ensuing fiscal year.

Sec. 64. Section 8, chapter 7, Laws of 1967 as amended by section 20, chapter 195, Laws of 1973 1st ex. sess. and RCW 35.32A.060 are each amended to read as follows:

Every city having a population of over three hundred thousand may maintain an emergency fund, which fund balance shall not exceed thirty-seven and one-half cents per thousand dollars of assessed value. Such fund shall be maintained by an annual budget allowance. When the necessity therefor arises transfers may be made to the emergency fund from any tax-supported fund except bond interest and redemption funds.

The city council by an ordinance approved by two-thirds of all of its members may authorize the expenditure of sufficient money from the emergency fund, or other designated funds, to meet the expenses or obligations:

(1) Caused by fire, flood, explosion, storm, earthquake, epidemic, riot, insurrection, act of God, act of the public enemy or any other such happening that could not have been anticipated; or

(2) For the immediate preservation of order or public health or for the restoration to a condition of usefulness of public property the usefulness of which has been destroyed by accident; or

(3) In settlement of approved claims for personal injuries or property damages, exclusive of claims arising from the operation of a public utility owned by the city; or

(4) To meet mandatory expenditures required by laws enacted since the last budget was adopted.

The city council by an ordinance approved by three-fourths of all its members may appropriate from the emergency fund, or other designated funds, an amount sufficient to meet the actual necessary expenditures of the city for which insufficient or no appropriations have been made due to causes which could not reasonably have been foreseen at the time of the making of the budget.

An ordinance authorizing an emergency expenditure shall become effective immediately upon being approved by the mayor or upon being passed over his veto as provided by the city charter."

In line 2 of the title, after "35.32A.010," insert "35.32A.030, 35.32A.040, 35.32A.060," and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Ms. Haugen moved that the House do concur in the Senate amendments to Substitute House Bill No. 28.

Representatives Haugen and Brough spoke in favor of the motion and it 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 Substitute House Bill No. 28 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 28 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 77; nays, 15; absent, 4; excused, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen,

Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Sayan, Schmidt, Schoon, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson S, Wineberry, Winsley, and Mr. Speaker - 77.

Voting yea: Representatives Barnes, Bond, Chandler, Dobbs, Fuhrman, Hastings, Holland, Isaacson, Padden, Sanders, Smith C, Thomas, van Dyke, Van Luven, West - 15.

Absent: Representatives Lundquist, Rust, Smith L, Wilson K - 4.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute House Bill No. 28 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

Please change my vote on Substitute House Bill No. 28 from "Yea" to "Nay."

PETER T. BROOKS, 16th District.

SENATE AMENDMENTS TO HOUSE BILL

April 9, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 52 with the following amendments:

On page 4, line 6 after "property" strike the period and insert "((;)) ;"

On page 5, line 6 after "guarantee" insert ", to the extent possible."

On page 11, beginning on line 7, strike all of section 18.

On page 20, line 11 strike "1987" and insert "1989"

On page 20, line 15 strike "1988" and insert "1990"

On line 4 of the title after "49.60.190," strike "49.60.200."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Belcher moved that the House do concur in the Senate amendments to Substitute House Bill No. 52.

Representatives Belcher and Hankins spoke in favor of the motion, and it 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 Substitute House Bill No. 52 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 52 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute House Bill No. 52 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

April 10, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 86 with the following amendment:

On page 1, line 16 after "board" insert "pursuant to the provisions of RCW 41.06.070(26)" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Belcher, the House concurred in the Senate amendment to Substitute House Bill No. 86.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 86 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 86 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Berozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute House Bill No. 86 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 8, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 155 with the following amendments:

On page 2, strike line 21 and insert:

"(b) resides in Washington state, or resides in an adjoining state and is regularly employed in Washington state or carries on business in Washington state; and"

On page 14, after line 7 insert the following:

"NEW SECTION. Sec. 27. Sections 1 through 19, 21, and 23 through 26 shall take effect on January 1, 1986."

On page 1, line 5 of the title after "43.131.300;" strike "and" and insert "providing an effective date; and"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Armstrong moved that the House do concur in the Senate amendments to Substitute House Bill No. 155.

Representatives Armstrong and West spoke in favor of the motion, and it 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 Substitute House Bill No. 155 as amended by the Senate.

Mr. Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 155 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 78; nays, 15; absent, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 78.

Voting nay: Representatives Betrozoff, Bond, Fuhrman, Isaacson, Lundquist, Nealey, Padden, Patrick, Prince, Sanders, van Dyke, Van Luven, Vander Stoep, West, Williams J - 15.

Absent: Representatives Basich, Brooks, Smith C - 3.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute House Bill No. 155 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

April 11, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 166 with the following amendment:

On page 1, line 10 after "other than" strike "ordinary" and insert "((ordinary))" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Sommers, the House concurred in the Senate amendment to Substitute House Bill No. 166.

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. 166 as amended by the Senate.

Representatives Sommers and Prince 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. 166 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 78; nays, 18; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith C, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wineberry, Winsley, and Mr. Speaker - 78.

Voting nay: Representatives Barnes, Barrett, Bond, Dobbs, Fuhrman, Hastings, Isaacson, Lundquist, Padden, Sanders, Silver, Smith L, van Dyke, Van Luven, Vander Stoep, West, Williams J, Wilson S - 18.

Excused: Representatives Lewis, Zellinsky - 2.

Engrossed Substitute House Bill No. 166 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 8, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 177 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 64, Laws of 1909 as last amended by section 7, chapter 180, Laws of 1947 and RCW 73.04.080 are each amended to read as follows:

Any post, camp or chapter of any national organization of veterans now, or which may hereafter be, chartered by an act of congress which has qualified to accept relief from the ~~((indigent soldiers' relief))~~ veteran's assistance fund of any county may draw upon said county fund for the payment of the rent of its regular meeting place: PROVIDED, That no post, camp or chapter shall be allowed to draw on such fund for this purpose to exceed ~~((the sum of one hundred eighty dollars))~~ a reasonable amount approved by the county legislative authority in any one year, or in any amount for hall rental where said post, camp or chapter is furnished quarters by the state or by any municipality.

Before such claims are ordered paid by the county ~~((commissioners))~~ legislative authority, the commander or authorized disbursing officer of such posts, camps or chapters shall file a proper claim each month with the county auditor for such rental.

Sec. 2. Section 7, page 210, Laws of 1888 as last amended by section 6, chapter 295, Laws of 1983 and RCW 73.08.080 are each amended to read as follows:

The legislative authorities of the several counties in this state shall levy, in addition to the taxes now levied by law, a tax in a sum equal to the amount which would be raised by not less than one and one-eighth cents per thousand dollars of assessed value, and not greater than twenty-seven cents per thousand dollars of assessed value against the taxable property of their respective counties, to be levied and collected as now prescribed by law for the assessment and collection of taxes, for the purpose of creating the veteran's ~~((relief))~~ assistance fund for the relief of honorably discharged veterans as defined in RCW 41.04.005 and the indigent wives, husbands, widows, widowers and minor children of such indigent or deceased veterans, to be disbursed for such relief by such county legislative authority: PROVIDED, That if the funds on deposit, less outstanding warrants, residing in the veteran's ~~((relief))~~ assistance fund on the first Tuesday in September exceed the expected yield of one and one-eighth cents per thousand dollars of assessed value against the taxable property of the county, the county legislative authority may levy a lesser amount: PROVIDED FURTHER, That the costs incurred in the administration of said veteran's ~~((relief))~~ assistance fund shall be computed by the county treasurer not less than annually and such amount may then be transferred from the veteran's ~~((relief))~~ assistance fund as herein provided for to the county current expense fund.

The amount of a levy allocated to the purposes specified in this section may be reduced in the same proportion as the regular property tax levy of the county is reduced by chapter 84.55 RCW.

On page 1, line 1 of the title, after "73.04.080" insert "and 73.08.080" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Haugen, the House concurred in the Senate amendments to Substitute House Bill No. 177.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 177 as amended by the Senate.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 177 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute House Bill No. 177 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

April 9, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 279 with the following amendment:

On page 1, line 13 after "session" insert ": PROVIDED, That the final action of the board as to the denial, revocation, or restriction of clinical or staff privileges of a physician or other health care provider as defined in RCW 7.70.020 shall be done in public session." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Haugen moved that the House do concur in the Senate amendment to Substitute House Bill No. 279.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Substitute House Bill No. 279, and the motion was carried by the following vote: Yeas, 80; absent, 16; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Locke, Lux, Madsen, May, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, and Mr. Speaker - 80.

Absent: Representatives Baugher, Belcher, Bond, Chandler, Ebersole, Hine, Holland, King P, Long, Lundquist, McMullen, Patrick, Rust, Tanner, Unsoeld, Wilson K - 16.

Excused: Representatives Lewis, Zellinsky - 2.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 279 as amended by the Senate.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 279 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute House Bill No. 279 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 9, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 303 with the following amendments:

On page 4, after line 2 insert the following:

"Sec. 2. Section 80.04.130, chapter 14, Laws of 1961 as amended by section 2, chapter 3, Laws of 1984 and RCW 80.04.130 are each amended to read as follows:

(1) Except as provided in subsection (3) of this section, whenever any public service company shall file with the commission any schedule, classification, rule or regulation, the effect of which is to change any rate, charge, rental or toll theretofore charged, the commission shall have power, either upon its own motion or upon complaint, upon notice, to enter upon a hearing concerning such proposed change and the reasonableness and justness thereof, and pending such hearing and the decision thereon the commission may suspend the operation of such rate, charge, rental or toll for a period not exceeding ten months from the time the same would otherwise go into effect, and after a full hearing the commission may make such order in reference thereto as would be provided in a hearing initiated after the same had become effective.

The commission may suspend the initial tariff filing of any water company removed from and later subject to commission jurisdiction because of the number of customers or the average annual gross revenue per customer provisions of RCW 80.04.010. The commission may allow temporary rates during the suspension period. These rates shall not exceed the rates charged when the company was last regulated. Upon a showing of good cause by the company, the commission may establish a different level of temporary rates.

(2) At any hearing involving any change in any schedule, classification, rule or regulation the effect of which is to increase any rate, charge, rental or toll theretofore charged, the burden of proof to show that such increase is just and reasonable shall be upon the public service company.

(3) The implementation of mandatory local measured telephone service is a major policy change in available telephone service. The commission shall not approve, prior to June 1, 1985, any filings which are under suspension as of February 16, 1984, which are awaiting an order by the commission, or which are filed on or after February 16, 1984, if the filing involuntarily requires any telephone user to pay for all outgoing local telephone calls based on time and/or distance. As to any such filing, the requirements in subsection (1) of this section for the commission to act on that filing within ten months from the date the filing would otherwise go into effect are suspended under this subsection from February 16, 1984, until June 1, 1985. This subsection shall not apply to any service such as land, marine, or air mobile service, or any like service that has traditionally been offered on a measured-service basis."

On page 1, line 2 of the title, after "80.04.010" insert "and 80.04.130" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. D. Nelson, the House concurred in the Senate amendments to Substitute House Bill No. 303.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 303 as amended by the Senate.

Mr. D. Nelson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 303 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr Speaker - 95.

Absent: Representative Schmidt - 1.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute House Bill No. 303 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 9, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 802 with the following amendments:

On page 1, beginning on line 5 strike all material through "development." on line 16.

Renumber the remaining sections consecutively.

On page 1, beginning on line 23, strike all material through "immediately," on line 26.

On page 1, line 1 of the title after "development;" strike the remainder of the title and insert "and adding a new section to chapter 53.08 RCW." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. McMullen, the House concurred in the Senate amendments to Substitute House Bill No. 802.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 802 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 802 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Vaile, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 95.

Voting nay: Representative Fuhrman - 1.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute House Bill No. 802 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

April 9, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 831 with the following amendment:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. A new section is added to chapter 39.44 RCW to read as follows:

Each local government that issues any type of bond, where the state fiscal agency does not act as the bond registrar for the bond issue, shall supply the department of community development with information on the bond issue within thirty days of its issuance. The bond issue information shall be provided on a form prescribed by the department of community development and shall include: (1) The par value of the bond issue; (2) the effective interest rates; (3) a schedule of maturities; (4) the purposes of the bond issue; and (5) the type of bonds that are issued. A copy of the bond covenants shall be supplied with this information.

NEW SECTION. Sec. 2. A new section is added to chapter 39.44 RCW to read as follows:

Whenever the state fiscal agency acts as the bond registrar for a local government which issues any type of bond, the state fiscal agency shall supply the department of community development within thirty days of the issuance with the information on the bond issue that is required to be supplied by a local government pursuant to section 1 of this act.

NEW SECTION. Sec. 3. A new section is added to chapter 39.44 RCW to read as follows:

The department of community development may adopt rules and regulations pursuant to the administrative procedure act to require the submission of additional information on bond issues by local governments, including summaries of outstanding bond issues.

NEW SECTION. Sec. 4. A new section is added to chapter 39.44 RCW to read as follows:

Failure to file the information required by sections 1 through 3 of this act shall not affect the validity of the bonds that are issued.

NEW SECTION. Sec. 5. A new section is added to chapter 39.44 RCW to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 1 through 5 of this act.

(1) 'Bond' means 'bond' as defined in RCW 39.46.020, but also includes any other indebtedness that may be issued by any local government to fund private activities or purposes where the indebtedness is of a nonrecourse nature payable from private sources, except obligations subject to chapter 39.84 RCW.

(2) 'Local government' means 'local government' as defined in RCW 39.46.020.

(3) 'Type of bond' includes: (a) General obligation bonds; (b) revenue bonds; (c) local improvement district bonds; (d) special assessment bonds such as those issued by irrigation districts and diking districts; and (e) other classes of bonds.

NEW SECTION. Sec. 6. A new section is added to chapter 43.63A RCW to read as follows:

The department of community development shall retain the bond information it receives under sections 1 through 3 of this act and shall publish summaries of local government bond issues at least once a year.

The department of community development shall adopt rules under chapter 34.04 RCW to implement sections 1 through 3 of this act, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Haugen, the House concurred in the Senate amendment to Substitute House Bill No. 831.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 831 as amended by the Senate.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 831 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, Mary, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute House Bill No. 831 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 8, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 914 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 9, chapter 204, Laws of 1984 and RCW 84.33.081 are each amended to read as follows:

(1) On the last business day of the second month of each calendar quarter, the state treasurer shall distribute from the timber tax distribution account to each county the amount of tax collected on behalf of each county under RCW 84.33.051, less each county's proportionate share of appropriations for collection and administration activities under RCW 84.33.051, and shall transfer to the state general fund the amount of tax collected on behalf of the state under RCW 84.33.041, less the state's proportionate share of appropriations for collection and administration activities under RCW 84.33.041. The county treasurer shall deposit moneys received

under this section in a county timber tax account which shall be established by each county. Following receipt of moneys under this section, the county treasurer shall make distributions from any moneys available in the county timber tax account to taxing districts in the county, except the state, under subsections (2) through (4) of this section.

(2) From moneys available, there first shall be a distribution to each taxing district having debt service payments due during the calendar year, based upon bonds issued under authority of a vote of the people conducted pursuant to RCW 84.52.056 and based upon excess levies for a capital project fund authorized pursuant to RCW 84.52.053, of an amount equal to the timber assessed value of the district multiplied by the tax rate levied for payment of the debt service and capital projects: PROVIDED, That in respect to levies for a debt service or capital project fund authorized before July 1, 1984, the amount allocated shall not be less than an amount equal to the same percentage of such debt service or capital project fund represented by timber tax allocations to such payments in calendar year 1984. Distribution under this subsection (2) shall be used only for debt service and capital projects payments. The distribution under this subsection shall be made as follows: One-half of such amount shall be distributed in the first quarter of the year and one-half shall be distributed in the third quarter of the year.

(3) From the moneys remaining after the distributions under subsection (2) of this section, the county treasurer shall distribute to each school district an amount equal to one-half of the timber assessed value of the district or eighty percent of the timber roll of such district in calendar year 1983 as determined under this chapter, whichever is greater, multiplied by the tax rate, if any, levied by the district under RCW 84.52.052 or 84.52.053 for purposes other than debt service payments and capital projects supported under subsection (2) of this section. The distribution under this subsection shall be made as follows: One-half of such amount shall be distributed in the first quarter of the year and one-half shall be distributed in the third quarter of the year.

(4) After the distributions directed under subsections (2) and (3) of this section, if any, each taxing district shall receive an amount equal to the timber assessed value of the district multiplied by the tax rate, if any, levied as a regular levy of the district or as a special levy not included in subsection (2) or (3) of this section.

(5) If there are insufficient moneys in the county timber tax account to make full distribution under subsection (4) of this section, the county treasurer shall multiply the amount to be distributed to each taxing district under that subsection by a fraction. The numerator of the fraction is the county timber tax account balance before making the distribution under that subsection. The denominator of the fraction is the account balance which would be required to make full distribution under that subsection.

(6) After making the distributions under subsections (2) through (4) of this section in the full amount indicated for the calendar year, the county treasurer shall place any excess revenue up to twenty percent of the total distributions made for the year under subsections (2) through (4) of this section in a reserve status until the beginning of the next calendar year. Any moneys remaining in the county timber tax account after this amount is placed in reserve shall be distributed to each taxing district in the county in the same proportions as the distributions made under subsection (4) of this section.

Sec. 2. Section 84.52.080, chapter 15, Laws of 1961 as last amended by section 14, chapter 204, Laws of 1984 and RCW 84.52.080 are each amended to read as follows:

(1) The county assessor shall extend the taxes upon the tax rolls in the form herein prescribed. The rate percent necessary to raise the amounts of taxes levied for state and county purposes, and for purposes of taxing districts coextensive with the county, shall be computed upon the assessed value of the property of the county; the rate percent necessary to raise the amount of taxes levied for any taxing district within the county shall be computed upon the assessed value of the property of the district; all taxes assessed against any property shall be added together and extended on the rolls in a column headed consolidated or total tax. In extending any tax, whenever it amounts to a fractional part of a cent greater than five mills it shall be made one cent, and whenever it amounts to five mills or less than five mills it shall be dropped. The amount of all taxes shall be entered in the proper columns, as shown by entering the rate percent necessary to raise the consolidated or total tax and the total tax assessed against the property.

(2) For the purpose of computing the rate necessary to raise the amount of any excess levy in a taxing district which has classified or designated forest land under chapter 84.33 RCW, other than the state, the county assessor shall add the district's timber assessed value, as defined in RCW 84.33.035, to the assessed value of the property: PROVIDED, That for school districts maintenance and operations levies only one-half of the district's timber assessed value or eighty percent of the timber roll of such district in calendar year 1983 as determined under chapter 84.33 RCW, whichever is greater, shall be added.

(3) Upon the completion of such tax extension, it shall be the duty of the county assessor to make in each assessment book, tax roll or list a certificate in the following form:

I,, assessor of county, state of Washington, do hereby certify that the foregoing is a correct list of taxes levied on the real and personal property in the county of for the year one thousand nine hundred and

Witness my hand this day of 19.

. County Assessor
 (4) The county assessor shall deliver said tax rolls to the county treasurer on or before the fifteenth day of December, taking his receipt therefor, and at the same time the county assessor shall provide the county auditor with an abstract of the tax rolls showing the total amount of taxes collectible in each of the taxing districts.

NEW SECTION. Sec. 3. Section 1 of this act applies to distributions beginning in 1986, and thereafter.

NEW SECTION. Sec. 4. Section 2 of 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, and shall be effective for taxes levied for collection in 1986 and thereafter."

On page 1, line 1 of the title, after "distributions;" strike the remainder of the title and insert "amending RCW 84.33.081 and 84.52.080; creating a new section; and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Engrossed House Bill No. 914.

Mr. Appelwick spoke in favor of the motion.

POINT OF INQUIRY

Mr. Vander Stoep yielded to question by Mr. Locke.

Mr. Locke: "Representative Vander Stoep, I understand that the Senate basically hung House Bill 20 onto House Bill 914, and you were the prime sponsor of House Bill 20. What did House Bill 20 do?"

Mr. Vander Stoep: "House Bill 20 brought the distribution formula for the timber tax revenues back into compliance with the pretimber tax laws."

The motion 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 House Bill No. 914 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 914 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 96.

Excused: Representatives Lewis, Zellinsky - 2.

Engrossed House Bill No. 914 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

April 11, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1114 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 96, Laws of 1974 ex. sess. as last amended by section 1, chapter 101, Laws of 1984 and RCW 19.27.030 are each amended to read as follows:

There shall be in effect in all cities, towns, and counties of the state a state building code which shall consist of the following codes which are hereby adopted by reference:

(1) Uniform Building Code and Uniform Building Code Standards, 1982 edition, published by the International Conference of Building Officials;

(2) Uniform Mechanical Code, 1982 edition, including Chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials;

(3) The Uniform Fire Code and Uniform Fire Code Standards, 1982 edition, published by the International Conference of Building Officials and the Western Fire Chiefs Association: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles;

(4) The Uniform Plumbing Code and Uniform Plumbing Code Standards, 1982 edition, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, That chapters 11 and 12 of such code are not adopted;

(5) The rules and regulations adopted by the council establishing standards for making buildings and facilities accessible to and usable by the physically handicapped or elderly persons as provided for in RCW 70.92.100 through 70.92.160; and

(6) ~~(The thermal performance and design standards for dwellings as set forth in RCW 19.27.210 through 19.27.290. This subsection shall be of no further force and effect when RCW 19.27.200 through 19.27.290 expire as provided in RCW 19.27.300))~~ The Washington state energy code, June 30, 1980, edition adopted by the state building code advisory council and amendments to the code adopted prior to January 1, 1985, the revision to the state energy code adopted pursuant to RCW 19.27.075, and subsequent amendments adopted by the council under chapter 34.04 RCW.

In case of conflict among the codes enumerated in subsections (1), (2), (3), and (4) of this section, the first named code shall govern over those following.

Sec. 2. Section 3, chapter 76, Laws of 1979 ex. sess. and RCW 19.27.075 are each amended to read as follows:

(1) The state building code advisory council shall ~~((have authority to))~~ promulgate rules, pursuant to chapter 34.04 RCW, for the purpose of adopting a ~~((state-wide thermal efficiency and lighting))~~ revised state code ((to the extent necessary to comply with Title 10, Code of Federal Regulations, section 420.35. Such)). The revised code shall be designed to achieve reductions in energy consumption relative to buildings constructed to comply with the state energy code, June 30, 1980 edition, as amended. The council shall follow the legislature's guidelines set forth in this section to design a revised code which requires new buildings to meet a certain level of energy efficiency, but allows flexibility in building design and construction within that framework. The revised code shall take into account regional climatic conditions((- shall take effect prior to June 30, 1980, and shall be presented to the senate and house committees on energy and utilities at the time it is proposed as a draft rule)) and shall be designed according to the following guidelines:

(a) For new electric resistance heated residential buildings, the code shall be designed to achieve energy savings equivalent to savings achieved in typical buildings constructed with:

(i) Ceilings insulated to a level of R-38, except single rafter or joist vaulted ceilings may be insulated to a level of R-30 (R value includes insulation only);

(ii) Walls insulated to a level of R-19 (total assembly);

(iii) Floors over unheated spaces insulated to a level of R-19 for areas with six thousand or less annual heating degree days and to a level of R-25 for areas with more than six thousand annual heating degree days (R value includes insulation only);

(iv) Double glazed windows with tested R values not less than 1.79 when tested according to the procedures of the American architectural manufacturers association; and

(v) In areas with more than six thousand annual heating degree days a maximum of seventeen percent of the floor area in glazing; in areas with six thousand or less annual heating degree days a maximum of twenty-one percent of the floor area in glazing. Throughout the state for the purposes of determining equivalent thermal performance, the maximum glazing area shall be fifteen percent.

(b) For new residential buildings which are space-heated with other fuels, the code shall be designed to achieve energy savings equivalent to savings achieved in typical buildings constructed with:

(i) Ceilings insulated to a level of R-30 (R value includes insulation only);

(ii) Walls insulated to a level of R-19 (total assembly);

(iii) Floors over unheated spaces insulated to a level of R-19 (R value includes insulation only);

(iv) Double glazed windows with tested R values not less than 1.40 when tested according to the procedures of the American architectural manufacturers association; and

(v) In areas with more than six thousand annual heating degree days a maximum of seventeen percent of the floor area in glazing; in areas with six thousand or less annual heating degree days a maximum of twenty-one percent of the floor area in glazing. Throughout the state for the purposes of determining equivalent thermal performance, the maximum glazing area shall be fifteen percent.

(c) For new nonresidential buildings, the code shall be designed to achieve a ten percent reduction in energy consumption relative to buildings constructed to comply with the state energy code, June 30, 1980 edition, as amended.

(2) In developing the revised code, the council shall consider possible health and respiratory problems caused by insulating buildings so tightly that the rate of air exchange is significantly retarded, thereby concentrating toxic pollutants at unhealthy high levels.

(3) The council shall publish the revision as proposed rules pursuant to chapter 34.04 RCW and provide for the rules to become effective January 1, 1986. All cities, towns, and counties shall enforce the revised state energy code not later than April 1, 1986.

NEW SECTION, Sec. 3. A new section is added to chapter 19.27 RCW to read as follows:

(1) The revised state energy code shall supersede all local government residential energy codes except as provided in subsections (2) and (3) of this section: PROVIDED, That cities, towns, and counties may adopt more energy efficient codes for residential construction if the builder or owner of new residential construction is reimbursed by an authorized federal agency for those additional costs to the consumer of conservation components that are attributable to the more energy efficient codes. This subsection shall not apply after January 1, 1989.

(2) The revised state energy code shall not preempt energy codes, adopted by a city, town, or county of the state prior to the effective date of this act or first class cities with a population over three hundred thousand which operate electrical utilities, that are designed to achieve reduction in energy consumption relative to the revised state energy code.

(3) The revised state energy code shall not preempt a less energy efficient energy code adopted by a county, city, or town if it can be shown that the revised state energy code is not cost-effective for that county, city, or town.

NEW SECTION, Sec. 4. A new section is added to chapter 19.27 RCW to read as follows:

(1) The University of Washington college of architecture and department of mechanical engineering shall conduct in situ testing of the annual thermal transmittance of individual construction components and conservation measures proposed for new residential construction by the northwest power planning council.

(2) There shall be a committee to oversee the study. The committee shall include the director of the state energy office as chair; two members recommended by the home building industry chosen by the governor; and two members nationally renowned as experts in building energy performance chosen by the governor.

(3) The study shall include an analysis of the economic feasibility of adopting thermal performance standards for new residential construction as proposed by the northwest power planning council. The study of economic feasibility shall include but not necessarily be limited to factors which shall not require an amortization of the individual components exceeding a life cycle of seven years and a discount rate (interest) computed at the current conventional market rate of home mortgages at par.

(4) The director of the state energy office shall make recommendations, based on the results of the study and the residential standards demonstration program, to the legislature and the state building code advisory council regarding the cost-effectiveness of the revised state energy code developed pursuant to RCW 19.27.075 no later than January 15, 1988.

(5) If federal funds are not available, the study shall be funded by a surcharge on building permit fees for new building construction imposed by all local governments of the state. The department of community development, after consultation with the state energy office, shall develop and implement a method of collecting the surcharge. The surcharge shall be ten dollars on all multifamily residential building permits, fifteen dollars on all single-family residential building permits, and fifteen dollars on all other building permits. The surcharge shall terminate on June 30, 1989, or at such time as the state general fund is reimbursed for the cost of the study.

NEW SECTION, Sec. 5. A new section is added to chapter 19.27 RCW to read as follows:

As used in this chapter, references to the state building code advisory council shall be construed to include any successor agency.

NEW SECTION, Sec. 6. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.200;
- (2) Section 2, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.210;
- (3) Section 3, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.220;
- (4) Section 4, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.230;
- (5) Section 5, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.240;
- (6) Section 6, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.250;
- (7) Section 7, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.260;
- (8) Section 8, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.270;
- (9) Section 9, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.280;
- (10) Section 10, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.290;
- (11) Section 14, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.300;
- (12) Section 16, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.310; and
- (13) Section 17, chapter 14, Laws of 1977 ex. sess. and RCW 19.27.905.

NEW SECTION, Sec. 7. 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. 8. 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." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. D. Nelson moved that the House do concur in the Senate amendment to Substitute House Bill No. 1114.

Representatives D. Nelson, Todd and Isaacson spoke in favor of the motion, and Representatives J. Williams and Gallagher spoke against it.

Mr. J. Williams again opposed the motion.

POINT OF INQUIRY

Mr. D. Nelson yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Nelson, on page 7 of the Revised Energy Code, as I read, it says, 'The revised state energy code shall not preempt an energy efficient energy code adopted by a county, city or town if it can be shown that the revised state energy code is not cost-effective for that county, city or town.' Does that apply to just a county, city or town, or does that apply to the consumers as well?"

Mr. D. Nelson: "In my opinion, Representative Isaacson, I would read that to apply both to cities, counties, or towns and the rate-payers in that city, town or county."

Ms. Long spoke in favor of the motion to concur in the Senate amendment.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House do concur with the Senate amendment to Substitute House Bill No. 1114, and the motion was carried by the following vote: Yeas, 55; nays, 40; absent, 1; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Basich, Belcher, Braddock, Brekke, Brough, Cole, Crane, Day, Dellwo, Fisch, Fisher, Grimm, Haugen, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, McMullen, Nealey, Nelson D, Niemi, Nutley, Peery, Prince, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Ballard, Barrett, Baugher, Betzoff, Bond, Bristow, Brooks, Chandler, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Holland, Lundquist, May, Miller, Nelson G, O'Brien, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Walker, West, Williams B, Williams J, Wilson S - 40.

Absent: Representative Ebersole - 1.

Excused: Representatives Lewis, Zellinsky - 2.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1114 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1114 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 58; nays, 37; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Belcher, Braddock, Brekke, Brough, Cole, Crane, Day, Dellwo, Fisch, Fisher, Grimm, Hankins, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, McMullen, Nealey, Nelson D, Niemi, O'Brien, Peery, Prince, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 58.

Voting nay: Representatives Ballard, Baugher, Betrozoff, Bond, Bristow, Brooks, Chandler, Dobbs, Doty, Fuhrman, Gallagher, Hargrove, Hastings, King P, Lundquist, May, Miller, Nelson G, Nutley, Padden, Patrick, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Walker, West, Williams B, Williams J - 37.

Absent: Representative Ebersole - 1.

Excused: Representatives Lewis, Zellinsky - 2.

Substitute House Bill No. 1114 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 8, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 546 with the following amendments:

On page 1, line 24, after "means" insert "any animal or"

On page 1, at the beginning of line 26, strike "animal"

On page 15, after line 24, insert the following:

"Sec. 17. Section 15.44.010, chapter 11, Laws of 1961 as amended by section 1, chapter 238, Laws of 1979 ex. sess. and RCW 15.44.010 are each amended to read as follows:

As used in this chapter:

'Commission' means the Washington state dairy products commission;

To 'ship' means to deliver or consign milk or cream to a person dealing in, processing, distributing, or manufacturing dairy products for sale, for human consumption or industrial or medicinal uses;

'Handler' means one who purchases milk, cream, or sells skimmed milk for processing, manufacturing, sale, or distribution;

'Dealer' means one who handles, ships, buys, and sells dairy products, or who acts as sales or purchasing agent, broker, or factor of dairy products;

'Processor' means a person who uses milk or cream for canning, drying, manufacturing, preparing, or packaging or for use in producing or manufacturing any product therefrom;

'Producer' means a person who produces milk from cows and sells it for human or animal food, or medicinal or industrial uses;

'Maximum authorized assessment rate' means the level of assessment most recently approved by a referendum of producers;

'Current level of assessment' means the level of assessment paid by the producer as set by the commission which cannot exceed the maximum authorized assessment rate.

Sec. 18. Section 15.44.080, chapter 11, Laws of 1961 as last amended by section 1, chapter 41, Laws of 1973 1st ex. sess. and RCW 15.44.080 are each amended to read as follows:

(1) There is hereby levied upon all milk produced in this state an assessment of 0.6% of class I price for 3.5% butter fat milk as established in any market area by a market order in effect in that area or by the state department of agriculture in case there is no market order for that area; and

(2) Subject to approval by a producer referendum as provided in this section, the commission shall have the further power and duty to increase the amount of the maximum authorized assessment rate to be levied upon either milk or cream according to the necessities required to effectuate the stated purpose of the commission.

In determining such necessities, the commission shall consider one or more of the following:

(a) The necessities of—

(i) developing better and more efficient methods of marketing milk and related dairy products;

(ii) aiding dairy producers in preventing economic waste in the marketing of their commodities;

(iii) developing and engaging in research for developing better and more efficient production, marketing and utilization of agricultural products;

(iv) establishing orderly marketing of dairy products;

(v) providing for uniform grading and proper preparation of dairy products for market;

(vi) providing methods and means including but not limited to public relations and promotion, for the maintenance of present markets, for development of new or larger markets, both domestic and foreign, for dairy products produced within this state, and for the prevention, modification or elimination of trade barriers which obstruct the free flow of such agricultural commodities to market;

(vii) restoring and maintaining adequate purchasing power for dairy producers of this state; and

(viii) protecting the interest of consumers by assuring a sufficient pure and wholesome supply of milk and cream of good quality;

(b) The extent and probable cost of required research and market promotion and advertising;

(c) The extent of public convenience, interest and necessity; and

(d) The probable revenue from the assessment as a consequence of its being revised.

This section shall apply where milk or cream is marketed either in bulk or package. However, this section shall not apply to milk or cream used upon the farm or in the household where produced.

The increase in the maximum authorized assessment ((or any part thereof) rate to be charged producers on milk and cream provided for in this section shall not become effective until approved by fifty-one percent of the producers voting in a referendum conducted by the commission.

The referendum for approval of any increase in the maximum authorized assessment ((or part thereof)) rate provided for in this section shall be by secret mail ballot furnished to all producers paying assessments to the commission. The commission shall furnish ballots to producers at least ten days in advance of the day it has set for concluding the referendum and counting the ballots. Any interested producer may be present at such time the commission counts said ballots.

~~(Any proposed increase in assessments by the commission subsequent to a decrease in assessments as provided for in RCW 15.44.130(2) shall be subject to a referendum and approval by producers as herein provided:)~~

Sec. 19. Section 15.44.130, chapter 11, Laws of 1961 as amended by section 2, chapter 60, Laws of 1969 and RCW 15.44.130 are each amended to read as follows:

(1) In order to adequately advertise and market Washington dairy products in the domestic, national and foreign markets, and to make such advertising and marketing research and development as extensive as public interest and necessity require, and to put into force and effect the policy of this chapter 15.44 RCW, the commission shall provide for and conduct a comprehensive and extensive research, advertising and educational campaign, and keep such research, advertising and education as continuous as the production, sales, and market conditions reasonably require.

(2) The commission shall investigate and ascertain the needs of dairy products and producers, the conditions of the markets, and the extent to which public convenience and necessity require advertising and research to be conducted. ~~(If upon such investigation, it shall appear that the revenue from an assessment provided for in RCW 15.44.080 is more than adequate to accomplish the purposes and objects of this chapter, it shall file a request with the director of agriculture showing the necessities of the industry, the extent and probable cost of the required research and advertising, the extent of public convenience, interest and necessity, and the probable revenue from the assessment herein levied and imposed. If such probable revenue is more than the amount reasonably necessary to conduct the research and advertising that the public interest and convenience require to accomplish the objects and purposes hereof, the commission shall decrease the assessment to a sum that the commission shall determine adequate to effectuate the purposes hereof: PROVIDED, That no such change shall be made in rate of assessment until the commission shall have filed with the director a full report of such investigations and findings. Such change in assessment shall be effective thirty days after such report is filed:)~~

(3)(a) The commission may decrease or increase the current level of assessment provided for in RCW 15.44.080 following a hearing conducted in accordance with the Administrative Procedure Act, chapter 34.04 RCW: PROVIDED, That the current level of assessment established in this manner shall not exceed the maximum authorized assessment rate established by producers in the most recent referendum.

(b) Upon receipt of a petition bearing the names of twenty percent of the producers requesting a reduction in the current level of assessment, the commission shall hold a hearing in accordance with chapter 34.04 RCW to receive producer testimony. After considering the testimony of the producer, the commission may adjust the current level of assessment.

Sec. 20. Section 15.66.140, chapter 11, Laws of 1961 as amended by section 2, chapter 81, Laws of 1982 and RCW 15.66.140 are each amended to read as follows:

Every marketing commission shall have such powers and duties in accordance with provisions of this chapter as may be provided in the marketing order and shall have the following powers and duties:

(1) To elect a chairman and such other officers as determined advisable;

(2) To adopt, rescind and amend rules and regulations reasonably necessary for the administration and operation of the commission and the enforcement of its duties under the marketing order;

(3) To administer, enforce, direct and control the provisions of the marketing order and of this chapter relating thereto;

(4) To employ and discharge at its discretion such administrators and additional personnel, attorneys, advertising and research agencies and other persons and firms that it may deem appropriate and pay compensation to the same;

(5) To acquire personal property and lease office space and other necessary real property and transfer and convey the same;

(6) To institute and maintain in its own name any and all legal actions, including actions by injunction, mandatory injunction or civil recovery, or proceedings before administrative tribunals or other governmental authorities necessary to carry out the provisions of this chapter and of the marketing order;

(7) To keep accurate records of all its receipts and disbursements, which records shall be open to inspection and audit by the state auditor at least every five years;

(8) Borrow money and incur indebtedness;

(9) Make necessary disbursements for routine operating expenses;

(10) To expend funds for commodity-related education, training, and leadership programs as each commission deems expedient:

(11) Such other powers and duties that are necessary to carry out the purposes of this chapter.

NEW SECTION. Sec. 21. Section 2, chapter 64, Laws of 1971 and RCW 16.67.124 are each repealed.*

On page 1, line 4 of the title, after "15.65.440," strike the remainder of the title and insert "15.65.630, 15.44.010, 15.44.080, 15.44.130, and 15.66.140; and repealing RCW 16.67.124." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Vekich, the House refused to concur in the Senate amendments to Substitute House Bill No. 546 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 11, 1985

Mr. Speaker:

The Senate has refused to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3376 and asks the House for a conference thereon. The President has appointed as Senate conferees: Senators Gaspard, Patterson, Rinehart, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Sommers, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 3376.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Sommers, Jacobsen and Prince as conferees on Engrossed Substitute Senate Bill No. 3376.

MOTION

On motion of Mr. J. King, the House adjourned until 10:00 a.m., Monday, April 15, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

NINETY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 15, 1985.

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 Hastings, Lewis, Todd and Vekich. Representatives Hastings and Lewis were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kathy Giraldo and Jerry Moyer. Prayer was offered by Sister Jeri Renner, Dominican Sister of Edmonds, working as a chaplain at St. Cabrini Hospital in Seattle.

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

MESSAGES FROM THE SENATE

April 11, 1985

Mr. Speaker:

The Senate has passed:

	SUBSTITUTE HOUSE BILL NO.	4,
	ENGROSSED HOUSE BILL NO.	31,
	SUBSTITUTE HOUSE BILL NO.	48,
	HOUSE BILL NO.	80,
	SUBSTITUTE HOUSE BILL NO.	127,
	HOUSE BILL NO.	169,
	SUBSTITUTE HOUSE BILL NO.	194,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	223,
	HOUSE BILL NO.	251,
SECOND	SUBSTITUTE HOUSE BILL NO.	428,
	HOUSE BILL NO.	720,
	SUBSTITUTE HOUSE BILL NO.	837,
	SUBSTITUTE HOUSE BILL NO.	839,
	SUBSTITUTE HOUSE BILL NO.	1129,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 12, 1985

Mr. Speaker:

The Senate has passed:

	SUBSTITUTE HOUSE BILL NO.	14,
	HOUSE BILL NO.	73,
	HOUSE BILL NO.	77,
ENGROSSED	HOUSE BILL NO.	99,
	HOUSE BILL NO.	132,
	HOUSE BILL NO.	152,
	HOUSE BILL NO.	156,
	HOUSE BILL NO.	250,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	459,
	SUBSTITUTE HOUSE BILL NO.	469,
	HOUSE BILL NO.	643,
	HOUSE BILL NO.	675,
	HOUSE BILL NO.	949,
	SUBSTITUTE HOUSE BILL NO.	958,
ENGROSSED	HOUSE BILL NO.	1021,
	SUBSTITUTE HOUSE BILL NO.	1044,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1234.
 ENGROSSED HOUSE JOINT MEMORIAL NO. 2,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 12, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3007, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 12, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3897, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

SECOND READING

SUBSTITUTE SENATE BILL NO. 3602, by Committee on Financial Institutions (originally sponsored by Senators Moore, Sellar and Wojahn; by Department of General Administration request)

Revising provisions relating to savings and loan associations.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Lux and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3602, and the bill passed the House by the following vote: Yeas, 92; absent, 4; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Bond, Smitherman, Todd, Vekich - 4.

Excused: Representatives Hastings, Lewis - 2.

Substitute Senate Bill No. 3602, having received the 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. 3723, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Allowing local hotel/motel tax proceeds to be used for stadium restaurant facilities and additional seating.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock 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. 3723, and the bill passed the House by the following vote: Yeas, 86; nays, 8; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke,

Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Walk, Walker, West, Williams B, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Betrozoff, Bristow, Hargrove, Prince, Vander Stoep, Wang, Williams J, Winsley - 8.

Absent: Representatives Todd, Vekich - 2.

Excused: Representatives Hastings, Lewis - 2.

Engrossed Substitute Senate Bill No. 3723, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Todd appeared at the bar of the House.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3792, by Committee on Financial Institutions (originally sponsored by Senators Moore, Sellar and Wojahn; by Department of General Administration request)

Modifying provisions relating to banks and banking.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Lux, the committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Lux 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. 3792 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Vekich - 1.

Excused: Representatives Hastings, Lewis - 2.

Engrossed Substitute Senate Bill No. 3792 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. 3235, by Committee on Education (originally sponsored by Senators Gaspard, McDermott, Bottiger, Rinehart, Warnke, Wojahn, Bender and Garrett)

Providing programs for educational excellence.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 78th Day, April 1, 1985.)

Mr. Ebersole moved adoption of the committee amendment.

Committee on Ways & Means recommendation: Majority, do pass with amendments by Committee on Education as further amended. (For amendments to Education Committee amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Braddock, the Committee on Ways & Means amendments to the Committee on Education amendments were adopted.

On motion of Mr. J. King, further consideration of Engrossed Substitute Senate Bill No. 3235 was deferred, and the bill was ordered placed on the second reading calendar following Substitute Senate Bill No. 3356.

SENATE BILL NO. 3794, by Senators Granlund and Bottiger

Permitting schools or institutions of higher education to purchase certain public lands.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3794, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Vekich - 1.

Excused: Representatives Hastings, Lewis - 2.

Senate Bill No. 3794, having received the 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. 3800, by Senators Granlund, Bailey and Garrett

Establishing uniformity in the publication of certain legal notices.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3800, and the bill passed the House by the following vote: Yeas, 94; nays, 1; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Lundquist - 1.

Absent: Representative Vekich - 1.

Excused: Representatives Hastings, Lewis - 2.

Senate Bill No. 3800, having received the 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. 3818, by Senators Rasmussen, Pullen and Kreidler; by Secretary of State request

Adding an appointee of the director of financial management to the records committee.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Belcher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3818, and the bill passed the House by the following vote: Yeas, 88; nays, 7; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Berozoff, Brooks, Chandler, Thomas, van Dyke, Van Luven, Vander Stoep - 7.

Absent: Representative Vekich - 1.

Excused: Representatives Hastings, Lewis - 2.

Senate Bill No. 3818, having received the 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. 3846, by Senators Gaspard, Patterson, Kiskaddon and Bauer

Changing certain requirements regarding public schools' in-service training needs assessments.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3846, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Berozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Vekich - 1.

Excused: Representatives Hastings, Lewis - 2.

Engrossed Senate Bill No. 3846, having received the 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. 3851, by Senators Wojahn, Warnke and Vognild

Allowing security and law enforcement officers, and fire fighters over eighteen upon licensed premises.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Wang, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3851 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Vekich - 1.

Excused: Representatives Hastings, Lewis - 2.

Senate Bill No. 3851 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.

Mr. Vekich appeared at the bar of the House.

ENGROSSED SENATE BILL NO. 3854, by Senators Rinehart, Rasmussen and Bender

Permitting ongoing absentee voters.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendment, see Journal, 78th Day, April 1, 1985.)

On motion of Ms. Fisher, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3854 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Lundquist - 1.

Excused: Representatives Hastings, Lewis - 2.

Engrossed Senate Bill No. 3854 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.

SUBSTITUTE SENATE BILL NO. 3882, by Committee on Governmental Operations (originally sponsored by Senators Thompson, McCaslin, McManus, Rasmussen and Johnson; by Military Department request)

Authorizing the state militia to retain cleaning deposits and utility costs associated with armory rentals.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass with the following amendment:

On page 2, line 9 after "charges," insert "including"

On motion of Ms. Belcher, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3882 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Chandler, Van Luven - 2.

Excused: Representatives Hastings, Lewis - 2.

Substitute Senate Bill No. 3882 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. 3898, by Committee on Human Services & Corrections (originally sponsored by Senators Granlund, Kreidler and Kiskaddon)

Clarifying definition of occupational therapist.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 80th Day, April 3, 1985.)

On motion of Ms. Brekke, the committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke 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. 3898 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner,

Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Sanders, Williams B - 2.

Excused: Representatives Hastings, Lewis - 2.

Engrossed Substitute Senate Bill No. 3898 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. 3904, by Committee on Human Services & Corrections (originally sponsored by Senators Kiskaddon and Johnson)

Permitting self-medication in boarding homes under certain circumstances.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Brekke, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke 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. 3904 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Hastings, Lewis - 2.

Engrossed Substitute Senate Bill No. 3904 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. 3906, by Senators Talmadge and Cantu; by Attorney General request

Modifying provisions on pornography and moral nuisances.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Armstrong, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3906 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan,

Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsöld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Brough, Niemi, Wang - 3.

Excused: Representatives Hastings, Lewis - 2.

Senate Bill No. 3906 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. 3911, by Committee on Governmental Operations (originally sponsored by Senators Fleming, McDermott, Bailey, Vognild, McManus and Kreidler)

Providing for increased opportunity for affordable housing for low and moderate income persons.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Nutley, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Nutley 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. 3911 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 13; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Scott, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsöld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Barnes, Bond, Dobbs, Fuhrman, Isaacson, Lundquist, Nealey, Padden, Sanders, Schoon, Silver, van Dyke, West - 13.

Excused: Representatives Hastings, Lewis - 2.

Engrossed Substitute Senate Bill No. 3911 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.

SUBSTITUTE SENATE BILL NO. 3951, by Committee on Human Services & Corrections (originally sponsored by Senator Peterson)

Providing for a feasibility study of reuse of facilities at Northern State Hospital.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Brekke, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3951 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough,

Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Hastings, Lewis - 2.

Substitute Senate Bill No. 3951 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.

SUBSTITUTE SENATE BILL NO. 3981, by Committee on Commerce & Labor (originally sponsored by Senator Vogndil)

Exempting independent taxicab operators from industrial insurance coverage.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang briefly explained the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3981, and the bill passed the House by the following vote: Yeas, 91; nays, 5; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Basich, Baugher, Sutherland, Vekich, Wang - 5.

Excused: Representatives Hastings, Lewis - 2.

Substitute Senate Bill No. 3981, having received the 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. 4059, by Committee on Judiciary (originally sponsored by Senator Talmadge)

Revising provisions relating to juveniles.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong 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. 4059, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Hastings, Lewis - 2.

Engrossed Substitute Senate Bill No. 4059, having received the 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.

AFTERNOON SESSION

The House was called to order by the Speaker.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4105, by Committee on Judiciary (originally sponsored by Senators Newhouse, Hayner, Lee and McCaslin)

Relating to mental health commitment.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4105, and the bill passed the House by the following vote: Yeas, 96; excused, 2. Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Hastings, Lewis - 2.

Engrossed Substitute Senate Bill No. 4105, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Hastings appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 4107, by Committee on Judiciary (originally sponsored by Senators Talmadge, Zimmerman, Moore, Pullen, Kreidler, Williams, McManus and Johnson)

Establishing privileged communications between registered nurses and patients.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Armstrong, the committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. Padden.

Mr. Padden: "Representative Appelwick, is Substitute Senate Bill No. 4107 intended, in any way, to expand the scope of practice of nurses?"

Mr. Appelwick: "No, it's not. The sole issue that is addressed in the legislation is the extension of the testimonial privilege in a courtroom to registered nurses, and this is only if they were essentially standing in the same position that a doctor

would as a primary treating physician. A doctor currently has that testimonial privilege."

Mr. Padden: "More particularly, Representative Appelwick, does Substitute Senate Bill 4107 establish or expand the authority of a nurse to administer primary care of practice under protocol beyond currently existing authority?"

Mr. Appelwick: "No, the issues of scope of practice for nurses are codified under RCW 18.88 and the State Constitution prohibits that we would create any such amendment by reference. The act would have to be set out in full. This bill only amends Title 5, and to that extent, cannot alter or enlarge the scope of practice of a nurse under 18.88 RCW."

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4107 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Substitute Senate Bill No. 4107 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. 4110, by Senator Talmadge; by Superintendent of Public Instruction request

Authorizing the superintendent of public instruction to contract with the office of administrative hearings.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4110, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Valle - 1.

Excused: Representative Lewis - 1.

Senate Bill No. 4110, having received the 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. 4140, by Senator Gaspard; by Superintendent of Public Instruction and State Board of Education request

Revising high school graduation requirements.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Ebersole, the committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4140 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Engrossed Senate Bill No. 4140 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. 4185, by Senators Rinehart, Patterson and Gaspard

Clarifying the definition of higher education tuition and fees.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 75th Day, March 29, 1985.)

On motion of Ms. Sommers, the committee amendments were adopted.

There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4185 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Engrossed Senate Bill No. 4185 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. 3267, by Senators Hansen, Guess and von Reichbauer; by Department of Licensing request

Relieving the department of the duty of returning a surrendered driver's license at the end of the suspension period.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 80th Day, April 3, 1985.)

Mr. Armstrong moved adoption of the committee amendment.

On motion of Mr. Locke, the following amendments by Representatives Locke, Armstrong and Padden to the committee amendment were adopted:

On page 12, line 23 before "it" insert "(1)"

On page 13, line 16 strike "section" and insert "subsection"

On page 13, after line 20 insert:

"(2) Any person convicted for a first violation of subsection (1) of this section who is also convicted of the offense defined in RCW 46.61.502 or 46.61.504, when both convictions arise from the same event, shall be punished in the same way as provided in RCW 46.20.342(1) except that the minimum sentence of confinement shall be not less than thirty days and shall not be suspended or deferred."

On motion of Mr. Patrick, the following amendment by Representatives Patrick and Armstrong to the committee amendment was adopted:

On page 13 of the amendment after line 20 insert the following:

"NEW SECTION, Sec. 9. 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."

Mr. Armstrong spoke in favor of the committee amendment as amended and it was adopted.

Mr. Armstrong moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Armstrong, the following amendment to the title amendment was adopted:

On page 13, line 30 after "46.65.090;" strike "and" and on page 14, line 1 of the amendment, after "penalties" insert "; and declaring an emergency"

The committee amendment as amended to the title of the bill was adopted.

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3267 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Senate Bill No. 3267 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.

SUBSTITUTE SENATE BILL NO. 3310, by Committee on Judiciary (originally sponsored by Senators Talmadge and Sellar)

Facilitating election administration.

The bill was read the second time. Committee on Constitution, Elections & Ethics recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Appelwick moved adoption of the committee amendment.

Mr. D. Nelson moved adoption of the following amendment by Representatives D. Nelson, Fisher and Barnes to the committee amendment:

On page 35, after line 19 of the amendment, insert the following:

*Sec. 32. Section 29.07.070, chapter 9, Laws of 1965 as last amended by section 3, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.070 are each amended to read as follows:

~~((The registration officer shall interrogate the))~~ An applicant for voter registration(;) shall provide the following information concerning his or her qualifications as a voter of the state, ((and of the)) county, city, town, and precinct in which he ((applies for registration, requiring him to state)) or she resides:

(1) ~~The ((previous)) address of ((the)) his or her last ((former)) registration ((of the applicant)) as a voter in ((the)) this state, if applicable;~~

(2) His or her full name;

(3) His or her date of birth; and

(4) His or her place of residence, giving the street and number, if any, or the post office ((or rural mail route address;

~~(5) Whether he is a citizen of the United States))~~ box designation and a physical description sufficient to determine the location of the applicant's residence.

The applicant may, at his or her option, designate a political party or independent preference. The applicant may also be asked to provide the registration officer with a telephone number where he or she may be reached to verify or complete information on the voter registration record. The form shall clearly state that the political party or independent designation and telephone number are optional and are not requirements for registration.

The answers of the applicant to all such questions shall be ((inserted)) recorded on a ((single)) voter registration form ((to be)) prescribed and furnished by the secretary of state under RCW 29.07.240. Any designation of a political party or independent preference under this section shall be maintained on the computer file of registered voters under RCW 29.07.220.

Sec. 33. Section 12, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.220 are each amended to read as follows:

Each county auditor shall ~~((establish, on or before July 1, 1975, and))~~ maintain a computer file of all registered voters within that county on magnetic tape ((or), disk, ((punched cards,)) or other computer-readable form of data storage ((containing the records of all registered voters within the county. PROVIDED: That an auditor in a county with more than one hundred fifty thousand registered voters may decline to comply with the provisions of all or none of RCW 29.04.055, 29.07.160, 29.07.220, 29.07.230, and 29.07.240)). Where it is necessary or advisable, the auditor may provide for the ~~((establishment and))~~ maintenance of such files by private contract or through interlocal agreement ~~((as provided by))~~ under chapter 39.34 RCW((: as it now exists or is hereafter amended)). The computer file shall include, but not be limited to, each voter's full name, residence address, date of birth, sex, date of registration, political party designation, if any, and applicable taxing district and precinct codes ((and the last date on which the individual voted)). The county auditor shall subsequently record each consecutive date upon which the individual ~~((has voted))~~ votes and shall retain at least the last five such ((consecutive)) dates((- PROVIDED: That if the voter has not voted at least five times since establishing his current registration record, only the available dates shall be included)).

Sec. 34. Section 29.10.020, chapter 9, Laws of 1965 as last amended by section 2, chapter 184, Laws of 1975 1st ex. sess. and RCW 29.10.020 are each amended to read as follows:

Any registered voter who changes his or her residence from one address to another within the same county(;) shall ~~((have his registration transferred to his new address by sending))~~ send or deliver to the county auditor a signed request stating ((his present)) the address ((and precinct)) of his or her new residence and the address ((and precinct from)) at which he or she was last registered((-or by appearing in person before him to have his registration transferred, and signing such request, or in the manner provided by)) or shall notify the county auditor of the new address under RCW 29.10.160((-as now or hereafter amended)). The voter may, at his or her option, designate or change a political party or independent preference at the time he or she transfers to a new residence. The forms provided for transferring a voter registration shall contain a space for this party designation and notice to the voter that the political party or independent designation is optional.

Sec. 35. Section 29.51.060, chapter 9, Laws of 1965 as last amended by section 41, chapter 202, Laws of 1971 ex. sess. and RCW 29.51.060 are each amended to read as follows:

If any person appears and offers or demands the right to vote at any primary or election, as a registered voter in the precinct where the primary or election is held, the election officers shall require ~~((him))~~ the voter to sign ~~((his name and current address))~~ the precinct list of registered voters. The signature shall attest, subject to penalties of perjury ((in one of the official poll books or in a space provided on one of the precinct lists of registered voters, which shall be designated the county auditor's copy. PROVIDED That)), to a declaration printed at the top of each page of the precinct list of registered voters that the voter is qualified to vote at that primary or election. If the voter's current address is different from the address on the precinct list of registered voters, the voter shall also designate the current address. If the person registered using a cross or mark((:)) and ((being)) was identified by the signature of some other person, the election officers must require the person offering to vote to be identified by the person who so signed((:)) or by ((a)) another registered voter of the precinct. Unless the identifying witness is personally known to the election officers((:)) or to some of them, they may require the identifying witness to sign his name in the presence of the election officers for the purpose of identification.

The precinct list of registered voters shall include, for each voter in that precinct who has designated such a preference, a record of the most current information optionally provided by the voter regarding political party or independent preference. The voter may, at his or her option, record a political party or independent preference in a space provided on the precinct list of registered voters or change a preference previously designated. The precinct list of registered voters shall clearly state that the party designation is optional and not a requirement for voting.

As soon as it is determined that the person is qualified to vote, one of the precinct election officers shall copy the voter's name ~~((and address))~~ on the corresponding line in a second ~~((poll book or))~~ precinct list of registered voters, which shall be ~~((identified as))~~ retained by the ~~((inspector's copy))~~ inspector for six months following the election or primary.

NEW SECTION. Sec. 36. A new section is added to chapter 29.07 RCW to read as follows:

Except as provided under section 39 of this act, not later than July 1, 1987, each county auditor shall modify or redesign his or her automated voter registration system to incorporate the information and procedures required in RCW 29.07.070, 29.07.220, 29.10.020, 29.51.060, sections 37 through 39 of this act, and this section in a manner consistent with the provisions thereof.

NEW SECTION. Sec. 37. A new section is added to chapter 29.07 RCW to read as follows:

Except as provided under section 39 of this act, each county auditor shall, not later than July 1, 1988, complete the testing and installation of the new or modified automated voter registration system and the incorporation of the optional political party preference information collected under RCW 29.07.070, 29.10.020, and 29.51.060 for any voter who is currently registered at the time of the conversion to the new or modified system.

NEW SECTION. Sec. 38. A new section is added to chapter 29.07 RCW to read as follows:

After each primary, special election, and general election, the county auditor shall update the optional party preference information on the voter registration record of any voter who supplies a new or different party preference on the precinct list of registered voters at that primary or election.

NEW SECTION. Sec. 39. A new section is added to chapter 29.07 RCW to read as follows:

By July 1, 1986, each county legislative authority shall determine if the county's existing automated registration system has the capacity to include party preference information in the voter registration records of that county or if the county has the resources to modify the system so as to accommodate these changes.

If the county legislative authority determines that the county's registration system does not have such a capacity and that the authority does not have the resources to modify the system, sections 36 and 37 of this act shall not apply, on or after the effective date of those sections, to that county. A county legislative authority operating under the exemption in this section shall review the determination at least every two years thereafter.

NEW SECTION. Sec. 40. Sections 32 through 35 and 38 of this act shall become effective on July 1, 1987."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives D. Nelson, Barnes and Padden spoke in favor of the amendment to the amendment, and Mr. Isaacson spoke against it.

The amendment to the committee amendment was adopted.

Ms. Fisher spoke in favor of the committee amendment as amended, and it was adopted.

Ms. Fisher moved adoption of the committee amendment to the title of the bill.

On motion of Mr. D. Nelson, the following amendments to the committee amendment to the title were adopted:

On page 36, beginning on line 15 of the title amendment, strike "and 29.30.450" and insert "29.30.450, 29.07.070, 29.07.220, 29.10.020, and 29.51.060"

On page 36, line 20 of the title amendment, strike the first "and" and insert "adding new sections to chapter 29.07 RCW;"

On page 36, line 21 of the title amendment, after "29.54.180" insert "; and providing an effective date"

The committee amendment to the title as amended was adopted.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3310 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 15; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Betzoff, Chandler, Dobbs, Fuhrman, Isaacson, Long, Lundquist, Nealey, Nelson G, Prince, Schmidt, Smith C, Tilly, van Dyke, Williams J - 15.

Excused: Representative Lewis - 1.

Substitute Senate Bill No. 3310 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. 3325, by Senators Owen, Newhouse, McManus, Sellar, Stratton, Vognild, Warnke, Moore and Benitz

Limiting the definition of financial interest for persons engaged in alcoholic beverage businesses.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 80th Day, April 3, 1985.)

On motion of Mr. Wang, the committee amendment was adopted.

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

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3325 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Senate Bill No. 3325 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. 3337, by Senators Owen, Peterson and Lee

Giving certain specific duties of the public lands commissioner to the department of natural resources.

The bill was read the second time.

Mr. Hargrove moved adoption of the following amendment by Representatives Hargrove, Vekich and Lundquist:

On page 3, after line 3 insert a new section as follows:

"NEW SECTION. Sec. 4. In each fiscal year the department of natural resources shall offer for sale not less than ninety percent of the sustainable harvest level or more than one hundred and ten percent of the sustainable harvest level as calculated by the department and adopted by the board of natural resources."

POINT OF ORDER

Ms. Sommers: "Mr. Speaker, I challenge this amendment as being out of scope and object of the bill."

SPEAKER'S RULING

The Speaker: "Representative Sommers, the Speaker has examined Senate Bill 3337 and finds that it is very narrowly written to give signature authority transfers from the Commissioner of Public Lands to the Department of Natural Resources in a very limited number of cases for specific reasons. The amendment deals with sustained yield and sales of timber. The Speaker would find that the amendment is outside the scope and object. Your point is well taken, Representative Sommers."

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3337, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Senate Bill No. 3337, having received the 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. 3354, by Committee on Ways & Means (originally sponsored by Senators McDermott, Newhouse, Vognild, McDonald, Owen, Talmadge, Bottiger and Deccio)

Modifying provisions relating to medical aid to workers.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass with the following amendment:

On page 3, line 26 after "representatives" insert "and to the committees on commerce and labor of the senate and house of representatives"

On motion of Mr. Wang, the committee amendment was adopted.

Mr. Patrick moved adoption of the following amendments by Representatives Patrick and Zellinsky:

On page 2, beginning on line 13 strike all material through "43.88.190," on page 3, line 23 and renumber the remaining sections consecutively.

On page 3, beginning on line 35 strike all material through "1989;" on page 4, line 3 and renumber the remaining subsections consecutively.

On page 4, line 9 after "Sec. 7," strike "Sections 2, 3, 4, and 5" and insert "Section 2"

Mr. Patrick spoke in favor of the amendments, and Ms. Niemi spoke against them.

Mr. Patrick spoke again in favor of the amendments, and Mr. Wang opposed them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Patrick and Zellinsky to Substitute Senate Bill No. 3354, and the amendments were not adopted by the following vote: Yeas, 47; nays, 50; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Day, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 47.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 50.

Excused: Representative Lewis - 1.

Substitute Senate Bill No. 3354 as amended by the House was passed to Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3356, by Committee on Transportation (originally sponsored by Senators Peterson, Patterson, Hansen and Conner; by County Road Administration Board request)

Revising county road administrative procedures.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Wineberry, the committee amendments were adopted.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3356 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Substitute Senate Bill No. 3356 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. 3235:

The House resumed consideration of the bill on second reading.

Ms. Thomas moved adoption of the following amendment by Representatives Thomas and Van Luven to the committee amendment:

On page 1, after line 5 of the amendment insert the following:

NEW SECTION. Sec. 1. Notwithstanding the provisions of RCW 28A.41.140, for the 1986-87 school year, the ratios in the basic education allocation formula shall be as follows:

(a) The ratio of classified to certificated personnel shall be one to three based on a ratio of fifty certificated personnel to one thousand annual average full time equivalent students; and

(b) The ratio of certificated personnel to students enrolled in the basic educational program shall be fifty-one certificated personnel to one thousand annual average full time equivalent students: PROVIDED, That any increase in funds generated by the change in the ratio of certificated personnel to annual average full time equivalent students shall be used by local school districts to provide additional classroom teachers commencing with the 1986-87 school year: PROVIDED FURTHER, That local districts are encouraged to provide additional teachers in grades kindergarten through three with the additional funding generated by the increase in the ratio of certificated personnel to annual average full time equivalent students above fifty certificated personnel to one thousand annual average full time students."

Renumber the remaining sections consecutively.

Ms. Thomas spoke in favor of the amendment to the committee amendment.

POINT OF INQUIRY

Mr. Appelwick asked Ms. Thomas to yield to question and she refused to yield.

Representatives Appelwick and Braddock spoke against the amendment to the amendment, and Mr. Betzoff spoke in favor of it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Thomas and Van Loven to the committee amendment to Engrossed Substitute Senate Bill No. 3235, and the amendment to the amendment was not adopted by the following vote: Yeas, 46; nays, 50; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Brooks, Brough, Chandler, Cole, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Peery, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Loven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley - 46.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, Zellinsky, and Mr. Speaker - 50.

Absent: Representative Bond - 1.

Excused: Representative Lewis - 1.

Ms. Brough moved adoption of the following amendment by Representatives Brough, Ebersole and Taylor to the committee amendment:

On page 1, following line 5 insert the following:

NEW SECTION. Sec. 1. The Washington state professional certification examination created by this act shall cover mastery of basic skills including the teacher's knowledge of the use of the English language."

Renumber the remaining sections consecutively.

Representatives Brough and Ebersole spoke in favor of the amendment and it was adopted.

On motion of Mr. Wang, the following amendment to the committee amendment was adopted:

On page 1, after line 5 insert the following:

NEW SECTION. Sec. 1. Section 1, chapter 140, Laws of 1984 and RCW 50.44.052 are each repealed."

Renumber the remaining sections consecutively.

Ms. Walker moved adoption of the following amendment by Representatives Schoon and Ebersole to the committee amendment:

On page 1, after line 5 insert the following:

NEW SECTION. Sec. 1. The program of remediation provided for in RCW 28A.41.402 shall also be made available to eligible students in grades seven through nine under the same conditions and limitations as set forth in RCW 28A.41.402."

Renumber the remaining sections consecutively.

Representatives Walker, Ebersole, Cole, Taylor, Appelwick and Long spoke in favor of the amendment to the amendment, and Representatives Vander Stoep, Braddock, Grimm, Sommers and K. Wilson spoke against it.

Representatives Taylor and Ebersole spoke again in favor of the amendment to the committee amendment.

Mr. Crane demanded the previous question and the demand was sustained.

The amendment to the committee amendment was not adopted.

Ms. Long moved adoption of the following amendment by Representatives Long and Ebersole to the committee amendment:

On page 1, after line 5 insert the following:

"NEW SECTION. Sec. 1. The superintendent of public instruction shall by December 1, 1985, recommend to the legislature a basic education allocation formula which provides adequate but not excessive funding for districts having less than twenty-five full time equivalent students."

Renumber the remaining sections consecutively.

Representatives Long and Ebersole spoke in favor of the amendment, and it was adopted.

Mr. Ebersole moved adoption of the following amendment by Representatives Ebersole and Betrozoff to the committee amendment:

On page 1, after line 5 insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.58 RCW to read as follows:

Each school district board of directors shall develop a schedule and process by which each public school within its jurisdiction shall undertake self-study procedures on a regular basis: PROVIDED, That districts may allow two or more elementary school buildings in the district to undertake jointly the self-study process. Each school may follow the accreditation process developed by the state board of education under RCW 28A.04.120(4), although no school is required to file for actual accreditation, or the school may follow a self-study process developed locally. Whatever process is used must focus upon the quality and appropriateness of the school's educational program and the results of its operational efforts.

Any self-study process must include the participation of staff, parents, members of the community, and students, where appropriate to their age.

Emphasis throughout the process shall be placed upon:

- (1) Achieving educational excellence and equity;
- (2) Building stronger links with the community; and
- (3) Reaching consensus upon educational expectations through community involvement and corresponding school management.

The initial self-study process within each district shall begin by September 1, 1986, and should be completed for all schools within a district by the end of the 1990-91 school year.

The state board of education shall develop rules and regulations governing procedural criteria. Such rules and regulations should be flexible so as to accommodate local goals and circumstances. Rules and regulations may allow for waiver of the self-study for economic reasons and may also allow for waiver of the initial self-study if a district or its schools have participated successfully in an official accreditation process or in a similar assessment of educational programs within the last three years. The self-study process shall be conducted on a cyclical basis every seven years following the initial 1990-91 period.

The superintendent of public instruction shall provide training to assist districts in their self-studies.

Each district shall annually report to the superintendent of public instruction on the scheduling and implementation of their self-study activities."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Ebersole and Betrozoff spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Betrozoff moved adoption of the following amendment by Representatives Betrozoff, Ebersole, Walker and Valle to the committee amendment:

On page 1, after line 5 insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes the need to keep and attract quality teachers in our public schools. The legislature intends to examine the effectiveness of a career ladder in our public schools. To improve the quality of teaching and foster a professional climate which encourages creativity and cooperation among teachers and enhances the intrinsic rewards teachers experience from helping students learn, the legislature intends to locally test ways in which the goal of attracting and retaining excellent teachers might be accomplished.

The legislature recognizes that a career ladder system is one means of enhancing the attractiveness of teaching; however, the legislature wishes to investigate this concept further prior to determining whether to develop such a system."

Renumber the remaining sections consecutively.

Representatives Betzoff and Ebersole spoke in favor of the amendment to the committee amendment, and it was adopted.

The committee amendment as amended was adopted.

Mr. Ebersole moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Wang, the following amendment to the title amendment was adopted:

On page 23, line 14 after "sections;" insert "repealing RCW 50.44.052;"

The committee amendment as amended to the title was adopted.

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

Representatives Ebersole, Betzoff, Vander Stoep and L. Smith spoke in favor of passage of the bill.

Mr. Crane 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. 3235 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Wang - 1.

Excused: Representative Lewis - 1.

Engrossed Substitute 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.

SUBSTITUTE SENATE BILL NO. 3384, by Committee on Natural Resources (originally sponsored by Senators Fleming and Goltz)

Establishing a salmon and steelhead rehabilitation and enhancement policy board.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

Ms. K. Wilson moved adoption of the committee amendment.

On motion of Mr. Lundquist, the following amendment by Representatives Lundquist and Sayan to the committee amendment was adopted:

On page 7, line 21 after "governor;" insert "four legislative members, one appointed by each caucus in both the state senate and the house of representatives."

Ms. K. Wilson spoke in favor of the committee amendment as amended and it was adopted.

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

Ms. K. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3384 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Substitute Senate Bill No. 3384 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.

SUBSTITUTE SENATE BILL NO. 3388, by Committee on Judiciary (originally sponsored by Senator Talmadge)

Revising provisions relating to the attorney general.

The bill was read the second time.

Mr. Braddock moved adoption of the following amendment:

On page 1, line 27 after "immediately," insert:

"NEW SECTION. Sec. 6. If specific funding for the purposes of this act, referencing this act by bill number, is not provided in the omnibus appropriations act enacted before July 1, 1985, this act shall be null and void."

Mr. Braddock spoke in favor of the amendment, and Mr. Hastings spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Braddock to Substitute Senate Bill No. 3388, and the amendment was adopted by the following vote: Yeas, 51; nays, 46; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 46.

Excused: Representative Lewis - 1.

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

Representatives Appelwick, Tilly and West spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3388 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller,

Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Substitute Senate Bill No. 3388 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. 3390, by Committee on Ways & Means (originally sponsored by Senators Granlund, Kiskaddon and Kreidler; by Department of Social and Health Services request)

Changing nursing home auditing standards.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Locke moved adoption of the committee amendment.

On motion of Mr. Tanner, the following amendment by Representatives Tanner, J. King, Ballard, Isaacson and Brekke to the committee amendment was adopted:

On page 22, after line 10 of the amendment, insert the following:

***NEW SECTION.** Sec. 15. A new section is added to chapter 74.46 RCW to be codified between RCW 74.46.420 and 74.46.430 to read as follows:

(1) The legislature hereby finds that many of the nursing homes in the state are of older construction and are energy inefficient. The legislature further finds that it is desirable to encourage energy retrofit improvements in those nursing homes in order to achieve energy cost savings. Therefore, it is the intent of the legislature to create an alternative reimbursement methodology for energy retrofitting which meets the criteria of this section. This alternative reimbursement methodology shall be available to contractors who apply for the alternative reimbursement methodology; contractors who do not apply for the alternative reimbursement methodology shall be reimbursed under the other provisions of this chapter for energy retrofit improvements.

(2) Any energy retrofit improvement shall be required to repay the department's proportionate share of the cost of such improvement within a five-year period. The department shall reimburse contractors for eligible energy retrofit improvements by applying the resulting energy cost savings in the administration and operations cost center against the capital expense for the improvement. The nursing home contractor shall provide the department with a technical assistance study which demonstrates the anticipated energy savings and documents the cost of the retrofit including any interest. The increase in the contractor's return on investment rate shall be limited to the documented costs for the energy retrofit. At the end of first year that the retrofit is in place, the contractor shall furnish documentation to the department indicating the actual reduction in energy consumption. If the reduction in the energy consumption is less than anticipated, the contractor's return on investment rate will be reduced accordingly.

(3) If a nursing home installs an energy retrofit improvement which meets the requirements contained in subsection (2) of this section, the department shall decrease the nursing home's administration and operations cost center reimbursement rate under RCW 74.46.500 by an amount equivalent to the energy cost savings or the documented costs of the energy retrofitting, whichever is less, for the first year, and shall increase the nursing home's return on investment allowance established in RCW 74.46.530 by an amount equivalent to the energy cost savings until the investment is paid for.

(4) The department shall adopt such rules as are necessary to carry out the policies and purposes of this section.

Sec. 16. Section 45, chapter 177, Laws of 1980 as amended by section 20, chapter 67, Laws of 1983 1st ex. sess. and RCW 74.46.450 are each amended to read as follows:

(1) Prospective reimbursement rates for a new contractor will be established within sixty days following receipt by the department of the properly completed projected budget required by RCW 74.46.670. Such reimbursement rates will become effective as of the effective date of the contract and shall remain in effect until rates can be established under RCW 74.46.460 based on a contractor's cost report including at least six months of cost data.

(2) Such reimbursement rates will be based on the contractor's projected cost of operations and on costs and payment rates of the prior contractor, if any, or of other contractors in comparable circumstances, except that the special reimbursement provisions for energy retrofitting in section 15 of this 1985 act shall not apply to any energy retrofit improvements installed by previous contractors.

(3) If a properly completed budget is not received at least sixty days prior to the effective date of the contract, the department will establish preliminary rates based on the other factors specified in subsection (2) of this section. These preliminary rates will remain in effect until a determination is made pursuant to RCW 74.46.460.

Sec. 17. Section 50, chapter 177, Laws of 1980 and RCW 74.46.500 are each amended to read as follows:

(1) The administration and operations cost center shall include all items not included in the cost centers of nursing services, food, and property, except as otherwise provided in section 15 of this 1985 act.

(2) The administration and operations cost center reimbursement rate for each facility shall be based on the computation in this subsection and shall not exceed the eighty-fifth percentile of (a) the rates of all reporting facilities derived from the computation below, or (b) reporting facilities grouped in accordance with subsection (3) of this section:

AR = TAC/TPD, where

AR = the administration and operations cost center reimbursement rate for a facility;

TAC = the total costs of the administration and operations cost center plus the retained savings from such cost center as provided in RCW 74.46.180 of a facility; and

TPD = the total patient days for a facility for the prior year.

(3) The secretary may group facilities based on factors which could reasonably influence cost requirements of this cost center, other than ownership or legal organization characteristics.

Sec. 18. Section 51, chapter 177, Laws of 1980 and RCW 74.46.510 are each amended to read as follows:

(1) The property cost center rate for each facility shall be determined by dividing the sum of the reported allowable prior period actual depreciation costs, subject to RCW 74.46.310 through 74.46.380, adjusted for any capitalized additions or replacements approved by the department, and the retained savings from such cost center, as provided in RCW 74.46.180, by the total patient days for the facility in the prior period. If a capitalized addition or retirement of an asset will result in a different licensed bed capacity during the ensuing period, the prior period total patient days used in computing the property cost center rate shall be adjusted to anticipated patient day level.

When a certificate of need for a new facility is requested, the department, in reaching its decision, shall take into consideration per-bed land and building construction costs for the facility which shall not exceed a maximum to be established by the secretary.

(2) An energy retrofit improvement installed by a contractor under section 15 of this 1985 act shall not be included in the computation for the property cost center described in this section.

Renumber the remaining sections and correct internal references accordingly.

On page 22, line 34 of the amendment, after "and)" insert ", or capital improvements for energy retrofittings as provided for in section 15 of this 1985 act"

On page 23, beginning on line 15 of the amendment, strike all material through "amended." on page 34, line 14 of the amendment, and insert the following:

"Sec. 16. Section 2, chapter 177, Laws of 1980 as amended by section 1, chapter 117, Laws of 1982 and RCW 74.46.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Accrual method of accounting' means a method of accounting in which revenues are reported in the period when they are earned, regardless of when they are collected, and expenses are reported in the period in which they are incurred, regardless of when they are paid.

(2) 'Ancillary care' means those services required by the individual, comprehensive plan of care provided by qualified therapists.

(3) 'Appraisal' means the process of estimating the fair market value or reconstructing the historical cost of an asset acquired in a past period as performed by a professionally designated real estate appraiser with no pecuniary interest in the property to be appraised. It includes a systematic, analytic determination and the recording and analyzing of property facts, rights, investments, and values based on a personal inspection and inventory of the property.

(4) 'Arm's-length transaction' means a transaction resulting from good-faith bargaining between a buyer and seller who are not related organizations and have adverse positions in the market place. Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter. Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered as an arm's-length transaction for purposes of this chapter.

(5) 'Assets' means economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles.

(6) 'Bad debts' means amounts considered to be uncollectable from accounts and notes receivable.

(7) 'Beds' means the number of set-up beds in the facility, not to exceed the number of licensed beds.

(8) 'Beneficial owner' means:

(a) Any person who, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power which includes the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power which includes the power to dispose, or to direct the disposition of such ownership interest;

(b) Any person who, directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting himself of beneficial ownership of an ownership interest or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter;

(c) Any person who, subject to subparagraph (b) of this subsection, has the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

(iii) Pursuant to the power to revoke a trust, discretionary account, or similar arrangement;

or

(iv) Pursuant to the automatic termination of a trust, discretionary account, or similar arrangement;

except that, any person who acquires an ownership interest or power specified in subparagraphs (i), (ii), or (iii) of this subparagraph (c) with the purpose or effect of changing or influencing the control of the contractor, or in connection with or as a participant in any transaction having such purpose or effect, immediately upon such acquisition shall be deemed to be the beneficial owner of the ownership interest which may be acquired through the exercise or conversion of such ownership interest or power;

(d) Any person who in the ordinary course of business is a pledgee of ownership interest under a written pledge agreement shall not be deemed to be the beneficial owner of such pledged ownership interest until the pledgee has taken all formal steps necessary which are required to declare a default and determines that the power to vote or to direct the vote or to dispose or to direct the disposition of such pledged ownership interest will be exercised; except that:

(i) The pledge agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including persons meeting the conditions set forth in subparagraph (b) of this subsection; and

(ii) The pledge agreement, prior to default, does not grant to the pledgee:

(A) The power to vote or to direct the vote of the pledged ownership interest; or

(B) The power to dispose or direct the disposition of the pledged ownership interest, other than the grant of such power(s) pursuant to a pledge agreement under which credit is extended and in which the pledgee is a broker or dealer.

(9) 'Capitalization' means the recording of an expenditure as an asset.

(10) 'Contractor' means an entity which contracts with the department to provide services to medical care recipients in a facility and which entity is responsible for operational decisions.

(11) 'Department' means the department of social and health services (DSHS) and its employees.

(12) 'Depreciation' means the systematic distribution of the cost or other basis of tangible assets, less salvage, over the estimated useful life of the assets.

(13) 'Direct care supplies' means medical, pharmaceutical, and other supplies required for the direct nursing and ancillary care of medical care recipients.

(14) 'Energy cost savings' means the reduction in anticipated energy consumption multiplied by the current per unit cost of that energy.

(15) 'Energy retrofit improvement' means a capital improvement which decreases the amount of energy a nursing home uses and shall be determined by an independent licensed contractor which installs energy efficient equipment or a licensed engineer or licensed architect.

(16) 'Entity' means an individual, partnership, corporation, or any other association of individuals capable of entering enforceable contracts.

((†5)) (17) 'Equity' means the net book value of all tangible and intangible assets less the recorded value of all liabilities, as recognized and measured in conformity with generally accepted accounting principles.

~~((16))~~ (18) 'Facility' means a nursing home licensed in accordance with chapter 18.51 RCW, or that portion of a hospital licensed in accordance with chapter 70.41 RCW which operates as a nursing home.

~~((17))~~ (19) 'Fair market value' means the replacement cost of an asset less observed physical depreciation on the date for which the market value is being determined.

~~((18))~~ (20) 'Financial statements' means statements prepared and presented in conformity with generally accepted accounting principles including, but not limited to, balance sheet, statement of operations, statement of changes in financial position, and related notes.

~~((19))~~ (21) 'Generally accepted accounting principles' means accounting principles approved by the financial accounting standards board (FASB).

~~((20))~~ (22) 'Generally accepted auditing standards' means auditing standards approved by the American institute of certified public accountants (AICPA).

~~((21))~~ (23) 'Goodwill' means the excess of the price paid for a business over the fair market value of all other identifiable, tangible, and intangible assets acquired.

~~((22))~~ (24) 'Historical cost' means the actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architect's fees, and engineering studies.

~~((23))~~ (25) 'Imprest fund' means a fund which is regularly replenished in exactly the amount expended from it.

~~((24))~~ (26) 'Joint facility costs' means any costs which represent resources which benefit more than one facility, or one facility and any other entity.

~~((25))~~ (27) 'Lease agreement' means a contract between two parties for the possession and use of real or personal property or assets for a specified period of time in exchange for specified periodic payments. Elimination (due to any cause other than death or divorce) or addition of any party to the contract, expiration, or modification of any lease term in effect on January 1, 1980, or termination of the lease by either party by any means shall constitute a termination of the lease agreement. An extension or renewal of a lease agreement, whether or not pursuant to a renewal provision in the lease agreement, shall be considered a new lease agreement. A strictly formal change in the lease agreement which modifies the method, frequency, or manner in which the lease payments are made, but does not increase the total lease payment obligation of the lessee, shall not be considered modification of a lease term.

(28) 'Medical care program' means medical assistance provided under RCW 74.09.500 or authorized state medical care services.

~~((26))~~ (29) 'Medical care recipient' or 'recipient' means an individual determined eligible by the department for the services provided in chapter 74.09 RCW.

~~((27))~~ (30) 'Net book value' means the historical cost of an asset less accumulated depreciation.

~~((28))~~ (31) 'Net invested funds' means the net book value of tangible fixed assets employed by a contractor to provide services under the medical care program, including land, buildings, and equipment as recognized and measured in conformity with generally accepted accounting principles, plus an allowance for working capital which shall be five percent of the allowable costs of each contractor for the previous calendar year.

~~((29))~~ (32) 'Operating lease' means a lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

~~((30))~~ (33) 'Owner' means a sole proprietor, general or limited partners, and beneficial interest holders of five percent or more of a corporation's outstanding stock.

~~((31))~~ (34) 'Ownership interest' means all interests beneficially owned by a person, calculated in the aggregate, regardless of the form which such beneficial ownership takes.

~~((32))~~ (35) 'Patient day' or 'client day' means a calendar day of care which will include the day of admission and exclude the day of discharge; except that, when admission and discharge occur on the same day, one day of care shall be deemed to exist.

~~((33))~~ (36) 'Professionally designated real estate appraiser' means an individual who is regularly engaged in the business of providing real estate valuation services for a fee, and who is deemed qualified by a nationally recognized real estate appraisal educational organization on the basis of extensive practical appraisal experience, including the writing of real estate valuation reports as well as the passing of written examinations on valuation practice and theory, and who by virtue of membership in such organization is required to subscribe and adhere to certain standards of professional practice as such organization prescribes.

~~((34))~~ (37) 'Qualified therapist' means:

- (a) An activities specialist who has specialized education, training, or experience as specified by the department;
- (b) An audiologist who is eligible for a certificate of clinical competence in audiology or who has the equivalent education and clinical experience;
- (c) A mental health professional as defined by chapter 71.05 RCW;
- (d) A mental retardation professional who is either a qualified therapist or a therapist approved by the department who has had specialized training or one year's experience in treating or working with the mentally retarded or developmentally disabled;
- (e) A social worker who is a graduate of a school of social work;

(f) A speech pathologist who is eligible for a certificate of clinical competence in speech pathology or who has the equivalent education and clinical experience;

(g) A physical therapist as defined by chapter 18.74 RCW; and

(h) An occupational therapist who is a graduate of a program in occupational therapy, or who has the equivalent of such education or training.

~~((35))~~ (38) 'Questioned costs' means those costs which have been determined in accordance with generally accepted accounting principles but which may constitute disallowed costs or departures from the provisions of this chapter or rules and regulations adopted by the department.

~~((36))~~ (39) 'Records' means those data supporting all financial statements and cost reports including, but not limited to, all general and subsidiary ledgers, books of original entry, and transaction documentation, however such data are maintained.

~~((37))~~ (40) 'Related organization' means an entity which is under common ownership and/or control with, or has control of, or is controlled by, the contractor.

(a) 'Common ownership' exists when an entity is the beneficial owner of five percent or more ownership interest in the contractor and any other entity.

(b) 'Control' exists where an entity has the power, directly or indirectly, significantly to influence or direct the actions or policies of an organization or institution, whether or not it is legally enforceable and however it is exercisable or exercised.

~~((38))~~ (41) 'Restricted fund' means those funds the principal and/or income of which is limited by agreement with or direction of the donor to a specific purpose.

~~((39))~~ (42) 'Secretary' means the secretary of the department of social and health services.

~~((40))~~ (43) 'Title XIX' or 'Medicaid' means the 1965 amendments to the social security act, P.L. 89-07, as amended."

On page 34, line 25 of the amendment, after "allowance" insert "except that this section shall not apply to energy retrofit improvements funded under section 15 of this 1985 act"

On page 36, line 10 of the amendment, strike "(2)" and insert "~~((2))~~ (1)"

On page 38, line 25 of the amendment, after "(2)" insert "An energy retrofit improvement installed by a contractor under section 15 of this 1985 act shall not be included in the computation for financing allowance under this section, except as provided in section 15 of this 1985 act."

~~(3)*~~

On page 39, line 2 of the amendment, strike "(3)" and insert "~~((3))~~ (4)"

The Speaker stated the question before the House to be the committee amendment as amended.

POINT OF INQUIRY

Ms. Niemi yielded to question by Mr. Locke.

Mr. Locke: "Representative Niemi, does the amendment in section 14 change, in any way, what is subject to disclosure or the access the department must give the providers to its data base?"

Ms. Niemi: "No. The department is simply being authorized to release to persons designated by the provider, information that has been submitted by the provider. The department, like all agencies, must conform with the Public Disclosure Act. This amendment in no way requires the department to create any special computer files or do any special computations for the nursing home providers or their agents, but merely provides that an individual provider may authorize access to existing files that would be otherwise subject to disclosure."

Mr. Locke: "Is the amendment in section 15 a change in policy?"

Ms. Niemi: "No. The rates set in accordance with RCW 74.46, are prospective rates for the periods for which they apply and are the maximum reimbursement rates. Adjustment to rates are exceptions and can only be granted as authorized in this section. The department always had only limited authority to give interim increases. Some administrative law judges have misconstrued this authority as requiring the department to grant increases for changes the legislature intended to be covered exclusively by the July inflation adjustment."

Mr. Locke: "Is the amendment on page 23, line 20 a change in policy?"

Ms. Niemi: "No. The legislature established RCW 74.46 to provide rates that are reasonable and adequate to meet the costs that must be incurred by an economically and efficiently operated facility; i.e., to comply with the federal reimbursement standard, 42 U.S.C., 1396a(13)(A). The federal government has approved the

state plans based on this chapter. Some administrative law judges not only have misconstrued this language as creating a separate test, but also mistakenly construed it as a test that could be applied to individual facilities rather than to the industry as a whole. This amendment clarifies that the legislature was not creating a separate standard for judging the adequacy of rates and removes the federal language as unnecessary."

The committee amendment as amended was adopted.

Mr. Locke moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Tanner, the following amendments to the title amendment were adopted:

On page 40, beginning on line 28 of the title amendment, strike all material through "emergency" on page 41, line 4 of the title amendment and insert the following:

On page 1, line 4 of the title, after "74.46.530," strike "and 74.46.420;" and insert "74.46.420, 74.46.450, 74.46.500, and 74.46.510; adding a new section to chapter 74.46 RCW;"

On page 1, line 5 of the title, after "section;" strike "and repealing RCW 74.46.520" and insert "repealing RCW 74.46.520; and declaring an emergency"

The committee amendment as amended to the title of the bill was adopted.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3390 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Waik, Walker, Wang, West, Williams B. Williams J. Wilson K. Wilson S. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lewis - 1.

Substitute Senate Bill No. 3390 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. J. King, the House advanced to the eleventh order of business.

POINT OF PARLIAMENTARY INQUIRY

Mr. Tilly: "Mr. Speaker, I'm concerned about the interpretation of Rule 25 on the hearing today in the Ways & Means Committee concerning House Bill 314, and the public right to know what is in the bill that we are going to be considering. I don't know if the Speaker has had a chance to examine that or not."

The Speaker: "Representative Tilly, the Speaker has looked at the legislative meeting schedule which was produced last week for the week of April 14 through April 20, and on page 6 of the Ways & Means meetings, it says, 'Public Hearing: 1983-85 Supplemental, decrement bill.' If, however, the Speaker is confused, I would be happy to be in session tonight and ponder that, if you would like."

Mr. Tilly: "Mr. Speaker, I think your information was just as much as the rest of ours. I wanted to let the rest of the assembly here know that we are facing a bill that we did not know what was in it until this morning. It's a very major bill—"

The Speaker: "Representative Tilly, you are out of order. You asked for a point of parliamentary inquiry and I addressed that question and pointed out that it has had five days meeting notice, which was the basis of your question."

MOTION

On motion of Mr. J. King, the House adjourned until 9:30 a.m., Tuesday, April 16, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

NINETY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 16, 1985.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond and Vekich.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Reza Pazooki and Kevin Williams. Prayer was offered by Reverend Lee Forstrom, Minister of the Westwood 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 GOVERNOR

April 15, 1985

To The Honorable,
The House of Representatives
State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on April 15, 1985, Governor Gardner approved the following House Bills, entitled:

HOUSE BILL NO. 21: Relating to horticultural nursery dealers;
HOUSE BILL NO. 409: Relating to the practice of architecture;
HOUSE BILL NO. 601: Relating to excise tax;
SUBSTITUTE HOUSE BILL NO. 1063: Relating to agricultural marketing.

Sincerely,
Terry Sebring, Counsel.

MESSAGES FROM THE SENATE

April 15, 1985

Mr. Speaker:
The Senate has passed:

	SUBSTITUTE HOUSE BILL NO.	94,
ENGROSSED	SUBSTITUTE HOUSE BILL NO.	133,
	HOUSE BILL NO.	261,
	HOUSE BILL NO.	293,
	HOUSE BILL NO.	1000,
	HOUSE BILL NO.	1004,
	HOUSE BILL NO.	1006,
	HOUSE BILL NO.	1009,
	SUBSTITUTE HOUSE BILL NO.	1191,
	SUBSTITUTE HOUSE BILL NO.	1232.

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 15, 1985

Mr. Speaker:
The Senate has failed to pass ENGROSSED SUBSTITUTE HOUSE BILL NO. 506.

Bill Gleason, Assistant Secretary.

April 15, 1985

Mr. Speaker:
The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3035, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3279, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3302, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3332, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3342, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3373, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3450, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3627, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 15, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 4127, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 12, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 4227, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 15, 1985

Mr. Speaker:

The President has signed:

HOUSE BILL NO.	27,
HOUSE BILL NO.	34,
SUBSTITUTE HOUSE BILL NO.	50,
SUBSTITUTE HOUSE BILL NO.	53,
SUBSTITUTE HOUSE BILL NO.	163,
HOUSE BILL NO.	175,
HOUSE BILL NO.	183,
SUBSTITUTE HOUSE BILL NO.	189,
SUBSTITUTE HOUSE BILL NO.	220,

SUBSTITUTE HOUSE BILL NO.	253.
SUBSTITUTE HOUSE BILL NO.	321.
SUBSTITUTE HOUSE BILL NO.	389.
HOUSE BILL NO.	399.
SUBSTITUTE HOUSE BILL NO.	403.
HOUSE BILL NO.	434.
SUBSTITUTE HOUSE BILL NO.	444.
SUBSTITUTE HOUSE BILL NO.	460.
SUBSTITUTE HOUSE BILL NO.	481.
SUBSTITUTE HOUSE BILL NO.	482.
SUBSTITUTE HOUSE BILL NO.	596.
SUBSTITUTE HOUSE BILL NO.	602.
HOUSE BILL NO.	657.
HOUSE BILL NO.	670.
SUBSTITUTE HOUSE BILL NO.	731.
SUBSTITUTE HOUSE BILL NO.	746.
HOUSE JOINT RESOLUTION NO.	22.
SUBSTITUTE SENATE BILL NO.	3007.
SENATE BILL NO.	3008.
SENATE BILL NO.	3091.
SUBSTITUTE SENATE BILL NO.	3094.
SENATE BILL NO.	3103.
SUBSTITUTE SENATE BILL NO.	3122.
SENATE BILL NO.	3127.
SUBSTITUTE SENATE BILL NO.	3145.
SENATE BILL NO.	3205.
SENATE BILL NO.	3298.
SENATE BILL NO.	3374.
SUBSTITUTE SENATE BILL NO.	3387.
SENATE BILL NO.	3393.
SENATE BILL NO.	3436.
SENATE BILL NO.	3467.
SENATE BILL NO.	3486.
SENATE BILL NO.	3494.
SENATE BILL NO.	3569.
SENATE BILL NO.	3593.
SUBSTITUTE SENATE BILL NO.	3897.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO.	4.
SUBSTITUTE HOUSE BILL NO.	14.
SUBSTITUTE HOUSE BILL NO.	28.
HOUSE BILL NO.	31.
SUBSTITUTE HOUSE BILL NO.	48.
SUBSTITUTE HOUSE BILL NO.	52.
HOUSE BILL NO.	73.
HOUSE BILL NO.	77.
HOUSE BILL NO.	80.
SUBSTITUTE HOUSE BILL NO.	86.
HOUSE BILL NO.	99.
SUBSTITUTE HOUSE BILL NO.	127.
HOUSE BILL NO.	132.
HOUSE BILL NO.	152.
SUBSTITUTE HOUSE BILL NO.	155.
HOUSE BILL NO.	156.
SUBSTITUTE HOUSE BILL NO.	166.
HOUSE BILL NO.	169.
SUBSTITUTE HOUSE BILL NO.	177.

	SUBSTITUTE HOUSE BILL NO.	194.
	SUBSTITUTE HOUSE BILL NO.	223.
	HOUSE BILL NO.	250.
	HOUSE BILL NO.	251.
	SUBSTITUTE HOUSE BILL NO.	279.
	SUBSTITUTE HOUSE BILL NO.	303.
SECOND	SUBSTITUTE HOUSE BILL NO.	428.
	SUBSTITUTE HOUSE BILL NO.	459.
	SUBSTITUTE HOUSE BILL NO.	469.
	HOUSE BILL NO.	643.
	HOUSE BILL NO.	675.
	HOUSE BILL NO.	720.
	SUBSTITUTE HOUSE BILL NO.	802.
	SUBSTITUTE HOUSE BILL NO.	831.
	SUBSTITUTE HOUSE BILL NO.	837.
	SUBSTITUTE HOUSE BILL NO.	839.
	HOUSE BILL NO.	914.
	HOUSE BILL NO.	949.
	SUBSTITUTE HOUSE BILL NO.	958.
	HOUSE BILL NO.	1021.
	SUBSTITUTE HOUSE BILL NO.	1044.
	SUBSTITUTE HOUSE BILL NO.	1114.
	SUBSTITUTE HOUSE BILL NO.	1129.
	SUBSTITUTE HOUSE BILL NO.	1234.
HOUSE	JOINT MEMORIAL NO.	2.
	SUBSTITUTE SENATE BILL NO.	3007.
	SENATE BILL NO.	3008.
	SENATE BILL NO.	3091.
	SUBSTITUTE SENATE BILL NO.	3094.
	SENATE BILL NO.	3103.
	SUBSTITUTE SENATE BILL NO.	3122.
	SENATE BILL NO.	3127.
	SUBSTITUTE SENATE BILL NO.	3145.
	SENATE BILL NO.	3205.
	SENATE BILL NO.	3298.
	SENATE BILL NO.	3374.
	SUBSTITUTE SENATE BILL NO.	3387.
	SENATE BILL NO.	3393.
	SENATE BILL NO.	3436.
	SENATE BILL NO.	3467.
	SENATE BILL NO.	3486.
	SENATE BILL NO.	3494.
	SENATE BILL NO.	3569.
	SENATE BILL NO.	3593.
	SUBSTITUTE SENATE BILL NO.	3897.

SECOND READING

SUBSTITUTE SENATE BILL NO. 4190, by Committee on Commerce & Labor (originally sponsored by Senators Talmadge, Newhouse, Deccio, Cantu, Warnke and Vognild; by Joint Select Committee on Workers' Compensation request)

Modifying the administrative procedures of the board of industrial insurance appeals board.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Padden.

Mr. Padden: "Representative Wang, I see where a fiscal note was requested on this legislation back at the end of last month--March 29. I do not see that in our books and I wonder if you have a copy and could make that available?"

Mr. Wang: "Unfortunately, I do not have a copy here. I have not seen a copy."

Mr. Padden spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4190, and the bill passed the House by the following vote: Yeas, 93; nays, 2; absent, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives May, Padden - 2.

Absent: Representatives Bond, McMullen, Vekich - 3.

Substitute Senate Bill No. 4190, having received the 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. 4216, by Senators Granlund and Kreidler

Prohibiting dentists from waiving the copayment requirements of a contract.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4216, and the bill passed the House by the following vote: Yeas, 93; nays, 3; absent, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Barnes, Crane, Locke - 3.

Absent: Representatives Bond, Vekich - 2.

Senate Bill No. 4216, having received the 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. 4236, by Senators Wojahn and McDermott; by Deferred Compensation Committee request

Implementing the deferred compensation committee's operational activity appropriation.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4236, and the bill passed the House by the following vote: Yeas, 95; absent, 3.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Bond, Hine, Vekich - 3.

Senate Bill No. 4236, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Bond appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 3442, by Committee on Governmental Operations (originally sponsored by Senators Vognild, Zimmerman, Bauer and Conner; by Commission for Vocational Education request)

Establishing a fire service training revolving fund.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Braddock moved adoption of the committee amendment.

On motion of Mr. Grimm, the following amendment by Representatives Grimm and Locke was adopted:

On page 1, after line 14 of the amendment add a section as follows:

"NEW SECTION. Sec. 2. A new section is added to chapter 28C.04 RCW to read as follows:

The fire service training account is hereby established in the state treasury. The commission for vocational education shall deposit in the account all fees received by the commission for fire service training. Moneys in the account may be appropriated only for fire service training."

The committee amendment as amended was adopted.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3442 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Vekich - 1.

Substitute Senate Bill No. 3442 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.

Representative Vekich appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 3500, by Committee on Transportation (originally sponsored by Senators Peterson, Benitz, Hansen, Vognild, Conner and Melcalf)

Regulating tourist and agricultural directional signs along state highways.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Walk moved adoption of the committee amendment.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 10, line 3 of the Committee Amendment, strike everything through line 9 and insert the following:

"(9) Temporary political signs soliciting votes for candidates or ballot propositions at a scheduled election. The signs may not be erected or maintained more than sixty days before the election and shall be removed within seven days after the election unless the candidate or proposition will be voted upon at a later election within sixty days of the first election. The signs shall not be placed within the right of way. The department shall adopt rules for the size and placement of temporary political signs.

Only signs of types 1, 2 ((and)), 3 ((shall)), 7, 8, and 9 may be erected or maintained within view of the scenic system. Signs of types 7, 8, and 9 may also be erected or maintained within view of the ((scenic system and the)) federal aid primary system.

NEW SECTION. Sec. 4. A new section is added to chapter 47.42 RCW to read as follows:

No person may erect or maintain upon the right of way of any highway, street, or road a political sign soliciting votes for a candidate or ballot proposition at a scheduled election. The governmental agency having jurisdiction over that portion of the right of way on which a political sign is erected shall remove and store the sign and advise the candidate or campaign committee that the sign can be recovered during regular business hours before the election. A reasonable fee established by the governmental agency to cover the cost of sign removal may be imposed upon the candidate or campaign committee at the time of recovery. Any signs not recovered by the election date may be destroyed by the governmental agency."

Renumber the sections following consecutively and correct internal references accordingly.

Mr. Tilly spoke in favor of the amendment to the amendment, and Mr. Walk spoke against it.

Mr. Tilly spoke again in favor of the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to the committee amendment to Substitute Senate Bill No. 3500, and the amendment to the amendment was not adopted by the following vote: Yeas, 36; nays, 62.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Basich, Bond, Brooks, Chandler, Crane, Dobbs, Fuhrman, Hargrove, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, Mary, Nealey, Nelson G, Padden, Patrick, Sanders, Schoon, Silver, Smith C, Smith L, Taylor, Tilly, Todd, van Dyke, Walker, Williams B, Wilson S, Winsley - 36.

Voting nay: Representatives Allen, Appelwick, Armstrong, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Cole, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Scott, Smitherman, Sommers, Sutherland, Tanner, Thomas, Unsoeld, Valle, Van Luven, Vander Sloep, Vekich, Walk, Wang, West, Williams J, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 62.

On motion of Mr. Zellinsky, the following amendment by Representatives Zellinsky and Dellwo to the committee amendment was adopted:

On page 10, line 28 of the committee amendment after "highway," insert "Specific information panels and tourist oriented directional signs may be permitted at locations within the corporate limits of cities and towns and areas zoned for commercial or industrial uses where there is adequate distance between interchanges and intersections to ensure compliance with the provisions of Title 23 C.F.R. secs. 655.308(a) and 655.309(a)."

The committee amendment as amended was adopted.

On motion of Mr. Walk, the committee amendment to the title of the bill was adopted.

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

Representatives Baugher and Doty spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3500 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 3500 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.

SUBSTITUTE SENATE BILL NO. 3580, by Committee on Judiciary (originally sponsored by Senators Talmadge, Newhouse and Hayner)

Changing provisions relating to business corporations.

The bill was read the second time.

Mr. Dellwo moved adoption of the following amendment:

On page 6, beginning on line 5 strike all material down to and including "otherwise," on page 8, line 7 and renumber the remaining sections consecutively. Correct internal references accordingly.

Representatives Dellwo, Addison and Niemi spoke in favor of the amendment, and Mr. Armstrong spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Dellwo to Substitute Senate Bill No. 3580, and the amendment was not adopted by the following vote: Yeas, 43; nays, 55.

Voting yea: Representatives Addison, Allen, Barnes, Basich, Baugher, Belcher, Bond, Braddock, Bristow, Crane, Dellwo, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, King J, King P, King R, Kremen, Leonard, Locke, Lux, McMullen, Nealey, Niemi, Nutley, Sanders, Silver, Sommers, Sutherland, Todd, Unsoeld, Van Luven, Vekich, Walk, Wilson K, Wineberry - 43.

Voting nay: Representatives Appelwick, Armstrong, Ballard, Barrett, Betzoff, Brekke, Brooks, Brough, Chandler, Cole, Day, Dobbs, Doty, Ebersole, Gallagher, Haugen, Jacobsen, Lewis, Long, Lundquist, Madsen, May, Miller, Nelson D, Nelson G, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith C, Smith L, Smitherman, Tanner, Taylor, Thomas, Tilly, Valle, van Dyke, Vander Stoep, Walker, Wang, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 55.

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3580, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen,

Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Allen, Chandler - 2.

Substitute Senate Bill No. 3580, having received the 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 declared the House to be at ease until 1:15 p.m.

AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker (Mr. Appelwick presiding.)

SECOND READING

ENGROSSED SENATE BILL NO. 4259, by Senators Fleming, Bender, Talmadge, Wojahn, Goltz, Warnke, Williams, McManus, Vognild and Gaspard

Prohibiting discrimination on the basis of sex in places of public resort, accommodation, assemblage, or amusement.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4259, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Bristow, Smitherman - 2.

Engrossed Senate Bill No. 4259, having received the 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. 4294, by Committee on Commerce & Labor (originally sponsored by Senators Lee and Benitz)

Authorizing the establishment of a maximum three-month penalty-free period for employers paying industrial insurance premiums.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4294, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough,

Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 4294, having received the 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. 4314, by Committee on Natural Resources (originally sponsored by Senators Halsan and Owen)

Requiring proposals for legislation to reinstate certain natural fish runs.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4314, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 4314, having received the 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. 3684, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Modifying provisions on the state lottery.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 75th Day, March 29, 1985.)

On motion of Mr. Wang, the committee amendment was adopted.

The bill was passed to Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 3762, by Senators McDermott, Goltz, Bluechel, Warnke, McDonald, Fleming and Bender

Modifying administrative provisions on the convention and trade center.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Braddock moved adoption of the committee amendment.

Ms. Belcher moved adoption of the following amendment by Representatives Belcher and Sommers to the committee amendment:

On page 2, line 21 after "(1)" strike "The" and insert "Subject to approval of the office of financial management, the"

Representatives Belcher and Barrett spoke in favor of the amendment to the amendment, and it was adopted.

Ms. Belcher moved adoption of the following amendment to the committee amendment:

On page 3, line 7 after "43.03.250" strike "and" and insert ". However, such compensation shall not exceed three thousand dollars for any fiscal year. Members"

Representatives Belcher, Barrett and Taylor spoke in favor of the amendment to the amendment, and Representatives Vander Stoep, O'Brien, Sanders and Betzoff spoke against it.

Representatives Vander Stoep and O'Brien again opposed the amendment to the amendment, and Representative Belcher spoke again in favor of it.

Mr. Crane demanded the previous question and a division was called.

ROLL CALL

The Clerk called the roll on the demand for the previous question on the debate of the amendment by Representative Belcher to the committee amendment to Engrossed Substitute Senate Bill No. 3762, and the demand was not sustained by the necessary two-thirds majority vote: Yeas, 60; nays, 32; absent, 6.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Braddock, Brekke, Bristow, Brooks, Chandler, Cole, Day, Dellwo, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Long, Madsen, May, McMullen, Nelson D, Nutley, Peery, Rust, Schmidt, Scott, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Valle, Vekich, Walker, Wang, Williams B, Williams J, Wilson K, Winsley, Zellinsky, and Mr. Speaker - 60.

Voting nay: Representatives Addison, Betzoff, Bond, Brough, Dobbs, Fisher, Hankins, Locke, Lundquist, Lux, Nealey, Nelson G, Niemi, O'Brien, Padden, Patrick, Prince, Rayburn, Sanders, Sayan, Schoon, Silver, Smith C, Smith L, Tilly, van Dyke, Van Luven, Vander Stoep, Walk, West, Wilson S, Wineberry - 32.

Absent: Representatives Baugher, Crane, Isaacson, King P, Miller, Unsoeld - 6.

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the Belcher amendment to the committee amendment.

Mr. Schoon spoke against the amendment to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Belcher to the committee amendment to Engrossed Senate Bill No. 3762, and the amendment to the amendment was not adopted by the following vote: Yeas, 28; nays, 70.

Voting yea: Representatives Allen, Armstrong, Barrett, Belcher, Braddock, Bristow, Brooks, Chandler, Cole, Dellwo, Fisch, Hargrove, Holland, King R, Kremen, Locke, Long, Lux, Nelson D, Padden, Schmidt, Schoon, Todd, Unsoeld, Valle, Wang, Wilson K, Wineberry - 28.

Voting nay: Representatives Addison, Appelwick, Ballard, Barnes, Basich, Baugher, Betzoff, Bond, Brekke, Brough, Crane, Day, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Isaacson, Jacobsen, King J, King P, Leonard, Lewis, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 70.

Ms. Belcher moved adoption of the following amendment to the committee amendment:

On page 3, line 25 after "section" insert "(1)" and on line 26 after "expenditures" insert "(2) may not exceed twenty-five dollars per day more than would otherwise be reimbursable under the provisions of RCW 43.03.050 and 43.03.060"

Representative Belcher spoke in favor of the amendment to the amendment, and Representatives Vander Stoep and O'Brien spoke against it.

The amendment to the amendment was not adopted.

The committee amendment as amended was adopted.

On motion of Mr. Braddock, the committee amendment to the title of the bill was adopted.

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

Representatives O'Brien, Locke, Betzoff and Hastings spoke in favor of passage of the bill, and Representatives Belcher and Lux spoke against it.

Mr. O'Brien spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3762 as amended by the House, and the bill passed the House by the following vote: Yeas, 73; nays, 25.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Betzoff, Bond, Braddock, Brekke, Brough, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, Leonard, Lewis, Locke, Long, Lundquist, Madsen, May, Miller, Nealey, Nelson G, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walker, West, Williams B, Williams J, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 73.

Voting nay: Representatives Allen, Basich, Baugher, Belcher, Bristow, Brooks, Chandler, Dellwo, Fisher, Fuhrman, Hargrove, King R, Kremen, Lux, McMullen, Nelson D, Niemi, Padden, Schmidt, Scott, Smith C, Walk, Wang, Wilson K, Winsley - 25.

Engrossed Senate Bill No. 3762 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.

SUBSTITUTE SENATE BILL NO. 3786, by Committee on Judiciary (originally sponsored by Senators DeJarnatt and Owen)

Establishing misdemeanor offense for theft of shopping carts.

The bill was read the second time.

On motion of Mr. Dellwo, the following amendments were adopted:

On page 4, line 22 after "establishment" insert "with the intent to deprive the owner of the shopping cart the use of the cart"

On page 4, line 24 after "establishment" insert "with the intent to deprive the owner of the shopping cart the use of the cart"

Mr. G. Nelson moved adoption of the following amendment by Representatives G. Nelson and O'Brien:

On page 4, after line 36 insert the following:

"Sec. 3. Section 9A.84.030, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.84.030 are each amended to read as follows:

- (1) A person is guilty of disorderly conduct if he or she:
 - (a) Uses abusive language and thereby intentionally creates a risk of assault; or
 - (b) Intentionally disrupts any lawful assembly or meeting of persons without lawful authority; or
 - (c) Intentionally obstructs vehicular or pedestrian traffic without lawful authority; or
 - (d) Intentionally uses a shopping cart to obstruct pedestrian or vehicular right of way; or
 - (e) Solicits in a retail establishment or other public place any compensation, gratuity, or reward for the solicitor's benefit without providing service, product, or other benefit in return.

(2) Disorderly conduct is a misdemeanor."

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Armstrong: "I would request the Speaker to make a ruling on scope and object of this amendment."

SPEAKER'S RULING (MR. APPELWICK PRESIDING)

The Speaker (Mr. Appelwick presiding): "The Speaker has examined the amendment. Substitute Senate Bill 3786 is titled 'An Act Relating to the theft of shopping carts.' The amendment introduces a crime of disorderly conduct, intentionally stopping vehicles with shopping carts and solicitation and panhandling. While it is entirely possible that the 21st District has such problems, the Speaker would find that the contents of the amendment are outside the scope and object of the bill. Your point is well taken, Representative Armstrong, the amendment is out of order."

The bill was passed to Committee on Rules for third reading.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3828, by Committee on Ways & Means (originally sponsored by Senators Talmadge, Kreidler, Bluechel, McDermott, Conner, Lee, Rasmussen, Cantu, Gaspard, Kiskaddon, Granlund, Craswell, Warnke, Goltz, Johnson, Moore, McManus, Peterson, Bailey, Fleming, Bender, Halsan, Zimmerman, Williams, von Reichbauer, Garrett and Vognild; by Governor request)

Reestablishing the Puget Sound water quality authority.

The bill was read the second time. Select Committee on the Clean-up and Management of Puget Sound recommendation: Majority, do pass as amended. (For amendment, see Journal, 73rd Day, March 27, 1985.)

Committee on Ways & Means recommendation: Majority, do pass as further amended. (For amendment to select committee amendment, see Journal, 82nd Day, April 5, 1985.)

Ms. Hine moved adoption of the Select Committee on the Clean-up and Management of Puget Sound amendment.

On motion of Mr. Braddock, the Committee on Ways & Means amendment to the select committee amendment was adopted.

Mr. Hargrove moved adoption of the following amendment by Representatives Hargrove, Fisch, Braddock and G. Nelson to the select committee amendment:

On page 3, beginning on line 14 of the amendment, strike all language through "longitude." on line 19 and insert "lying south of State Highway No. 20 and east of U.S. Route No. 101."

Representatives Hargrove and Lundquist spoke in favor of the amendment to the amendment, and Representatives Hine and Miller spoke against it.

Mr. Hargrove spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hargrove and others to the select committee amendment to Engrossed Second Substitute Senate Bill No. 3828, and the amendment to the amendment was not adopted by the following vote: Yeas, 32; nays, 66.

Voting yea: Representatives Ballard, Barrett, Basich, Bond, Braddock, Bristow, Brooks, Chandler, Day, Dobbs, Doty, Fisch, Fuhrman, Hankins, Hargrove, Hastings, Holland, Isaacson, Kremen, Lundquist, McMullen, Nelson G. Padden, Patrick, Sanders, Silver, Smith C, Smith L, Tilly, van Dyke, West, Williams B - 32.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Baugher, Belcher, Betrozoff, Brekke, Brough, Cole, Crane, Dellwo, Ebersole, Fisher, Gallagher, Grimm, Haugen, Hine, Jacobsen, King J, King P, King R, Leonard, Lewis, Locke, Long, Lux, Madsen, May, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 66.

The select committee amendment as amended was adopted.

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

Ms. Hine spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Hine yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Hine, as the bill now stands, the six members of the authority are to be appointed from the congressional districts bordering Puget Sound. Since the west side of the Sound doesn't have a congressional district, is it possible that the west side of the Sound would not be represented on the authority? Is that your intention?"

Ms. Hine: "No, Representative Schmidt, the intent of the legislation is to make certain that all geographic areas around the Sound are represented. The west side of the Sound is part of the First, Second and Sixth Congressional Districts. I believe

that a member of the authority from at least one of those districts should be from the west side of the Sound."

Representatives Schmidt and G. Nelson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3828 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Second Substitute Senate Bill No. 3828 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. 3829, by Senators Kreidler and Deccio; by Department of Licensing request

Revising provisions relating to the licensing of physicians.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Brekke, the committee amendment was adopted.

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

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3829 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 3829 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. 3852, by Senators Wojahn, von Reichbauer, McManus, Pullen, Vognild and Johnson

Modifying the joint legislative committee on child support.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Ms. Brekke moved adoption of the committee amendment.

On motion of Mr. Armstrong, the following amendment to the committee amendment was adopted:

On page 1, line 7, after "sec. 1" strike all material through "repealed" on line 9 and insert: "The following acts or parts of acts are each repealed:

- (1) Section 36, chapter 260, Laws of 1984 (uncodified);
- (2) Section 37, chapter 260, Laws of 1984 (uncodified);
- (3) Section 38, chapter 260, Laws of 1984 (uncodified); and
- (4) Section 39, chapter 260, Laws of 1984 (uncodified).

The committee amendment as amended was adopted.

Ms. Brekke moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Armstrong, the following amendment to the title amendment was adopted:

On page 1, line 3 of the title, after "uncodified" insert ", section 37, chapter 260, Laws of 1984 (uncodified), section 38, chapter 260, Laws of 1984 (uncodified), and section 39, chapter 260, Laws of 1984 (uncodified)"

The committee amendment as amended to the title was adopted.

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

Ms. Brekke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3852 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Engrossed Senate Bill No. 3852 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.

SUBSTITUTE SENATE BILL NO. 4114, by Committee on Judiciary (originally sponsored by Senator Owen)

Modifying certain civil liability provisions for the sale of securities.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Armstrong, the committee amendment was adopted.

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

Mr. Armstrong spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Armstrong yielded to question by Mr. West.

Mr. West: "Representative Armstrong, will this legislation have retroactive application to those securities already sold?"

Mr. Armstrong: "Yes, Representative West, this legislation is regarded as remedial and, therefore, it should be retroactive."

Mr. West spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4114 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 13.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Betrozoff, Bond, Chandler, Dellwo, Fuhrman, Hargrove, Locke, Nealey, Nelson D, Niemi, Prince, Sanders, Williams J - 13.

Substitute Senate Bill No. 4114 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. 4155, by Senators Halsan and DeJarnatt

Changing definition of court costs a convicted defendant may be required to pay.

The bill was read the second time.

Ms. Hine moved adoption of the following amendment by Representatives Hine, Ballard, Armstrong, P. King, Barrett, Smitherman, Tilly and K. Wilson:

On page 1, after line 26, insert the following:

*Sec. 2. Section 1, chapter 249, Laws of 1953 as last amended by section 310, chapter 258, Laws of 1984 and RCW 27.24.070 are each amended to read as follows:

In each county pursuant to this chapter, the county treasurer shall deposit in the county or regional law library fund a sum equal to seven dollars for every new probate or civil (~~matter~~) filing fee, including appeals, (~~filed with~~) collected by the clerk of the superior court and three dollars for every (~~civil action commenced~~) fee collected for the commencement of a civil action in district court for the support of the law library in that county or the regional law library to which the county belongs: PROVIDED, That upon a showing of need the seven dollar contribution may be increased up to nine dollars upon the request of the law library board of trustees and with the approval of the county legislative body or bodies.

Sec. 3. Section 46, chapter 299, Laws of 1961 as last amended by section 303, chapter 258, Laws of 1984 and RCW 3.46.120 are each amended to read as follows:

(1) All money received by the clerk of a municipal department including penalties, fines, bail forfeitures, fees and costs, except those costs specified in RCW 4.84.010 or otherwise provided for by statute, assessed and collected in whole or in part by the court shall be paid by the clerk to the city treasurer.

(2) The city treasurer shall remit monthly (~~thirty-five~~) thirty-two percent of the money received under this section, other than for parking infractions, to the state treasurer. Money remitted under this subsection to the state treasurer shall be deposited as provided in RCW 43.08.250.

(3) The balance of the money received under this section shall be retained by the city and deposited as provided by law.

Sec. 4. Section 59, chapter 299, Laws of 1961 as last amended by section 304, chapter 258, Laws of 1984 and RCW 3.50.100 are each amended to read as follows:

(1) Costs in civil and criminal actions may be imposed as provided in district court. All fees, costs except those costs specified in RCW 4.84.010 or otherwise provided for by statute, fines, forfeitures and other money imposed by any municipal court for the violation of any municipal or town ordinances shall be collected by the court clerk and, together with any other revenues received by the clerk, shall be deposited with the city or town treasurer as a part of the general fund of the city or town, or deposited in such other fund of the city or town, or deposited in such other funds as may be designated by the laws of the state of Washington.

(2) The city treasurer shall remit monthly (~~thirty-five~~) thirty-two percent of the money received under this section, other than for parking infractions, to the state treasurer. Money remitted under this subsection to the state treasurer shall be deposited as provided in RCW 43.08.250.

(3) The balance of the money received under this section shall be retained by the city and deposited as provided by law.

Sec. 5. Section 106, chapter 299, Laws of 1961 as last amended by section 306, chapter 258, Laws of 1984 and RCW 3.62.020 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, all costs except those costs specified in RCW 4.84.010 or otherwise provided for by statute, fees, fines, forfeitures and penalties assessed and collected in whole or in part by district courts, except fines, forfeitures and penalties assessed and collected, in whole or in part, because of the violation of city ordinances, shall be remitted by the clerk of the district court to the county treasurer at least monthly, together with a financial statement as required by the division of municipal corporations, noting the information necessary for crediting of such funds as required by law.

(2) The county treasurer shall remit (~~(thirty-five)~~) thirty-two percent of the money received under subsection (1) of this section to the state treasurer. Money remitted under this subsection to the state treasurer shall be deposited as provided in RCW 43.08.250.

(3) The balance of the money received by the county treasurer under subsection (1) of this section shall be deposited in the county current expense fund.

(4) All money collected for county parking infractions shall be remitted by the clerk of the district court at least monthly, with the information required under subsection (1) of this section, to the county treasurer for deposit in the county current expense fund.

Sec. 6. Section 108, chapter 299, Laws of 1961 as last amended by section 307, chapter 258, Laws of 1984 and RCW 3.62.040 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, all costs except those costs specified in RCW 4.84.010 or otherwise provided for by statute, fines, forfeitures and penalties assessed and collected, in whole or in part, by district courts because of violations of city ordinances shall be remitted by the clerk of the district court at least monthly directly to the treasurer of the city wherein the violation occurred.

(2) The city treasurer shall remit monthly (~~(thirty-five)~~) thirty-two percent of the money received under this section, other than for parking infractions, to the state treasurer. Money remitted under this subsection to the state treasurer shall be deposited as provided in RCW 43.08.250.

(3) The balance of the money received under this section shall be retained by the city and deposited as provided by law.

(4) All money collected for city parking infractions shall be remitted by the clerk of the district court at least monthly to the city treasurer for deposit in the city's general fund.

Sec. 7. Section 3, page 421, Laws of 1873 as last amended by section 313, chapter 258, Laws of 1984 and RCW 10.82.070 are each amended to read as follows:

(1) All sums of money derived from costs except those costs specified in RCW 4.84.010 or otherwise provided for by statute, fines, penalties, and forfeitures imposed or collected, in whole or in part, by a superior court for violation of orders of injunction, mandamus and other like writs, for contempt of court, or for breach of the penal laws shall be paid in cash by the person collecting the same, within twenty days after the collection, to the county treasurer of the county in which the same have accrued.

(2) The county treasurer shall remit monthly (~~(thirty-five)~~) thirty-two percent of the money received under this section to the state treasurer for deposit as provided under RCW 43.08.250 and shall deposit the remainder as provided by law.

(3) All fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. All fees, fines, forfeitures, and penalties collected or assessed by a superior court in cases on appeal from a lower court shall be remitted to the municipal or district court from which the cases were appealed.

Sec. 8. Section 35.20.220, chapter 7, Laws of 1965 as last amended by section 319, chapter 258, Laws of 1984 and RCW 35.20.220 are each amended to read as follows:

(1) The chief clerk, under the supervision and direction of the court administrator of the municipal court, shall have the custody and care of the books, papers and records of said court; he shall be present by himself or deputy during the session of said court, and shall have the power to swear all witnesses and jurors, and administer oaths and affidavits, and take acknowledgments. He shall keep the records of said court, and shall issue all process under his hand and the seal of said court, and shall do and perform all things and have the same powers pertaining to his office as the clerks of the superior courts have in their office. He shall receive all fines, penalties and fees of every kind, and keep a full, accurate and detailed account of the same; and shall on each day pay into the city treasury all money received for said city during the day previous, with a detailed account of the same, and taking the treasurer's receipt therefor.

(2) The city treasurer shall remit monthly (~~(thirty-five)~~) thirty-two percent of the money received under this section, other than for parking infractions and costs specified in RCW 4.84.010 or otherwise provided for by statute, to the state treasurer. Money remitted under this subsection to the state treasurer shall be deposited as provided in RCW 43.08.250.

(3) The balance of the money received under this section shall be retained by the city and deposited as provided by law.

Sec. 9. Section 2, chapter 20, Laws of 1972 ex. sess. as amended by section 322, chapter 258, Laws of 1984 and RCW 36.18.025 are each amended to read as follows:

~~(Thirty-five)~~ Thirty-two percent of the money received from filing fees paid pursuant to RCW 36.18.020 (1), (2), (11), (12), and (17), as now or hereafter amended, shall be transmitted by the county treasurer each month to the state treasurer for deposit in the public safety and education account established under RCW 43.08.250.

NEW SECTION, Sec. 10. Sections 2 through 9 of this act 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 July 1, 1985."

On motion of Ms. Hine, the following amendments to the amendment were adopted:

On page 2, beginning on line 33 of the amendment, strike "specified in RCW 4.84.010 or otherwise provided for by statute" and insert "awarded to prevailing parties under RCW 4.84.010, 36.18.040, or other similar statute"

On page 3, beginning on line 32 of the amendment, strike "specified in RCW 4.84.010 or otherwise provided for by statute" and insert "awarded to prevailing parties under RCW 4.84.010, 36.18.040, or other similar statute"

On page 5, beginning on line 3 of the amendment, strike "specified in RCW 4.84.010 or otherwise provided for by statute" and insert "awarded to prevailing parties under RCW 4.84.010, 36.18.040, or other similar statute"

On page 6, beginning on line 3 of the amendment, strike "specified in RCW 4.84.010 or otherwise provided for by statute" and insert "awarded to prevailing parties under RCW 4.84.010, 36.18.040, or other similar statute"

On page 7, beginning on line 38 of the amendment, strike "specified in RCW 4.84.010 or otherwise provided for by statute" and insert "awarded to prevailing parties under RCW 4.84.010, 36.18.040, or other similar statute"

On page 8, beginning on line 18 of the amendment, strike "(1), (2), (11), (12), and (17)"

Representatives Hine and Tilly spoke in favor of the amendment as amended, and it was adopted.

Ms. Belcher moved adoption of the following amendment:

On page 1, after line 26, insert the following:

"NEW SECTION, Sec. 2. As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Hearing impaired person' means a person who, because of a hearing impairment, cannot readily understand or communicate in spoken language; and includes persons who are deaf, deaf and blind, or hard of hearing.

(2) 'Qualified interpreter' means an interpreter who is certified by the registry of interpreters for the deaf with the certificate level specified below and who meets the requirements of section 4 of this act.

(a) For judicial proceedings involving a class A felony, use of the services of a qualified interpreter holding the specialist certificate-legal is required.

(b) For other judicial, quasi-judicial, or administrative proceedings, use of the services of a qualified interpreter holding the specialist certificate-legal, master's comprehensive skills certificate, or comprehensive skills certificate is required.

(c) For programs and activities other than judicial or administrative proceedings, the services of a qualified interpreter holding a partial certification shall be required. Efforts to obtain the services of a qualified interpreter holding the master's comprehensive certificate or comprehensive skills certificate shall be made before obtaining the services of a qualified interpreter holding the interpreting certificate and/or the transliterating certificate.

(4) 'Intermediary interpreter' means a hearing impaired interpreter who is certified by the registry of interpreters for the deaf with a reverse skills certificate, who meets the requirements of section 4 of this act, and who is able to assist in providing an accurate interpretation between spoken and sign language or between variants of sign language by acting as an intermediary between a hearing impaired person and a qualified hearing interpreter.

(5) 'Appointing authority' means the presiding officer or similar official of any court, department, board, commission, agency, licensing authority, or legislative body of the state or of any political subdivision.

NEW SECTION, Sec. 3. (1) If a hearing impaired person is a party or witness at any stage of a judicial or quasi-judicial proceeding in the state or in a political subdivision, including but not limited to civil and criminal court proceedings, grand jury proceedings, proceedings before a magistrate, juvenile proceedings, adoption proceedings, mental health commitment proceedings, and any proceeding in which a hearing impaired person may be subject to confinement or criminal sanction, the appointing authority shall appoint and pay for a qualified interpreter to interpret the proceedings.

(2) If the parent, guardian, or custodian of a juvenile brought before a court is hearing impaired, the appointing authority shall appoint and pay for a qualified interpreter to interpret the proceedings.

(3) If a hearing impaired person participates in a program or activity ordered by a court as part of the sentence or order of disposition, required as part of a diversion agreement or deferred prosecution program, or required as a condition of probation or parole, the appointing authority shall appoint and pay for a qualified interpreter to interpret exchange of information during the program or activity.

(4) If a law enforcement agency conducts a criminal investigation involving the interviewing of a hearing impaired person, whether as a victim, witness, or suspect, the appointing authority shall appoint and pay for a qualified interpreter throughout the investigation. Whenever a law enforcement agency conducts a criminal investigation involving the interviewing of a minor child whose parent, guardian, or custodian is hearing impaired, whether as a victim, witness, or suspect, the appointing authority shall appoint and pay for a qualified interpreter throughout the investigation. No employee of the law enforcement agency who has responsibilities other than interpreting may be appointed as the qualified interpreter.

(5) If a hearing impaired person is arrested for an alleged violation of a criminal law the arresting officer or the officer's supervisor shall, at the earliest possible time, procure and arrange payment for a qualified interpreter for any notification of rights, warning, interrogation, or taking of a statement. No employee of the law enforcement agency who has responsibilities other than interpreting may be appointed as the qualified interpreter.

(6) Where it is the policy and practice of a court of this state or of a political subdivision to appoint and pay counsel for persons who are indigent, the appointing authority shall appoint and pay for a qualified interpreter for hearing impaired persons to facilitate communication with counsel in all phases of the preparation and presentation of the case.

NEW SECTION. Sec. 4. (1) If a qualified interpreter for a hearing impaired person is required, the appointing authority shall request a qualified interpreter through the department of social and health services, office of deaf services, or through any community center for hearing impaired persons which operates an interpreter referral service. The office of deaf services and these community centers shall maintain an up-to-date list of interpreters certified by the registry of interpreters for the deaf.

(2) The appointing authority shall make a preliminary determination, on the basis of testimony or stated needs of the hearing impaired person, that the interpreter is able in that particular proceeding, program, or activity to interpret accurately all communication to and from the hearing impaired person. If at any time during the proceeding, program, or activity, in the opinion of the hearing impaired person or a qualified observer, the interpreter does not provide accurate and effective communication with the hearing impaired person the appointing authority shall appoint another qualified interpreter. No otherwise qualified interpreter who is a relative of any participant in the proceeding may be appointed.

NEW SECTION. Sec. 5. If the communication mode or language of the hearing impaired person is not readily interpretable, the interpreter or hearing impaired person shall notify the appointing authority who shall appoint and pay an intermediary interpreter to assist the qualified interpreter.

NEW SECTION. Sec. 6. (1) The right to a qualified interpreter may not be waived except when:

(a) A hearing impaired person requests a waiver through the use of a qualified interpreter;

(b) The counsel, if any, of the hearing impaired person consents; and

(c) The appointing authority determines that the waiver has been made knowingly, voluntarily, and intelligently.

(2) Waiver of a qualified interpreter shall not preclude the hearing impaired person from claiming his or her right to a qualified interpreter at a later time during the proceeding, program, or activity.

NEW SECTION. Sec. 7. (1) A qualified interpreter shall not, without the written consent of the parties to the communication, be examined as to any communication the interpreter interprets under circumstances where the communication is privileged by law.

(2) A qualified interpreter shall not, without the written consent of the parties to the communication, be examined as to any information the interpreter obtains while interpreting pertaining to any proceeding then pending.

NEW SECTION. Sec. 8. A qualified interpreter appointed under this chapter is entitled to a reasonable fee for services, including waiting time and reimbursement for actual necessary travel expenses. The fee for services for interpreters for hearing impaired persons shall be in accordance with standards established by the department of social and health services, office of deaf services.

NEW SECTION. Sec. 9. At the request of any party to the proceeding or on the appointing authority's initiative, the appointing authority may order that the testimony of the hearing impaired person and the interpretation of the proceeding by the qualified interpreter be visually recorded for use in verification of the official transcript of the proceeding.

In any judicial proceeding involving a capital offense, the appointing authority shall order that the testimony of the hearing impaired person and the interpretation of the proceeding by

the qualified interpreter be visually recorded for use in verification of the official transcript of the proceeding.

NEW SECTION, Sec. 10. Sections 2 through 9 of this act are each added to chapter 2.42 RCW.

Sec. 11. Section 5, chapter 22, Laws of 1973 and RCW 2.42.050 are each amended to read as follows:

Every qualified interpreter appointed (~~(pursuant to)~~) under this chapter in a judicial or administrative proceeding shall, before (~~(entering upon his duties as such)~~) beginning to interpret, take an oath that (~~(he will make)~~) a true interpretation will be made to the person being examined of all the proceedings in a language or in a manner which (~~(said)~~) the person understands, and that (~~(he)~~) the interpreter will repeat the statements of (~~(said)~~) the person being examined to the court or other agency conducting the proceedings, in the English language, to the best of (~~(his)~~) the interpreter's skill and judgment."

Representatives Belcher and Barrett spoke in favor of the amendment and the amendment was adopted.

On motion of Ms. Hine, the following amendment to the title of the bill was adopted:

On page 1, line 1 of the title, after "10.01.160" and before the period insert ", 27.24.070, 3.46.120, 3.50.100, 3.62.020, 3.62.040, 10.82.070, 35.20.220, and 36.18.025; providing an effective date; and declaring an emergency"

On motion of Ms. Belcher, the following amendment to the title of the bill was adopted:

On page 1, line 1 of the title after "costs;" strike "and" and after "10.01.160" insert "and 2.42.050; and adding new sections to chapter 2.42 RCW"

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4155 as amended by the House, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zöllinsky, and Mr. Speaker - 98.

Senate Bill No. 4155 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 (Mr. Appelwick presiding) declared the House to be at ease until 6:00 p.m.

EVENING SESSION

The House was called to order at 6:00 p.m. by the Speaker. Representatives Crane and Locke were excused.

SECOND READING

SUBSTITUTE SENATE BILL NO. 4358, by Committee on Commerce & Labor (originally sponsored by Senator Warnke)

Providing for two deputy directors with the department of labor and industries.

The bill was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4358, and the bill passed the House by the following vote: Yeas, 94; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Sommers, Todd - 2.

Excused: Representatives Crane, Locke - 2.

Substitute Senate Bill No. 4358, having received the 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. 4386, by Committee on Governmental Operations (originally sponsored by Senators Thompson and Zimmerman)

Revising provisions relating to the bonded indebtedness of a public library.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass with the following amendment:

On page 1, line 10 after "annexation" insert "and in the resolution of the district consenting to annexation"

On motion of Ms. Nutley, the committee amendment was adopted.

There being no objection, the rules were suspended, the second reading was considered the third, and the bill was placed on final passage.

Ms. Nutley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4386 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Crane, Locke - 2.

Substitute Senate Bill No. 4386 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 MEMORIAL NO. 110, by Senators Bauer, Benitz, DeJarnatt, Warnke, Bender and Conner; by Temporary Committee on Educational Policies, Structure and Management request

Petitioning Congress to support a federal college savings plan.

The memorial was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Ms. Sommers spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 110, and the memorial passed the House by the following vote: Yeas, 94; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Barnes, Baugher - 2.

Excused: Representatives Crane, Locke - 2.

Senate Joint Memorial No. 110, having received the constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 111, by Senators Bauer, Benitz and Rasmussen; by Temporary Committee on Educational Policies, Structure and Management request

Petitioning for federal action to increase minority participation in graduate education programs.

The memorial was read the second time. There being no objection, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Ms. Sommers spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 111, and the memorial passed the House by the following vote: Yeas, 91; nays, 5; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Barnes, Chandler, Dobbs, Padden, van Dyke - 5.

Excused: Representatives Crane, Locke - 2.

Senate Joint Memorial No. 111, having received the constitutional majority, was declared passed.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-50, by Representatives Sutherland and Baugher

WHEREAS, The Washington House of Representatives believes a healthy economy depends upon a healthy and productive work environment; and

WHEREAS, A productive work environment best comes about through the cooperative effort of labor and management; and

WHEREAS, The Washington State House of Representatives appreciates the continuing and successful effort at cooperation made by employees, management, and the International Brotherhood of Electrical Workers and the National Electrical Contractors Association; and

WHEREAS, The continued cooperation between workers and employers will benefit all the citizens of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives generally acknowledge and thank the IBEW and NECA and employees and management for working together for the mutual benefit of all the state; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives commits itself to the support of an atmosphere in the work place which allows production cooperation to exist and continue; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall immediately transmit a copy of this Resolution to Edward L. Barnes, Business Manager and Financial Secretary of the IBEW Local 48 and Timothy J. Gauthier, Chapter Manager of the NECA.

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

Representative Locke appeared at the bar of the House.

MESSAGES FROM THE SENATE

April 16, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3067, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 16, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3401, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 16, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3415, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 16, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3553, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 16, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3596, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 16, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 4152, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

SENATE AMENDMENTS TO HOUSE BILL

April 8, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 268 with the following amendments:

On page 3, line 31, after "on" strike "probation" and insert "((probation)) community supervision"

On page 3, after line 35, insert the following:

"The department of corrections shall reimburse participating units of local government and nonprofit agencies for workers compensation insurance costs.

NEW SECTION, Sec. 2. There is appropriated from the general fund to the department of corrections for the biennium ending June 30, 1987, the sum of forty thousand dollars, or so much thereof as may be necessary, to provide reimbursement under section 1 (5) of this act."

On page 1, line 1 of the title, after "industries;" strike the remainder of the title and insert "amending RCW 72.09.100; and making an appropriation." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House concurred in the Senate amendments to House Bill No. 268.

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. 268 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 268 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zelinsky, and Mr. Speaker - 95.

Voting nay: Representatives Bond, Hastings - 2.

Excused: Representative Crane - 1.

House Bill No. 268 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

April 9, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 391 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 43.19.1906, chapter 8, Laws of 1965 as last amended by section 3, chapter 102, Laws of 1984 and RCW 43.19.1906 are each amended to read as follows:

Insofar as practicable, all purchases and sales shall be based on competitive bids, and a formal sealed bid procedure shall be used as standard procedure for all purchases and contracts for purchases and sales executed by the state purchasing and material control director and under the powers granted by RCW 43.19.190 through 43.19.1939, as now or hereafter amended. This requirement also applies to purchases and contracts for purchases and sales executed by agencies, including educational institutions, under delegated authority granted in accordance with provisions of RCW 43.19.190 as now or hereafter amended. However, formal sealed bidding is not necessary for:

(1) Emergency purchases made pursuant to RCW 43.19.200 if the sealed bidding procedure would prevent or hinder the emergency from being met appropriately;

(2) Purchases not exceeding ((twenty-five-hundred)) five thousand dollars: PROVIDED, That the state director of general administration shall establish procedures to assure that purchases

made by or on behalf of the various state agencies shall not be made so as to avoid the ~~((twenty-five hundred))~~ five thousand dollar bid limitation: PROVIDED FURTHER, That the state purchasing and material control director is authorized to reduce this formal sealed bid limit of ~~((twenty-five hundred))~~ five thousand dollars to a lower dollar amount for purchases by individual state agencies, including purchases of specialized equipment, instructional, and research materials by colleges and universities, if considered necessary to maintain full disclosure of competitive procurement or otherwise to achieve overall state efficiency and economy in purchasing and material control. Quotations from four hundred dollars to ~~((twenty-five hundred))~~ five thousand dollars shall be secured from enough vendors to assure establishment of a competitive price. A record of competition for all such purchases from four hundred dollars to ~~((twenty-five hundred))~~ five thousand dollars shall be documented for audit purposes on a standard state form approved by the forms management center under the provisions of RCW 43.19.510. Purchases up to four hundred dollars may be made without competitive bids based on buyer experience and knowledge of the market in achieving maximum quality at minimum cost: PROVIDED, That this four hundred dollar direct buy limit without competitive bids may be increased incrementally as required to a maximum of eight hundred dollars with the approval of at least ten of the members of the state supply management advisory board, if warranted by increases in purchasing costs due to inflationary trends:

(3) Purchases which are clearly and legitimately limited to a single source of supply and purchases involving special facilities, services, or market conditions, in which instances the purchase price may be best established by direct negotiation;

(4) Purchases of insurance and bonds by the risk management office under RCW 43.19.1935 as now or hereafter amended;

(5) Purchases and contracts for vocational rehabilitation clients of the department of social and health services: PROVIDED, That this exemption is effective only when the state purchasing and material control director, after consultation with the director of the division of vocational rehabilitation and appropriate department of social and health services procurement personnel, declares that such purchases may be best executed through direct negotiation with one or more suppliers in order to expeditiously meet the special needs of the state's vocational rehabilitation clients: ~~((and))~~

(6) Purchases by universities for hospital operation made by participating in contracts for materials, supplies, and equipment entered into by cooperative hospital service organizations as defined in section 501(e) of the Internal Revenue Code, or its successor; and

(7) For advertisement and competitive bidding to be dispensed with as to purchases between four hundred and five thousand dollars, the purchasing authority shall authorize a procedure for securing telephone and/or written quotations from enough vendors to assure establishment of a competitive price and for awarding such contracts for purchase of materials, equipment, or services to the lowest responsible bidder. Immediately after the award is made, the bid quotations obtained shall be recorded and open to public inspection and shall be available by telephone inquiry. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Belcher moved that the House do not concur in the Senate amendment to Substitute House Bill No. 391 and ask the Senate to recede therefrom.

Representatives Belcher and Hankins spoke in favor of the motion, and it was carried.

SENATE AMENDMENTS TO HOUSE BILL

April 11, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 492 with the following amendments:

On page 2, insert a new section as follows:

"NEW SECTION. Sec. 5. Whenever the child protective services worker is required to notify parents and children of their basic rights and other specific information as set forth in sections 2 through 4 of this act, the child protective services worker shall also make a reasonable effort to notify the noncustodial parent of the same information in a timely manner."

Renumber the remaining section accordingly.

On page 2, line 16 after "through" strike "4" and insert "5" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Brekke moved that the House do concur in the Senate amendments to Engrossed House Bill No. 492.

Representatives Brekke and Lewis spoke in favor of the motion, and it 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 House Bill No. 492 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 492 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Crane - 1.

Engrossed House Bill No. 492 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 11, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 799 with the following amendments:

On page 1, line 20, after "abuse" insert a new subsection to read as follows:

"(5) As used in this section, 'parenting skills' shall include: the importance of consistency in parenting; the value of providing children with a balance of love and firm discipline; the instruction of children in honesty, morality, ethics, and respect for the law; and the necessity of preserving and nurturing the family unit; and"

Renumber the remaining subsection consecutively.

On page 2, line 12 after "on" and before "and" strike "the parenting process" and insert "parenting skills"

On page 2, line 19, after "education", strike "and" and insert "((and))," and after "superintendent" on line 20, insert ", and shall not be considered a component of the state's obligation to fund basic education"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Ebersole moved that the House do concur in the Senate amendment to page 2, line 12 of Substitute House Bill No. 799.

Representatives Ebersole and Betrozoff spoke in favor of the motion, and it was carried.

On motion of Mr. Ebersole, the House refused to concur in the Senate amendments to page 1, line 20 and page 2, line 19, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

April 9, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 890 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. As used in this chapter, the terms defined in this section have the meanings indicated unless the context clearly requires otherwise.

(1) 'Agricultural product,' 'conditioner,' 'consignor,' 'person,' 'processor,' and 'producer' have the meanings defined in RCW 20.01.010.

(2) 'Preparer' means a person engaged in the business of feeding livestock or preparing livestock products for market.

NEW SECTION, Sec. 2. Starting on the date a producer delivers any agricultural product to a processor or conditioner, the producer has a first priority statutory lien, referred to as a 'processor lien.' This processor lien shall continue until twenty days after payment for the product is due and remains unpaid, without filing any notice of lien, for the contract price, if any, or the fair market value of the products delivered. The processor lien attaches to the agricultural products delivered, to the processor's or conditioner's inventory, and to the processor's or conditioner's accounts receivable. However, no processor lien may attach to agricultural products delivered by a producer, or on the producer's behalf, to a processor which is organized and operated on a cooperative basis and of which the producer is a member, nor may such lien attach to such processor's inventory or accounts receivable.

NEW SECTION, Sec. 3. Starting on the date a producer delivers grain, hay, or straw to a preparer, the producer has a first priority statutory lien, referred to as a 'preparer lien.' This preparer lien shall continue twenty days after payment for the product is due and remains unpaid, without filing any notice of lien, for the contract price, if any, or the fair market value of the products delivered. The preparer lien attaches to the agricultural products delivered by the producer to the preparer, and to the preparer's accounts receivable.

NEW SECTION, Sec. 4. (1) A producer claiming a processor or preparer lien may file a statement evidencing the lien with the department of licensing after payment from the processor, conditioner, or preparer to the producer is due and remains unpaid. For purposes of this subsection and section 5 of this act, payment is due on the date specified in the contract, or if not specified, then within thirty days from time of delivery.

(2) The statement shall be in writing, verified by the producer, and shall contain in substance the following information:

(a) A true statement of the amount demanded after deducting all credits and offsets;

(b) The name of the processor, conditioner, or preparer who received the agricultural product to be charged with the lien;

(c) A description sufficient to identify the agricultural product to be charged with the lien;

(d) A statement that the amount claimed is a true and bona fide existing debt as of the date of the filing of the notice evidencing the lien; and

(e) The date on which payment was due for the agricultural product to be charged with the lien.

NEW SECTION, Sec. 5. (1) (a) If a statement is filed pursuant to section 4 of this act within twenty days of the date upon which payment from the processor, conditioner, or preparer to the producer is due and remains unpaid, the processor or preparer lien evidenced by the statement continues its priority over all other liens or security interests upon agricultural products, inventory, and accounts receivable, except as provided in (b) of this subsection. Such priority is without regard to whether the other liens or security interests attached before or after the date on which the processor or preparer lien attached.

(b) The processor or preparer lien shall be subordinate to liens for taxes or labor perfected before filing of the processor or preparer lien.

(2) If the statement provided for in section 4 of this act is not filed within twenty days of the date payment is due and remains unpaid, the processor or preparer lien shall thereupon become subordinate to:

(a) A lien that has attached to the agricultural product, inventory, or accounts receivable before the date on which the processor or preparer lien attaches; and

(b) A perfected security interest in the agricultural product, inventory, or accounts receivable.

NEW SECTION, Sec. 6. (1) The processor lien shall terminate six months after, and the preparer lien shall terminate fifty days after, the later of the date of attachment or filing, unless a suit to foreclose the lien has been filed before that time as provided in section 7 of this act.

(2) If a statement has been filed as provided in section 4 of this act and the producer has received payment for the obligation secured by the lien, the producer shall promptly file with the department of licensing a statement declaring that full payment has been received and that the lien is discharged. If, after payment, the producer fails to file such statement of discharge within ten days following a request to do so, the producer shall be liable to the processor, conditioner, or preparer in the sum of one hundred dollars plus actual damages caused by the failure.

NEW SECTION, Sec. 7. (1) The processor or preparer liens may be foreclosed and enforced by civil action in superior court.

(2) In all suits to enforce processor or preparer liens, the court shall, upon entering judgment, allow to the prevailing party as a part of the costs, all moneys paid for the filing and recording of the lien and reasonable attorney fees.

Sec. 8. Section 1, chapter 139, Laws of 1959 as last amended by section 1, chapter 305, Laws of 1983 and RCW 20.01.010 are each amended to read as follows:

As used in this title the terms defined in this section have the meanings indicated unless the context clearly requires otherwise.

(1) 'Director' means the director of agriculture or his duly authorized representative.

(2) 'Person' means any natural person, firm, partnership, exchange, association, trustee, receiver, corporation, and any member, officer, or employee thereof or assignee for the benefit of creditors.

(3) 'Agricultural product' means any unprocessed horticultural, viticultural and its byproducts, viticultural, berry, poultry, poultry product, grain, bee, or other agricultural products, and includes mint or mint oil processed by or for the producer thereof and hay and straw baled or prepared for market in any manner or form and livestock. When used in ~~(this chapter under the provisions of RCW 20.01.620)~~ section 2 of this 1985 act, 'agricultural product' means horticultural, viticultural, and berry products, hay and straw, and turf and forage seed and applies only when such products are delivered to a processor or conditioner in an unprocessed form.

(4) 'Producer' means any person engaged in the business of growing or producing any agricultural product, whether as the owner of the products, or producing the products for others holding the title thereof.

(5) 'Consignor' means any producer, person, or his agent who sells, ships, or delivers to any commission merchant, dealer, cash buyer, or agent, any agricultural product for processing, handling, sale, or resale.

(6) 'Commission merchant' means any person who receives on consignment for sale or processing and sale from the consignor thereof any agricultural product for sale on commission on behalf of the consignor, or who accepts any farm product in trust from the consignor thereof for the purpose of resale, or who sells or offers for sale on commission any agricultural product, or who in any way handles for the account of or as an agent of the consignor thereof, any agricultural product.

(7) 'Dealer' means any person other than a cash buyer, as defined in subsection (10) of this section, who solicits, contracts for, or obtains from the consignor thereof for reselling or processing, title, possession, or control of any agricultural product, or who buys or agrees to buy any agricultural product from the consignor thereof for sale or processing and includes any person, other than one who acts solely as a producer, who retains title in an agricultural product and delivers it to a producer for further production or increase. For the purposes of this chapter, the term dealer includes any person who purchases livestock on behalf of and for the account of another, or who purchases cattle in another state or country and imports these cattle into this state for resale.

(8) 'Limited dealer' means any person operating under the alternative bonding provision in RCW 20.01.211.

(9) 'Broker' means any person other than a commission merchant, dealer, or cash buyer who negotiates the purchase or sale of any agricultural product, but no broker may handle the agricultural products involved or proceeds of the sale.

(10) 'Cash buyer' means any person other than a commission merchant, dealer, or broker, who obtains from the consignor thereof for the purpose of resale or processing, title, possession, or control of any agricultural product or who contracts for the title, possession, or control of any agricultural product, or who buys or agrees to buy any agricultural product by paying to the consignor at the time of obtaining possession or control of any agricultural product the full agreed price of the agricultural product, in coin or currency, lawful money of the United States. However, a cashier's check, certified check, or bankdraft may be used for the payment.

(11) 'Agent' means any person who, on behalf of any commission merchant, dealer, broker, or cash buyer, acts as liaison between a consignor and a principal, or receives, contracts for, or solicits any agricultural product from the consignor thereof or who negotiates the consignment or purchase of any agricultural product on behalf of any commission merchant, dealer, broker, or cash buyer and who transacts all or a portion of that business at any location other than at the principal place of business of his employer. With the exception of an agent for a commission merchant or dealer handling horticultural products, an agent may operate only in the name of one principal and only to the account of that principal.

(12) 'Retail merchant' means any person operating from a bona fide or established place of business selling agricultural products twelve months of each year. Any retailer may occasionally wholesale any agricultural product which he has in surplus; however, such wholesaling shall not be in excess of two percent of the retailer's gross business.

(13) 'Fixed or established place of business' for the purpose of this chapter means any permanent warehouse, building, or structure, at which necessary and appropriate equipment and fixtures are maintained for properly handling those agricultural products generally dealt in, and at which supplies of the agricultural products being usually transported are stored, offered for sale, sold, delivered, and generally dealt in in quantities reasonably adequate for and usually carried for the requirements of such a business, and that is recognized as a permanent business at such place, and carried on as such in good faith and not for the purpose of evading this chapter, and where specifically designated personnel are available to handle transactions concerning those agricultural products generally dealt in, which personnel are

available during designated and appropriate hours to that business, and shall not mean a residence, barn, garage, tent, temporary stand or other temporary quarters, any railway car, or permanent quarters occupied pursuant to any temporary arrangement.

(14) 'Processor' means any person, firm, company, or other organization that purchases agricultural crops from a consignor and that cans, freezes, dries, dehydrates, cooks, presses, powders, or otherwise processes those crops in any manner whatsoever for eventual resale.

(15) 'Pooling contract' means any written agreement whereby a consignor delivers a horticultural product to a commission merchant under terms whereby the commission merchant may commingle the consignor's horticultural products for sale with others similarly agreeing, which must include all of the following:

(a) A delivery receipt for the consignor that indicates the variety of horticultural product delivered, the number of containers, or the weight and tare thereof;

(b) Horticultural products received for handling and sale in the fresh market shall be accounted for to the consignor with individual pack-out records that shall include variety, grade, size, and date of delivery. Individual daily packing summaries shall be available within forty-eight hours after packing occurs. However, platform inspection shall be acceptable by mutual contract agreement on small deliveries to determine variety, grade, size, and date of delivery;

(c) Terms under which the commission merchant may use his judgment in regard to the sale of the pooled horticultural product;

(d) The charges to be paid by the consignor as filed with the state of Washington;

(e) A provision that the consignor shall be paid for his pool contribution when the pool is in the process of being marketed in direct proportion, not less than eighty percent of his interest less expenses directly incurred, prior liens, and other advances on the grower's crop unless otherwise mutually agreed upon between grower and commission merchant.

(16) 'Date of sale' means the date agricultural products are delivered to the person buying the products.

(17) 'Boom loader' means a person who owns or operates, or both, a mechanical device mounted on a vehicle and used to load hay or straw for compensation.

(18) 'Conditioner' means any person, firm, company, or other organization that receives turf, forage, or vegetable seeds from a consignor for drying or cleaning.

(19) 'Seed bailment contract' means any contract meeting the requirements of chapter 15.48 RCW.

(20) 'Proprietary seed' means any seed that is protected under the Federal Plant Variety Protection Act.

Sec. 9. Section 1, chapter 264, Laws of 1961 and RCW 60.22.010 are each amended to read as follows:

(1) Any person who furnishes commercial fertilizer, and/or pesticide, and/or weed killer to another for use on the lands owned, contracted to be purchased, used or rented by him, may have a lien upon all the crops on which the fertilizer, and/or pesticide, and/or weed killer are used to secure the payment of the purchase price thereof: PROVIDED, That if the commercial fertilizer, and/or pesticide, and/or weed killer is furnished to any tenant farmer, the lien shall apply only to the tenant farmer's interest in the crops unless written consent of the owner of the premises is obtained(~~(-PROVIDED FURTHER, That such lien shall be subordinate to any crop lien or crop mortgage which has been filed for record prior to the furnishing of such materials or products)). This lien shall take first priority over any other security interest in crops for which no new value was provided if such materials or services were given to enable the debtor to produce crops during the production season.~~

(2) If the crop, or any part thereof, is sold subsequent to the filing of the lien, or possession delivered to an agent, broker, cooperative agency or other person to be sold or otherwise disposed of and its identity lost, or the crop commingled with other property so that it cannot be segregated, and if the purchaser, agent, broker, cooperative agency or other person is notified of the filing of the lien by being served with a certified copy thereof, the lien shall attach to the proceeds of the sale of the crop or part thereof remaining in the possession of the purchaser, agent, broker, cooperative agency or other person at the time of the notice and to any proceeds of such sale that may thereafter come into the possession of any of such persons and the lien shall be as effective against such proceeds as against the crop itself.

Sec. 10. Section 9-310, chapter 157, Laws of 1965 ex. sess. as amended by section 76, chapter 305, Laws of 1983 and RCW 62A.9-310 are each amended to read as follows:

(1) When a person in the ordinary course of his business furnishes services or materials with respect to goods subject to a security interest, a lien upon goods in the possession of such person given by statute or rule of law for such materials or services takes priority over a perfected security interest only if the lien is statutory and the statute expressly provides for such priority.

(2) A preparer lien or processor lien created pursuant to chapter ~~((20-04))~~ 60.— RCW (sections 1 through 7 of this 1985 act) or a depositor's lien created pursuant to chapter 22.09 RCW takes priority over any perfected or unperfected security interest.

(3) A commercial fertilizer, pesticide, or weed killer lien takes priority over any perfected or unperfected security interest for which no new value was provided if materials or services were given to enable the debtor to produce the crops during the production season.

Sec. 11. Section 9-104, chapter 157, Laws of 1965 ex. sess. as last amended by section 75, chapter 305, Laws of 1983 and RCW 62A.9-104 are each amended to read as follows:

This Article does not apply

(a) to a security interest subject to any statute of the United States to the extent that such statute governs the rights of parties to and third parties affected by transactions in particular types of property; or

(b) to a landlord's lien; or

(c) to a lien given by statute or other rule of law for services or materials or to a lien created under chapter ~~(20-04)~~ 60-- (sections 1 through 7 of this 1985 act) or 22.09 RCW except as provided in RCW 62A.9-310 on priority of such liens; or

(d) to a transfer of a claim for wages, salary or other compensation of an employee; or

(e) to a transfer by a government or governmental subdivision or agency; or

(f) to a sale of accounts or chattel paper as part of a sale of the business out of which they arose, or an assignment of accounts or chattel paper which is for the purpose of collection only, or a transfer of a right to payment under a contract to an assignee who is also to do the performance under the contract or a transfer of a single account to an assignee in whole or partial satisfaction of a preexisting indebtedness; or

(g) to a transfer of an interest or claim in or under any policy of insurance, except as provided with respect to proceeds (RCW 62A.9-306) and priorities in proceeds (RCW 62A.9-312); or

(h) to a right represented by a judgment (other than a judgment taken on a right to payment which was collateral); or

(i) to any right of set-off; or

(j) except to the extent that provision is made for fixtures in RCW 62A.9-313, to the creation or transfer of an interest in or lien on real estate, including a lease or rents thereunder; or

(k) to a transfer in whole or in part of any claim arising out of tort; or

(l) to a transfer of an interest in any deposit account (subsection (1) of RCW 62A.9-105), except as provided with respect to proceeds (RCW 62A.9-306) and priorities in proceeds (RCW 62A.9-312).

Sec. 12. Section 9-203, chapter 157, Laws of 1965 ex. sess. as last amended by section 1, chapter 186, Laws of 1982 and RCW 62A.9-203 are each amended to read as follows:

(1) Subject to the provisions of RCW 62A.4-208 on the security interest of a collecting bank and RCW 62A.9-113 on a security interest arising under the Article on Sales, a security interest is not enforceable against the debtor or third parties with respect to the collateral and does not attach unless

(a) the collateral is in the possession of the secured party pursuant to agreement, or the debtor has signed a security agreement which contains a description of the collateral and in addition, when the security interest covers crops growing or to be grown or timber to be cut, a description of the land concerned; and

(b) value has been given; and

(c) the debtor has rights in the collateral.

(2) A security interest attaches when it becomes enforceable against the debtor with respect to the collateral. Attachment occurs as soon as all of the events specified in subsection (1) have taken place unless explicit agreement postpones the time of attaching.

(3) Unless otherwise agreed a security agreement gives the secured party the rights to proceeds provided by RCW 62A.9-306.

(4) A transaction, although subject to this Article, is also subject to chapters 31.04, 31.08, 31.12, 31.16, 31.20, and 31.24 RCW, and in the case of conflict between the provisions of this Article and any such statute, the provisions of such statute control. Failure to comply with any applicable statute has only the effect which is specified therein.

Sec. 13. Section 9-307, chapter 157, Laws of 1965 ex. sess. as amended by section 20, chapter 41, Laws of 1981 and RCW 62A.9-307 are each amended to read as follows:

(1) A buyer in ordinary course of business (subsection (9) of RCW 62A.1-201) other than a person buying farm products from a person engaged in farming operations takes free of a security interest created by his seller even though the security interest is perfected and even though the buyer knows of its existence.

(2) In the case of consumer goods, a buyer takes free of a security interest even though perfected if he buys without knowledge of the security interest, for value and for his own personal, family or household purposes unless prior to the purchase the secured party has filed a financing statement covering such goods.

(3) A buyer other than a buyer in ordinary course of business (subsection (1) of this section) takes free of a security interest to the extent that it secures future advances made after the secured party acquires knowledge of the purchase, unless made pursuant to a commitment entered into without knowledge of the purchase.

(4) Notwithstanding subsection (1) of this section, any person registered under the Federal Packers and Stockyard Act, 7 U.S.C. 181, who sells livestock for another for a fee or commission

or who purchases livestock or livestock byproducts with the intent to resell takes free of a security interest created by the seller, even though the security interest is perfected, when such person is without knowledge of the security interest. For the purposes of this subsection, a person has 'knowledge' if:

(a) Notice is furnished by the seller as provided in RCW 16.57.240; or

(b) A statement of the security interest is filed pursuant to chapter 16.-- RCW (sections 14 through 20 of this 1985 act).

NEW SECTION. Sec. 14. For the purposes of this chapter:

(1) 'Department' means the department of agriculture of the state of Washington.

(2) 'Director' means the director of the department or a duly authorized representative.

(3) 'Secured party' means a lender, seller or other person in whose favor there is a security interest, including a person to whom accounts or chattel paper have been sold. When the holders of obligations issued under an indenture of trust, equipment trust agreement or the like are represented by a trustee or other person, the representative is the secured party.

NEW SECTION. Sec. 15. Any secured party who obtains or maintains a security interest in cattle situated in this state may file copies of an effective financing statement with the department. The provisions of chapter 62A.9 RCW apply to the filing of statements under this section as that chapter relates to the form, content, duration, and times for filing of the statements.

NEW SECTION. Sec. 16. A secured party who has filed a statement of security interest in cattle with the department shall, upon the termination of the security interest, promptly file a notice of termination with the department. If, after termination of the security interest, the secured party fails to file a statement of discharge within ten days following a request to do so, the secured party shall be liable to the debtor in the sum of one hundred dollars plus actual damages caused by the failure.

NEW SECTION. Sec. 17. A statement filed under section 15 of this act shall be accompanied by a filing fee from the secured party in an amount established by the director in accordance with chapter 34.04 RCW. The fee may differ by the type of statement and an additional fee may be required for each separate name or trade name under which the statement is filed or indexed.

NEW SECTION. Sec. 18. Upon receiving a statement and filing fee, the department shall index the statement according to the name and trade name, if any, of the debtor. The department shall regularly publish a listing of the filings of effective financing statements and statements of assignment. The department shall furnish the listings on a subscription basis.

NEW SECTION. Sec. 19. Neither the director nor any employee of the department is personally liable to any secured party, debtor, public livestock market operator, livestock dealer, or any other person for the administration of this chapter.

NEW SECTION. Sec. 20. The livestock security interest fund is hereby established in the custody of the state treasurer. The department shall deposit in the fund all moneys received from livestock security interest filing fees. Moneys in the fund shall be spent only for carrying out the purpose and provisions of this chapter. The fund is subject to the allotment procedure provided under chapter 43.88 RCW and an appropriation is required for disbursements.

NEW SECTION. Sec. 21. The following acts or parts of acts are each repealed:

(1) Section 9, chapter 305, Laws of 1983 and RCW 20.01.620;

(2) Section 10, chapter 305, Laws of 1983 and RCW 20.01.630;

(3) Section 11, chapter 305, Laws of 1983 and RCW 20.01.640;

(4) Section 12, chapter 305, Laws of 1983 and RCW 20.01.650;

(5) Section 13, chapter 305, Laws of 1983 and RCW 20.01.660; and

(6) Section 14, chapter 305, Laws of 1983 and RCW 20.01.670.

NEW SECTION. Sec. 22. Sections 1 through 7 of this act shall constitute a new chapter in Title 60 RCW.

NEW SECTION. Sec. 23. Sections 14 through 20 of this act shall constitute a new chapter in Title 16 RCW.

NEW SECTION. Sec. 24. Sections 13 through 20 of this act shall take effect on October 1, 1985, and shall apply to any then existing or future security interests."

On page 1, line 1 of the title, after "liens;" strike the remainder of the title and insert "amending RCW 20.01.010, 60.22.010, 62A.9-203, 62A.9-307, 62A.9-310, and 62A.9-104; adding a new chapter to Title 16 RCW; adding a new chapter to Title 60 RCW; repealing RCW 20.01.620, 20.01.630, 20.01.640, 20.01.650, 20.01.660, and 20.01.670; prescribing penalties; and providing an effective date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Vekich moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 890 and ask the Senate to recede therefrom.

Representatives Vekich and Nealey spoke in favor of the motion, and it was carried.

MESSAGE FROM THE SENATE

April 10, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 3167, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House insisted on its position on Senate Bill No. 3167, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

April 10, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3438, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. D. Nelson moved that the House refuse to recede from its amendments to Substitute Senate Bill No. 3438, and again ask the Senate to concur therein.

Representatives D. Nelson and Isaacson spoke in favor of the motion, and it was carried.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4209, by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Bauer, McManus, Owen and Thompson)

Regulating persons removing or encapsulating asbestos.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Wang, the committee amendments were adopted.

On motion of Mr. Wang, the following amendments by Representatives Wang, Patrick, Sayan and J. Williams were adopted:

On page 1, line 27 after "worker," insert the following:

"In cases excepted under this section, the partnership, firm, corporation or sole proprietorship shall submit a written description to the department of the kinds of asbestos projects expected to be undertaken and the procedures to be used in undertaking asbestos projects, which description shall demonstrate competence in performing the work in compliance with the requirements of this chapter, rules adopted under this chapter, and any other requirements of law for the safe demolition, removal, encapsulation, salvage, and disposal of asbestos."

On page 2, line 23 after "worker," insert the following:

"In cases excepted under this section, the partnership, firm, corporation or sole proprietorship shall submit a written description to the department of the kinds of asbestos projects expected to be undertaken and the procedures to be used in undertaking asbestos projects, which description shall demonstrate competence in performing the work in compliance with the requirements of this chapter, rules adopted under this chapter, and any other requirements of law for the safe demolition, removal, encapsulation, salvage, and disposal of asbestos."

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

Mr. Wang 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. 4209 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Sanders - 1.

Excused: Representative Crane - 1.

Engrossed Substitute Senate Bill No. 4209 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.

SUBSTITUTE SENATE BILL NO. 4241, by Committee on Ways & Means (originally sponsored by Senators McDermott, Lee, Rasmussen, Bender, Bauer, Garrett and Conner; by Office of the Governor request)

Authorizing the state employees' insurance board to disapprove certain panel medicine group plans.

The bill was read the second time.

Mr. Lux moved adoption of the following amendment:

On page 3, line 11 strike "actual claim experience" and insert "adjusted community rate"

Mr. Lux spoke in favor of the amendment, and Mr. Braddock spoke against it.

Mr. Lux spoke again in favor of the amendment, and Mr. J. King opposed it.

The amendment was not adopted.

Mr. Lux moved adoption of the following amendment:

On page 3, line 15 strike "twelve" and insert "twenty-four"

Mr. Lux spoke in favor of the amendment, and Mr. J. King spoke against it.

The amendment was not adopted.

On motion of Mr. Peery, the following amendments by Representatives Peery, Belcher and Hankins were adopted:

On page 4, after line 19, insert the following:

"(5) (a) The state employees' insurance board may self-fund or self-insure programs under its jurisdiction, except property and casualty insurance authorized under subsection (4) of this section. The board may contract for payment of claims or other administrative services including the purchase of excess loss liability insurance for programs under its jurisdiction. If programs under the jurisdiction of the board do not require the prepayment of reserves the board shall establish that such reserves be maintained for the payment of claims as are normally required for that method of providing that type of insurance. Reserves established by the board shall be held in respective separate trust accounts of the state employees' insurance fund as established by RCW 41.05.040 by the state treasurer.

(b) Group disability coverage provided as a self-insured program of the state employees' insurance board shall provide conversion rights in accordance with RCW 48.21.260.

(c) Group disability coverage provided as a self-insured program of the state employees' insurance board shall provide coverage as required by RCW 48.21.130, 48.21.140, 48.21.141, 48.21.142, 48.21.144, 48.21.146, 48.21.150, 48.21.155 and 48.21.180.

(d) Group disability coverage provided as a self-insured program of the state employees' insurance board shall conform with the requirements of RCW 48.21.200 (1) and (2).

(e) The state employees' insurance board shall keep or cause to be kept full and adequate accounts and records of the assets, obligations, transactions and affairs of any program created under this subsection (5).

(f) Members of the board shall be deemed to stand in a fiduciary relationship to the employees covered by any insurance program created under this subsection (5) and shall discharge the duties of their respective positions in good faith and with that diligence, care and skill which ordinary prudent persons would exercise under similar circumstances in like positions.

(g) The state employees' insurance board shall file an annual report of the financial condition, transactions and affairs of any program under the board's jurisdiction. The report shall also contain actuarial information regarding the adequacy of the reserves established for the

type of insurance being offered. A copy of the annual report shall be filed with the speaker of the house of representatives, the president of the senate, and the office of the state auditor. The statement shall be signed by a member of the American Academy of Actuaries certifying that the actuarial amounts are computed in accordance with commonly accepted actuarial standards; and include all actuarial reserves and related statement items required for the sound operation of any employee benefits program.

Sec. 2. Section 4, chapter 39, Laws of 1970 ex. sess. as amended by section 3, chapter 136, Laws of 1977 ex. sess. and RCW 41.05.040 are each amended to read as follows:

(1) There is hereby created a fund within the state treasury, designated as the 'state employees' insurance fund', to be used by the trustee as a revolving fund for the deposit of contributions, dividends, reserves, and refunds, ((and)) for payment of premiums for employee insurance benefit contracts entered into in accordance with instructions of the board, and for payments authorized by RCW 41.05.025(5) and 41.05.030(2). Moneys from the state employees' insurance fund shall be disbursed by the state treasurer by warrants on vouchers duly authorized by the trustee.

(2) The state treasurer and the state investment board may invest moneys in the state employees' insurance fund. All such investments shall be in accordance with RCW 43.84.080 or 43.84.150, whichever is applicable. The state employees' insurance board shall determine whether the state treasurer or the state investment board or both shall invest moneys in the state employees' insurance fund. Except as provided for in RCW 43.33A.160, one hundred percent of all earnings from these investments shall accrue directly to the state employees' insurance fund and the separate accounts which may be created under RCW 41.05.025.

Sec. 3. Section 43.84.090, chapter 8, Laws of 1965 as last amended by section 2, chapter 242, Laws of 1981 and RCW 43.84.090 are each amended to read as follows:

Except as provided in RCW 41.05.040, twenty percent of all income received from such investments shall be deposited in the state general fund."

Remember the remaining section consecutively.

On page 5, after line 25, insert the following:

"NEW SECTION. Sec. 5. Sections 1(5), 2, and 3 of this act 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."

On motion of Mr. Peery, the following amendment to the title was adopted:

On page 1, line 2 of the title strike "and amending RCW 41.05.025 and 48.46.180" and insert "amending RCW 41.05.025, 41.05.040, 43.84.090, and 48.46.180; and declaring an emergency"

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

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4241 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 9; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Bond, Chandler, Fuhrman, Hastings, Isaacson, Nealey, Sanders, van Dyke, Williams J - 9.

Excused: Representative Crane - 1.

Substitute Senate Bill No. 4241 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.

SUBSTITUTE SENATE BILL NO. 4361, by Committee on Parks & Ecology (originally sponsored by Senator Williams)

Revising provisions relating to the centennial commission.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Belcher, the committee amendments were adopted.

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

Representatives Belcher and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4361 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 5; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doly, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith C. Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Appelwick, Bond, Braddock, Schmidt, West - 5.

Excused: Representative Crane - 1.

Substitute Senate Bill No. 4361 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.

SUBSTITUTE SENATE BILL NO. 3630, by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Gaspard and Talmadge)

Changing provisions relating to the Washington high-technology coordinating board.

The bill was read the second time. Committee on Trade & Economic Development recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

Mr. McMullen moved adoption of the committee amendment.

On motion of Mr. J. King, the following amendment by Representatives J. King, Sommers, Schoon and May to the committee amendment was adopted:

On page 1, after line 4 of the amendment, strike the remainder of the amendment and insert the following:

*Sec. 1, Section 5, chapter 72, Laws of 1983 1st ex. sess. as amended by section 1, chapter 66, Laws of 1984 and RCW 28B.65.040 are each amended to read as follows:

(1) The Washington high-technology coordinating board is hereby created.

(2) The board shall be composed of ~~(seventeen)~~ fourteen members as follows:

(a) ~~(Eleven)~~ Eight shall be citizen members appointed by the governor, with the consent of the senate, for four-year terms. In making the appointments the governor shall ensure that a balanced geographic representation of the state is achieved and shall attempt to choose persons experienced in high-technology fields, including at least one representative of labor. Any person appointed to fill a vacancy occurring before a term expires shall be appointed only for the remainder of that term; and

(b) Six of the members shall be as follows: ~~((One representative from each of the state's two research universities, one representative of the state college and regional universities, the director for the state system of community colleges or the director's designee, the superintendent of public instruction or the superintendent's designee, and a))~~ One representative of the council for postsecondary education, two members of the senate with one appointed by the president of the senate from each of the two largest caucuses in the senate, two members of the house of representatives with one appointed by the speaker of the house from each of the two largest caucuses in the house, and the director of the department of commerce and economic development or the director's designee.

(c) The following nonvoting members: One representative selected by each of the state's two research universities, one representative selected by the collective decision of the state colleges and regional universities, and the director of the state system of community colleges or the director's designee.

(3) Members of the board shall not receive any salary for their services, but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060 for each day actually spent in attending to duties as a member of the board.

(4) A citizen member of the board shall not be, during the term of office, a member of the governing board of any public or private educational institution, or an employee of any state or local agency.

Sec. 2. Section 6, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.65.050 are each amended to read as follows:

(1) The board shall oversee ~~((and))~~, coordinate ~~((the))~~, and evaluate high-technology ~~((education and training))~~ programs.

(2) The board shall:

(a) Determine the specific high-technology occupational fields in which technical training is needed and advise the institutions of higher education and the council for postsecondary education or its statutory successor on their findings;

(b) Identify economic areas ~~((with))~~ and high-technology industries in need of technical training and research and development critical to ~~((economic renewal or))~~ economic development and advise the institutions of higher education and the council for postsecondary education or its statutory successor on their findings;

(c) Oversee and coordinate the Washington high-technology education and training program to insure high standards, efficiency, and effectiveness;

(d) Work cooperatively with the superintendent of public instruction to identify the skills prerequisite to the high-technology programs in the institutions of higher education;

(e) Work cooperatively with and provide any information or advice which may be requested by the council for postsecondary education or its statutory successor during the council's review of new baccalaureate degree program proposals which are submitted under this chapter. Nothing in this chapter shall be construed as altering or superseding the powers or prerogatives of the council for postsecondary education or its statutory successor over the review of new degree programs as established in RCW 28B.80.035;

(f) ~~((Prepare and submit a report to the 1984 legislature on whether or not high-technology education and training consortiums should be established between the state's community colleges and four-year colleges and universities pursuant to RCW 28B.65.080, including their geographic division and the pattern of cooperation between the community colleges and the four-year colleges and universities and shall investigate the establishment of such consortiums within existing resources))~~ Work cooperatively with the department of commerce and economic development to identify the high-technology education and training needs of existing Washington businesses and businesses with the potential to locate in Washington; ~~((and))~~

(g) Work towards increasing private sector participation and contributions in Washington high-technology programs;

(h) Identify and evaluate the effectiveness of state sponsored research related to high technology;

(i) Establish and maintain a plan, including priorities, to guide high-technology program development in public institutions of higher education, which plan shall include an assessment of current high-technology programs, steps to increase existing programs, new initiatives and programs necessary to promote high technology, and methods to coordinate and target high-technology programs to changing market opportunities in business and industry;

(j) Prepare and submit to the legislature before the first day of each regular session an annual report on ~~((the))~~ Washington high-technology ~~((education and training))~~ programs including, but not limited to:

(i) An evaluation of ~~((the))~~ each program;

(ii) A determination of the feasibility of expanding the program; and

(iii) Recommendations, including recommendations for further legislation as the board deems necessary.

(3) The board may adopt rules under chapter 28B.19 RCW as it deems necessary to carry out the purposes of this chapter.

(4) The board shall cease to exist on June 30, 1987, unless extended by law for an additional fixed period of time.

Sec. 3. Section 7, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.65.060 are each amended to read as follows:

Staff support for the high-technology coordinating board shall be provided by existing staff of the council for postsecondary education or its statutory successor and the department of commerce and economic development.

NEW SECTION. Sec. 4. The provisions of section 1 of this act decreasing the citizen members of the high-technology coordinating board appointed by the governor shall not result in the termination of the membership of any existing citizen member of the board. All citizen members on the board as of the effective date of this act shall be permitted to continue serving their terms. No appointments may be made, however, to fill the positions of the first three citizen members who resign or whose terms expire."

The committee amendment as amended was adopted.

On motion of Mr. McMullen, the following amendment to the title of the bill was adopted:

On page 1, line 2 of the title, after "board," strike "and" and after "28B.65.060" insert "; and creating a new section"

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

Mr. McMullen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3630 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Crane - 1.

Substitute Senate Bill No. 3630 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.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 94,
 SUBSTITUTE HOUSE BILL NO. 133,
 HOUSE BILL NO. 261,
 HOUSE BILL NO. 293,
 HOUSE BILL NO. 1000,
 HOUSE BILL NO. 1004,
 HOUSE BILL NO. 1006,
 HOUSE BILL NO. 1009,
 SUBSTITUTE HOUSE BILL NO. 1191,
 SUBSTITUTE HOUSE BILL NO. 1232.

THIRD READING

SUBSTITUTE SENATE BILL NO. 3069 AS AMENDED BY THE HOUSE, by Committee on Human Services & Corrections (originally sponsored by Senators Moore, Sellar, Kreidler and Conner; by Lieutenant Governor request)

Providing that licensed health care professionals may organize nonprofit non-stock corporations.

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

Representatives Armstrong and Brooks spoke in favor of passage of the bill, and Representatives Padden, Niemi and Addison spoke against it.

Mr. Fisch demanded the previous question, and the demand was not sustained.

Representatives West and Locke opposed passage of the bill, and Representative G. Nelson spoke in favor of it.

Mr. Armstrong spoke again in favor of the bill.

Mr. Fisch demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3069 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 47; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Betrozoff, Brooks, Brough, Dellwo, Fisch, Gallagher, Hargrove, Hine, Holland, King J, King R, Leonard, Lewis, Long, Lundquist, Madsen, May, Miller, Nealey, Nelson G, Nutley, O'Brien, Peery, Prince, Rayburn, Sayan, Schmidt, Schoon, Scott, Smith C, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, van Dyke, Van Luven, Walker, Wang, Williams B, Wilson S, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Barnes, Belcher, Bond, Braddock, Brekke, Bristow, Chandler, Cole, Day, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Grimm, Hankins, Hastings, Haugen, Isaacson, Jacobsen, King P, Kremen, Locke, Lux, McMullen, Nelson D, Niemi, Padden, Patrick, Rust, Sanders, Silver, Smith L, Taylor, Thomas, Unsoeld, Valle, Vander Stoep, Vekich, Walk, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky - 47.

Excused: Representative Crane - 1.

Substitute Senate Bill No. 3069 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.

SUBSTITUTE SENATE BILL NO. 3125 AS AMENDED BY THE HOUSE, by Committee on Transportation (originally sponsored by Senators Conner, Hansen and Garrett; by Department of Transportation request)

Authorizing construction of the Quinault Tribal Highway.

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

Representatives Fisch, Sayan, Basich and Prince spoke in favor of passage of the bill, and Representatives Van Luven, Zellinsky, Patrick and van Dyke spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3125 as amended by the House, and the bill passed the House by the following vote: Yeas, 66; nays, 31; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Cole, Day, Dellwo, Dobbs, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hastings, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lundquist, Lux, Madsen, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Peery, Prince, Rayburn, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Wilson K, Wineberry, Winsley, and Mr. Speaker - 66.

Voting nay: Representatives Allen, Ballard, Barnes, Barrett, Betrozoff, Brooks, Brough, Chandler, Doty, Fuhrman, Hankins, Haugen, Holland, Isaacson, Lewis, Long, May, Patrick, Sanders, Schmidt, Schoon, Silver, Smith C, Taylor, Thomas, van Dyke, Van Luven, Walker, Williams J, Wilson S, Zellinsky - 31.

Excused: Representative Crane - 1.

Substitute Senate Bill No. 3125 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.

SUBSTITUTE SENATE BILL NO. 3179 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senators Halsan and Kreidler)

Enlarging the class of persons entitled to cash out annual leave.

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

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3179 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander

Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Crane - 1.

Substitute Senate Bill No. 3179 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. 3225 AS AMENDED BY THE HOUSE, by Senators Fleming and McDermott

Allowing savings banks to invest in the African Development Bank.

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

Representatives Lux and Zellinsky spoke in favor of passage of the bill, and Representatives P. King and Fuhrman spoke against it.

Mr. Lux spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3225 as amended by the House, and the bill passed the House by the following vote: Yeas, 70; nays, 27; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Wang, Williams B, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Ballard, Betzoff, Bond, Chandler, Dobbs, Doty, Fuhrman, Hastings, Haugen, Isaacson, King P, Lewis, Lundquist, Nealey, Padden, Patrick, Sanders, Schmidt, Smith L, Taylor, Thomas, van Dyke, Walker, West, Williams J, Wilson S, Winsley - 27.

Excused: Representative Crane - 1.

Senate Bill No. 3225 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.

Representative B. Williams was excused.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3261 AS AMENDED BY THE HOUSE, by Committee on Governmental Operations (originally sponsored by Senators Thompson and Zimmerman)

Modifying the state building code.

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

Ms. Belcher 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. 3261 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 10; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Bond, Bristow, Fuhrman, Hastings, Lundquist, Nealey, Padden, Sanders, van Dyke, West - 10.

Excused: Representatives Crane, Williams B - 2.

Engrossed Substitute Senate Bill No. 3261 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. 3307 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators Talmadge, Moore and Rasmussen)

Limiting campaign contributions.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3307 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 14; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Barnes, Betrozoff, Bond, Chandler, Fuhrman, Hastings, Holland, Lewis, Long, Nealey, Padden, Silver, Smith C, Williams J - 14.

Excused: Representatives Crane, Williams B - 2.

Engrossed Substitute Senate Bill No. 3307 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. 3333 AS AMENDED BY THE HOUSE, by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Vogmild, Sellar, Wojahn, Goltz, Bottiger, Fleming, Deccio, Moore, Stratton, Peterson, Lee, Thompson, Hansen, Conner, Barr, Garrett, Owen, Kreidler, Granlund, McManus, Gaspard, Bauer, DeJarnatt, McDermott, Halsan, Guess, Bender and Metcalf)

Regulating motorcycle dealers' franchises.

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

Mr. Wang 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. 3333 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 11; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Ballard, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Armstrong, Barnes, Bond, Dobbs, Fuhrman, Lundquist, Padden, Sanders, van Dyke, West, Williams J - 11.

Excused: Representatives Crane, Williams B - 2.

Engrossed Substitute Senate Bill No. 3333 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.

SUBSTITUTE SENATE BILL NO. 3354 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senators McDermott, Newhouse, Vognild, McDonald, Owen, Talmadge, Bottiger and Deccio)

Modifying provisions relating to medical aid to workers.

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

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3354 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Crane, Williams B - 2.

Substitute Senate Bill No. 3354 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. 3612 AS AMENDED BY THE HOUSE, by Senators Gaspard, Kiskaddon, Johnson, Bauer, Bender, Wojahn and Conner

Placing a two-year freeze on the excess levy lid reduction and studying excess levies.

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

Representatives Ebersole, Hine, Schoon and Taylor spoke in favor of passage of the bill, and Representatives Vander Stoep and Holland opposed it.

Mr. Fisch 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. 3612 as amended by the House, and the bill passed the House by the following vote: Yeas, 76; nays, 20; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betzoff, Braddock, Brekke, Brooks, Brough, Cole, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hine, Jacobsen, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Belcher, Bond, Bristow, Chandler, Dobbs, Doty, Grimm, Hargrove, Hastings, Haugen, Holland, Isaacson, King J, Lewis, Nealey, Padden, Smith C, Sommers, Vander Stoep, Wilson S - 20.

Excused: Representatives Crane, Williams B - 2.

Engrossed Senate Bill No. 3612 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. 3717 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Modifying provisions relating to retirement systems.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3717 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Summers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Lumen, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives King R, Lundquist, Nealey - 3.

Excused: Representatives Crane, Williams B - 2.

Engrossed Substitute Senate Bill No. 3717 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.

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

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3541, by Committee on Financial Institutions (originally sponsored by Senators Moore, Deccio, Sellar, Newhouse, Bender, Wojahn and Rasmussen; by Insurance Commissioner request)

Revising health care services provisions.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Zellinsky moved adoption of the committee amendment.

On motion of Mr. J. King, the following amendment to the committee amendment was adopted:

On page 1, line 17 after "dental," insert "dental hygiene."

On motion of Ms. Niemi, the following amendment by Representatives Niemi, J. King, Tilly and B. Williams to the committee amendment was adopted:

On page 16, after line 10 of the amendment, insert the following:

***NEW SECTION.** Sec. 13. This chapter shall be known as the state health care purchasing reform act of 1985.

NEW SECTION. Sec. 14. The legislature finds that the rising increase in health costs for public employees and persons within the state's care is a major public policy concern and that unless addressed through specific statutory direction adequate health care will not be attainable through the expenditure of public funds. The legislature further finds that prevalent methods of health care delivery and cost reimbursement are often inefficient and wasteful.

It is therefore the intent of the legislature to control costs of state purchased health care while maintaining an adequate level of care; promote wellness; encourage the development of managed health care systems and other systems that have been effective in controlling costs; place within one authority the responsibility and power to control cost while insuring adequate care; and place the state of Washington in a leadership position in cost containment.

NEW SECTION. Sec. 15. Unless the context clearly requires otherwise, the definitions in this section shall apply throughout this chapter.

(1) 'State purchased health care' or 'health care' means medical and health care, pharmaceuticals, and medical equipment purchased with state and federal funds by the department of social and health services, the state employees insurance board, the department of labor and industries, the department of corrections, and the department of veterans affairs.

(2)(a) 'Managed health care' means a system which shall include these components:

(i) Provision of insurance and responsibility for delivery of care through the same organization;

(ii) A comprehensive range of services either directly or on contract with other providers;

(iii) Control of utilization through identified management intervention points;

(iv) A data collection system that includes, as a minimum, utilization data on all clients and quality of care review; and

(v) Financial risk to the provider organization.

(b) It may as an option also include the following:

- (i) A mechanism to resolve complaints;
- (ii) Incorporation of health promotion activities as a regular part of medical care;
- (iii) Membership education regarding appropriate use of facilities and services;
- (iv) Quality of care reviews, utilization review, and peer review;
- (v) Financial incentives to the consumer to control costs; and
- (vi) Public assistance enrollment of approximately the same proportion as all public assistance recipients to the general population of the service area.

NEW SECTION, Sec. 16. (1) There is hereby created, within the office of financial management, a unit with the following powers and duties:

(a) To adopt standards for acceptable state purchased health care programs. Standards shall be modeled after the managed health care definition, and other effective cost containing approaches;

(b) To ensure that state purchased health care programs meet promulgated standards by selectively reviewing and approving state agency plans for purchasing health care;

(c) To coordinate the activities of state agencies with respect to health care cost containment policies;

(d) To explore new ways to control cost while maintaining adequate levels of care;

(e) To submit to the legislature by January 7, 1987, legislation to streamline health care purchasing procedures and remove unnecessary barriers, including but not limited to state contracting procedures;

(f) To encourage the private sector to participate in managed health care systems and other effective approaches;

(g) To coordinate and encourage efforts to establish proven health promotion and disease and accident prevention efforts within state-purchased health care programs including, but not limited to education, monitoring, and counseling of consumers on effective methods to minimize illness;

(h) To establish an information gathering capacity, using existing data systems to the extent possible, that enables the unit to fulfill its responsibilities, including:

(i) Monitoring the number of persons in state purchased health care programs, types of benefit packages, and costs;

(ii) Developing, where feasible, comparisons between rates of payments for similar health care by different health care purchasing agencies;

(iii) Preparing and submitting to the legislature and state health care purchasing agencies, by July 1 of each even-numbered year:

(A) Biennial and long-term projections for health care costs assuming the current level of expenditures; and

(B) A proposed budget for total state expenditures for health care taking into consideration savings obtained through the implementation of this chapter;

(i) To establish procedures for volume purchasing of health care goods and equipment;

(j) To appoint a technical advisory committee that represents state employees and state agencies that are involved in the direct purchase, funding, or provision of health care, but whose majority shall be citizen taxpayers with no fiduciary interest in state purchased health care; and

(k) To promulgate rules and standards pursuant to chapter 34.04 RCW.

(2) All state agencies shall cooperate in assisting the unit implement the provisions of this chapter.

(3) The unit shall submit to the legislature no later than November 30, 1986, a report that includes a review of state health care regulatory agencies, including the hospital commission, the health planning and certificate of need sections of the department of social and health services, the board of health, department of licensing, health care facilities authority, and the office of the insurance commissioner.

The report shall describe the respective roles of these agencies regarding health care cost containment and their accomplishments over the preceding six years, and shall address ways to increase the combined efficiency of these agencies to control costs and maintain quality of care.

(4) The unit shall have an administrator who, along with one other employee, shall be exempt from civil service law, chapter 41.06 RCW. The unit shall employ other staff necessary to fulfill the requirements of this chapter who shall be subject to the civil service law, chapter 41.06 RCW.

(5) No later than September 1, 1986, the superintendent of public instruction shall report to the legislature on proposed methods of controlling school employee health care costs using definitions and directives put forth in this section.

NEW SECTION, Sec. 17. (1) The state employees' insurance board, the department of social and health services, the department of labor and industries, the department of veterans affairs, and the department of corrections shall individually or in cooperation with other agencies take any necessary actions to control costs without reducing the quality of care when reimbursing

for or purchasing drugs. To accomplish this purpose, each agency shall investigate the feasibility of and may establish a drug formulary designating which drugs may be paid for through the respective health care programs. For purposes of this section, a drug formulary means a list of drugs, either inclusive or exclusive, that defines which drugs are eligible for reimbursement by the agency.

(2) In developing the drug formulary authorized by this section, agencies:

(a) Shall prohibit reimbursement for drugs that are determined to be ineffective by the United States food and drug administration;

(b) Shall adopt rules in order to ensure that less expensive generic drugs will be substituted for brand name drugs in those instances where the quality of care is not diminished;

(c) Where possible, may authorize reimbursement for drugs only in economical quantities;

(d) May limit the prices paid for drugs by such means as central purchasing, volume contracting, or setting maximum prices to be paid;

(e) Shall consider the approval of drugs with lower abuse potential in substitution for drugs with significant abuse potential; and

(f) May take other necessary measures to control costs of drugs without reducing the quality of care.

(3) Agencies may provide for reasonable exceptions to the drug formulary required by this section.

(4) Agencies may establish medical advisory committees, or utilize committees already established, to assist in the development of the drug formulary required by this section.

(5) Agencies shall report to the unit on the requirements in this section in a timely manner. The unit shall include a related status report in its November 30, 1986 report to the legislature.

Sec. 18. Section 28A.58.420, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 255, Laws of 1977 ex. sess. and RCW 28A.58.420 are each amended to read as follows:

The board of directors of any of the state's school districts may make available liability, life, health, health care, accident, disability and salary protection or insurance or any one of, or a combination of the enumerated types of insurance, or any other type of insurance or protection, for the members of the boards of directors, the students, and employees of the school district, and their dependents. The board of directors may contract with the state insurance board to provide coverage under chapter 41.05 RCW. Such coverage may be provided by contracts with private carriers, self-insurance, or self-funding pursuant to chapter 48.62 RCW, or in any other manner authorized by law. Whenever funds shall be available for these purposes the board of directors of the school district may contribute all or a part of the cost of such protection or insurance for the employees of their respective school districts and their dependents. The premiums on such liability insurance shall be borne by the school district. The premiums due on such protection or insurance shall be borne by the assenting school board member or student: PROVIDED, That the school district may contribute all or part of the costs, including the premiums, of life, health, health care, accident or disability insurance which shall be offered to all students participating in interschool activities on the behalf of or as representative of their school or school district. All contracts for insurance or protection written to take advantage of the provisions of this section shall provide that the beneficiaries of such contracts may utilize on an equal participation basis the services of those practitioners licensed pursuant to chapters 18.22, 18.25, 18.53, 18.57 and 18.71 RCW.

Sec. 19. Section 1, chapter 106, Laws of 1975-'76 2nd ex. sess. and RCW 41.04.205 are each amended to read as follows:

(1) Notwithstanding the provisions of RCW 41.04.180, the employees, with their dependents, of any county, municipality, or other political subdivision of this state shall be eligible to participate in any insurance program administered under chapter 41.05 RCW if the legislative authority of any such county, municipality, or other political subdivisions of this state determines a transfer to an insurance program administered under chapter 41.05 RCW should be made: PROVIDED, That this section shall have no application to (~~school district personnel provided for in RCW 28A.58.420 and~~) members of the law enforcement officers' and fire fighters' retirement system under chapter 41.26 RCW: PROVIDED FURTHER, That in the event of a special district employee transfer pursuant to this section, members of the governing authority shall be eligible to be included in such transfer if such members are authorized by law as of June 25, 1976 to participate in the insurance program being transferred from and subject to payment by such members of all costs of insurance for members: PROVIDED FURTHER, That contributions by any county, municipality, or other political subdivision to which coverage is extended after the effective date of this 1985 act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date upon which coverage is extended.

(2) When the legislative authority of a county, municipality, or other political subdivision determines to so transfer, the state employees' insurance board, as defined in RCW 41.05.010 (~~as now or hereafter amended~~), shall:

(a) Establish the conditions under which the transfer may be made, which shall include the requirements that:

(i) All the eligible employees of the political subdivision transfer as a unit, and

- (ii) the political subdivision involved obligate itself to make employer contributions in an amount at least equal to those provided by the state as employer; and
- (b) Hold public hearings on the application for transfer; and
- (c) Have the sole right to reject the application.

Approval of the application by the state employees' insurance board shall effect a transfer of the employees involved to the insurance or health care program applied for.

Sec. 20. Section 2, chapter 136, Laws of 1977 ex. sess. as last amended by section 68, chapter 287, Laws of 1984 and RCW 41.05.025 are each amended to read as follows:

(1) There is hereby created a state employees' insurance board to be composed of the members of the present board holding office on the day prior to July 1, 1977, which such members shall serve until the expiration of the period of time of the term for which they were appointed and until their successors are appointed and qualified. Thereafter the board shall be composed as follows: The governor or the governor's designee; one administrative officer representing all of higher education to be appointed by the governor; two higher education faculty members to be appointed by the governor; the director of the department of personnel who shall act as trustee; one representative of an employee association certified as an exclusive representative of at least one bargaining unit of classified employees and one representative of an employee union certified as exclusive representative of at least one bargaining unit of classified employees, both to be appointed by the governor; one person who is retired and is covered by a program under the jurisdiction of the board, to be appointed by the governor; one member of the senate who shall be appointed by the president of the senate; and one member of the house of representatives who shall be appointed by the speaker of the house. The terms of office of the administrative officer representing higher education, the two higher education faculty members, the representative of an employee association, the retired person, and the representative of an employee union shall be for four years: PROVIDED, That the first term of one faculty member and one employee association or union representative member shall be for three years. Meetings of the board shall be at the call of the director of personnel. The board shall prescribe rules for the conduct of its business and shall elect a chairman and vice chairman annually. Members of the board shall be compensated in accordance with RCW 43.03.240 and shall be paid for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060, and legislative members shall receive allowances provided for in RCW 44.04.120.

(2) The board shall study all matters connected with the providing of adequate health care coverage, life insurance, liability insurance, accidental death and dismemberment insurance, and disability income insurance or any one of, or a combination of, the enumerated types of insurance and health care plans for employees and their dependents on the best basis possible with relation both to the welfare of the employees and to the state: PROVIDED, That liability insurance shall not be made available to dependents. The board shall design benefits, devise specifications, analyze carrier responses to advertisements for bids, determine the terms and conditions of employee participation and coverage, and decide on the award of contracts which shall be signed by the trustee on behalf of the board: PROVIDED, That all contracts for insurance, health care plans, including panel medicine plans, or protection applying to employees covered by RCW 28B.10.660 and chapters 41.04 and 41.05 RCW shall provide that the beneficiaries of such insurance, health care plans, or protection may utilize on an equal participation basis the services of practitioners licensed pursuant to chapters 18.22, 18.25, 18.32, 18.53, 18.57, 18.71, 18.74, 18.83, and 18.88 RCW: PROVIDED FURTHER, That the boards of trustees and boards of regents of the several institutions of higher education shall retain sole authority to provide liability insurance as provided in RCW 28B.10.660. The board shall from time to time review and amend such plans. Contracts for all plans shall be rebid and awarded at least every five years.

(3) The board shall develop and provide as a part of the employee insurance benefit program an employee health care benefit plan which may be provided through a contract or contracts with regularly constituted insurance carriers or health care service contractors as defined in chapter 48.44 RCW, and ~~((a plan to be provided by))~~ a panel medicine plan in its service area only when approved by the board: PROVIDED, That panel medicine plans be developed by solicitation of sealed bids: PROVIDED FURTHER, That the board may disapprove the offering of any panel medicine plan provided by an organization that declines to enter into an agreement to: (a) Offer premium rating based on the actual claim experience of the state employees' insurance board group or based on a community-rated class; and (b) provide periodic but not less than annual claim experience and administrative expense accounting for premium rating and experience refunding. However, the board may negotiate a delay of up to twelve months for implementation of (a) and (b) of this subsection (3) with respect to a panel medicine plan provided by an organization which does not initially have such internal administrative procedure as may be required for the plan to comply with such terms. The board's bidding procedures with organizations providing panel medicine plans shall not require federally qualified organizations to violate federal laws and regulations.

~~((The board may but shall not be required to pay more for health benefits under a panel medicine plan than it would otherwise be required to pay for health benefits by a contract~~

~~with a regularly constituted insurance carrier or health care service contractor in effect at the time the panel medicine plan is included in the employee health care benefit plan.))~~ The board shall establish the state's contribution for employee health benefit packages at a rate equal to one hundred percent of the negotiated contract plan or one hundred percent of the lowest reasonable panel medicine plan bid, whichever is lower. The board shall have the option of accepting the second lowest panel medicine plan bid, as the lowest reasonable bid, if the lowest bid is deemed unreasonable and unsubstantiated. Except for panel medicine plans, the board may but is not required to contract with more than one insurance carrier or health care service contractor to provide similar benefits: PROVIDED, That employees may choose participation in only one of the health care benefit plans sponsored by the board. Active employees, as defined in RCW 41.05.010(2), eligible for medicare benefits shall have the option of continuing participation in health care programs on the same basis as all other employees or participation in medicare supplemental programs as may be developed by the board. These health care benefit plans shall provide coverage for all officials and employees and their dependents without premium or subscription cost to the individual employees and officials, unless the board approves a panel medicine plan at a subscription rate in excess of the premium of the regularly constituted insurance carrier or health care service contractor, in which circumstances an employee contribution may be authorized at an amount equal to such excess. Rates for self pay segments of state employee groups will be developed from the experience of the entire group. Such self pay rates will be established based on a separate rate for the employee, the spouse, and children.

(4) The board shall review plans proposed by insurance carriers who desire to offer property insurance and/or accident and casualty insurance to state employees through payroll deduction. The board may approve any such plan for payroll deduction by carriers holding a valid certificate of authority in the state of Washington and which the board determines to be in the best interests of employees and the state. The board shall promulgate rules setting forth criteria by which it shall evaluate the plans.

(5) Premium rates for health care benefit plans made available to school district or educational service district employees may be based on the actual claims experience of those employees.

Sec. 21. Section 9, chapter 2, Laws of 1983 as last amended by section 1, chapter 107, Laws of 1984 and RCW 41.05.050 are each amended to read as follows:

(1) Every department, division, or separate agency of state government, and such county, municipal, or other political subdivisions as are covered by this chapter, shall provide contributions to insurance and health care plans for its employees and their dependents, the content of such plans to be determined by the state employees insurance board. Such contributions, which shall be paid by the county, the municipality, or other political subdivision for their employees, shall include an amount determined by the state employee's insurance board to pay the administrative expenses of the board and the salaries and wages and expenses of the benefits supervisor and other necessary personnel: PROVIDED, That this administrative service charge for state employees shall not result in an employer contribution in excess of the amount authorized by the governor and the legislature as prescribed in RCW 41.05.050(2), and that the sum of an employee's insurance premiums and administrative service charge in excess of such employer contribution shall be paid by the employee. All such contributions will be paid into the state employees insurance fund to be expended in accordance with RCW 41.05.030.

(2) The contributions of any department, division, or separate agency of the state government, and such county, municipal, or other political subdivisions as are covered by this chapter, shall be set by the state employees insurance board, subject to the approval of the governor for availability of funds as specifically appropriated by the legislature for that purpose: PROVIDED, ~~((That provision for school district personnel shall not be made under this chapter: PROVIDED FURTHER.))~~ That insurance and health care contributions for ferry employees shall be governed by RCW 47.64.270.

(3) The trustee with the assistance of the department of personnel shall survey private industry and public employers in the state of Washington to determine the average employer contribution for group insurance programs under the jurisdiction of the state employees insurance board. Such survey shall be conducted during each even-numbered year but may be conducted more frequently. The survey shall be reported to the board for its use in setting the amount of the recommended employer contribution to the employee insurance benefit program covered by this chapter. The board shall transmit a recommendation for the amount of the employer contribution to the governor and the director of financial management for inclusion in the proposed budgets submitted to the legislature.

NEW SECTION. Sec. 22. A new section is added to chapter 41.05 RCW to read as follows:

(1) Trusteeship of those funds under the authority of the board is vested in the voting members of the board. The board may delegate any of its powers and duties to the director as deemed necessary for efficient administration and if consistent with the purposes of this chapter.

(2) No member of the board is liable for the negligence, default, or failure of any other person or other member of the board to perform the duties of the member's office and no

member of the board shall be considered or held to be an insurer of the funds or assets of any of the funds nor is any nonvoting member liable for actions performed with the exercise of reasonable diligence within the scope of the member's authorized activities as a member of the board.

Sec. 23. Section 19, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.180 are each amended to read as follows:

(1) The state government, or any political subdivision thereof, which offers its employees a health benefits plan shall make available to and inform its employees or members of the option to enroll in at least one health maintenance organization holding a valid certificate of authority which provides health care services in the geographic areas in which such employees or members reside.

(2) Except as provided in RCW 41.05.025(3), each employer, public or private, having more than fifty employees in this state which offers its employees a health benefits plan, and each employee benefits fund in this state having more than fifty members which offers its members any form of health benefits shall make available to and inform its employees or members of the option to enroll in at least one health maintenance organization holding a valid certificate of authority which provides health care services in the geographic areas in which a substantial number of such employees or members reside: PROVIDED, That unless at least twenty-five employees agree to participate in a health maintenance organization the employer need not provide such an option: PROVIDED FURTHER, That where such employees are members of a bona fide bargaining unit covered by a labor-management collective bargaining agreement, the selection of the options required by this section may be specified in such agreement: AND PROVIDED FURTHER, That the provisions of this section shall not be mandatory where such members are covered by a Taft-Hartley health care trust, except that the labor-management trustees may contract with a health maintenance organization if a feasibility study determines it is to the advantage of the members to so contract.

(3) Subsections (1) and (2) of this section shall impose no responsibilities or duties upon state government or any political subdivision thereof or any other employer, either public or private, to provide health maintenance organization coverage when no health maintenance organization exists for the purpose of providing health care services in the geographic areas in which the employees or members reside.

(4) No employer in this state shall in any way be required to pay more for health benefits as a result of the application of this section than would otherwise be required by any prevailing collective bargaining agreement or other legally enforceable contract of obligation for the provision of health benefits between such employer and its employees.

Sec. 24. Section 3, chapter 256, Laws of 1979 ex. sess. as amended by section 17, chapter 59, Laws of 1983 and RCW 48.62.030 are each amended to read as follows:

The governing body of any local governmental entity may, as an alternative or in addition to the establishment of a self-funded plan, a self-insurance reserve, or the purchasing of insurance, contract for or hire personnel to provide risk management, claims, and administrative services. Moneys made available and moneys expended by school districts and educational service districts for the purpose of implementing any provision of RCW 48.62.010 through 48.62.120 or RCW 36.16.138 shall be subject to such rules of the superintendent of public instruction as the superintendent may adopt governing the budgeting and accounting of such plan or reserves.

NEW SECTION. Sec. 25. A new section is added to chapter 51.44 RCW to read as follows:

The director of labor and industries shall submit to the legislature no later than January 1, 1986, a report that will propose methods to incrementally reduce the projected expenditures of the medical aid fund up to twenty percent for the period of July 1, 1986, to June 30, 1987. With each proposed incremental reduction, the report shall include: Methods of obtaining the reduction; effects upon injured workers; effects upon the service provider; and drafts of legislation necessary to implement the reductions.

Sec. 26. Section 51.44.020, chapter 23, Laws of 1961 and RCW 51.44.020 are each amended to read as follows:

There shall be, in the ~~((office of the))~~ state ~~((treasurer))~~ treasury, a fund to be known and designated as the "medical aid fund~~((:))~~," disbursements from which shall be made pursuant to appropriation except as provided in RCW 51.44.110.

Sec. 27. Section 51.44.110, chapter 23, Laws of 1961 as last amended by section 68, chapter 350, Laws of 1977 ex. sess. and RCW 51.44.110 are each amended to read as follows:

Disbursement out of the several funds shall be made only upon warrants drawn by the department and disbursements out of the medical aid fund shall be made only pursuant to appropriation. The state treasurer shall pay every warrant out of the fund upon which it is drawn. If, at any time, there shall not be sufficient money appropriated in the fund on which any such warrant is drawn wherewith to pay the same, the warrant shall be paid out of the unappropriated portion of the fund. If, at any time, there shall not be sufficient money in the fund on which any such warrant is drawn wherewith to pay the same, the employer on account of whose worker it was that the warrant was drawn shall pay the same, and he or she shall be credited upon his or her next following contribution to such fund the amount so paid

with interest thereon at the legal rate from the date of such payment to the date such next following contribution became payable and, if the amount of the credit shall exceed the amount of the contribution, he or she shall have a warrant upon the same fund for the excess and, if any such warrant shall not be so paid, it shall remain, nevertheless, payable out of the fund. If disbursements are made out of the unappropriated portion of the fund pursuant to this section, then the director shall make a full accounting to the legislative budget committee.

NEW SECTION. Sec. 28. A new section is added to chapter 74.09 RCW to read as follows:

In addition to its existing managed health care programs the department shall develop plans for two managed health care programs, one in the eastern part and one in the western part of the state. The plan shall include measures to ensure enrollment of at least five thousand medical assistance enrollees in each program, in addition to the number enrolled in managed health care programs as of June 30, 1985. The department shall report to the legislature no later than January 1, 1986, on the development of the plan.

NEW SECTION. Sec. 29. A new section is added to chapter 43.131 RCW to read as follows:

The unit created by section 16 of this act and its powers and duties shall be terminated on June 30, 1991, as provided in section 30 of this act.

NEW SECTION. Sec. 30. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1992.

- (1) Section 13 of this act;
- (2) Section 14 of this act;
- (3) Section 15 of this act;
- (4) Section 16 of this act; and
- (5) Section 17 of this act.

NEW SECTION. Sec. 31. Sections 13 through 17 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 32. Sections 26 and 28 of this act shall take effect July 1, 1987. Sections 13 through 25, 27, and 29 through 31 of this act 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 July 1, 1985.*

The committee amendment as amended was adopted.

Ms. Niemi moved adoption of the committee amendment to the title of the bill.

On motion of Ms. Niemi, the following amendment to the title amendment was adopted:

On page 16, line 20 of the title amendment, after "48.44.310," strike "and" and after "48.44-.350" strike the remainder of the title amendment and insert ", 28A.58.420, 41.04.205, 41.05.025, 41.05.050, 48.46.180, 48.62.030, 51.44.020, and 51.44.110; reenacting and amending RCW 48.44-.010; adding a new section to chapter 41.05 RCW; adding new sections to chapter 43.131 RCW; adding new sections to chapter 48.44 RCW; adding a new section to chapter 51.44 RCW; adding a new section to chapter 74.09 RCW; adding a new chapter to Title 43 RCW; providing an expiration date; providing effective dates; and declaring an emergency."

The committee amendment as amended to the title was adopted.

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

Mr. Zellinsky 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. 3541 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 10; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betozoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Krømen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams J. Wilson K. Wilson S. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Ballard, Bond, Chandler, Fuhrman, Hastings, Lundquist, Sanders, Smith C. van Dyke, West - 10.

Absent: Representative Gallagher - 1.

Excused: Representatives Crane, Williams B - 2.

Engrossed Substitute Senate Bill No. 3541 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.

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

REPORT OF STANDING COMMITTEE

April 16, 1985

HB 1205 Prime Sponsor, Representative Walk: Relating to transportation revenue and taxation. Reported by Committee on Rules

Referred to Committee on Transportation.

MOTION

On motion of Mr. J. King, the House adjourned until 9:30 a.m., Wednesday, April 17, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

NINETY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 17, 1985.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives G. Nelson, B. Williams and S. Wilson. Representatives B. Williams and S. Wilson were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sherry King and Mini Jerath. Prayer was offered by Reverend Peter D. Webster, Roosevelt Heights Christian 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

April 16, 1985

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 271,
ENGROSSED HOUSE BILL NO. 281,
HOUSE BILL NO. 479,
SUBSTITUTE HOUSE BILL NO. 855,
SUBSTITUTE HOUSE JOINT MEMORIAL NO. 16,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Armstrong, Hargrove and Van Luvan as conferees on Senate Bill No. 3167.

There being no objection, the House advanced to the 8th order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-39, by Representative Sutherland

WHEREAS, Citizens of Washington State who work in the State of Oregon regularly pay Oregon State income tax; and

WHEREAS, Washington citizens make use of the hunting and fishing opportunities provided on the lands and waters of Oregon; and

WHEREAS, The State of Oregon's hunting and fishing programs are funded fifty percent by the Oregon State general fund; and

WHEREAS, Citizens of Washington regularly pay into the fishing, wildlife and parks funds of the State of Oregon; and

WHEREAS, The use and license fees are different for residents and nonresidents, so that nonresident users pay two dollars more at camp sites and as much as ninety dollars more for license tags; and

WHEREAS, Washington residents working in Oregon, by paying Oregon taxes, contribute significantly to the Oregon general fund, yet receive no direct benefit and are required to pay nonresident fees for hunting, fishing and use of parks; and

WHEREAS, The people and the State of Oregon are fair, reasonable, good neighbors; and

WHEREAS, A fair response to contribution by Washington residents to the welfare of Oregon is to extend certain equal treatment to the contributing Washington residents; and

WHEREAS, Oregon-Washington relations will be greatly improved by allowing Washington residents paying Oregon's income tax to use the recreational opportunities that they help support on an equal basis with those Oregon residents with whom they work;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives urge the Oregon State Legislature and the Governor of Oregon to adopt a program of licensing of hunting, fishing and use of parks that will allow Washington residents who pay Oregon income tax to pay the same or similar fees as do Oregon residents; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the Washington State House of Representatives immediately transmit copies of this Resolution to the Honorable Governor of the State of Oregon, the Honorable Governor of the State of Washington and to the chairs of the Natural Resources Committees of both houses of the Oregon and Washington State Legislatures.

Mr. Sutherland moved adoption of the resolution. Representatives Sutherland and Brooks spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 85-59, by Representatives Haugen and S. Wilson

WHEREAS, The first Norwegian immigration to the United States began over nine hundred seventy-five years ago to an environment very similar to the one they were leaving behind; and

WHEREAS, The three million Norwegians contributed much to the enrichment and foundation of our great nation and state; and

WHEREAS, The State of Washington has the third most numbers of first generation Norwegians living here; and

WHEREAS, They became involved in fishing, farming and lumber occupations, and were known for their perseverance, independence, dependability, resourcefulness and stubbornness; and

WHEREAS, The Norwegians bound together for strength to survive in this great land and also blended into society in a true melting-pot culture; and

WHEREAS, The first permanent settlement of Norwegians in Washington was at Centerville, known today as Stanwood; and

WHEREAS, The Fritjov Lodge of the Sons of Norway in Stanwood will be celebrating its 75th anniversary on April 27, 1985; and

WHEREAS, A part of this celebration will be the rededication of the Toefftezen memorial honoring the first Norwegian settlers who gave so much to our culture;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the Sons of Norway for their many accomplishments, their heritage of democracy, their social concern for their fellow man, and their many contributions to the United States and to the State of Washington; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the Fritjov Lodge of the Sons of Norway in Stanwood.

On motion of Ms. Haugen, the resolution was adopted.

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

THIRD READING

SENATE BILL NO. 4142 AS AMENDED BY THE HOUSE, by Senator Gaspard; by State Board of Education request

Revising laws regulating the organization of school districts.

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

Mr. Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4142 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 5; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Bristow, Crane, Sanders, Todd, Vekich - 5.

Absent: Representative Nelson G - 1.

Excused: Representatives Williams B, Wilson S - 2.

Senate Bill No. 4142 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.

SUBSTITUTE SENATE BILL NO. 4308 AS AMENDED BY THE HOUSE, by Committee on Parks & Ecology (originally sponsored by Senators Kreidler and Zimmerman)

Transferring certain responsibilities from the department of social and health services to the department of ecology.

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

Ms. Rust spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4308 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 4; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, McMullen, Miller, Nealey, Nelson D, Niemi, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Isaacson, Lewis, May, Nutley - 4.

Absent: Representative Nelson G - 1.

Excused: Representatives Williams B, Wilson S - 2.

Substitute Senate Bill No. 4308 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.

Representative G. Nelson appeared at the bar of the House.

STATEMENTS FOR THE JOURNAL

Today I voted YEA on SSB 4308. I should have voted NAY. Please reverse my vote on the record. Thank you.

SHIRLEY W. HANKINS, 8th District.

I voted AYE on SSB 4308, but intended to vote NAY.

KATHERINE ALLEN, 21st District.

The Speaker called on Mr. O'Brien to preside.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 104, by Committee on Governmental Operations (originally sponsored by Senator Fleming)

Petitioning Congress to enact legislation to provide financial assistance to Japanese-Americans who were relocated during World War II.

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

Representatives Belcher, Allen, Wang, Barnes and Locke spoke in favor of passage of the memorial, and Representatives Sanders, Padden, van Dyke and Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Joint Memorial No. 104, and the memorial passed the House by the following vote: Yeas, 61; nays, 35; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Barnes, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, West, Wilson K, Wineberry, Winsley, and Mr. Speaker - 61.

Voting nay: Representatives Appelwick, Ballard, Barrett, Betzozoff, Bond, Brooks, Chandler, Day, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, van Dyke, Van Luven, Vander Stoep, Williams J, Zellinsky - 35.

Excused: Representatives Williams B, Wilson S - 2.

Substitute Senate Joint Memorial No. 104, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 3684 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Modifying provisions on the state lottery.

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

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3684 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Bond, Braddock, Brekke, Bristow, Brooks, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Brough, Sutherland - 2.

Excused: Representatives Williams B, Wilson S - 2.

Substitute Senate Bill No. 3684 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.

SUBSTITUTE SENATE BILL NO. 3786 AS AMENDED BY THE HOUSE, by Committee on Judiciary (originally sponsored by Senators DeJarnatt and Owen)

Establishing misdemeanor offense for theft of shopping carts.

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

Mr. Armstrong spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3786 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 5; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Ebersole, Haugen, Lundquist, Niemi, Vekich - 5.
Excused: Representatives Williams B, Wilson S - 2.

Substitute Senate Bill No. 3786 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 (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker.

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

INTRODUCTION AND FIRST READING

HCR 12 by Representatives Sutherland, S. Wilson, Lundquist, Belcher, McMullen, Schmidt, Fuhrman, Barrett, Tanner, Isaacson, J. Williams, Basich, Sayan and K. Wilson

Establishing a joint select committee on wildlife management.

Referred to Committee on Rules.

REPORT OF STANDING COMMITTEE

April 16, 1985

HB 314 Prime Sponsor, Representative Grimm: Adopting the supplemental budget. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, J. King, Locke, Madsen, Niemi, Rust, Sayan, Smitherman and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Long, G. Nelson, Sanders, Silver, Tilly and B. Williams.

Voting nay: Representatives Hastings, Holland, Long, G. Nelson, Sanders, Silver, L. Smith, Taylor, Tilly, Vander Stoep and B. Williams.

Passed to Committee on Rules for second reading.

MESSAGE FROM THE SENATE

April 17, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 94,
SUBSTITUTE HOUSE BILL NO. 133,
HOUSE BILL NO. 261,
HOUSE BILL NO. 293,
HOUSE BILL NO. 1000,
HOUSE BILL NO. 1004,
HOUSE BILL NO. 1006,
HOUSE BILL NO. 1009,
SUBSTITUTE HOUSE BILL NO. 1191,
SUBSTITUTE HOUSE BILL NO. 1232,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SECOND READING

SENATE BILL NO. 3812, by Senators Kreidler and Talmadge

Modifying penalty provisions on the violation of water pollution control statutes.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For amendments, see Journal, 80th Day, April 3, 1985.)

On motion of Mr. Locke, the committee amendments were adopted.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3812 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Williams B, Wilson S - 2.

Senate Bill No. 3812 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.

SUBSTITUTE SENATE BILL NO. 3220, by Committee on Governmental Operations (originally sponsored by Senator Owen)

Authorizing access to autopsy reports.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 73rd Day, March 27, 1985.)

On motion of Ms. Haugen, the committee amendments were adopted.

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

Representatives Haugen and Brough spoke in favor of passage of the bill, and Representative Isaacson opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3220 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Isaacson - 1.

Excused: Representatives Williams B, Wilson S - 2.

Substitute Senate Bill No. 3220 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. 4115, by Senators Warnke, Bluechel, Bottiger, Newhouse and Sellar

Authorizing industrial development bonds for sports facilities.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Tilly spoke in favor of passage of the bill and Mr. Addison spoke against it.

MOTION

Mr. Dellwo moved that further consideration of Engrossed Senate Bill No. 4115 be deferred and the bill be placed at the bottom of today's third reading calendar.

Mr. Barrett spoke against the motion and Mr. J. King spoke in favor of it.

Mr. Barrett again opposed the motion.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to defer further consideration of Engrossed Senate Bill No. 4115, and the motion was carried by the following vote: Yeas, 53; nays, 43; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams J, Winsley - 43.

Excused: Representatives Williams B, Wilson S - 2.

SUBSTITUTE SENATE BILL NO. 3305, by Committee on Energy & Utilities (originally sponsored by Senators Williams, Benitz, McManus, Kreidler and Garrett)

Permitting regulation of certain telecommunications companies and services.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. D. Nelson, the committee amendments were adopted.

On motion of Mr. D. Nelson, the following amendments by Representatives D. Nelson and Isaacson were adopted:

On page 3, beginning on line 29 strike all material through "hire," on line 34.

On page 10, beginning on line 6, after "prices" strike all material through "service" on line 32.

On motion of Mr. D. Nelson, the committee amendment to the title of the bill was adopted.

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

Representatives D. Nelson, Isaacson, Todd and Long spoke in favor of passage of the bill.

Mr. Isaacson spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3305 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Williams B, Wilson S - 2.

Substitute Senate Bill No. 3305 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.

On motion of Mr. J. King, all bills passed by the House during the day's proceedings, were ordered immediately transmitted to the Senate.

The Speaker declared the House to be at ease until 6:45 p.m.

EVENING SESSION

The Speaker called the House to order at 6:45 p.m. Representatives B. Williams and S. Wilson appeared at the bar of the House.

MESSAGES FROM THE SENATE

April 17, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO.	4,
SUBSTITUTE HOUSE BILL NO.	14,
SUBSTITUTE HOUSE BILL NO.	28,
HOUSE BILL NO.	31,
SUBSTITUTE HOUSE BILL NO.	48,
SUBSTITUTE HOUSE BILL NO.	52,
HOUSE BILL NO.	73,
HOUSE BILL NO.	77,
HOUSE BILL NO.	80,
SUBSTITUTE HOUSE BILL NO.	86,
HOUSE BILL NO.	99,
SUBSTITUTE HOUSE BILL NO.	127,
HOUSE BILL NO.	132,
HOUSE BILL NO.	152,
SUBSTITUTE HOUSE BILL NO.	155,
HOUSE BILL NO.	156,
SUBSTITUTE HOUSE BILL NO.	166,
HOUSE BILL NO.	169,
SUBSTITUTE HOUSE BILL NO.	177,
SUBSTITUTE HOUSE BILL NO.	194,
SUBSTITUTE HOUSE BILL NO.	223,
HOUSE BILL NO.	250,
HOUSE BILL NO.	251,
SUBSTITUTE HOUSE BILL NO.	279,
SUBSTITUTE HOUSE BILL NO.	303,
SECOND SUBSTITUTE HOUSE BILL NO.	428,
SUBSTITUTE HOUSE BILL NO.	459,
SUBSTITUTE HOUSE BILL NO.	469,
HOUSE BILL NO.	643,

HOUSE BILL NO. 675,
 HOUSE BILL NO. 720,
 SUBSTITUTE HOUSE BILL NO. 802,
 SUBSTITUTE HOUSE BILL NO. 831,
 SUBSTITUTE HOUSE BILL NO. 837,
 SUBSTITUTE HOUSE BILL NO. 839,
 HOUSE BILL NO. 914,
 HOUSE BILL NO. 949,
 SUBSTITUTE HOUSE BILL NO. 958,
 HOUSE BILL NO. 1021,
 SUBSTITUTE HOUSE BILL NO. 1044,
 SUBSTITUTE HOUSE BILL NO. 1114,
 SUBSTITUTE HOUSE BILL NO. 1129,
 SUBSTITUTE HOUSE BILL NO. 1234,
 HOUSE JOINT MEMORIAL NO. 2,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 17, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3035,
 SENATE BILL NO. 3067,
 SUBSTITUTE SENATE BILL NO. 3279,
 SUBSTITUTE SENATE BILL NO. 3302,
 SUBSTITUTE SENATE BILL NO. 3332,
 SENATE BILL NO. 3337,
 SUBSTITUTE SENATE BILL NO. 3342,
 SENATE BILL NO. 3373,
 SENATE BILL NO. 3401,
 SENATE BILL NO. 3415,
 SUBSTITUTE SENATE BILL NO. 3450,
 SUBSTITUTE SENATE BILL NO. 3553,
 SUBSTITUTE SENATE BILL NO. 3602,
 SENATE BILL NO. 3627,
 SUBSTITUTE SENATE BILL NO. 3723,
 SENATE BILL NO. 3794,
 SENATE BILL NO. 3800,
 SENATE BILL NO. 3818,
 SENATE BILL NO. 3846,
 SUBSTITUTE SENATE BILL NO. 3981,
 SUBSTITUTE SENATE BILL NO. 4059,
 SUBSTITUTE SENATE BILL NO. 4105,
 SENATE BILL NO. 4110,
 SENATE BILL NO. 4127,
 SENATE BILL NO. 4227,
 SENATE JOINT MEMORIAL NO. 127,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 268,
 HOUSE BILL NO. 271,
 HOUSE BILL NO. 281,
 HOUSE BILL NO. 479,
 HOUSE BILL NO. 492,
 SUBSTITUTE HOUSE BILL NO. 855,
 SUBSTITUTE HOUSE JOINT MEMORIAL NO. 16,
 SUBSTITUTE SENATE BILL NO. 3035,
 SENATE BILL NO. 3067,
 SUBSTITUTE SENATE BILL NO. 3279.

SUBSTITUTE SENATE BILL NO. 3302,
 SUBSTITUTE SENATE BILL NO. 3332,
 SENATE BILL NO. 3337,
 SUBSTITUTE SENATE BILL NO. 3342,
 SENATE BILL NO. 3373,
 SENATE BILL NO. 3401,
 SENATE BILL NO. 3415,
 SUBSTITUTE SENATE BILL NO. 3450,
 SUBSTITUTE SENATE BILL NO. 3553,
 SUBSTITUTE SENATE BILL NO. 3602,
 SENATE BILL NO. 3627,
 SUBSTITUTE SENATE BILL NO. 3723,
 SENATE BILL NO. 3794,
 SENATE BILL NO. 3800,
 SENATE BILL NO. 3818,
 SENATE BILL NO. 3846,
 SUBSTITUTE SENATE BILL NO. 3981,
 SUBSTITUTE SENATE BILL NO. 4059,
 SUBSTITUTE SENATE BILL NO. 4105,
 SENATE BILL NO. 4110,
 SENATE BILL NO. 4127,
 SENATE BILL NO. 4227,
 SENATE JOINT MEMORIAL NO. 127.

SECOND READING

ENGROSSED SENATE BILL NO. 3314, by Senators Halsan, Sellar, Vognild, Stratton, Owen, Peterson, Hansen, Barr, Metcalf, Patterson, Conner and McCaslin

Modifying provisions relating to methods of fishing for game fish.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Sutherland, the committee amendment was adopted.

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

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3314 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 16.

Voting yea: Representatives Addison, Appelwick, Ballard, Barnes, Barrett, Basich, Baugher, Betrozoff, Braddock, Brekke, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson G, Nutley, O'Brien, Padden, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Allen, Armstrong, Belcher, Bond, Bristow, Dobbs, Haugen, Isaacson, Nelson D, Niemi, Patrick, Sanders, Thomas, Valle, Van Luven, Williams B - 16.

Engrossed Senate Bill No. 3314 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. 3326, by Senators Owen, Newhouse, Vognild, Sellar, Warnke, McManus, Moore and Benitz

Allowing multiple occasion use of special occasion liquor license.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, K. Wilson and Patrick:

On page 2, after line 31 insert the following:

"NEW SECTION, Sec. 2. (1) The purpose of this section is to facilitate the tracing of malt beverage keg sales when the keg's contents are consumed by persons under the age of twenty-one years in violation of Washington law.

(2) The liquor control board shall adopt rules pursuant to chapter 34.04 RCW which require: (a) The identification of kegs of malt beverages sold directly to purchasers who are not licensees of the board; and (b) the signing of a receipt therefor by the purchasers.

(3) The keg identification shall be prescribed by the board and shall be sufficient to identify the seller. The receipt shall be on a form prescribed by the board and shall include: (a) the name and address of the purchaser; (b) the driver's license number of the purchaser, if the purchaser has a license; (c) the motor vehicle license plate number of the vehicle in which the keg was removed from the seller's premises, if it was removed by motor vehicle; (d) such other identification as the board may require; and (e) a statement signed by the purchaser that the purchaser will not allow consumption of the contents of the keg in violation of RCW 66.44.270. A copy of this receipt shall be given to the purchaser and the seller shall retain the original receipt for such period as the board may require.

(4) Except for licensees of the board, no person may possess a keg that is not identified as prescribed by the board or remove the prescribed identification from the keg.

(5) As used in this section, 'keg' means any brewery-sealed, individual container of malt beverage having a liquid capacity of not less than seven and three-fourths gallons."

POINT OF ORDER

Mr. Wang: "Mr. Speaker, I wish you would rule on whether or not this amendment comes within the scope and object of the bill pursuant to Rule 12(E)."

SPEAKER'S RULING

The Speaker: "The Speaker has examined Senate Bill 3326 and the amendment by Representative Tilly. The bill deals with requirements for Class H and Class I licenses. The amendment deals with identification of purchasers of kegs of malt beverages. The Speaker would find, because of that, it is outside the scope and object. Your point is well taken, Representative Wang."

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

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3326, and the bill passed the House by the following vote: Yeas, 94; nays, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Ballard, Haugen, Sutherland, Tilly - 4.

Senate Bill No. 3326, having received the 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. Appelwick to preside.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3798, by Committee on Ways & Means (originally sponsored by Senators McDermott, Zimmerman, Thompson, Lee, Bender and Talmadge)

Providing for the financing of local public works.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Braddock moved adoption of the committee amendment.

Mr. Barrett moved adoption of the following amendment by Representatives Barrett, Haugen, Brough, Allen and Nutley to the committee amendment:

On page 7, line 11 after "The" strike "local government" and insert "city or county"

Representatives Barrett and Braddock spoke in favor of the amendment to the amendment, and it was adopted.

On motion of Mr. Patrick, the following amendment to the committee amendment was adopted:

On page 9, line 19 of the amendment, after "(7)" insert "The list of projects which are recommended by the board for funding by the legislature may include street, road, or bridge public works projects of a county that is diverting county road property tax revenues under RCW 36.33.220 during the year in which the list is submitted only if all diverted revenues have been budgeted and are being expended by the county for traffic law enforcement. Counties of the seventh class are exempt from this eligibility requirement. This eligibility requirement is in addition to the conditions specified in subsection (1) of this section.

Any county of the second class or smaller that is diverting no more than ten percent of total county road property tax revenues under RCW 36.33.220 during the year the list is submitted may demonstrate compliance with this eligibility requirement by providing the board with a finding of the county legislative authority that the amount of county road property tax revenues that are being diverted is required to fund the county's traffic law enforcement program.

For the purposes of this subsection, "traffic law enforcement" means the patrolling of streets and roads primarily for the purpose of enforcing traffic laws, issuing tickets for the violation of traffic laws, radar unit operation, checking parking meter violations and issuing tickets for such violations, investigation of traffic accidents, testimony by law enforcement officers in court cases relating to the violation of traffic laws and the preparation of such testimony, and the administration of these activities.

(8)

On motion of Mr. Braddock, the following amendments by Representative Grimm to the committee amendment were adopted:

On page 9, line 33 strike "general fund" and insert "state treasury"

On page 14, line 15 strike "bureau of labor statistics"

Mr. Barrett moved adoption of the following amendment by Representatives Barrett, Haugen, Allen and Nutley to the committee amendment:

On page 10, after line 13 insert the following:

NEW SECTION. Sec. 9. A new section is added to chapter 82.08 RCW to read as follows:

The tax imposed under this chapter shall apply to local public works projects as defined in section 2 of this 1985 act any part of which are funded under sections 1 through 8 of this 1985 act and the taxes collected on the public works projects shall be deposited in the public works assistance account created in section 7 of this 1985 act."

Renumber the remaining sections consecutively.

Representatives Barrett and Lundquist spoke in favor of the amendment to the amendment, and Representatives Braddock and Sommers spoke against it.

Mr. Barrett spoke again in favor of the amendment to the committee amendment, and Mr. Braddock again opposed it. Representative Vander Stoep spoke against the amendment.

The amendment to the amendment was not adopted.

Mr. Barrett moved adoption of the following amendment by Representatives Barrett, Brough, Haugen, Allen and Nutley to the committee amendment:

Beginning on page 13, after line 21 of the amendment, strike all material down to and including "statistics." on page 14, line 15.

Renumber the remaining sections consecutively.

Representatives Barrett, Brough, Long and Lewis spoke in favor of the amendment to the amendment, and Mr. Braddock spoke against it.

Mr. Barrett spoke again in favor of the amendment to the amendment, and it was adopted.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 15, after line 32, insert:

"NEW SECTION. Sec. 19. EXPIRATION DATE. Sections 9 through 11 of this act and the amendments in sections 9 through 11 of this act shall expire July 1, 1990."

Representatives Tilly, Sanders and Ballard spoke in favor of the amendment to the committee amendment, and Representatives Braddock, Hine and Lewis spoke against it.

Ms. Hine again opposed the amendment to the amendment, and Mr. Tilly spoke again in favor of it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to the committee amendment to Engrossed Substitute Senate Bill No. 3798, and the amendment to the amendment was not adopted by the following vote: Yeas, 42; nays, 56.

Voting yea: Representatives Addison, Ballard, Barnes, Baugher, Betzoff, Bond, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hastings, Holland, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Sommers, Taylor, Thomas, Tilly, Todd, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 42.

Voting nay: Representatives Allen, Appelwick, Armstrong, Barrett, Basich, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sutherland, Tanner, Unsoeld, Valle, Vekich, Waik, Wang, Wilson K, Wineberry, and Mr. Speaker - 56.

Mr. Braddock spoke in favor of the committee amendment as amended, and it was adopted.

On motion of Mr. Braddock, the committee amendment to the title of the bill was adopted.

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

Representatives Addison, Hastings, Tilly, Vander Stoep, G. Nelson, Zellinsky, Ballard and Lux opposed passage of the bill, and Representatives Braddock, Hine, Basich, Isaacson and J. King spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3798 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 42; nays, 56.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Braddock, Brekke, Brough, Cole, Day, Fisher, Gallagher, Hankins, Haugen, Isaacson, Jacobsen, King J, King R, Leonard, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, Peery, Rust, Sayan, Schoon, Scott, Sutherland, Todd, Unsoeld, Valle, Vekich, Waik, Walker, Wang, West, Wilson K, Wineberry, Winsley, and Mr. Speaker - 42.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Baugher, Belcher, Betzoff, Bond, Bristow, Brooks, Chandler, Crane, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Grimm, Hargrove, Hastings, Hine, Holland, King P, Kremen, Lewis, Locke, Long, Lundquist, Lux, May, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Williams B, Williams J, Wilson S, Zellinsky - 56.

Engrossed Substitute Senate Bill No. 3798 as amended by the House, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Ms. Hine, having voted on the prevailing side by which Engrossed Substitute Senate Bill No. 3798 failed to pass the House, served notice that she would, on the next working day, move for reconsideration of the vote.

POINT OF ORDER

Mr. Padden: "Mr. Speaker, I would like a clarification of the rules as to what the time is for asking for reconsideration."

SPEAKER'S RULING (MR. APPELWICK PRESIDING)

The Speaker (Mr. Appelwick presiding): "The Speaker has examined the rules and House Rule 21(D) provides that when '...three days remain before a measure must be reported from the house of origin or opposite house as established by concurrent resolution, then reconsideration of votes on the final passage of measures must be taken on the same day as the original date.' Your point is well taken, Representative Padden."

Ms. Hine announced that she would ask for reconsideration of the bill before the end of the day.

MESSAGES FROM THE SENATE

April 17, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 124,
HOUSE BILL NO. 168,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 204,
SUBSTITUTE HOUSE BILL NO. 493,
ENGROSSED HOUSE BILL NO. 610,
ENGROSSED HOUSE BILL NO. 787,
ENGROSSED HOUSE JOINT RESOLUTION NO. 42,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 17, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3828 and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 17, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 4114 and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

SECOND READING

ENGROSSED SENATE BILL NO. 4302, by Senators Wojahn, McDermott and Williams

Revising provisions relating to lie detectors.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass with the following amendment:

On page 1, beginning on line 22 strike all material through "statements." on line 24.

On motion of Mr. Wang, the committee amendment was adopted.

Mr. C. Smith moved adoption of the following amendment by Representatives C. Smith and Chandler:

On page 1, line 10 after "require" strike ", directly or indirectly, that"

Mr. C. Smith spoke in favor of the amendment, and Mr. Wang spoke against it.

Mr. Padden spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Wang, the previous speaker raised a point that this amendment relates to the definition of 'directly or indirectly,' and the fact that it could leave things wide open for future litigation because that meaning is unclear. Can you give us an idea of what that language means?"

Mr. Wang: "Representative Hastings, that language has been used, I believe, in numerous other statutes. The problem that we are trying to address is the coercive use of lie detectors where an employer who is in the position of control can really be too forceful to an employee and say, 'Now really, you have to take the test. We are not requiring you to take it, but of course, you will take it now.' Those are the kinds of implications and are precisely the type of thing we want to restrict. They are the type of things that are causing the problems. There is evidence that we have--the Department of Labor and Industries also has received 150 to 200 complaints yearly from employees objecting to this kind of harassment and abuse. This is the type of problem I think we should be addressing, and it is just in furtherance of the policy established by the state twenty years ago."

Representatives Hastings and Patrick spoke in favor of the amendment, and Mr. Sayan spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives C. Smith and Chandler to Engrossed Senate Bill No. 4302, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 45.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 53.

Mr. J. Williams moved adoption of the following amendment:

On page 1, line 12 after "similar" insert "instrument"

Mr. J. Williams spoke in favor of the amendment, and Mr. R. King spoke against it.

Mr. J. Williams spoke again in favor of the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative J. Williams to Engrossed Senate Bill No. 4302, and the amendment was not adopted by the following vote: Yeas, 49; nays, 49.

Voting yea: Representatives Addison, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Crane, Day, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 49.

Voting nay: Representatives Allen, Appelwick, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 49.

Mr. Barrett moved adoption of the following amendment:

On page 1, line 15 after "agency" insert "or for employment in any position with direct responsibility for the supervision, care, or treatment of children or developmentally disabled persons"

Representatives Barrett, Padden, Patrick and Lundquist spoke in favor of the amendment, and Representatives Wang, Sayan, R. King and Todd spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Barrett to Engrossed Senate Bill No. 4302, and the amendment was not adopted by the following vote: Yeas, 49; nays, 49.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C., Smith L., Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Sloep, Walker, West, Williams B., Williams J., Wilson S., Winsley, Zellinsky - 49.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J., King P., King R., Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D., Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K., Wineberry, and Mr. Speaker - 49.

Mr. Padden moved adoption of the following amendment:

On page 1, line 19 after "national security" insert ": PROVIDED FURTHER, That this section shall not apply in specific investigations of employees related to theft or loss at the place of employment. However, under no circumstances shall an employee involved in such an investigation be discontinued, demoted, transferred or otherwise penalized based solely on the results of a test regulated by this section"

Mr. Padden spoke in favor of the amendment, and Mr. Wang spoke against it.

Mr. Padden spoke again in favor of the amendment, and Mr. McMullen opposed it.

The amendment was not adopted.

Mr. Patrick moved adoption of the following amendment by Representatives Patrick and Zellinsky:

On page 2, line 2 after "a" strike "gross" and insert "((gross))"

Representatives Patrick and Wang spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Patrick yielded to question by Mr. Sayan.

Mr. Sayan: "Representative Patrick, will you tell us what the difference is between a 'gross misdemeanor' and a 'misdemeanor' in terms of the penalty? The intent was to increase the penalty because of the increase in violations. Perhaps you could help us to understand the difference."

Mr. Patrick: "A misdemeanor can be a fine of a maximum \$500 and six months in jail. A gross misdemeanor is up to one year in jail and a \$1,000 fine."

The amendment was adopted.

Mr. Patrick moved adoption of the following amendment by Representatives Patrick and Zellinsky:

On page 2, line 13 after "of" strike "two thousand" and insert "five hundred"

Representatives Patrick and Wang spoke in favor of the amendment, and it was adopted.

Mr. J. Williams moved adoption of the following amendment:

On page 2, line 17 strike "employee or prospective employee" and insert "party"

Mr. J. Williams spoke in favor of the amendment, and Mr. Wang spoke against it.

The amendment was not adopted.

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

Representatives Wang, Sayan and Cole spoke in favor of passage of the bill, and Mr. Patrick opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4302 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 44; nays, 54.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Grimm, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Rayburn, Rust, Sayan, Scott, Sommers, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wilson K, Wineberry, and Mr. Speaker - 44.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Day, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Peery, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Wang, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 54.

Engrossed Senate Bill No. 4302 as amended by the House, having failed to receive the constitutional majority, was declared lost.

The Speaker resumed the Chair.

SENATE BILL NO. 3445, by Senators Fleming, Williams and Talmadge

Revising the county's power regarding park and recreation service areas.

The bill was read the second time.

On motion of Mr. Isaacson, the following amendment by Representatives Isaacson, Hine, Smitherman, Brough and Haugen was adopted:

On page 1, line 22 beginning with "of" strike all the matter down to and including "town:)" on line 26 and insert "(of) A park and recreation service area may purchase athletic equipment and supplies ((and)), and provide for the upkeep of park buildings, grounds and facilities ((-and (4) engaging)) , and provide custodial, recreational and park program personnel at any park or recreational facility owned or leased by the service area or a county, city or town."

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

Ms. Haugen spoke against passage of the bill, and Ms. Brough spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3445 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Haugen - 1.

Senate Bill No. 3445 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. 3357, by Senators Gaspard, Johnson, Bottiger, Granlund, Craswell, Halsan, Metcalf, Owen, Kiskaddon, Wojahn, Saling, Pullen, Stratton, Vognild, Hansen, von Reichbauer and Peterson

Removing the one year limit on the waiver of the out-of-state fee differential for military personnel and their spouses and dependents.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Sommers, the committee amendments were adopted.

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

Representatives Sommers and Schmidt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3357 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 9.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Belcher, Bond, Braddock, Bristow, Brooks, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Waik, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nays: Representatives Baillard, Baugher, Betzoff, Brekke, Brough, Chandler, Hargrove, Isaacson, Nelson G - 9.

Engrossed Senate Bill No. 3357 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. 3066, by Committee on Commerce & Labor (originally sponsored by Senators Moore, Sellar, Warnke, Barr, Vognild, Bottiger, Deccio, Peterson, Conner, Newhouse and Hansen)

Modifying provisions relating to gambling.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Wang moved adoption of the committee amendment.

Mr. Todd moved adoption of the following amendment by Representatives Todd, Patrick and Brough to the committee amendment:

On page 3, line 1 after "organization" strike "which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and" and insert "~~((which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and))~~"

Representatives Todd, Patrick and Brough spoke in favor of the amendment to the committee amendment, and Representatives Wang and R. King spoke against it.

Representative Patrick again spoke in favor of the amendment to the committee amendment.

The amendment to the committee amendment was adopted.

Mr. Betzoff moved adoption of the following amendments by Representatives Betzoff and Wang to the committee amendment:

On page 5, beginning on line 7 of the committee amendment, after "same." strike all material through "office," on line 13 and insert "Such"

On page 5, beginning on line 21 of the committee amendment after "required," strike all material through "organization" on line 27 and insert "It"

On page 14, beginning on line 9 of the committee amendment, after "activity" strike all material through "raffles" on line 17.

Mr. Betzoff spoke in favor of the amendments to the committee amendment, and Mr. Bond spoke against them.

The amendments were adopted.

Mr. G. Nelson moved adoption of the following amendment to the committee amendment:

On page 19, beginning on line 14 of the amendment, after "players" strike all material down to and including "played" on line 7.

Mr. G. Nelson spoke in favor of the amendment to the committee amendment, and Representatives West and Wang opposed it.

Mr. G. Nelson spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson to the committee amendment to Engrossed Substitute Senate Bill No. 3066, and the amendment to the amendment was not adopted by the following vote: Yeas, 9; nays, 87; absent, 2.

Voting yea: Representatives Barrett, Basich, Grimm, Hastings, McMullen, Nelson G, Schoon, West, and Mr. Speaker - 9.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luvan, Vander Sloep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 87.

Absent: Representatives Fuhrman, Nealey - 2.

The committee amendment as amended was adopted.

On motion of Mr. Wang, the committee amendment to the title of the bill was adopted.

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

POINT OF PARLIAMENTARY INQUIRY

Mr. B. Williams: "Mr. Speaker, how many votes does this take to pass?"

The Speaker: "The Speaker has examined the Constitution, Article II, section 24, the second sentence: 'Lotteries shall be prohibited except as specifically authorized upon the affirmative vote of sixty percent of the members of each house of the legislature...' The Speaker has examined the bill and the constitutional provision and finds that the bill does not authorize any new form of lottery; therefore, the sixty percent vote requirement of Article II, section 24, does not apply. It needs a fifty percent vote."

Representatives Wang, Zellinsky, Betzoff and Ebersole spoke in favor of passage of the bill, and Representatives Patrick, Bond and B. Williams opposed it.

Mr. Crane demanded the previous question and a division was called.

ROLL CALL

The Clerk called the roll on the motion to demand the previous question, and the demand was not sustained by the following vote: Yeas, 54; nays, 44.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Betzoff, Braddock, Brooks, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Leonard, Locke, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Scott, Smitherman, Sommers, Sutherland, Tanner, Thomas, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Williams J, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Bond, Brekke, Bristow, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Kremen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Sanders, Schoon, Silver, Smith C, Smith L, Taylor, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Wilson S, Winsley - 44.

Mr. Isaacson spoke against passage of the bill.

POINT OF INQUIRY

Mr. Wang yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Wang, on page 7, the amendment says that any authorized gambling activity operated in connection with a business holding a class B or H license as being an incidental activity thereto. Could you clarify for me whether that means or implies that different kinds of gambling would be authorized? Or does it refer to the amount of money that is involved in gambling compared to the money that is grossed in the liquor and food end of the business?"

Mr. Wang: "Representative Nelson, the function of this language is limited to the dollar value in comparison. It is not the intent to, in any way, authorize any other types of gambling activities. The purpose is to consider things like pull tabs on the one hand, which are authorized, or card room activities which are authorized. This, in no way, legalizes any additional form of gambling. It does not legalize casino nights, things of that sort, any more so than are currently under law. It is limited by the requirement that it be authorized and it is limited because statute in other areas did not allow for that."

Mr. Patrick again opposed the bill.

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

Mr. Crane 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. 3066 as amended by the House, and the bill passed the House by the following vote: Yeas, 61; nays, 37.

Voting yea: Representatives Appelwick, Armstrong, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brough, Chandler, Cole, Crane, Day, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hastings, Haugen, Hine, Holland, King J, King P, King R, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Nelson G, Niemi, Nutley, O'Brien, Prince, Rayburn, Sayan, Schmidt, Scott, Silver, Smith C, Smitherman, Sommers, Tanner, Thomas, Todd, Unsoeld, Valle, Vekich, Walk, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 61.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Bond, Brekke, Bristow, Brooks, Dellwo, Dobbs, Fuhrman, Hankins, Hargrove, Isaacson, Jacobsen, Kremen, Lundquist, May, Miller, Nealey, Nelson D, Padden, Patrick, Peery, Rust, Sanders, Schoon, Smith L, Sutherland, Taylor, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Winsley - 37.

Engrossed Substitute Senate Bill No. 3066 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. 3601, by Senators Guess, Hansen, Patterson, Peterson, Owen, Barr and Benitz

Revising proportional licensing of motor vehicles.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wineberry spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3601, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough,

Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Senate Bill No. 3601, having received the 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. West moved that the House adjourn.

The motion was lost.

SUBSTITUTE SENATE BILL NO. 4267, by Committee on Transportation (originally sponsored by Senators Hansen and Sellar)

Authorizing the department of transportation to buy and sell abandoned rail rights of way.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Wineberry, the committee amendment was adopted.

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

Mr. Wineberry spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4267 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Bond, Brough, Chandler, Fuhrman, Holland, Lundquist, Prince, Schoon - 8.

Substitute Senate Bill No. 4267 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

I wish to be recorded in support of Substitute Senate Bill No. 4267 as amended by the House.

BRUCE J. HOLLAND, 47th District.

SENATE BILL NO. 3202, by Senators McCaslin, Thompson and Zimmerman

Modifying provisions relating to initial assessed property valuations.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Haugen, the committee amendments were adopted.

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

Ms. Haugen spoke in favor of passage of the bill, and Mr. Lundquist spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3202 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 11.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Barnes, Bond, Bristow, Chandler, Dobbs, Fuhrman, Lundquist, Nealey, Smith C, van Dyke, West - 11.

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. 3804, by Senators Zimmerman, McDermott, Talmadge and Kiskaddon

Modifying liability for "AIDS" in transactions involving blood donations.

The bill was read the second time.

Mr. Bond moved adoption of the following amendment by Representatives Bond, Smitherman and Silver:

On page 1, line 17 after "disease" insert "if the blood donor program honors requests by donors to have blood donations directed for use to persons as specified by such donors for a period of fourteen days following the donation"

Representatives Bond, Smitherman and Barnes spoke in favor of the amendment, and Representatives Brooks, Barrett and Locke spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bond and others to Engrossed Senate Bill No. 3804, and the amendment was not adopted by the following vote: Yeas, 16; nays, 81; absent, 1.

Voting yea: Representatives Addison, Barnes, Bond, Dobbs, Fuhrman, Lundquist, Padden, Sanders, Schmidt, Silver, Smith L, Smitherman, van Dyke, Van Luven, Walker, West - 16.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Smith C, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 81.

Absent: Representative Winsley - 1.

Mr. West moved adoption of the following amendment:

On page 1, line 17 after "disease" insert "if the blood donor program, which may charge a reasonable fee to cover administrative costs, honors requests for autologous blood donations."

Mr. West spoke in favor of the amendment, and Mr. Brooks spoke against it.

POINT OF INQUIRY

Mr. Brooks yielded to question by Mr. Addison.

Mr. Addison: "Representative Brooks, how many hospitals in Seattle allow you to self-direct blood?"

Mr. Brooks: "I imagine most of them would."

Mr. Addison: "It was my understanding that, in fact, they did not."

Mr. Brooks: "In most hospitals, if you have somebody that you want to direct the blood to, they can do it in the individual hospital. They cannot do it in the blood banks."

Mr. West spoke again in favor of the amendment, and Mr. Addison also spoke for the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative West to Engrossed Senate Bill No. 3804, and the amendment was not adopted by the following vote: Yeas, 16; nays, 82.

Voting yea: Representatives Addison, Barnes, Bond, Dobbs, Hargrove, Isaacson, Lundquist, McMullen, Niemi, Padden, Sanders, Silver, Smith L. van Dyke, Van Luven, West - 16.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith C, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Mr. West moved adoption of the following amendments:

On page 1, line 27 after "the law" strike "to any" and insert "(~~to any~~) in any lawsuit in which it is alleged that a"

On page 1, line 27 after "1971" insert "caused a person to contract hepatitis or malaria"

On page 1, line 29 after "passed" insert "; PROVIDED FURTHER, That nothing in this section shall be considered by the courts in determining or applying the law in any lawsuit in which it is alleged that a blood transfusion occurring before the effective date of this 1985 act caused a person to contract acquired immune deficiency disease and the court shall decide such case as though this section had not been passed"

Representatives West and Padden spoke in favor of the amendments, and Mr. Locke spoke against them.

POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Dellwo.

POINT OF ORDER

Mr. Padden: "Mr. Speaker, this, if it is to establish legislative intent, should be done on third reading, but it shouldn't be done on the second reading."

SPEAKER'S RULING

The Speaker: "Representative Padden, your point is not well taken because it can be done at any point in the discussion. It goes into the Journal. It could be legislative intent of the amendment; it could be to the entire bill or a portion of the bill or whatever. Please continue, Representative Locke and Representative Dellwo."

Mr. Dellwo: "Representative Locke, is it the intent of this legislation to make the removal of strict liability as to AIDS retroactive to 1971, the date mentioned in the current statute?"

Mr. Locke: "No, Representative Dellwo. This legislation materially and affirmatively changes the existing law and substantive rights. This legislation thus is an amendment to the 1971 law. Amendments are presumed to operate prospectively unless the legislation is remedial and concerns procedure or forms of remedies. This legislation is not remedial and does not concern procedure or forms of remedies, and thus may not apply retroactively. Furthermore, I have spoken with Senator Zimmerman, the sponsor of this legislation, and Senator Granlund, the Chair of the Senate committee which considered and passed this legislation and both have said that it is their intent that this legislation apply prospectively. Both have indicated that, for strategic reasons given the lateness of the session, and since this

amendment to Senate Bill 3804 is unnecessary, then the amendment should be defeated."

POINT OF INQUIRY

Mr. Brooks yielded to question by Mr. Dellwo.

Mr. Dellwo: "Representative Brooks, as the prime sponsor of a house bill identical in intent to ES 3804 and almost identical in language, is it the intent of this legislation to make the removal of strict liability as to AIDS retroactive to 1971, the date mentioned in the current statute?"

Mr. Brooks: "Representative Dellwo, no. I concur in the remarks of Representative Locke."

Mr. Dellwo spoke against the amendments, and Mr. Isaacson spoke in favor of them.

Mr. West spoke again in favor of the amendments.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative West to Engrossed Senate Bill No. 3804, and the amendments were not adopted by the following vote: Yeas, 25; nays, 73.

Voting yea: Representatives Addison, Barnes, Barrett, Bond, Bristow, Dobbs, Fuhrman, Hargrove, Isaacson, King P, Kremen, Lundquist, McMullen, Nealey, Nelson G, Niemi, Padden, Sanders, Schmidt, Silver, Smith L, Tilly, van Dyke, Van Luven, West - 25.

Voting nay: Representatives Allen, Appelwick, Armstrong, Ballard, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Leonard, Lewis, Locke, Long, Lux, Madsen, May, Miller, Nelson D, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Smith C, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 73.

Mr. West moved adoption of the following amendment:

On page 2, after line 12 insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 70.54 RCW to read as follows:

It is unlawful for a person to donate blood, if that person knows he or she has contracted hepatitis, malaria, or acquired immune deficiency disease. Violation of this section is a class B felony."

Representatives West and Padden spoke in favor of the amendment, and Representatives Locke, D. Nelson and Brooks spoke against it.

The amendment was not adopted.

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

Representatives Brooks and Locke spoke in favor of the bill, and Mr. Bond spoke against it.

POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Armstrong.

Mr. Armstrong: "Representative Locke, in your comments today, you mentioned that blood banks would still be liable if they were negligent. If there is a test available and blood banks do not use that test, would that mean they would be liable for the AIDS they passed on to somebody else?"

Mr. Locke: "Representative Armstrong, if there is a test available and the blood banks do not use the test, then they would be negligent and thus, liable."

Mr. Armstrong spoke in favor of passage of the bill, and Mr. Dobbs spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3804, and the bill passed the House by the following vote: Yeas, 80; nays, 18.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith C, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Addison, Barnes, Bond, Dobbs, Fuhrman, Hargrove, Hastings, Isaacson, Kremen, Lundquist, Nealey, Padden, Silver, Smith L, Sutherland, van Dyke, Van Luven, West - 18.

Engrossed Senate Bill No. 3804, having received the 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. 3059, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Newhouse, Warnke, Hansen, Bottiger, Benitz, McManus and Barr)

Changing manner in which certain unemployment benefit payments are charged to employers for purposes of calculating contribution rates.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Chandler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3059, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 98.

Substitute 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 FOR RECONSIDERATION

Ms. Hine, having voted on the prevailing side, moved that the House immediately reconsider the vote by which Engrossed Substitute Senate Bill No. 3798 as amended by the House failed to pass the House.

A division was called.

ROLL CALL

The Clerk called the roll on the motion for reconsideration of the vote by which Engrossed Substitute Senate Bill No. 3798 as amended by the House failed to pass the House, and the motion was lost by the following vote: Yeas, 47; nays, 51.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Madsen, McMullen, Nelson D, Niemi, Nutley, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 47.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Grimm, Hankins, Hargrove, Hastings,

Holland, Isaacson, Lewis, Long, Lundquist, Lux, May, Miller, Nealey, Nelson G. O'Brien, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L. Sommers, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 51.

MOTION FOR RECONSIDERATION

Mr. Wang, having voted on the prevailing side, moved that the House immediately reconsider the vote by which Engrossed Senate Bill No. 4302 as amended by the House, failed to pass the House.

Mr. Wang spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion for reconsideration of the vote by which Engrossed Senate Bill No. 4302 as amended by the House failed to pass the House, and the motion was carried by the following vote: Yeas, 50; nays, 48.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C. Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 48.

MOTION

On motion of Mr. J. King, further consideration of Engrossed Senate Bill No. 4302 as amended by the House was deferred and the bill was ordered placed at the top of the third reading calendar for the next working day.

MOTION

On motion of Mr. J. King, the House adjourned until 9:30 a.m., Thursday, April 18, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

NINETY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 18, 1985.

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 Lewis and Nealey. Representative Nealey was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Craig Francis and Teri Tsuchiya. Prayer was offered by Reverend Harry M. MacDonald, John Knox Presbyterian Church of Normandy Park.

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

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-63, by Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, Sam Smith is serving his eighteenth illustrious year on Seattle's City Council, serving four of those years as President of the council; and

WHEREAS, Sam served five outstanding terms in the Washington State House of Representatives and is a past winner of the Legislator of the Year award; and

WHEREAS, Sam has consistently contributed his time, energies and considerable talents to his family, his community and his profession; and

WHEREAS, Sam Smith has always exemplified the finest and most admirable qualities of a public official and has always worked to improve the quality of life for those he represents; and

WHEREAS, Sam's service to his community includes being President of the Mount Zion Baptist Church for twenty-four years, life member of the NAACP, Church school teacher for twenty-nine years, 33rd Degree Mason, member of the Seattle/King County Planning Council on Aging and area director of the National Black Caucus of local elected officials;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That we extend our appreciation to Sam Smith for his outstanding public service to the City of Seattle and the State of Washington, and offer our best wishes to him for a speedy recovery; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Sam Smith, the other members of the Seattle City Council and the Mayor of the City of Seattle.

Mr. Addison moved adoption of the resolution. Representatives Addison and Padden spoke in favor of the resolution and it was adopted.

The House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3027, by Committee on Commerce & Labor (originally sponsored by Senators Williams and Warnke)

Requiring refueling services for disabled drivers except by stations which are solely cashier-attended.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Cole, the committee amendment was adopted.

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

Ms. Cole 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. 3027 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 2; absent, 7; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King R, Kremen, Leonard, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Fuhrman, Sutherland - 2.

Absent: Representatives King P, Lewis, Locke, Tilly, Todd, Vekich, Wineberry - 7.

Excused: Representative Nealey - 1.

Engrossed Substitute Senate Bill No. 3027 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.

SUBSTITUTE SENATE BILL NO. 4231, by Committee on Natural Resources (originally sponsored by Senators Owen, Conner, McDonald and Zimmerman; by Department of Game request)

Adjusting hunting and fishing license fees.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Sutherland, the committee amendments to page 1, line 16; page 5, line 2 and page 5, line 8 were adopted.

Mr. Sutherland moved adoption of the committee amendment to page 5, line 35.

Representative Sutherland spoke in favor of the committee amendment, and Representative D. Nelson spoke against it.

Representatives Hargrove, Cole, Vekich and Lundquist spoke in favor of the amendment, and Representative D. Nelson again opposed it.

The amendment was adopted.

Mr. Sutherland moved adoption of the following amendment by Representatives Sutherland, Sanders, K. Wilson and Lundquist:

On page 2, line 5 strike everything through "nonresidents." on line 9 and insert the following: "A nonresident may obtain a temporary fishing license, which allows the holder to fish throughout the state for three consecutive days. The fee for this license is ((nine)) twelve dollars ((and fifty cents))."

Representatives Sutherland, Sanders and Lundquist spoke in favor of the amendment, and it was adopted.

Mr. Sanders moved adoption of the following amendment by Representatives Sanders, Sutherland, Isaacson, Locke, Tilly, Lundquist and Haugen:

On page 3, after line 13 insert the following:

*Sec. 6. Section 77.32.230, chapter 36, Laws of 1955 as last amended by section 1, chapter 280, Laws of 1983 and RCW 77.32.230 are each amended to read as follows:

(1) A person sixty-five years of age or older who is an honorably discharged veteran of the United States armed forces having a service-connected disability and who has been a resident for five years may receive upon application a state hunting and fishing license free of charge.

(2) A person seventy years of age or older who has been a resident for ten years ~~((or a))~~ may receive a fishing license upon payment of a fee equal to one-half of the amount specified in RCW 77.32.101.

(3) A blind person, or a person with a development disability as defined in RCW 71.20.016 with documentation of the disability from the department of social and health services, or a physically handicapped person confined to a wheelchair may receive upon application a fishing license free of charge.

~~((3))~~ (4) A fishing license is not required for persons under the age of ~~((sixteen))~~ fourteen.

~~((4))~~ (5) Tags, permits, stamps, and punchcards required by this chapter shall be purchased separately by persons receiving a free or reduced-fee license.*

Renumber the sections consecutively.

Representatives Sanders and Sutherland spoke in favor of the amendment, and it was adopted.

On motion of Mr. Sanders, the following amendment to the title of the bill was adopted:

On page 1, line 2 of the title after "77.32.211," insert "77.32.230."

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

Representatives Sutherland and Lundquist spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4231 as amended by the House, and the bill passed the House by the following vote: Yeas, 83; nays, 13; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vekich, Walk, Walker, Wang, West, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Ballard, Chandler, Dobbs, Locke, Long, Padden, Prince, Smith L, Taylor, Van Luven, Vander Sloep, Williams B, Williams J - 13.

Absent: Representative Lewis - 1.

Excused: Representative Nealey - 1.

Substitute Senate Bill No. 4231 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. 3830, by Senators Garrett, Saling and Williams

Requiring full compensation for street vacations acquired at public expense.

The bill was read the second time.

Mr. Jacobsen moved adoption of the following amendment by Representatives Jacobsen and Hastings:

On page 2, after line 7, insert the following:

*NEW SECTION. Sec. 2. The legislature finds and declares that the unrestricted and free access by the public to the legislative process of Washington state is vital to the preservation of democratic principles. The legislature has found that frequent and easy communications between legislators and their constituents facilitates quality legislative enactments and legislative policies responsive to the wishes of the people.

NEW SECTION. Sec. 3. A new section is added to chapter 35.87A RCW to read as follows:

No city that is the designated state capitol may enact any ordinance or resolution restricting the parking of any automobile, bicycle, or any other vehicle of any type within three blocks from the exterior walls of the state legislative building. Such areas shall be posted as 'free parking' areas at reasonable intervals along public streets, alleys, and lots. There shall be no restriction as to times or length of parking within this area, and no fees may be charged for parking and no fines for any parking violations within this area are allowed. This section is not to be construed to restrict the city's police powers to control normal traffic flows along the streets, alleys, and lots within the 'free parking' area, and the city shall continue to ensure adequate traffic flows and maintain public facilities within the area: PROVIDED, That this section does not apply to privately owned land or properties under direct control or owned by the state."

POINT OF ORDER

Ms. Belcher: "Mr. Speaker, tempting though it is to allow discussion on this amendment, I would ask you to rule on whether or not it is within the scope and object of the bill."

SPEAKER'S RULING (MR. O'BRIEN PRESIDING)

The Speaker (Mr. O'Brien presiding): "Your point of order is well taken, Representative Belcher. It appears that this amendment, although very meritorious, apparently is not germane to the subject matter of the bill."

POINT OF INFORMATION

Mr. Vekich: "Mr. Speaker, hasn't this body historically dealt with the issue of exorbitant parking rates in the City of Olympia? If you will refer to Gordon Newell's book, Rogues, Buffoons and Statesmen, I believe we have dealt with the matter before us, in fact."

The Speaker (Mr. O'Brien presiding): "The original intention of this bill is the vacation of property and the fair appraisal and market value. This pertains to the argument some people have in finding parking facilities. I am going to rule that it is not germane."

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

Representatives Haugen and Brough spoke in favor of passage of the bill, and Representative Jacobsen spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3830, and the bill passed the House by the following vote: Yeas, 95; nays, 1; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Waik, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative West - 1.

Absent: Representative Lewis - 1.

Excused: Representative Nealey - 1.

Senate Bill No. 3830, having received the 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. 3282, by Senators Williams and Kreidler

Requiring the director of general administration to give preference to historic properties for use by state agencies.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3282, and the bill passed the House by the following vote: Yeas, 93; nays, 3; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Betrozoff, Chandler, Sommers - 3.

Absent: Representative Lewis - 1.

Excused: Representative Nealey - 1.

Engrossed Senate Bill No. 3282, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Representative Lewis appeared at the bar of the House.

SUBSTITUTE SENATE BILL NO. 3283, by Committee on Parks & Ecology (originally sponsored by Senator Williams)

Establishing procedures for declaring and preserving historic properties.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

Ms. Belcher moved adoption of the committee amendment.

On motion of Ms. Belcher, the following amendment to the committee amendment was adopted:

On page 7, line 32 after "9" strike "(1)(a) and (b)"

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

Representatives Belcher and Sanders spoke in favor of passage of the bill, and Representatives Sommers and Addison opposed it.

POINT OF INQUIRY

Ms. Belcher yielded to question by Mr. Hastings.

Mr. Hastings: 'Representative Belcher, I'm wondering if, under the definition of 'historic property,' could that be the home of somebody? We're talking in terms of buildings all the time, which could be commercial buildings or something of that kind, could this be a private home also?'

Ms. Belcher: "Yes, it could be as long as they had qualified as historic property on the National Historic Record Book."

Representatives Hastings and Lux spoke against passage of the bill, and Representatives Smitherman and Hankins spoke in favor of it.

Ms. Belcher spoke again in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3283 as amended by the House, and the bill passed the House by the following vote: Yeas, 59; nays, 38; excused, 1.

Voting yea: Representatives Allen, Barnes, Barrett, Baugher, Belcher, Brekke, Brooks, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Hankins, Hine, Isaacson, King R, Leonard, Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wineberry, Winsley, Zellinsky - 59.

Voting nay: Representatives Addison, Appelwick, Armstrong, Ballard, Basich, Betzoff, Bond, Braddock, Bristow, Brough, Chandler, Cole, Dobbs, Fuhrman, Grimm, Hargrove, Hastings, Haugen, Holland, Jacobsen, King J, King P, Kremen, Locke, Lux, Padden, Patrick, Rust, Silver, Smith C, Sommers, Sutherland, Taylor, van Dyke, Vander Stoep, Wilson K, Wilson S, and Mr. Speaker - 38.

Excused: Representative Nealey - 1.

Engrossed 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.

SENATE BILL NO. 4278, by Senators Metcalf and Guess

Establishing procedures for redemption of a vehicle impounded from an unlicensed driver.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wineberry spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4278, and the bill passed the House by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Hine, King J, Niemi - 3.

Excused: Representative Nealey - 1.

Senate Bill No. 4278, having received the 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. 3797, by Committee on Education (originally sponsored by Senators Bauer, Thompson, Zimmerman and Conner)

Revising the laws for the state school for the deaf and the state school for the blind.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

Mr. Day moved adoption of the committee amendment.

On motion of Mr. Day, the following amendment by Representatives Tanner and Day to the committee amendment was adopted:

On page 2, line 19 after "applicable" insert ", which amounts shall be determined by the office of financial management and shall also include the amounts appropriated to the department of social and health services for any support services provided"

On motion of Mr. Tanner, the following amendment to the committee amendment was adopted:

On page 11, after line 25 strike all the material down to and including "43.03.040." on page 12, line 24 and insert the following:

"Sec. 13. Section 72.40.020, chapter 28, Laws of 1959 as amended by section 247, chapter 141, Laws of 1979 and RCW 72.40.020 are each amended to read as follows:

The ~~((secretary))~~ governor shall appoint a superintendent for ~~((each institution))~~ the state school for the blind. The superintendent ~~((s must be not less than thirty nor more than seventy years of age and must be practically acquainted with school management and class instruction of the blind and the deaf respectively, having had at least ten years' actual experience in teaching in schools for such persons:~~

The secretary may discharge any employee in his discretion)) shall have a masters degree from an accredited college or university in school administration or blind education, five years of experience teaching blind students in the classroom, and three years administrative or supervisory experience in programs for blind students.

NEW SECTION. Sec. 14. A new section is added to chapter 72.40 RCW to read as follows:

The governor shall appoint a superintendent for the state school for the deaf. The superintendent shall have a masters degree from an accredited college or university in school administration or deaf education, five years of experience teaching deaf students in the classroom, and three years administrative or supervisory experience in programs for deaf students."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Mr. Tanner moved adoption of the following amendment by Representatives Tanner, Ebersole, Long, L. Smith, Day and Taylor to the committee amendment:

On page 22 after line 31 of the amendment insert the following:

NEW SECTION. Sec. 25. A new section is added to chapter 72.40 RCW to read as follows:

Appropriations for the school for the deaf and the school for the blind shall be made to the superintendent of public instruction. The amounts for each institution shall be specified and shall not be used for any other purpose. The superintendent of public instruction shall transmit all the moneys to the state school for the blind or the state school for the deaf at the request of the superintendents of the respective schools."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Tanner, J. King, L. Smith and Taylor spoke in favor of the amendment to the amendment, and Representatives Vander Stoep and Betrozoff spoke against it.

The amendment to the committee amendment was adopted.

The committee amendment as amended was adopted.

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

Representatives Tanner and Taylor spoke in favor of passage of the bill, and Representative Brække spoke against it.

POINT OF INQUIRY

Mr. Tanner yielded to question by Mr. Day.

Mr. Day: "Representative Tanner, is it the intent of this legislation to alter standards of admission for the school for the deaf or the school for the blind by allowing the superintendents or boards of these schools to set standards for admission?"

Mr. Tanner: "No, Representative Day, there is no intention and the bill does not in any manner alter admission standards in the schools. As a practical matter, the superintendents now set admission policies and will continue to do so. That is part of the questions that are being raised on the base, which is a total misconception, that there is anything new being created. What we have here are two schools--they are full, complete schools, intact--they have been under several state agencies (currently DSHS and before that, the Department of Institutions), and they are simply being moved to SPI. Nothing more or less is happening in this bill and the question that is being raised as to whether or not these are independent simply has to do with whether or not the SPI has internal operational control."

Representatives Day and L. Smith spoke in favor of the bill.

POINT OF INQUIRY

Mr. Tanner yielded to question by Ms. Long.

Ms. Long: "Representative Tanner, will this bill alter the responsibility of local school districts to provide appropriate education for their students with handicapping conditions?"

Mr. Tanner: "The answer is 'No.' The intent and effect will not alter the mainstreaming of public schools. Senate Bill 3797 does not alter the fundamental responsibility of local school districts to develop and provide programs necessary to appropriate education of students who are deaf and blind. The legislation confirms the role of the two schools as a resource to local school districts and parents of deaf and blind students. The state schools should support, assist and cooperate with local school districts so that students who are deaf and blind have a better educational opportunity."

Ms. Long spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Braddock.

Mr. Braddock: "Representative Sommers, I'm a little uncertain about page 18, dealing with standards. Can you tell me who may set the standards for admission?"

Ms. Sommers: "Representative Braddock, there was an earlier question about setting standards for admission. If the members would be willing to turn to page 18, it says very clearly in this bill that the superintendent and the trustees may admit or may reject students. That is an unusual set of circumstances. There is no overall guideline; there is no guideline from the SPI; there is no statewide guideline from any other agency. The school itself, the superintendent and the trustees, may admit or refuse to admit, based on the criteria that they set."

Ms. Sommers opposed passage of the bill.

Mr. Crane demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3797 as amended by the House, and the bill passed the House by the following vote: Yeas, 71; nays, 25; absent, 1; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barrett, Basich, Baugher, Belcher, Braddock, Bristow, Brooks, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Nelson G, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 71.

Voting nay: Representatives Allen, Ballard, Barnes, Betzoff, Bond, Brekke, Brough, Chandler, Fisher, Grimm, Locke, Miller, Nelson D, Niemi, Padden, Patrick, Prince, Sanders, Smith C, Sommers, Tilly, Vander Stoep, Williams B, Williams J, and Mr. Speaker - 25.

Absent: Representative Schoon - 1.

Excused: Representative Nealey - 1.

Substitute Senate Bill No. 3797 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.

SUBSTITUTE SENATE BILL NO. 4041, by Committee on Natural Resources (originally sponsored by Senator Owen)

Revising management of state oyster reserves.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Sutherland, the committee amendments were adopted.

Ms. K. Wilson moved adoption of the following amendments by Representatives K. Wilson, Sayan, Belcher, D. Nelson and Cole:

On page 1, line 15, strike everything through line 26 and insert the following:

"It is the policy of the state to improve state oyster reserves so that they are productive and yield a revenue sufficient for their maintenance. In fixing the price of oysters and other shellfish sold from the reserves, the director shall take into consideration this policy. It is also the policy of the state to maintain the oyster reserves to furnish shellfish to growers and processors and to stock public beaches.

Shellfish may be harvested from state oyster reserves for personal use as prescribed by rule of the director."

On page 2, line 11, after "1986," insert "The report shall be presented to the house and senate committees on natural resources."

The amendments were adopted.

On motion of Ms. K. Wilson, the following amendment was adopted:

On page 2, beginning on line 14 strike all of section 3 and beginning on line 26 strike all of section 4.

Ms. Unsoeld moved adoption of the following amendment by Representatives Unsoeld, Vekich, Belcher and Sayan:

On page 3, after line 7 insert a new section to read as follows:

"NEW SECTION, Sec. 5. A new section is added to chapter 75.24 RCW to read as follows:

The legislature finds that current environmental and economic conditions warrant a renewal of the state's historical practice of actively cultivating and managing its oyster reserves in Puget Sound to produce the state's native oyster, the Olympia oyster. The department of fisheries shall reestablish dike cultivated production of Olympia oysters on such reserves on a trial basis as a tool for planning more comprehensive cultivation by the state."

Renumber the remaining sections consecutively, and correct internal references accordingly.

Representatives Unsoeld, Sayan and Vekich spoke in favor of the amendment, and Mr. Lundquist spoke against it.

The amendment was adopted.

On motion of Ms. Unsoeld, the following amendment to the committee amendment to the title of the bill was adopted:

On page 1, line 2 of the title after "79.96.110" insert "; and adding a new section to chapter 75.24 RCW"

On motion of Mr. Sutherland, the committee amendment as amended to the title of the bill was adopted.

On motion of Ms. Unsoeld the following amendment to the title of the bill was adopted:

On page 1, line 1 of the title strike "and"

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

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4041 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nealey - 1.

Substitute Senate Bill No. 4041 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. 3856, by Committee on Commerce & Labor (originally sponsored by Senators Vognild, Hansen, McManus, Metcalf, Bottiger, Zimmerman and Stratton)

Establishing a state fire protection board.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Ms. Belcher moved adoption of the committee amendment.

On motion of Mr. Vekich, the following amendments by Representatives Vekich, Ballard and Madsen to the committee amendment were adopted:

On page 3 of the amendment, beginning on line 30, strike everything through "programs." on page 5, line 30 and insert the following:

"NEW SECTION, Sec. 6. The state fire protection board shall:

- (1) Adopt and implement a state fire protection master plan;
- (2) Monitor fire protection in the state and develop objectives and priorities to improve fire protection for the state's citizens;
- (3) Establish and promote state arson control programs and encourage development of local arson control programs;
- (4) Represent fire protection services in all state level fire protection planning in matters such as, but not limited to, hazardous materials;
- (5) Seek and solicit grants, gifts, bequests, devices, and matching funds for use in furthering the objectives and duties of the board, and establish procedures for administering them;
- (6) When funds are available, make grants for use in pursuing the board's objectives;
- (7) Promote mutual aid and disaster planning for fire services in this state;
- (8) Disseminate within the state information concerning the amount of fire damage, including that damage caused by arson, and its causes and prevention;
- (9) Make studies, reports, and recommendations to the governor and the legislature when requested or warranted; and
- (10) Adopt such rules as necessary for the administration of this chapter.

This section does not apply to forest fire service personnel and programs."

On page 7 of the amendment, on line 1, after "education;" insert "and"

On page 7 of the amendment, on line 4, after "plan" strike everything through "participate" on line 9

On page 7 of the amendment, beginning on line 29, strike everything through "board." on page 8, line 8 and insert the following:

"NEW SECTION, Sec. 10. The director of fire protection shall supervise the staff necessary to carry out functions under the board's jurisdiction."

On page 8 of the amendment, on line 16, after "director" strike everything through "10" on line 17 and insert "appointed under section 9"

Mr. R. King moved adoption of the following amendments to the committee amendment:

On page 8, line 1 of the committee amendment after "education" insert ". This appointment shall be made on or after July 1, 1987"

On page 27, line 2 strike all of subsection (1).

Renumber the remaining subsections consecutively.

On page 27, after line 13 insert the following:

"NEW SECTION, Sec. 38. Section 1, chapter 98, Laws of 1969 ex. sess. and RCW 28C.04.140 are each repealed."

Renumber the remaining sections consecutively.

On page 27, line 25 after "Sec. 40." strike the remainder of the section and insert "(1) Sections 7, 12, 13, 14, 15, 32, 33, 34, 35 and 38 of this act shall take effect on July 1, 1987.

(2) The remainder of this act shall take effect on January 1, 1986. However, to insure that this act is fully implemented on its effective dates, the state fire protection board and its director shall be appointed in accordance with this act by October 1, 1985."

Representatives R. King and Taylor spoke in favor of the amendments to the amendment, and Representatives Vekich and Sayan spoke against them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative R. King to the committee amendment to Engrossed Substitute Senate Bill No. 3856, and the amendments were not adopted by the following vote: Yeas, 9; nays, 88; excused, 1.

Voting yea: Representatives Belcher, Hine, King R. Locke, Miller, Rust, Taylor, Wang, Wilson K - 9.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Jacobsen, King J, King P, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, Mary, McMullen, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Waiker, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Excused: Representative Nealey - 1.

Mr. Todd moved adoption of the following amendment to the committee amendment:

On page 27, after line 32 insert:

"NEW SECTION. Sec. 41. If specific funding for the purposes of this act, referencing this act by bill number, is not provided in the omnibus appropriations act enacted before July 1, 1985, this act shall be null and void.

If specific funding for the purposes of this act, referencing this act by bill number, is provided in the omnibus appropriations act enacted before July 1, 1985, and that funding exceeds one million eight hundred thousand dollars, this act shall be null and void."

Renumber the sections consecutively and correct internal references accordingly.

Mr. Todd spoke in favor of the amendment to the committee amendment, and Mr. Vekich spoke against it.

Mr. Todd spoke again in favor of the amendment, and Mr. Sayan opposed it.

The amendment to the committee amendment was not adopted.

The Clerk read the following amendment by Representative Todd to the committee amendment:

On page 1, line 6 of the committee amendment after "Sec. 1." insert "(1)" and on line 13 after "this" strike everything down to and including "1985." on page 27, line 32 and insert "section is to require a study of fire protection services and the submittal of recommendations to the legislature designed to improve such services and in-so-doing to improve the safety and welfare of the citizens of the state.

(2) The legislative budget committee shall conduct a review of existing laws pertaining to the provision of fire protection services in the state. This study shall include, but not be limited to: (a) a review of the relevant activities and responsibilities of the state fire marshal, the commission for vocational education and local agencies; (b) an analysis of the extent to which state and local agencies involved in fire protection services are able to cooperate and coordinate activities; and (c) an analysis of the extent to which a state-level focus on fire protection services might improve the effectiveness of such services. In carrying out the study required by this section, the legislative budget committee shall conduct a hearing or hearings to solicit comments, ideas or suggestions from interested individuals or organizations.

(3) No later than December 15, 1985, the study required by this section and recommendations for improving the provision of fire protection services shall be submitted in a report to the chief clerk of the house of representatives and the secretary of the senate for referral to and review by the appropriate standing committees."

With the consent of the House, Mr. Todd withdrew the amendment to the committee amendment.

The committee amendment as amended was adopted.

On motion of Ms. Belcher, the committee amendment to the title of the bill was adopted.

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

Representatives Belcher, Hankins, Baugher and Vekich spoke in favor of passage of the bill, and Mr. Taylor opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3856 as amended by the House, and the bill passed the House by the following vote: Yeas, 74; nays, 23; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Addison, Barnes, Barrett, Betzoff, Bond, Chandler, Dobbs, Doty, Fuhrman, Hastings, Isaacson, Lewis, Padden, Prince, Sanders, Silver, Smith C, Smith L, Taylor, Thomas, Williams B, Williams J, Wilson S - 23.

Excused: Representative Nealey - 1.

Engrossed Substitute Senate Bill No. 3856 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.

On motion of Mr. J. King, all bills passed during the morning session, were ordered immediately transmitted to the Senate.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 2:30 p.m. by the Speaker (Mr. O'Brien presiding).

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-43, by Representatives J. King and S. Wilson

WHEREAS, The state organization of the Young Men's Christian Association has conducted a Youth Legislature during the past several years for which the use of the Senate and House Chambers has been granted for this purpose; and

WHEREAS, These Youth Legislatures have been most successful and educational to all participating therein; and

WHEREAS, It is the desire of the Legislature of the State of Washington to encourage the interests of our youth in legislative matters and in the proceedings of the Legislature;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the use of the House Chamber and the committee rooms be granted to the state organization of the Young Men's Christian Association for the Youth Legislature to be held in 1985 and 1986.

Mr. Appelwick moved adoption of the resolution. Representatives Appelwick and Vekich spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 85-53, by Representatives Vekich, P. King, Day, Sutherland, Dellwo, McMullen, Ebersole, Hankins, West, Barnes, Taylor, Addison, Kremen, Hargrove, Sanders, Fisch, G. Nelson, Prince, Bond, Nealey, Fuhrman, B. Williams, Doty, Silver, S. Wilson, C. Smith, Long, Holland, Thomas, Brooks, van Dyke, L. Smith, Van Luven, Patrick, Chandler, Padden, Ballard, Isaacson, Braddock, Tilly, Dobbs, Hastings, Smitherman and Bristow

WHEREAS, The right to keep and bear arms is guaranteed to the people of this state and nation under the second amendment to the United States Constitution; and

WHEREAS, The National Rifle Association, founded shortly after the Civil War, has long protected the right to bear arms, integral to a free society; and

WHEREAS, The National Rifle Association has an impressive list of past and current members including Ulysses S. Grant, Roy Rogers, Clint Eastwood, Charlton Heston and President Ronald Reagan; and

WHEREAS, The National Rifle Association offers numerous programs in the safe use of firearms both to private citizens and law enforcement agencies in this state and throughout this nation; and

WHEREAS, The National Rifle Association offers extensive programs in safety and marksmanship for the youth of this state and nation; and

WHEREAS, The spirit of competition and athletic self-discipline is promoted through the nearly ten thousand tournaments sponsored by the National Rifle Association, and these tournaments have produced many champions including gold medal winner Matt Dryke from Sequim, who won the Olympic skeet competition in Los Angeles; and

WHEREAS, The National Rifle Association, in promoting a safe environment, has been active in developing and offering women's self-defense programs; and

WHEREAS, The National Rifle Association in this state has worked closely with the Departments of Fisheries and Game offering programs in hunter safety and wildlife management and providing booklets on firearms laws; and

WHEREAS, The National Rifle Association, an organization with over three million members, will have its annual convention in Seattle from April 19 through April 23; and

WHEREAS, Between twenty thousand and thirty thousand people are expected to attend the convention in Seattle;

NOW, THEREFORE, BE IT RESOLVED, That the members of the House of Representatives of the State of Washington welcome the members of the National Rifle Association to this state and heartily commend the members of the association for their educational work and efforts in promoting firearms safety; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit copies of this Resolution to Roger E. Hawkins, a representative from the State of Washington on the board of directors of the National Rifle Association, for Mr. Hawkins to present at the convention.

Mr. Vekich moved adoption of the resolution. Representatives Vekich and P. King spoke in favor of the resolution, and it was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 6:30 p.m.

EVENING SESSION

The House was called to order at 6:30 p.m. by the Speaker (Mr. O'Brien presiding). Representative Nealey appeared at the bar of the House.

MESSAGE FROM THE SENATE

April 18, 1985

Mr. Speaker:

The President has signed:

	HOUSE BILL NO.	268,
	HOUSE BILL NO.	271,
	HOUSE BILL NO.	281,
	HOUSE BILL NO.	479,
	HOUSE BILL NO.	492,
	SUBSTITUTE HOUSE BILL NO.	855,
	SUBSTITUTE HOUSE JOINT MEMORIAL NO.	16,
	SUBSTITUTE SENATE BILL NO.	3580,
	SENATE BILL NO.	3596,
	SENATE BILL NO.	4152,
	SUBSTITUTE SENATE BILL NO.	4190,
	SENATE BILL NO.	4216,
	SENATE BILL NO.	4236,
	SENATE BILL NO.	4259,
	SUBSTITUTE SENATE BILL NO.	4294,
	SUBSTITUTE SENATE BILL NO.	4314,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

The House reverted to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 3230, by Senators Talmadge, Metcalf, Moore, Rasmussen and Peterson

Strengthening and clarifying laws against driving while intoxicated.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal, 80th Day, April 3, 1985.)

Mr. Armstrong moved adoption of the committee amendment.

Mr. West moved adoption of the following amendments to the committee amendment:

On page 1, line 16 of the amendment, after "of" insert "not less than two hundred fifty dollars and"

On page 1, line 18 of the amendment, after "dollars," insert "Unless the judge finds the person to be indigent, two hundred fifty dollars of the fine shall not be suspended or deferred."

On page 3, line 8 of the amendment, after "of" insert "not less than five hundred dollars and"

On page 3, line 12 of the amendment, after "fine," insert "Unless the judge finds the person to be indigent, five hundred dollars of the fine shall not be suspended or deferred."

Representatives West and Armstrong spoke in favor of the amendments to the committee amendment, and they were adopted.

Mr. West moved adoption of the following amendments to the committee amendment:

On page 21, line 34 of the amendment strike "shall" and insert "may"

On page 22, line 2 of the amendment strike "shall" and insert "may"

On page 22, line 6 of the amendment strike "shall" and insert "may"

Representatives West and Armstrong spoke in favor of the amendments to the amendment, and they were adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Locke to the committee amendment:

On page 22, beginning on line 23 of the amendment strike all of section 20 and renumber the remaining sections consecutively.

Representatives Tilly, Locke, P. King and West spoke in favor of the amendment to the amendment, and Representatives Padden, Schmidt and J. King spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Tilly and Locke to the committee amendment to Engrossed Senate Bill No. 3230, and the amendment was not adopted by the following vote: Yeas, 37; nays, 60; absent, 1.

Voting yea: Representatives Armstrong, Ballard, Barnes, Belcher, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Cole, Doty, Grimm, Haugen, Holland, Locke, Long, Lundquist, Lux, Miller, Nealey, Nelson D, Rust, Sanders, Schoon, Smith L, Taylor, Tilly, Todd, Unsoeld, Valle, Vander Sloep, Walker, West, Williams B, Wilson K, Winsley - 37.

Voting nay: Representatives Addison, Allen, Appelwick, Barrett, Basich, Baugher, Braddock, Brekke, Crane, Day, Dellwo, Dobbs, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Madsen, May, McMullen, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sayan, Schmidt, Scott, Silver, Smith C, Smitherman, Sommers, Sutherland, Tanner, Thomas, van Dyke, Van Luven, Vekich, Walk, Wang, Williams J, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 60.

Absent: Representative Nelson G - 1.

Mr. Armstrong moved adoption of the following amendments to the committee amendment:

On page 24, line 25 of the committee amendment, insert "if the court determines that the fact of refusal is admissible"

On page 29, line 35 of the committee amendment, after "trial" insert "if the court determines that the fact of refusal is admissible"

On page 35, after line 7 of the committee amendment, insert the following:

"Sec. 26. Section 27, chapter 165, Laws of 1983 and RCW 46.61.517 are each amended to read as follows:

The refusal of a person to submit to a test of the alcoholic content of his blood under RCW 46.20.308 is admissible into evidence at a subsequent criminal trial without any comment ~~((and with a jury instruction, where applicable, that there shall be no speculation as to the reason for the refusal and that no inference is to be drawn from the refusal)).~~"

Renumber the sections following consecutively, and correct internal references accordingly.

Representatives Armstrong and West spoke in favor of the amendments to the committee amendment, and they were adopted.

Mr. Todd moved adoption of the following amendments by Representatives Todd, Locke, Tilly and Patrick to the committee amendment:

On page 29, line 35 of the amendment after "trial," insert "if the driver is less than 21 years of age, the warning required by this section shall be based on alcohol concentrations of 0.05 percent or more in the blood or 0.05 gram or more per two hundred ten liters of breath."

On page 31, line 11 of the amendment after "He" insert "is 21 years of age or older and"

On page 31, after line 19 of the amendment insert:

"(2) He is less than 21 years of age and he has 0.05 percent or more by weight of alcohol in his blood, or the equivalent of 0.05 gram or more of alcohol per two hundred ten liters of breath, as shown by analysis of his breath, blood, or other bodily substance made under RCW 46.61.506; or"

Renumber the remaining subsections.

On page 32, line 6 of the amendment after "He" insert "is 21 years of age or older and"

On page 32, after line 14 of the amendment insert:

"(2) He is less than 21 years of age and he has 0.05 percent or more by weight of alcohol in his blood, or the equivalent of 0.05 gram or more of alcohol per two hundred ten liters of breath, as shown by analysis of his breath, blood, or other bodily substance made under RCW 46.61.506; or"

Renumber the remaining subsections.

On page 33, line 11 of the amendment after "than" strike everything through "breath" on line 15 and insert "((0.10 percent by weight of alcohol in the person's blood)) the amounts specified in RCW 46.61.502 or 46.61.504"

Representatives Todd, Tilly, Patrick, Schoon and Haugen spoke in favor of the amendments to the committee amendment, and Representatives Armstrong, Zellinsky and J. Williams spoke against them.

The amendments to the committee amendment were not adopted.

The Speaker assumed the Chair.

Mr. McMullen moved adoption of the following amendments by Representatives McMullen, Niemi and Padden to the committee amendment:

On page 23, line 19 after "administration," strike all material through "attorney." on page 35, line 7.

On page 36, line 1 strike all material beginning with "In line 3" through "RCW 46.20.308;" on line 9.

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives McMullen, P. King, Padden and Locke spoke in favor of the amendments to the committee amendment, and Representatives Schoon, Patrick and Armstrong opposed them.

Mr. Crane demanded the previous question, and the demand was sustained.

The amendments to the committee amendment were not adopted.

The committee amendment as amended was adopted.

Mr. Armstrong moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Armstrong, the following amendment to the title amendment was adopted:

On page 36, line 6 after "46.61.504," strike "and" and after "46.61.506" insert ", and 46.61.517"

The committee amendment to the title as amended was adopted.

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

Mr. Armstrong spoke in favor of passage of the bill, and Mr. McMullen spoke against it.

Mr. Armstrong spoke again in favor of the bill.

POINT OF INQUIRY

Mr. Dellwo yielded to question by Ms. Schmidt.

Ms. Schmidt: "Representative Dellwo, I'm concerned about section 20. Does this prohibit the use of campus representatives on campus?"

Mr. Dellwo: "No, it does not. Liquor manufacturers and wholesalers, retailers and others will still be allowed to have campus representatives. However, the type of promotional activity they may be engaged in is enumerated in this bill."

Ms. Schmidt: "Will all campus advertising be prohibited?"

Mr. Dellwo: "No. Sponsorship of broadcasting services for college events and liquor advertising in campus bulletins will still be allowed under subsections (2) and (3)."

Ms. Schmidt spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Locke yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Locke, I have some concerns on section 20 and especially subsection (4), where it is my understanding that it requires the approval by the college or university administration of various activities. Is it your understanding that before activities could occur on campus such as the advertising or sponsorship of events, that it be approved by the administration of the college or university?"

Mr. Locke: "As the writer of subsection (4) of section 20, yes. Any college activity and acknowledgement of that type of college activity and assistance to that college activity have to be with the approval of the college or university administration."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3230 as amended by the House, and the bill passed the House by the following vote: Yeas, 85; nays, 13.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Fisch, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, Miller, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Walker, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Basich, Ebersole, Fisher, Gallagher, Grimm, Jacobsen, McMullen, Niemi, Nutley, Tilly, Vekich, Walk, Williams J - 13.

Engrossed Senate Bill No. 3230 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.

SUBSTITUTE SENATE BILL NO. 4263, by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Sellar, Vognild, Hansen, Zimmerman, Moore, Bottiger, McDermott, Lee, Patterson, Guess, Halsan and Johnson)

Providing for the enforcement of the wholesale distributor/supplier equity agreement act.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 80th Day, April 3, 1985.)

On motion of Mr. Wang, the committee amendments were adopted.

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

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4263 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Ballard, Barnes, Williams B - 3.

Substitute Senate Bill No. 4263 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. 3085, by Senators Patterson, Peterson, Barr and Garrett

Permitting application of approved sunscreens to vehicle windows.

The bill was read the second time.

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

On page 2, after line 20, insert the following:

"The standards adopted by the commission shall permit a greater degree of light reduction on a vehicle operated by or carrying as a passenger a person who possesses written verification from a licensed physician that the operator or passenger must be protected from exposure to sunlight for physical or medical reasons."

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

Mr. Wineberry spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3085 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith C, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Haugen, Padden - 2.

Senate Bill No. 3085 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.

MESSAGES FROM THE SENATE

April 18, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO.	54,
SUBSTITUTE HOUSE BILL NO.	84,
HOUSE BILL NO.	158,
SUBSTITUTE HOUSE BILL NO.	232,
ENGROSSED HOUSE BILL NO.	331,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	717,
SECOND SUBSTITUTE HOUSE BILL NO.	738,
ENGROSSED HOUSE BILL NO.	758,
HOUSE BILL NO.	853,
ENGROSSED HOUSE BILL NO.	943,
HOUSE BILL NO.	1094,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 18, 1985

Mr. Speaker:

The Senate has failed to pass:

SUBSTITUTE HOUSE BILL NO. 814.

Bill Gleason, Assistant Secretary.

HOUSE BILL NO. 314, by Representative Grimm

Adopting the supplemental budget.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 314 was substituted for House Bill No. 314, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 314 was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 2, after line 30 insert the following:

NEW SECTION, Sec. 101. It is the intent of this 1983-85 supplemental decrement bill to assist the governor to balance the 1983-85 biennium budget as revenue collections have fallen \$42 million below the March forecast council revenue forecast. This revised general fund-state revenue totalling \$8,075 million represents a decline of \$14 million or 0.2 percent from the March, 1983, forecast of \$8,075 million.

The legislature finds that an emergency reserve fund was not established during the current biennium. Therefore it is necessary to take measures to balance this budget which exceeds expenditures by an estimated \$41 million.

The steps taken to balance this budget include transferring reserves from certain non-General Fund agencies totalling \$5.4 million, reducing agency appropriations by \$12.1 million, including a 50% rateable reduction for the GA-U and temporary abolishment of the medically indigent program for May and June, 1985, and \$5 million in other transfers. The intent of the legislature is to repay these transfers and loans in the 1985-87 biennium from general fund sources.

State agencies shall take every action possible to support the governor's five percent savings plan which is intended to reduce expenditures by an additional \$12.4 million."

Renumber the remaining sections consecutively.

Representatives Tilly and B. Williams spoke in favor of the amendment, and Representative Braddock spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 2 of Substitute House Bill No. 314, and the amendment was not adopted by the following vote: Yeas, 47; nays, 51.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley - 47.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristol, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, Zellinsky, and Mr. Speaker - 51.

Mr. Lewis moved adoption of the following amendments:

On page 11, line 11 strike "1,731,230,000" and insert "~~((1,731,230,000))~~ 1,733,230,000"

On page 12, line 5 strike "3,052,269,000" and insert "3,054,269,000"

On page 13, line 11 after "(6)" strike all material through and including "(7)" on line 17 and renumber the remaining subsections and correct internal references accordingly.

On page 16, line 24 strike "385,843,000" and insert "387,843,000"

On page 16, line 24 strike "648,017,000" and insert "650,017,000"

Representatives Lewis, Lundquist and Taylor spoke in favor of the amendments, and Representative Braddock opposed them.

The amendments were not adopted.

Mr. B. Williams moved adoption of the following amendment:

On page 12, after line 10 insert:

"(2) The department shall develop by June 1, 1985, internal policies to insure that the total number of youths in residential status at Woodinville, Sunrise, Oakridge, Canyon View, Parke Creek, Twin Rivers, and Ridgeview state group homes is at least 100 per month. Residential status shall include youths in actual residence, those on leave up to 14 days, and those in the process of being transferred or paroled. If the average number of youths in residential status at the above state group homes falls below 100 per month, the appropriation for the Division of Juvenile Rehabilitation community services shall be reduced by \$2,067 per month for every unfilled bed below 100."

Renumber the remaining subsections consecutively and correct internal references accordingly.

Mr. B. Williams spoke in favor of the amendment.

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

Representatives Locke and Braddock spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to page 12 of Substitute House Bill No. 314, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Sommers, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristol, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Williams J, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Mr. B. Williams moved adoption of the following amendment:

On page 13, after line 16 insert the following:

"(7) The department is prohibited from conducting policy research or formulating long range or strategic plans. Those activities shall be specifically directed in the biennial state budget.

"(8) The department shall implement their plan to reorganize administration and support services and report the results, including savings attained to the legislature."

Renumber the remaining subsections consecutively.

Mr. B. Williams spoke in favor of the amendment.

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

Mr. Braddock opposed the amendment and Mr. Hastings spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to page 13 of Substitute House Bill No. 314, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Mr. B. Williams moved adoption of the following amendment:

On page 13, after line 20 add a new subsection as follows:

"(8) The department shall develop and submit to the federal department of health and human services a work incentive demonstration project proposal to allow administration of the work incentive program to be solely borne by the department of social and health services. Before implementation of the proposal, but not later than June 30, 1985, the department shall report to the ways and means and social and health services committees of the senate and house of representatives. The report shall advise the legislature regarding effects of the proposal on (a) the administration of the work incentive program, (b) the receipt of federal funds for the program, and (c) expected client outcomes under the proposal."

Mr. B. Williams spoke in favor of the amendment.

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

Mr. Braddock spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to page 13, line 20 of Substitute House Bill No. 314, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

The Clerk read the following amendments by Representative Lewis:

On page 17, line 2 strike "1,731,230,000" and insert "(~~1,731,230,000~~) 1,733,230,000"

On page 17, line 3 strike "3,052,269,000" and insert "3,054,269,000"

On page 34, line 7 strike "1,700,000" and insert "1,500,000"

With the consent of the House, Mr. Lewis withdrew the amendments.

Ms. Silver moved adoption of the following amendment:

On page 42, after line 17 insert the following:

"NEW SECTION. Sec. 510. The senate and house ways and means committees shall study emergency funding plans in effect in other states and report back to the legislature no later than December 31, 1985 with long-term alternative emergency fund proposals. Establishing an emergency fund by increasing taxes will not be included among these proposals."

Renumber the remaining sections consecutively.

Ms. Silver spoke in favor of the amendment, and Mr. Braddock opposed it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Silver to page 42 of Substitute House Bill No. 314, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Mr. B. Williams moved adoption of the following amendment:

On page 42, after line 17, insert the following:

"NEW SECTION, Sec. 510. (1) The governor shall adopt rules and regulations limiting the allowable number of state employees among the various state agencies to the number employed by, or allotted to the agency as of January 1, 1985, whichever is lower. The agencies shall reduce their level of employment as necessary to meet the January 1, 1985 level. No agency may hire any new employees beyond the January 1, 1985 level or the level in effect as of the effective date of this act, whichever is lower, without receiving authorization from the office of financial management. Such authorization shall only be granted when the office of financial management determines that emergency conditions exist which require the hiring of additional state employees. Such additional employment may not last longer than the emergency conditions.

(2) Each agency headed by a state elected official shall also adopt rules and regulations limiting the allowable number of state employees as provided in subsection (1) of this section."

Renumber the remaining sections consecutively.

Representatives B. Williams, Thomas, Taylor, Van Luven and Doty spoke in favor of the amendment, and Representatives Braddock, Smitherman and O'Brien spoke against it.

POINT OF INQUIRY

Mr. B. Williams yielded to question by Mr. Hastings.

Mr. Hastings: "Representative Williams, you are now serving in your seventh year down here and under the third governor. You have always been, at least from my perspective and, I think, the perspective of most members of this House, very concerned about the growth of FTEs. Have you talked, in one or more instances, to those three governors individually about the FTEs?"

Mr. B. Williams: "Yes, Representative Hastings, I have. Also, this body has gone on record in earlier sessions asking a hiring freeze and it was vetoed by the governor. As we looked at other states, we saw that the governor of New York, who happens to be a Democrat, has administered not only a hiring freeze, but also a reduction of nine thousand FTEs."

Representatives Addison and Schoon spoke in favor of the amendment.

Mr. Crane demanded the previous question and the demand was sustained.

Ms. Silver demanded an electric roll call vote and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to page 42 of Substitute House Bill No. 314, and the amendment was not adopted by the following vote: Yeas, 46; nays, 52.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Peery, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 46.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

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

Representatives Tilly, Vander Stoep and B. Williams opposed passage of the bill, and Mr. Braddock spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 314, and the bill passed the House by the following vote: Yeas, 51; nays, 47.

Voting yeas: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 47.

Substitute House Bill No. 314, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

THIRD READING

ENGROSSED SENATE BILL NO. 4302, by Senators Wojahn, McDermott and Williams

Revising provisions relating to lie detectors.

The Speaker stated the question before the House to be the reconsideration of final passage of the bill.

Representatives Wang and Cole spoke in favor of the bill, and Mr. Patrick spoke against it.

POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Padden.

Mr. Padden: "Representative Wang, for the purpose of establishing legislative intent, are written or psychological tests prohibited under this act?"

Mr. Wang: "Representative Padden, the answer is 'No.' When the bill came before the Commerce & Labor Committee, the original intent of the bill was to include written tests. I asked to see some of those written tests and for the benefit of the House, they ask questions such as, 'When people say they have never stolen anything are they usually lying?' 'Did you ever admire a person who pulled off a famous crime?' Some really pretty off-questions. I found some of the tests somewhat offensive and believed their credibility was dubious, but I believe they should not be flatly prohibited. Therefore, we deleted my committee amendment, the expansive definition which would have included written tests. The current law applies only to 'any lie detector or similar test.' In my interpretation that would not include written tests, just as it would not include an employer making a decision on the basis of an employee's honest face or other intangible criteria. The committee amendment which was adopted specifically leaves in the language which allows the use of psychological tests; therefore, written tests, though I may find them personally offensive, are not restricted under this bill."

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Senate Bill No. 4302 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 48.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betrozoff, Bond, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Long, Lundquist, Mary, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith C, Smith L, Smitherman, Sutherland, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 48.

Engrossed Senate Bill No. 4302 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 House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3877, by Committee on Natural Resources (originally sponsored by Senators Stratton, Saling, Guess, Conner, Lee, Barr, Halsan, Kreidler, Johnson, Warnke, Hansen, Goltz and Vognild)

Revising provisions relating to personal use licenses of the department of fisheries.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Sutherland, the committee amendments were adopted.

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

Representative Sutherland spoke in favor of the bill, and Representatives S. Wilson and Zellinsky spoke against it.

MOTION

On motion of Mr. Appelwick, further consideration of Engrossed Substitute Senate Bill No. 3877 as amended by the House was deferred, and the bill was ordered placed at the top of the third reading calendar for the next working day.

The House reverted to the fifth order of business.

REPORT OF STANDING COMMITTEE

April 18, 1985

ESSB 3920 Prime Sponsor, Committee on Transportation: Adopting the 1985-87 transportation budget. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. The transportation budget of the state is hereby adopted and, subject to the provisions hereinafter set forth, the several amounts hereinafter specified, or so much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds hereinafter named to the designated state agencies and offices for salaries, wages, and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 1987.

NEW SECTION, Sec. 2. FOR THE TRAFFIC SAFETY COMMISSION

Highway Safety Fund Appropriation—State	\$	305,000
Highway Safety Fund Appropriation—Federal	\$	4,744,000
Total Appropriation	\$	5,049,000

NEW SECTION, Sec. 3. FOR THE BOARD OF PILOTAGE COMMISSIONERS

General Fund—Pilotage Account Appropriation	\$	80,000
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NEW SECTION, Sec. 4. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Motor Vehicle Fund—Rural Arterial Trust Account Appropriation	\$ 21,042,000
Motor Vehicle Fund Appropriation	\$ 676,000
Total Appropriation	\$ 21,718,000

The appropriations in this section are subject to the following conditions and limitations: In utilizing the moneys provided by this section for implementation of a pavement management system, installation and training for a micro-computer network, and completion of the road jurisdiction and revenue distribution study, the county road administration board shall evaluate the cost-effectiveness of utilizing consultants or other nonagency personnel to undertake these projects. If the board finds it necessary to hire additional agency personnel for these activities, it shall be on the express understanding that such employment is on a project basis and temporary in nature. Prior to implementation, the board shall provide a detailed report to the legislative transportation committee.

NEW SECTION, Sec. 5. FOR THE URBAN ARTERIAL BOARD

Motor Vehicle Fund—Urban Arterial Trust Account Appropriation	\$ 68,486,000
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The appropriation includes \$50,000,000 from the proceeds of the sale of Series III Urban Arterial bonds provided for by RCW 47.26.420 through 47.26.427.

NEW SECTION, Sec. 6. FOR THE STATE PATROL—FIELD OPERATIONS BUREAU

Motor Vehicle Fund—State Patrol Highway Account Appropriation	\$ 86,582,000
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The appropriation in this section does not provide for any increase in state patrol troopers' salaries.

NEW SECTION, Sec. 7. FOR THE STATE PATROL—SUPPORT SERVICES BUREAU

Motor Vehicle Fund—State Patrol Highway Account Appropriation	\$ 31,696,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) The state patrol shall conduct a study to determine the level of fees that would be necessary to recover the actual costs incurred in providing training services to other law enforcement agencies at the state patrol academy.

(2) Up to \$250,000 is provided to implement the recommendations of the legislative transportation committee study of the budget, accounting, and other related systems of the state patrol. No moneys may be expended under this subsection without the prior approval of the legislative transportation committee.

(3) The appropriation in this section does not provide for any increase in state patrol troopers' salaries.

NEW SECTION, Sec. 8. FOR THE STATE PATROL

(1) Minor repairs and improvements (CR-83-1-R02)

	Reappropriation	Appropriation
MV, St Patrol Hiwy Acct	20,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
243,000		263,000

(2) Port of entry station: Bellingham (CI-83-R-006)

	Reappropriation	Appropriation
MV, St Patrol Hiwy Acct	450,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
13,000		463,000

(3) Minor works request: Capital renewal (CR-86-1-002)

	Reappropriation	Appropriation
MV, St Patrol Hiwy Acct		525,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		525,000

(4) Minor works request (CI-86-3-003)

	Reappropriation	Appropriation
MV, St Patrol Hiwy Acct		166,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		166,000

(5) Asbestos removal: Tacoma office (CR-86-1-004)

MV, St Patrol Hiwy Acct	Reappropriation	Appropriation
Project	Estimated	108,000
Costs	Costs	Estimated
Through	7/1/87 and	Total
6/30/85	Thereafter	Costs
		108,000

(6) Emergency repairs (CR-86-1-005)

MV, St Patrol Hiwy Acct	Reappropriation	Appropriation
Project	Estimated	50,000
Costs	Costs	Estimated
Through	7/1/87 and	Total
6/30/85	Thereafter	Costs
		50,000

(7) Multi-purpose building: Patrol academy (CI-86-3-006)

MV, St Patrol Hiwy Acct	Reappropriation	Appropriation
Project	Estimated	1,890,000
Costs	Costs	Estimated
Through	7/1/87 and	Total
6/30/85	Thereafter	Costs
		1,890,000

(8) District headquarters: Bremerton (CI-86-3-013)

MV, St Patrol Hiwy Acct	Reappropriation	Appropriation
Project	Estimated	1,042,000
Costs	Costs	Estimated
Through	7/1/87 and	Total
6/30/85	Thereafter	Costs
		1,042,000

NEW SECTION, Sec. 9. FOR THE DEPARTMENT OF LICENSING—VEHICLE SERVICES

Motor Vehicle Fund Appropriation	\$	32,891,000
Game Fund Appropriation	\$	323,000
Total Appropriation	\$	33,214,000

The appropriations in this section are subject to the following conditions and limitations: The motor vehicle fund appropriation includes an amount not to exceed \$6,270,100 for the county auditor and subagent automation project, of which not more than \$100,000 may be expended by the department for costs of implementing the county auditor and subagent automation project in counties of the fourth class or smaller. Computer terminal equipment purchased for the county auditor automation project shall be provided only to the auditors or licensing divisions of the 39 counties, the presently authorized 157 subagents, and the department of licensing's vehicle licensing counter. The department shall by January 13, 1986, present to the legislative transportation committee a detailed report on implementation of the county auditor automation project, including equipment purchased and installed.

NEW SECTION, Sec. 10. FOR THE DEPARTMENT OF LICENSING—DRIVER SERVICES

General Fund—Public Safety and Education Account Appropriation	\$	2,056,000
Highway Safety Fund Appropriation	\$	30,005,000
Highway Safety Fund—Motorcycle Safety Education Account Appropriation	\$	193,000
Total Appropriation	\$	32,254,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section provide no moneys for the administrative suspension of drivers' licenses pursuant to chapter 165, Laws of 1983 (SHB 289).

(2) The appropriations in this section provide no moneys for the 'pre-driver education program' operated by the department and no funds may be expended by the department for this purpose.

NEW SECTION, Sec. 11. FOR THE DEPARTMENT OF LICENSING—MANAGEMENT OPERATIONS

Game Fund Appropriation	\$	7,000
Highway Safety Fund Appropriation	\$	4,461,000
Motor Vehicle Fund Appropriation	\$	2,361,000
Total Appropriation	\$	6,829,000

The appropriations in this section are subject to the following conditions and limitations: Not more than \$300,000 is provided for the micro-optic pilot project. The department shall report the status of the project to the legislative transportation committee by December 31, 1985.

NEW SECTION, Sec. 12. FOR THE DEPARTMENT OF LICENSING—INFORMATION SYSTEMS

Game Fund Appropriation	\$	4,000
Highway Safety Fund Appropriation	\$	3,538,000
Motor Vehicle Fund Appropriation	\$	11,687,000
Total Appropriation	\$	15,229,000

NEW SECTION, Sec. 13. FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE

Motor Vehicle Fund Appropriation	\$	1,800,000
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NEW SECTION, Sec. 14. FOR THE TRANSPORTATION COMMISSION

General Fund—Aeronautics Account Appropriation	\$	1,000
General Fund Appropriation	\$	2,000
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation	\$	15,000
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation	\$	49,000
Motor Vehicle Fund Appropriation	\$	401,000
Total Appropriation	\$	468,000

The appropriations in this section are provided for the salaries, wages, and other expenses necessary for the operation of the transportation commission and commission staff as provided by RCW 47.01.061.

NEW SECTION, Sec. 15. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM A

Motor Vehicle Fund Appropriation—State	\$	109,000,000
Motor Vehicle Fund Appropriation—Federal and Local	\$	124,000,000
Total Appropriation	\$	233,000,000

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects designated as category 'A' under RCW 47.05.030. Any amounts expended during the 1983-85 biennium from the motor vehicle fund—state appropriation in excess of the amount appropriated under section 21, chapter 53, Laws of 1983 1st ex. sess. as amended by chapter 2, Laws of 1984 shall be transferred to reserve status from amounts appropriated from the motor vehicle fund—state by this section.

If federal funds become available for the Mt. St. Helens road, the transportation commission, in consultation with the legislative transportation committee, shall seek unanticipated receipts for design and construction of the Mt. St. Helens road.

NEW SECTION, Sec. 16. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM B

Motor Vehicle Fund Appropriation—State	\$	52,000,000
Motor Vehicle Fund Appropriation—Federal and Local	\$	478,000,000
Total Appropriation	\$	530,000,000

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects on the interstate system designated as category 'B' under RCW 47.05.030.

The appropriation of \$52,000,000 in state funds includes \$32,600,000 in proceeds from the sale of bonds authorized by RCW 47.10.790, for state matching funds for the construction of SR 90 from SR 5 to SR 405, and \$19,400,000 in proceeds from the sale of bonds authorized by RCW 47.10.801: PROVIDED, That the transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

In the event federal discretionary funds are made available to the state, the motor vehicle fund—state appropriation is increased proportionally to provide matching state funds from the sale of bonds authorized by RCW 47.10.801 not to exceed \$10,000,000 and it is understood that the department shall seek unanticipated receipts for the federal portion.

NEW SECTION, Sec. 17. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM C

Motor Vehicle Fund Appropriation—State	\$	137,000,000
Motor Vehicle Fund Appropriation—Local	\$	1,000,000
Total Appropriation	\$	138,000,000

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects designated as category 'C' under RCW 47.05.030.

The motor vehicle fund—state appropriation will be funded with the proceeds from the sale of bonds authorized in RCW 47.10.801 in the amount of \$65,000,000: PROVIDED, That the transportation commission in consultation with the legislative transportation committee may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

\$4,000,000 of the motor vehicle fund—state appropriation or so much thereof as is necessary is provided for preconstruction activities on new projects to be selected by the transportation commission. Funding of these activities shall be derived from underexpenditures in motor vehicle fund—state appropriations in the 1983-1985 biennium to the extent they become available.

NEW SECTION, Sec. 18. FOR THE DEPARTMENT OF TRANSPORTATION—CONSTRUCTION MANAGEMENT AND SUPPORT—PROGRAM D

Motor Vehicle Fund Appropriation \$ 28,583,000

The appropriation in this section is provided for the improvement and construction of buildings and other highway plant construction, for management and support of the highway construction programs, and for administrative support necessary to support cities and counties in obtaining federal aid.

\$2,000,000 of the motor vehicle fund—state appropriation, or so much thereof as may be required, is provided to fund the study required by Senate Concurrent Resolution No. 130 adopted by the 1983 legislature and provided for under RCW 46.68.110 and 46.68.120 of city, county, and state highway needs in relation to current statutory distributions of motor vehicle fuel taxes, other state and local highway revenue sources, and alternatives for financing long-term highway needs, and for other related studies.

NEW SECTION, Sec. 19. FOR THE DEPARTMENT OF TRANSPORTATION—AERONAUTICS—PROGRAM F

General Fund—Aeronautics Account Appropriation—State \$ 1,270,000

General Fund—Aeronautics Account Appropriation—Federal \$ 91,000

Total Appropriation \$ 1,361,000

The appropriations in this section are provided for management and support of the aeronautics division, state fund grants to local airports, development and maintenance of a state-wide airport system plan, maintenance of state-owned emergency airports, federal inspections, and the search and rescue program. The aeronautics account—state appropriation contains \$100,000 for transfer to the motor vehicle fund as the first of four installments in repayment of the \$407,430 advanced to pay the tort settlement in the case of Osibov vs. the state of Washington, Spokane county superior court, cause No. 239168.

NEW SECTION, Sec. 20. FOR THE DEPARTMENT OF TRANSPORTATION—SEARCH AND RESCUE—PROGRAM F

General Fund—Search and Rescue Account Appropriation \$ 110,000

The appropriation in this section is provided for directing and conducting searches for missing, downed, overdue, or presumed downed general aviation aircraft; for safety and education activities necessary to insure safety of persons operating or using aircraft; and for the Washington wing civil air patrol in accordance with RCW 47.68.370.

NEW SECTION, Sec. 21. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE AND OPERATIONS—PROGRAM M

Motor Vehicle Fund Appropriation \$ 174,195,000

The appropriation in this section is for the maintenance and operations of state highways, maintenance and operations of highway plants, and associated management and support. The appropriation includes \$300,000 to be used solely for increased maintenance and other operational activities designed to accommodate additional highway traffic and visitors to the state enroute to the 1986 World Exposition.

NEW SECTION, Sec. 22. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MANAGEMENT AND SUPPORT—PROGRAM P

Motor Vehicle Fund Appropriation \$ 14,043,000

The appropriation in this section is provided for the management and support of the highway programs, for any necessary increase in stores, for necessary pit and stockpile sites and write-off of obsolete stores, pits, and stockpiles.

NEW SECTION, Sec. 23. FOR THE DEPARTMENT OF TRANSPORTATION—COUNTY-CITY PROGRAM—PROGRAM R

Motor Vehicle Fund Appropriation—State \$ 1,450,000

Motor Vehicle Fund Appropriation—Federal and Local \$ 93,949,000

Total Appropriation \$ 95,399,000

The appropriations in this section are provided for the County-City Program—Program R. The appropriations are subject to the following conditions and limitations:

(1) The appropriations contain \$309,000 of state funds and \$93,549,000 of federal and local funds for reimbursable expenditures for the location, design, right of way, construction, and maintenance on city streets and county roads and other nonstate highways, and miscellaneous sales and services, including the unexpended balance of state funds from the sale of bonds for Columbia Basin county roads authorized in chapter 121, Laws of 1951, chapter 311, Laws of 1955, and chapter 121, Laws of 1965, for reimbursable expenditures on cooperative projects authorized by state and/or federal laws, and for expenditures through federal emergency relief acts.

(2) The appropriations contain \$241,000 of state funds for expenditures in accordance with RCW 47.56.720 (Puget Island—Westport Ferry—Payments for operations and maintenance to Wahkiakum county).

(3) The appropriations contain \$900,000 for the guarantee, pursuant to RCW 47.56.712, for the payment of principal of and interest on the Spokane River toll bridge revenue refunding bonds as the bonds become due, but only to the extent that net revenues from the operation of the bridge are insufficient therefor.

(4) The appropriations contain \$400,000 of local funds to guarantee bond payments in the Astoria-Megler bridge pursuant to RCW 47.56.646.

NEW SECTION, Sec. 24. FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT AND MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appropriation	\$	8,000
General Fund Appropriation	\$	19,000
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation	\$	167,000
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation	\$	473,000
Motor Vehicle Fund Appropriation	\$	23,707,000
Total Appropriation	\$	24,374,000

The appropriations in this section are provided for executive management, management services, and costs billed to the department of transportation by other agencies.

NEW SECTION, Sec. 25. FOR THE DEPARTMENT OF TRANSPORTATION—PLANNING, RESEARCH, AND PUBLIC TRANSPORTATION—PROGRAM T

(1) For public transportation and rail programs:

General Fund Appropriation—State	\$	536,000
General Fund Appropriation—Federal	\$	4,664,000
General Fund Appropriation—Local	\$	190,000

(2) For planning and research:

Motor Vehicle Fund Appropriation—State	\$	3,438,000
Motor Vehicle Fund Appropriation—Federal	\$	12,619,000
Total Public Transportation and Planning Appropriation	\$	21,447,000

The appropriations in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for studies which support local public transportation programs, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation.

NEW SECTION, Sec. 26. FOR THE DEPARTMENT OF TRANSPORTATION—PLANNING, RESEARCH, AND PUBLIC TRANSPORTATION—PROGRAM T

General Fund Appropriation—State	\$	55,000
Motor Vehicle Fund Appropriation—Federal	\$	110,000
Total Appropriation	\$	165,000

The appropriations in this section are provided for the completion of a cooperative study between the department of transportation and the Washington public ports association to develop a long-range strategic planning document for each mode of transportation and its impact on the future economic growth of the state as initially authorized in section 403, chapter 285, Laws of 1984.

NEW SECTION, Sec. 27. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM W

Motor Vehicle Fund—Puget Sound Reserve Account Appropriation	\$	3,958,000
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation	\$	46,400,000
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation—State	\$	56,300,000
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation—Federal	\$	7,300,000
Total Appropriation	\$	113,958,000

The appropriations in this section are provided for the management and support of the marine transportation division of the department of transportation and for the operation, maintenance, and capital improvements of the Washington state ferry system. The appropriations are subject to the following conditions and limitations:

(1) The Puget Sound reserve account appropriation is provided to carry out RCW 47.60.420.

(2) The Puget Sound ferry operations account appropriation is provided for the operation and maintenance of the Washington state ferries, supplementing revenues available from the Washington state ferry system. The Puget Sound ferry operations account appropriation includes up to \$14,500,000 transferred from the Puget Sound capital construction account in accordance with RCW 47.60.505.

(3) The Puget Sound capital construction account appropriation is provided for improving the Washington state ferry system, including, but not limited to, vessel acquisition, vessel construction, major and minor vessel improvements, and terminal construction and improvements. The appropriation of state funds from the Puget Sound capital construction account contains \$20,000,000 of the proceeds from the sale of bonds authorized by RCW 47.60.560: PROVIDED, That the transportation commission in consultation with the legislative transportation committee may authorize the use of current revenues available to the Puget Sound capital construction account in lieu of bond proceeds for any part of the state appropriation.

(4) It is the intent of the legislature that the Puget Sound capital construction account appropriation is provided to carry out the projects presented to the transportation committees of the senate and house of representatives. The department of transportation shall consult with the legislative transportation committee prior to revising the programming of these projects or adding new projects.

(5) Savings realized in marine operations as of the end of the fiscal period shall be placed into reserve status and no expenditure shall be made from that reserve without consulting with the legislative transportation committee and obtaining the approval of the office of financial management pursuant to RCW 43.88.110.

(6) The results of the passenger-only ferry study using leased vessels shall be reported to the legislative transportation committee during the 1986 regular session of the legislature.

NEW SECTION. Sec. 28. FOR THE DEPARTMENT OF TRANSPORTATION

General Fund Appropriation—Federal \$ 1,200,000

The appropriation in this section is provided for supportive services to on-the-job training programs for minority construction workers and for minority contractors' training programs: PROVIDED, That this appropriation shall be fully reimbursable from federal funds.

NEW SECTION. Sec. 29. FOR THE DEPARTMENT OF TRANSPORTATION

Motor Vehicle Fund—RV Account Appropriation Transfer:

For transfer to the Motor Vehicle Fund \$ 391,000

The appropriation transfer in this section is provided for the construction and maintenance of recreation vehicle sanitary disposal systems at rest areas on the state highway system. This appropriation is part of the motor vehicle fund construction and maintenance appropriations.

NEW SECTION. Sec. 30. FOR THE STATE TREASURER—TRANSFER

Motor Vehicle Fund Appropriation—State \$ 3,000,000

The appropriation in this section is for transfer to the Puget Sound capital construction account on August 1, 1985: PROVIDED, That the amount appropriated for transfer shall not exceed the amount of the unexpended balance in the Puget Sound ferry operations account on June 30, 1985, which is subject to transfer from the account pursuant to RCW 47.60.540(2). The amount transferred shall be reported to the legislative transportation committee.

NEW SECTION. Sec. 31. Not more than \$60,000 of the department of transportation's appropriation contained in this act is provided for the SNO-LINE information system. It is the intent of the legislature that the department of transportation convert to a self-supporting SNO-LINE information system.

Sec. 32. Section 46.68.110, chapter 12, Laws of 1961 as last amended by section 161, chapter 151, Laws of 1979 and RCW 46.68.110 are each amended to read as follows:

Funds credited to the incorporated cities and towns of the state as set forth in subdivision (1) of RCW 46.68.100 shall be subject to deduction and distribution as follows:

(1) One and one-half percent of such sums shall be deducted monthly as such sums are credited and set aside for the use of the department of transportation for the supervision of work and expenditures of such incorporated cities and towns on the city and town streets thereof, including the supervision and administration of federal-aid programs for which the department of transportation has responsibility: PROVIDED, That any moneys so retained and not expended shall be credited in the succeeding biennium to the incorporated cities and towns in proportion to deductions herein made:

(2) From July 1, 1985, through June 30, 1987, twenty-four one-hundredths of one percent of such funds shall be deducted monthly, as such funds accrue, and set aside for the use of the department of transportation for the purpose of funding the cities' share of the costs of highway jurisdiction studies and related studies. Any funds so retained and not expended shall be credited in the succeeding biennium to the cities in proportion to the deductions made;

(3) The balance remaining to the credit of incorporated cities and towns after such deduction shall be apportioned monthly as such funds accrue among the several cities and towns within the state ratably on the basis of the population last determined by the office of financial management.

Sec. 33. Section 46.68.120, chapter 12, Laws of 1961 as last amended by section 1, chapter ... (SHB 321), Laws of 1985 and RCW 46.68.120 are each amended to read as follows:

Funds to be paid to the counties of the state shall be subject to deduction and distribution as follows:

(1) One and one-half percent of such funds shall be deducted monthly as such funds accrue and set aside for the use of the department of transportation and the county road administration board for the supervision of work and expenditures of such counties on the county roads thereof, including the supervision and administration of federal-aid programs for which the department of transportation has responsibility: PROVIDED, That any funds so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to deductions herein made:

(2) All sums required to be repaid to counties composed entirely of islands shall be deducted:

(3) From July 1, 1985, through June 30, 1987, twenty-four one-hundredths of one percent of such funds shall be deducted monthly, as such funds accrue, and set aside for the use of the

department of transportation for the purpose of funding the counties' share of the costs of highway jurisdiction studies and related studies. Any funds so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to the deductions made;

(4) The balance of such funds remaining to the credit of counties after such deductions shall be paid to the several counties monthly, as such funds accrue, in accordance with RCW 46.68.122 and 46.68.124.

NEW SECTION. Sec. 34. The motor vehicle fund revenues are received at a relatively even flow throughout the year. Expenditures exceed the revenue during the accelerated summer and fall highway construction season, creating a negative cash balance during the heavy construction season. The legislature recognizes that the department of transportation may require interfund loans or other short-term financing to meet temporary seasonal cash requirements.

NEW SECTION. Sec. 35. The department of transportation may, after consultation with the legislative transportation committee, transfer any motor vehicle fund appropriations contained in sections 18, 22, and 24 of this act into sections 15 and 17 of this act.

NEW SECTION. Sec. 36. It is the intent of the legislature that the amounts assumed in this act and any other acts for all revolving funds for services provided by other agencies shall not be exceeded without the prior approval of the legislative transportation committee.

NEW SECTION. Sec. 37. The legislature recognizes the economic importance to the state of attracting new industrial development, and that the availability of transportation services is a significant factor in attracting such industries. The transportation commission and the department of transportation may consider these unique circumstances in determining priorities for capital expenditures.

NEW SECTION. Sec. 38. The legislature recognizes the economic importance to the state of maintaining highway facilities at and near international border crossings which promote the efficient movement of highway traffic through customs checkpoints with as little delay to the motorist and inconvenience to border communities as is reasonably possible. To the maximum extent feasible, the transportation commission and the department of transportation shall consider the unique transportation needs present on highway routes crossing the international border in determining priorities for capital expenditures.

NEW SECTION. Sec. 39. In addition to the amounts appropriated in this act for revenue for distribution, bond retirement and interest including ongoing bond registration and transfer charges, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

NEW SECTION. Sec. 40. In addition to such other appropriations as are made by this act, there is hereby appropriated to the state finance committee from legally available bond proceeds in the respective construction or building accounts such amounts as are necessary to pay the expenses incurred in the issuance and sale of the subject bonds.

NEW SECTION. Sec. 41. The appropriations of moneys and the designation of funds and accounts by this and other acts of the 1985 legislature shall be construed in a manner consistent with legislation enacted by the 1985 legislature to conform state funds and accounts with generally accepted accounting principles.

NEW SECTION. Sec. 42. 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. 43. 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 1 of the title, after "transportation;" strike the remainder of the title and insert "amending RCW 46.68.110 and 46.68.120; making appropriations and authorizing expenditures; creating new sections; and declaring an emergency."

Signed by Representatives Walk, Chair; Wineberry, Vice Chair; Baugher, Betrozoff, Bond, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Kremen, Lundquist, McMullen, Patrick, Prince, Schmidt, C. Smith, Sutherland, Tanner, Thomas, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

MOTION

On motion of Mr. Appelwick, the rules were suspended, and Engrossed Substitute Senate Bill No. 3920 was advanced to second reading and placed at the bottom of today's second reading calendar.

MOTION

On motion of Mr. Appelwick, the House adjourned until 9:30 a.m., Friday, April 19, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

NINETY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 19, 1985.

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 C. Smith and Smitherman. Representative C. Smith was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Nichole Locke and Carolyn Weber. Prayer was offered by Reverend Lee Forstrom, Westwood 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 GOVERNOR

April 18, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on April 18, 1985, Governor Gardner approved the following House Bills, entitled:

HOUSE BILL NO. 12: Relating to FM radio reception;

SUBSTITUTE HOUSE BILL NO. 15: Relating to public works;

HOUSE BILL NO. 92: Relating to the interagency committee for outdoor recreation;

HOUSE BILL NO. 142: Relating to marriages;

HOUSE BILL NO. 149: Relating to taxation of personal property;

SUBSTITUTE HOUSE BILL NO. 188: Relating to removal of repossessed mobile homes from mobile home parks;

HOUSE BILL NO. 213: Relating to insurance for port district commissioners;

HOUSE BILL NO. 310: Relating to gambling for coin-operated music;

HOUSE BILL NO. 398: Relating to registration of motor vehicles;

HOUSE BILL NO. 402: Relating to raffle tickets;

SUBSTITUTE HOUSE BILL NO. 520: Relating to industrial loan companies;

SUBSTITUTE HOUSE BILL NO. 565: Relating to county fiscal agents;

HOUSE BILL NO. 830: Relating to business siting.

Sincerely,
Terry Sebring, Counsel.

MESSAGES FROM THE SENATE

April 18, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3654,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 19, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 4114,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

ESSB 3654 by Committee on Ways & Means (originally sponsored by Senator McDermott)

Adopting the capital budget.

Referred to Committee on Ways & Means.

The House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-58, by Representatives Wineberry, Van Luven and Sanders

WHEREAS, Sherry Rials recently competed for the title of Miss Washington-U.S.A. in Seattle, Washington; and

WHEREAS, Sherry Rials impressed the Miss Washington-U.S.A. Pageant judges with her great charm, intelligence, grace, beauty and personality; and

WHEREAS, Sherry Rials is a caring young person who plans to use her training as a certified underwater deepsea welder and scuba diver to teach handicapped children to learn to scuba dive safely; and

WHEREAS, On February 25, 1985, the judges of the Miss Washington-U.S.A. Pageant chose Sherry Rials to represent Washington at the Miss U.S.A. Pageant in Lakeland, Florida later this month; and

WHEREAS, Sherry Rials is the first black woman to represent Washington at the Miss U.S.A. Pageant; and

WHEREAS, The citizens of Washington are very proud of Sherry Rials and her accomplishments and are pleased that she will represent them at the Miss U.S.A. Pageant;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington congratulate Sherry Rials on being selected Miss Washington-U.S.A. for 1985; and

BE IT FURTHER RESOLVED, That the House of Representatives extend to Sherry Rials its best wishes during the 1985 Miss U.S.A. Pageant; and

BE IT FURTHER RESOLVED, That copies of this Resolution be sent by the Chief Clerk of the House of Representatives to Sherry Rials and her family.

Mr. Wineberry moved adoption of the resolution. Representatives Wineberry, Van Luven and Sanders spoke in favor of the resolution and it was adopted.

The House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3099, by Committee on Judiciary (originally sponsored by Senators Talmadge, Newhouse, Halsan and Granlund)

Providing mental health treatment for juveniles.

The bill was read the second time. Committee on Social & Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

Ms. Brekke moved adoption of the committee amendment.

On motion of Ms. Brekke, the following amendments to the committee amendment were adopted:

On page 33, beginning on line 21 strike "state-operated"

On page 33, line 26 strike "thirty" and insert "fourteen"

On page 33, line 29 after "Transfer" insert "and the evaluation and treatment facility is in agreement with the transfer"

On page 33, line 34 strike "thirty" and insert "fourteen"

Ms. Brekke spoke in favor of the committee amendment as amended, and it was adopted.

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

Ms. Brekke 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. 3099 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 6; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Dobbs, Hargrove, Hastings, Haugen, Padden, West - 6.

Absent: Representative Smitherman - 1.

Excused: Representative Smith C - 1.

Engrossed Substitute Senate Bill No. 3099 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. 3116, by Committee on Natural Resources (originally sponsored by Senators Patterson, Owen, Hansen and Metcalf)

Modifying provisions relating to damage being done by wildlife.

The bill was read the second time. Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. K. Wilson, the committee amendment was adopted.

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

Representatives K. Wilson and Prince 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. 3116 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Smitherman - 1.

Excused: Representative Smith C - 1.

Engrossed Substitute 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.

The Speaker assumed the Chair.

The House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-60, by Representatives K. Wilson, R. King, Allen, Scott, G. Nelson and van Dyke

WHEREAS, Stimulating and enjoyable academic endeavors foster an interest in learning which extends beyond the schoolroom and continues throughout students' lives; and

WHEREAS, The Scott Paper Company has demonstrated a strong commitment to academic achievement and community spirit by sponsoring the Pacific Northwest Hi-Q academic quiz competition for its tenth season; and

WHEREAS, The affiliation of Everett Community College in producing the 1985 Hi-Q program and the participation of Everett Community College history and political science instructor, David A. McCourt, as Hi-Q quizmaster, are commendable examples of the new spirit of cooperation between business and public institutions for the promotion of educational excellence; and

WHEREAS, The Hi-Q program provides a public forum for students from high schools throughout northwest Washington to develop and display their academic achievements, initiative, and good sportsmanship; and

WHEREAS, The commitment to academic excellence demonstrated by the competition's participants, their advisors, their sponsors, and their families, as well as the faculty and staff of each of their high schools should be highly commended; and

WHEREAS, The following students and faculty advisors make up the winning teams in the 1985 Hi-Q competition:

CASCADE HIGH SCHOOL

Neil Christopher Phelps
 Michelle Poulos
 Evan Bromely Rice
 James Ronald Rigby
 Susan Joan Spaulding
 Eric Hsi-Lun Tsang
 S. Rits White
 Annie Mary Young
 Faculty Advisor:
 Mr. Ed Nievaard

WOODWAY HIGH SCHOOL

Karl Hugh Braun
 Sven De Cock
 Hayes C. Haugen
 Andrew S. James
 Simon M. Koeman
 Michael Walsh McArthur
 Matthew A. Wright
 Faculty Advisors:
 Mr. Evan Emery
 Ms. Susan Hall

MARINER HIGH SCHOOL

Michael J. Birnbaum
 Clark S. Grubb
 Pat M. Lasswell
 Mark J. O'Connell
 Kyle G. Peltonen
 Brian L. Tunis
 Faculty Advisors:
 Mrs. Betty Hill
 Mr. John Orr

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington acknowledges the superior academic achievements of these students, and extends its warmest congratulations to them and to their faculty advisors for their success in the 1985 Hi-Q competition; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded by the Chief Clerk of the House of Representatives to each of these students and their faculty advisors.

Ms. K. Wilson moved adoption of the resolution. Representatives K. Wilson and Allen spoke in favor of the resolution and it was adopted.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 4114.

MOTION

On motion of Mr. J. King, the Rules Committee was relieved of HOUSE BILL NO. 1245 and the bill was ordered placed on today's second reading calendar.

The Speaker called on Mr. O'Brien to preside.

The House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3346, by Committee on Governmental Operations (originally sponsored by Senators Fleming, McDermott and Wojahn)

Requiring affirmative action programs for in-state employment.

The bill was read the second time, Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Ms. Belcher, the committee amendments were adopted.

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

Representatives Belcher and Hankins 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. 3346 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 15; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith L, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 81.

Voting nay: Representatives Barnes, Betrozoff, Bond, Dobbs, Fuhrman, Hargrove, Hastings, Lundquist, Nealey, Padden, Sanders, Schmidt, Thomas, van Dyke, Zellinsky - 15.

Absent: Representative Smitherman - 1.

Excused: Representative Smith C - 1.

Engrossed Substitute Senate Bill No. 3346 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. 3625, by Senators Kreidler, Zimmerman and Bottiger

Changing provisions relating to fire protection district annexation.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Nutley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3625, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Smitherman - 1.

Excused: Representative Smith C - 1.

Senate Bill No. 3625, having received the 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. 109, by Senators Goltz, Williams and Saling

Petitioning the U.S. Department of Energy to shut down operations at the PUREX plant under certain circumstances.

The memorial was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. D. Nelson, the committee amendment was adopted.

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

Representatives D. Nelson and Long spoke in favor of the memorial, and Mr. Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 109 as amended by the House, and the memorial passed the House by the following vote: Yeas, 79; nays, 17; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Ballard, Barnes, Baugher, Betzoff, Bond, Brooks, Chandler, Dobbs, Fuhrman, Hankins, Hastings, Isaacson, Nealey, Padden, Prince, Rayburn, Sanders - 17.

Absent: Representative Smitherman - 1.

Excused: Representative Smith C - 1.

Senate Joint Memorial No. 109 as amended by the House, having received the constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 119, by Senators Zimmerman, DeJarnatt, Patterson, Hansen, Deccio, Hayner, Benitz, Newhouse, Thompson, Bauer and Sellar

Asking Congress to appropriate funds for locking facility at Bonneville Dam.

The memorial was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. Wineberry spoke in favor of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 119, and the memorial passed the House by the following vote: Yeas, 92; nays, 4; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Bond, Brough, Fisher, West - 4.

Absent: Representative Smitherman - 1.

Excused: Representative Smith C - 1.

Senate Joint Memorial No. 119, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:00 p.m.

AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker.

The House advanced to the seventh order of business.

THIRD READING

SENATE BILL NO. 3236, by Senators Moore, Sellar, Vognild, Bender, McManus, Warnke, McCaslin, Newhouse, Deccio, Wojahn, Stratton, Guess, McDermott, von Reichbauer and Conner

Relating to banks and bank holding companies.

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

Representatives Lux, Sanders, Niemi, Winsley and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3236, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Senate Bill No. 3236, having received the 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 he was signing:

SUBSTITUTE HOUSE BILL NO. 124,
HOUSE BILL NO. 168,
SUBSTITUTE HOUSE BILL NO. 204,
SUBSTITUTE HOUSE BILL NO. 493,
HOUSE BILL NO. 610,
HOUSE BILL NO. 787,
HOUSE JOINT RESOLUTION NO. 42.

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

SECOND READING

SENATE BILL NO. 4288, by Senator Lee

Modifying provisions relating to experience rating of employers for purposes of on the job training programs.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4288, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King

P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Senate Bill No. 4288, having received the 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. 3173, by Senators Owen, Metcalf and Stratton

Prohibiting trespass on aquaculture lands or structures.

The bill was read the second time.

Mr. Smitherman moved adoption of the following amendment:

On page 2, after line 14, insert the following:

NEW SECTION. Sec. 2. The legislature finds that the protection of commercial and recreational shellfish areas is in the public interest and that state and local actions are necessary to preserve this valuable resource.

NEW SECTION. Sec. 3. (1) For purposes of this chapter, the department of ecology is directed to conduct reviews and assessments of commercial and recreational shellfish areas and designate the boundaries of each of these significant areas:

(a) Closed but correctable;

(b) High threat; or

(c) Low threat.

(2) These designations shall not conflict with chapter 69.30 RCW regarding certification of commercial growing areas by the department of social and health services. As appropriate, the department of social and health services, local health authorities, department of game, department of natural resources, department of agriculture, and department of fisheries shall assist the department of ecology in assessing shellfish areas, developing minimum standards, and providing recommendations for shellfish protection.

(3) The department of ecology shall work cooperatively with local governments and local residents within these shellfish basin areas to prepare plans, policies, and programs to prevent contamination of shellfish that are deemed fit for human consumption and to provide strategies to restore to an acceptable status those shellfish resources not fit for human consumption and located in designated areas. These cooperative efforts shall stress public education as the first priority and encourage voluntary compliance wherever possible.

(4) The department of ecology shall notify affected jurisdictions and private parties as soon as the shellfish areas have been designated and boundaries established and whenever such designations or boundaries are changed. Landfills adjacent to or within the drainage basin of a designated shellfish area shall be included within the boundaries established pursuant to this chapter. Public access to significant records leading to and justifying the designation shall be available in a local public building, including reports by the department of social and health services and local health authorities.

(5) The department of ecology shall periodically review and update the designations and boundaries as appropriate.

NEW SECTION. Sec. 4. The department of ecology and local governments are directed to work with affected residents and property owners to prepare and adopt action plans and regulations to reduce or eliminate adverse impacts on shellfish resources. Plans shall provide for:

(1) Water quality and sanitary surveys;

(2) Basin land use and drainage policies;

(3) Public involvement and education, including the establishment of local citizen advisory committees;

(4) Local conservation district participation;

(5) Pollution prevention activities;

(6) Pollution clean-up efforts;

(7) A budget and financing outline; and

(8) Department of ecology technical assistance.

NEW SECTION. Sec. 5. (1) Within one hundred eighty days after the effective date of this act, the department of ecology shall adopt minimum standards for the protection of shellfish resources and for the action plans to be prepared by local governments.

Local governments shall prepare and adopt plans within one year after the department of ecology's adoption of minimum standards and designation of significant areas as provided in section 3 of this act. The department of ecology shall provide funds to local governments for this purpose.

(2) Following local adoption, action plans shall be submitted to the department of ecology for approval. No moneys appropriated to the department of ecology shall be made available to local governments for implementation of the action plans until such plans have been approved by the department of ecology.

(3) State financial resources appropriated for purposes of this chapter, other than funds needed for assessment purposes, shall be targeted to those areas that have been designated as significant areas and that provide the greatest possible number of shellfish available for harvest per state dollar spent for protective measures.

(4) Minimum standards adopted by the department of ecology and local action plans may include requirements for financial participation by local government and by private parties that are direct beneficiaries of this section or are a direct cause of identified pollution problems that threaten the shellfish resource. Action plans shall seek to minimize the potential financial burdens imposed on private property owners resulting from the implementation of this section.

(5) Designation by the department of ecology of significant areas as provided in section 3 of this act may be appealed to the shorelines hearings board by any aggrieved person.

NEW SECTION. Sec. 6. It is hereby declared to be of high priority that projects for the Washington conservation corps personnel in counties adjacent to Puget Sound be devoted to efforts to clean up and prevent the pollution of Puget Sound and waters entering Puget Sound and to the protection of sensitive shellfish areas.

NEW SECTION. Sec. 7. If specific funding of sections 2 through 6 of this act, referencing this act by bill number, is not provided in the omnibus appropriations act for the fiscal year beginning July 1, 1985, sections 2 through 6 of this act shall be null and void.

NEW SECTION. Sec. 8. Sections 2 through 6 of this act shall constitute a new chapter in Title 90 RCW."

Representatives Smitherman and Lundquist spoke in favor of the amendment, and it was adopted.

On motion of Mr. Smitherman, the following amendment to the title of the bill was adopted:

In line 1 of the title after "aquaculture;" strike "and" and on line 2 after "9A.52.010" and before the period, insert "; adding a new chapter to Title 90 RCW; and creating a new section"

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

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3173 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Fisher - 1.

Excused: Representative Smith C - 1.

Senate Bill No. 3173 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. J. King, the House advanced to the seventh order of business.

THIRD READING

SENATE BILL NO. 3427, by Senators Moore, Newhouse, Bender and Sellar
Regulating domestic insurance holding corporations.

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

Mr. Lux spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3427, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Senate Bill No. 3427, having received the 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. 4115, by Senators Warnke, Bluechel, Bottiger, Newhouse and Sellar

Authorizing industrial development bonds for sports facilities.

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

Representatives Barrett, Lux, Addison, Sanders and D. Nelson spoke against passage of the bill, and Representatives McMullen, May and J. Williams spoke in favor of it.

POINT OF INQUIRY

Mr. McMullen yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative McMullen, under the definition of sport facility, would bingo games, video parlors, bowling alleys, golf courses, racket clubs, physical fitness centers and other similar sports facilities qualify for industrial revenue financing?"

Mr. McMullen: "I think if you will look on page 25 of our book today, it's a capsule of what the IRS defines as sports facilities. They cannot be constructed by a private club; be part of a hotel or motel, or unavailable to the public on a regular basis for general use. I think that's the main limitation by the IRS."

Representatives D. Nelson and Jacobsen spoke against the bill, and Mr. Ballard spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4115, and the bill passed the House by the following vote: Yeas, 65; nays, 31; absent, 1; excused, 1.

Voting yea: Representatives Allen, Armstrong, Ballard, Barnes, Basich, Baugher, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Hankins, Hargrove, Haugen, Holland, King J, King P, King R, Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Nutley, O'Brien, Patrick, Peery, Rayburn, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky - 65.

Voting nay: Representatives Addison, Appelwick, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Cole, Fisher, Grimm, Hastings, Hine, Isaacson, Jacobsen, Kremen, Leonard, Locke, Lux, Nelson D, Niemi, Padden, Prince, Rust, Sanders, Taylor, Unsoeld, Valle, Walk, West, Wineberry - 31.

Absent: Mr. Speaker - 1.

Excused: Representative Smith C - 1.

Engrossed Senate Bill No. 4115, having received the constitutional sixty percent 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. 3877 AS AMENDED BY THE HOUSE, by Committee on Natural Resources (originally sponsored by Senators Stratton, Saling, Guess, Conner, Lee, Barr, Halsan, Kreidler, Johnson, Warnke, Hansen, Goltz and Vognilid)

Revising provisions relating to personal use licenses of the department of fisheries.

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

Representatives Sutherland, Silver, Fuhrman, Isaacson, D. Nelson and West spoke in favor of passage of the bill, and Representatives Basich, Haugen, Hine, S. Wilson, Zellinsky and Barrett spoke against it.

Mr. Crane 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. 3877 as amended by the House, and the bill passed the House by the following vote: Yeas, 55; nays, 42; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Day, Dellwo, Ebersole, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, King J, King R, Leonard, Lewis, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Prince, Rayburn, Rust, Schoon, Silver, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Walk, West, Wilson K, Wineberry, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Basich, Betzoff, Bond, Chandler, Cole, Crane, Dobbs, Doty, Fisch, Fisher, Haugen, Holland, Isaacson, Jacobsen, King P, Kremen, Locke, Long, Lundquist, Lux, Madsen, Niemi, Patrick, Peery, Sanders, Sayan, Schmidt, Scott, Smith L, Thomas, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, Wang, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 42.

Excused: Representative Smith C - 1.

Engrossed Substitute Senate Bill No. 3877 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 AMENDMENTS TO HOUSE BILL

April 12, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 131 with the following amendments:

On page 4, line 24 after "18.120.020" and before the period insert "for the purposes of this chapter"

On page 5, line 35 after "(xi)" insert "The psychology disciplinary committee established under chapter 18.83 RCW;

(xii)"

Reletter the subsections consecutively.

On page 13, line 3 after "(11)" strike "(~~Willful or repeated~~)" and insert "Willful or repeated"

On page 72, after line 28, insert the following:

"NEW SECTION, Sec. 136. A new section is added to chapter 18.88 RCW to read as follows:

The board shall not take any disciplinary action against a registered nurse, who was authorized to prescribe drugs prior to July 1, 1985, who continues to prescribe drugs as was permitted under such authority, and such actions shall be deemed within the scope of the nurse's practice under chapter 18.130 RCW."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 72, strike lines 20 and 21 and insert the following:

"NEW SECTION, Sec. 134. A new section is added to chapter 18.83 RCW to read as follows:

The uniform disciplinary act, chapter 18.130 RCW, governs the issuance and denial of licenses and the discipline of licensees under this chapter.

Sec. 135. Section 13, chapter 305, Laws of 1955 as last amended by section 84, chapter 279, Laws of 1984 and RCW 18.83.120 are each amended to read as follows:

In addition to those acts defined in chapter 18.130 RCW, within the meaning of this chapter unethical practice of psychology shall include ~~(any act or practice which violates the codes of ethics established by the board. In addition, the following conduct, acts, or conditions constitute the unethical practice of psychology for any licensee or applicant subject to this chapter:~~

(1) The commission of any act involving moral turpitude, dishonesty, or corruption, relating to the practice of psychology, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon conviction, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the licensee or applicant of the crime described in the indictment or information and of the person's violation of the statute on which it is based. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this subsection abrogates rights guaranteed under chapter 9.96A RCW.

(2) Misrepresentation or concealment of a material fact in obtaining a license or in reinstatement thereof.

(3) Advertising in a manner which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons and so be harmful or injurious to public health, safety, or welfare.

(4) Incompetency or negligence in the practice of psychology which creates an unreasonable risk of physical or mental harm or serious financial loss to the consumer.

(5) Practicing psychology while under the suspension, revocation, or restriction of the individual's license to practice by competent authority in any state, federal, or foreign jurisdiction.

(6)):

(1) Violation of any state statute or administrative code specifically governing the practice of psychology(:

(7) Failure to cooperate with the committee by:

(a) Not furnishing any papers or documents requested by the committee;

(b) Not furnishing in writing a complete explanation covering the matter contained in the complaint filed with the committee;

(c) Not appearing before the committee at the time and place designated; or

(d) Not properly responding to subpoenas issued by the committee.

(8) Failure to comply with an order issued by the committee or an assurance of discontinuance entered into with the committee.

(9) Aiding or abetting an unlicensed person to practice when a license is required.

(10)); and

(2) Gross, wilful, or continued overcharging for professional services.

((1) Wilful or repeated violations of rules established by any health officer of the state or a political subdivision thereof.

(12) Practice beyond the scope of practice as defined by law.

(13) Misrepresentations or fraud in any aspect of the conduct of the profession.

(14) Failure to adequately supervise auxiliary staff to the extent that the consumer's safety is at risk.

(15) Engaging in a profession involving contact with the public while suffering from a contagious or infectious disease involving serious risk to public health.

(16) Promotion for personal gain of any unnecessary or inefficient drug, device, treatment, procedure, or service.

(17) Conviction of any gross misdemeanor or felony relating to the practice of psychology. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW.

(18) Physically abusing or having sexual contact with a patient or client.

(19) The offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine, or the treating, operating, or prescribing for any health condition by a method, means, or procedure which the licensee refuses to divulge upon demand of the committee.

(20) The wilful betrayal of a professional secret.

(21) Violation of chapter 19.68 RCW.))

Sec. 136, Section 12, chapter 305, Laws of 1955 as last amended by section 85, chapter 279, Laws of 1984 and RCW 18.83.130 are each amended to read as follows:

The board ((shall refuse to grant a license to any applicant and shall revoke or suspend the license of any psychologist, or place other restrictions on that psychologist's practice of psychology.)) may take disciplinary action under RCW 18.130.160 for the following reasons:

(1) ((Commission of any act involving moral turpitude, as defined by the board by rule, dishonesty, or corruption, which relates directly to a person's fitness to practice psychology, whether that act constitutes a crime or not, and if the act constitutes a crime, conviction thereof in criminal proceeding shall not be a condition precedent to disciplinary action. Upon conviction, the judgment and sentence shall be conclusive evidence at any ensuing disciplinary hearing of guilt of the psychologist of the crime described in the indictment or information and of the violation of the statute upon which it is based.

(2)) Failing to maintain the confidentiality of information under RCW 18.83.110.

~~((3))~~ (2) Violations of the ethical code developed by the board under RCW 18.83.050 and 18.83.120.

~~((4))~~ (3) Failing to inform prospective research subjects or their authorized representatives of the possible serious effects of participation in research; and failing to undertake reasonable efforts to remove possible harmful effects of participation.

~~((5))~~ (4) Practicing in an area of psychology for which the person is clearly untrained or incompetent.

~~((6))~~ Being negligent in the practice of psychology.

~~((7))~~ (5) Failing to exercise appropriate supervision over persons who practice under the supervision of a psychologist.

~~((8))~~ (6) Using fraud or deceit in the procurement of the psychology license, or knowingly assisting another in the procurement of such a license through fraud or deceit.

~~((9))~~ Engaging in the practice of psychology while the person's ability to perform professional services is significantly impaired by alcohol, drugs, illness, or other dysfunctions.

~~((10))~~ Engaging in the practice of psychology when the person's psychology license has been suspended or revoked by competent authority in any other state, federal, or foreign jurisdiction when the reason for that suspension or revocation is a violation of this chapter or rules adopted by the board and its disciplinary committee.

~~((11))~~ Unprofessional conduct as defined in chapter 19.56 RCW.

~~((12))~~ Willful violation of RCW 18.83.120 or section 79 of this 1984 act or willful disregard of the subpoena or notice of the disciplinary committee.

~~((13))~~ Failure to abide by the terms of corrective actions directed under RCW 18.83.150.

~~((14))~~ Violation of any board rule fixing a standard of professional conduct.)

Sec. 137, Section 86, chapter 279, Laws of 1984 and RCW 18.83.135 are each amended to read as follows:

The disciplinary committee shall meet at least once each year or upon the call of the chairperson at such time and place as the chairperson designates. A quorum for transaction of any business shall consist of five members, including at least one public member.

The members of the disciplinary committee shall be immune from suit in any action, civil or criminal, based upon its disciplinary proceedings or other official acts performed in good faith as members of the committee.

In addition to the authority prescribed under RCW 18.130.050, the committee shall have the following authority:

~~(1) To order investigation of all complaints or reports of unprofessional conduct as defined in this chapter and to hold hearings as provided in this chapter;~~

~~(2) To issue subpoenas and administer oaths in connection with any investigation, hearing, or proceeding held under this chapter;~~

~~(3) To take or cause depositions to be taken and use other discovery procedures as needed in any investigation, hearing, or proceeding held under this chapter;~~

~~(4) To compel attendance of witnesses at hearings;~~

~~(5) In the course of investigating a complaint of unprofessional conduct, to conduct practice reviews;~~

~~(6) To take emergency action ordering summary suspension of a license, or restriction or limitation of the licensee's practice pending proceedings by the committee;~~

~~(7) To use the office of administrative hearings as authorized in chapter 34.12 RCW to conduct hearings; however, the disciplining authority shall make the final decision regarding disposition of the license;~~

~~(8) To use consultants or individual members of the board to assist in the direction of investigations and issuance of statements of charges; however, the member of the board shall not subsequently participate in the hearing of the case;~~

~~(9) To enter into contracts for professional services determined to be necessary for adequate enforcement of this chapter;~~

~~(10) To contract with licensees or other persons or organizations to provide services necessary for the monitoring and supervision of licensees who are placed on probation, whose professional activities are restricted, or who are for any authorized purpose subject to monitoring by the committee;~~

~~(11) To grant or deny license application, and in the event of a finding of unprofessional conduct by an applicant or license holder, to impose any sanction against a license applicant or license holder provided by this chapter;~~

~~(12) To enter into an assurance of discontinuance in lieu of issuing a statement of charges or conducting a hearing. The assurance shall consist of a statement of the law in question and an agreement not to violate the stated provision. The applicant or license holder shall not be required to admit to any violation of the law, nor shall the assurance be construed as such an admission. Violation of an assurance under this subsection is grounds for disciplinary action;~~

~~(13))~~ To maintain records of all activities, and to publish and distribute to all psychologists at least once each year abstracts of significant activities of the committee; and

~~((14)) (2) To obtain the written consent of the complaining client or patient or their legal representative, or of any person who may be affected by the complaint, in order to obtain information which otherwise might be confidential or privileged(;~~

~~(15) To report, when appropriate, statements of complaints and disposition of cases processed by the committee to:~~

~~(a) The person or agency initiating the action;~~

~~(b) Appropriate national and state organizations which represent the profession of psychology, including counterpart licensing boards in other states; and~~

~~(c) The public.~~

~~This subsection does not require the reporting of any information which is exempt from public disclosure pursuant to chapter 42.17 RCW or is otherwise privileged or confidential.~~

~~The committee has, in addition to the powers and duties set forth in this chapter, all of the powers and duties under chapter 34.04 RCW, which include, without limitation, all powers relating to the administration of oaths, the receipt of evidence, the issuance and enforcing of subpoenas, and the taking of depositions)).~~

Sec. 138. Section 89, chapter 279, Laws of 1984 and RCW 18.83.155 are each amended to read as follows:

The committee shall report to appropriate national and state organizations which represent the profession of psychology any action taken pursuant to an investigation or hearing that finds a licensee has committed unprofessional or unethical conduct.

~~((In the event of an order for revocation or suspension of a psychology license, or for restriction or limitation of a licensee's practice, the committee shall report such action to the public. This public notification shall be suspended for thirty days from date of filing of any appeal.~~

~~If the committee finds that a complaint against a licensee is not substantiated, or if there is no finding of unprofessional or unethical conduct, resulting in dismissal of the complaint and exoneration of the licensee, the committee shall attempt to relieve the licensee of any possible odium that may attach by reason of the complaint by such public exoneration as is necessary:))~~

Sec. 139. Section 18, chapter 305, Laws of 1955 as amended by section 18, chapter 70, Laws of 1965 and RCW 18.83.180 are each amended to read as follows:

It shall be a gross misdemeanor for any person to:

(1) Use in connection with his or her name any designation tending to imply that he or she is a licensed psychologist unless duly licensed under or specifically excluded from the provisions of this chapter;

(2) Practice as a licensed psychologist during the time his or her license issued under the provisions of this chapter is suspended or revoked.

NEW SECTION. Sec. 140. The following acts or parts of acts are each repealed:

(1) Section 45, chapter 279, Laws of 1984 and RCW 18.83.053;

(2) Section 88, chapter 279, Laws of 1984 and RCW 18.83.145;

(3) Section 90, chapter 279, Laws of 1984 and RCW 18.83.161; and

(4) Section 91, chapter 279, Laws of 1984 and RCW 18.83.165."

Renumber the sections consecutively and correct internal references accordingly.

On page 1, line 15 of the title after "18.78.090," insert "18.83.120, 18.83.130, 18.83.135, 18.83.155, 18.83.180."

On page 1, line 29 of the title after "18.78 RCW;" insert "adding a new section to chapter 18.83 RCW;"

On page 1, line 30 of the title strike "a new section to chapter 18.88 RCW" and insert "new sections to chapter 18.88 RCW"

On page 2, line 27 of the title after "18.83.053;" insert "18.83.145, 18.83.161, 18.83.165," and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTIONS

On motion of Ms. Brekke the House concurred in the Senate amendments to page 4, line 24, page 5, line 35 and page 72, lines 20 and 21.

On motion of Ms. Brekke, the House refused to concur in the Senate amendment to page 72, line 28 and the title amendment to page 1, line 30, and asked the Senate to recede therefrom.

Ms. Brekke moved that the House do not concur in the Senate amendment to page 13, line 3 and ask the Senate to recede therefrom.

Representatives Brekke and Lewis spoke in favor of the motion, and it was carried.

SENATE AMENDMENTS TO HOUSE BILL

April 12, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 190 with the following amendments:

On page 1, after line 24, insert the following:

*Sec. 2. Section 11, chapter 153, Laws of 1965 and RCW 18.44.110 are each amended to read as follows:

Each escrow agent's certificate shall expire at noon on the thirty-first day of December of any calendar year (~~(if it is not renewed on or before the twentieth day of December of such year)~~). Registration may be renewed by filing an application and paying the annual registration fee for the next succeeding calendar year.

Sec. 3. Section 36, chapter 287, Laws of 1984 and RCW 18.44.208 are each amended to read as follows:

There is established an escrow commission of the state of Washington, to consist of the director of licensing as (~~ex officio member and~~) chairman, and five members who shall act as advisors to the director as to the needs of the escrow profession (~~and who~~), including but not limited to the design and conduct of tests to be administered to applicants for escrow licenses, the schedule of license fees to be applied to the escrow licensees, educational programs, audits and investigations of the escrow profession designed to protect the consumer, and such other matters determined appropriate. Such members shall be appointed by the governor, each of whom shall have been a resident of this state for at least five years and shall have at least five years experience in the practice of escrow as an escrow agent or as a person in responsible charge of escrow transactions.

The members of the first commission shall serve for the following terms: One member for one year, one member for two years, one member for three years, one member for four years, and one member for five years, from the date of their appointment, or until their successors are duly appointed and qualified. Every member of the commission shall receive a certificate of appointment from the governor and before beginning the member's term of office shall file with the secretary of state a written oath or affirmation for the faithful discharge of the member's official duties. On the expiration of the term of each member, the governor shall appoint a successor to serve for a term of five years or until the member's successor has been appointed and qualified.

The governor may remove any member of the commission for cause. Vacancies in the commission for any reason shall be filled by appointment for the unexpired term.

Members shall be compensated in accordance with RCW 43.03.240, and shall be reimbursed for their travel expenses incurred in carrying out the provisions of this chapter in accordance with RCW 43.03.050 and 43.03.060."

Renumber the remaining sections.

On page 1, line 1 of the title, after "18.44.080" insert ", 18.44.110, 18.44.208," and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Wang, the House refused to concur in the Senate amendments to Substitute House Bill No. 190, and asked the Senate for a conference thereon.

SENATE AMENDMENT TO HOUSE BILL

April 12, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 327 with the following amendment:

On page 2, line 29 after "1968." strike everything up to and including "RCW 46.16.315" and insert "The owner of a vehicle considered by the owner to be a collector's item or classic automobile may use the original plates, notwithstanding any other provisions of chapter 46.16 RCW to the contrary, provided the original plates are legible."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Walk, the House refused to concur in the Senate amendment to Engrossed House Bill No. 327 and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

April 12, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 593 with the following amendments:

Strike everything after the enacting clause, and insert the following:

Sec. 1. Section 46.04.480, chapter 12, Laws of 1961 as last amended by section 14, chapter 165, Laws of 1983 and RCW 46.04.480 are each amended to read as follows:

'Revoke,' in all its forms, means the invalidation for a period of one calendar year and thereafter until reissue: PROVIDED, That under the provisions of RCW 46.20.285, 46.20.311, or 46.61.515(~~or 46.20.610~~) and chapter 46.65 RCW the invalidation may last for a period other than one calendar year.

Sec. 2. Section 24, chapter 121, Laws of 1965 ex. sess. as last amended by section 324, chapter 258, Laws of 1984 and RCW 46.20.285 are each amended to read as follows:

The department shall forthwith revoke the license of any driver for the period of one calendar year unless otherwise provided in this section, upon receiving a record of the driver's conviction of any of the following offenses, when the conviction has become final:

(1) For vehicular homicide the period of revocation shall be two years;

(2) Vehicular assault;

(3) Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree which renders him incapable of safely driving a motor vehicle, upon a showing by the department's records that the conviction is the second such conviction for the driver within a period of five years. Upon a showing that the conviction is the third such conviction for the driver within a period of five years, the period of revocation shall be two years(~~(A revocation imposed under this subsection shall run concurrently with any corresponding revocation which may be imposed by the department pursuant to RCW 46.20.610 or 46.61.515(3) arising out of the same arrest)~~);

(4) Any felony in the commission of which a motor vehicle is used;

(5) Failure to stop and give information or render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another;

(6) Perjury or the making of a false affidavit or statement under oath to the department under Title 46 RCW or under any other law relating to the ownership or operation of motor vehicles;

(7) Reckless driving upon a showing by the department's records that the conviction is the third such conviction for the driver within a period of two years.

Sec. 3. Section 11, chapter 260, Laws of 1981 as last amended by section 2, chapter 165, Laws of 1983 and RCW 46.20.308 are each amended to read as follows:

(1) Any person who operates a motor vehicle within this state is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a chemical test or tests of his or her breath or blood for the purpose of determining the alcoholic content of his or her blood if arrested for any offense where, at the time of the arrest, the arresting officer has reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor.

(2) The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor. The officer shall inform the person of his or her right to refuse the test, and of his or her right to have additional tests administered by any qualified person of his or her choosing as provided in RCW 46.61.506. The officer shall warn the driver that (a) his or her privilege to drive will be revoked or denied if he or she refuses to submit to the test, and (b) ~~((that his or her privilege to drive will be suspended, revoked, or denied if the test is administered and the test indicates a concentration of alcohol in his or her blood of 0.10 percent or more, and (c)))~~ that his or her refusal to take the test may be used against him or her in a subsequent criminal trial.

(3) Except as provided in this subsection and subsection (4) of this section, the chemical test administered shall be of the breath only. If an individual is unconscious or is under arrest for the crime of vehicular homicide as provided in RCW 46.61.520 or vehicular assault as provided in RCW 46.61.522, or if an individual is under arrest for the crime of driving while under the influence of intoxicating liquor or drugs as provided in RCW 46.61.502, which arrest results from an accident in which another person has been injured and there is a reasonable likelihood that such other person may die as a result of injuries sustained in the accident, a breath or blood test may be administered without the consent of the individual so arrested.

(4) Any person who is dead, unconscious, or who is otherwise in a condition rendering him incapable of refusal, shall be deemed not to have withdrawn the consent provided by subsection (1) of this section and the test or tests may be administered, subject to the provisions of RCW 46.61.506, and the person shall be deemed to have received the warnings required under subsection (2) of this section.

(5) If, following his or her arrest and receipt of warnings under subsection (2) of this section, the person arrested refuses upon the request of a law enforcement officer to submit to a chemical test of his or her breath, no test shall be given except as authorized under subsection (3) or (4) of this section.

(6) The department of licensing, upon the receipt of a sworn report of the law enforcement officer that he had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor and that the person had refused to submit to the test upon the request of the law enforcement officer after being informed that refusal would result in the revocation of his privilege to drive, shall revoke his license or permit to drive or any nonresident operating privilege.

(7) Upon revoking the license or permit to drive or the nonresident operating privilege of any person, the department shall immediately notify the person involved in writing by personal service or by certified mail of its decision and the grounds therefor, and of his right to a hearing, specifying the steps he must take to obtain a hearing. Within ten days after receiving such notice the person may, in writing, request a formal hearing. Upon receipt of such request, the department shall afford the person an opportunity for a hearing as provided in RCW 46.20.329 and 46.20.332. The hearing shall be conducted in the county of the arrest. For the purposes of this section, the scope of such hearing shall cover the issues of whether a law enforcement officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle upon the public highways of this state while under the influence of intoxicating liquor, whether the person was placed under arrest, and whether he refused to submit to the test upon request of the officer after having been informed that such refusal would result in the revocation of his privilege to drive. The department shall order that the revocation either be rescinded or sustained. Any decision by the department revoking a person's driving privilege shall be stayed and shall not take effect while a formal hearing is pending as provided in this section or during the pendency of a subsequent appeal to superior court so long as there is no conviction for a moving violation or no finding that the person has committed a traffic infraction that is a moving violation during pendency of the hearing and appeal.

(8) If the revocation is sustained after such a hearing, the person whose license, privilege, or permit is revoked has the right to file a petition in the superior court of the county in which he or she resides, or, if a nonresident of this state, where the charge arose, to review the final order of revocation by the department in the manner provided in RCW 46.20.334.

(9) When it has been finally determined under the procedures of this section that a nonresident's privilege to operate a motor vehicle in this state has been revoked, the department shall give information in writing of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which he or she has a license.

Sec. 4. Section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 325, chapter 258, Laws of 1984 and RCW 46.20.311 are each amended to read as follows:

(1) The department shall not suspend a driver's license or privilege to drive a motor vehicle on the public highways for a fixed period of more than one year, except as permitted under RCW 46.20.342 or 46.61.515. Whenever the license of any person is suspended by reason of a conviction, a finding that a traffic infraction has been committed, or pursuant to RCW 46.20.291, the suspension shall remain in effect and the department shall not issue to the person any new, duplicate, or renewal license until the person pays a reinstatement fee of twenty dollars and gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. If the suspension is the result of a violation of RCW 46.61.502 or 46.61.504 (~~or was imposed under RCW 46.20.610(1) (a) or (b))~~), the reinstatement fee shall be fifty dollars.

(2) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked, unless the revocation was for a cause which has been removed, is not entitled to have the license or privilege renewed or restored until: (a) After the expiration of one year from the date on which the revoked license was surrendered to and received by the department; (b) after the expiration of the applicable revocation period provided by RCW 46.61.515(3) (b) or (c); (c) after the expiration of two years for persons convicted of vehicular homicide; (d) after the expiration of one year in cases of revocation for the first refusal within five years to submit to a chemical test under RCW 46.20.308; or (e) after the expiration of two years in cases of revocation for the second refusal within five years to submit to a chemical test under RCW 46.20.308. After the expiration of the appropriate period, the person may make application for a new license as provided by law together with a reinstatement fee in the amount of twenty dollars, but if the revocation is the result of a violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reinstatement fee shall be fifty dollars. The department shall not then issue a new license unless it is satisfied after investigation of the driving ability of the person that it will be safe to grant the privilege of driving a motor vehicle on the public highways, and until the person gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. A resident without a license or permit whose license or permit was (~~denied~~) revoked under RCW (~~46.20.610~~) 46.20.308(6) shall give and thereafter maintain proof of financial responsibility for the future as provided in chapter 46.29 RCW.

(3) Whenever the driver's license of any person is suspended pursuant to Article IV of the nonresident violators compact or RCW 46.23.020, the suspension shall remain in effect and the department shall not issue to the person any new or renewal license until the person pays a reinstatement fee of twenty dollars. If the suspension is the result of a violation of the laws of another state, province, or other jurisdiction involving (a) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (b) the refusal to submit to a chemical test of the driver's blood alcohol content, the reinstatement fee shall be fifty dollars.

Sec. 5. Section 1, chapter 5, Laws of 1973 as last amended by section 24, chapter 165, Laws of 1983 and RCW 46.20.391 are each amended to read as follows:

(1) Any person licensed under this chapter (~~(whose driving privilege has been suspended or revoked under RCW 46.20.610(1)(b)(i) or)~~) who is convicted of an offense relating to motor vehicles for which suspension or revocation of the driver's license is mandatory, other than vehicular homicide or vehicular assault, may submit to the department an application for an occupational driver's license. The department, upon receipt of the prescribed fee and upon determining that the petitioner is engaged in an occupation or trade that makes it essential that the petitioner operate a motor vehicle, may issue an occupational driver's license and may set definite restrictions as provided in RCW 46.20.394. No person may petition for, and the department shall not issue, an occupational driver's license that is effective during the first thirty days of any suspension or revocation imposed under RCW 46.61.515 (~~or pursuant to RCW 46.20.610(1)(b)(i)~~). A person aggrieved by the decision of the department on the application for an occupational driver's license may request a hearing as provided by rule of the department.

(2) An applicant for an occupational driver's license is eligible to receive such license only if:

(a) Within one year immediately preceding the present conviction (~~or administrative action~~), the applicant has not been convicted of any offense relating to motor vehicles for which suspension or revocation of a driver's license is mandatory; and

(b) Within five years immediately preceding the present conviction (~~or administrative action~~), the applicant has not been convicted (~~more than once~~) of driving or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor under RCW 46.61.502 or 46.61.504, of vehicular homicide under RCW 46.61.520, or of vehicular assault under RCW 46.61.522 (~~or had a license administratively suspended or revoked under RCW 46.20.610~~); and

(c) The applicant is engaged in an occupation or trade that makes it essential that he or she operate a motor vehicle; and

(d) The applicant files satisfactory proof of financial responsibility pursuant to chapter 46.29 RCW.

(3) The director shall cancel an occupational driver's license upon receipt of notice that the holder thereof has (~~had a driver's license administratively suspended or revoked under RCW 46.20.610 or has~~) been convicted of operating a motor vehicle in violation of its restrictions, or of an offense that pursuant to chapter 46.20 RCW would warrant suspension or revocation of a regular driver's license. The cancellation is effective as of the date of the conviction (~~or administrative action~~), and continues with the same force and effect as any suspension or revocation under this title.

NEW SECTION. Sec. 6. The following acts or parts of acts are each repealed:

- (1) Section 25, chapter 165, Laws of 1983 and RCW 46.20.393;
- (2) Section 3, chapter 165, Laws of 1983 and RCW 46.20.600;
- (3) Section 4, chapter 165, Laws of 1983 and RCW 46.20.610;
- (4) Section 5, chapter 165, Laws of 1983 and RCW 46.20.620;
- (5) Section 6, chapter 165, Laws of 1983 and RCW 46.20.630;
- (6) Section 7, chapter 165, Laws of 1983 and RCW 46.20.640;
- (7) Section 8, chapter 165, Laws of 1983 and RCW 46.20.650;
- (8) Section 9, chapter 165, Laws of 1983 and RCW 46.20.660;
- (9) Section 10, chapter 165, Laws of 1983 and RCW 46.20.670;
- (10) Section 11, chapter 165, Laws of 1983, section 326, chapter 258, Laws of 1984 and RCW 46.20.680;
- (11) Section 12, chapter 165, Laws of 1983 and RCW 46.20.690;
- (12) Section 22, chapter 165, Laws of 1983 and RCW 46.20.700; and
- (13) Section 20, chapter 165, Laws of 1983 and RCW 46.68.062.

NEW SECTION. Sec. 7. RCW 46.68.055 is decodified.

NEW SECTION. Sec. 8. Sections 2 and 4 of this act 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 July 1, 1985. The remainder of the act shall take effect January 1, 1986."

In line 2 of the title, after "46.20.311," insert "and"

In line 3 of the title, after "46.20.391" strike ", and 46.20.599" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House refused to concur in the Senate amendments to House Bill No. 593, and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

April 12, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 627 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The creation of a commission to promote competition and research in mental sports such as chess, checkers, bridge, go, scholastic olympiads, and others will provide many benefits to the people of the state. Such a commission will benefit the public by:

(1) Promoting education, competition, and research in mental sports in the common schools and institutions of higher education of the state, as well as among the general public; and

(2) Promoting tourism and economic development through the hosting of regional, national, and international tournaments in mental sports.

The legislature finds that mental sports promote intellectual development and offer the ultimate combination of art, science, and sport.

NEW SECTION. Sec. 2. As used in this chapter:

(1) 'Mental sports' includes chess, checkers, go, bridge, scholastic olympiads, and other nongambling games.

(2) 'Commission' means the mental sports competition and research commission.

NEW SECTION. Sec. 3. (1) There is established the mental sports competition and research commission. The commission consists of five persons appointed by the governor. In making the appointments, the governor shall select one person who is primarily a chess player, one person who is primarily a bridge player, one person who has experience promoting scholastic olympiads, and one person who is primarily a go player.

(2) The members of the commission shall serve terms of four years. However, in making the initial appointments, the governor may provide for staggered terms. Vacancies shall be filled by appointment for the remainder of the unexpired term.

(3) Members of the commission shall not be compensated but shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(4) The commission may adopt such rules as may be necessary in the administration of this chapter. The rules shall be adopted under chapter 34.04 RCW.

NEW SECTION. Sec. 4. The commission shall to the maximum extent feasible rely on volunteer labor. The department of commerce and economic development shall provide staff support if necessary.

NEW SECTION. Sec. 5. The commission may solicit, accept, and expend such gifts, grants, and endowments from public and private sources as may be made available to the commission.

NEW SECTION. Sec. 6. (1) The commission may promote and sponsor tournaments in any mental sport. Entry fees and prize funds may be set by the commission with a view toward maximizing public participation and raising revenue for the commission and promotional activities of the commission.

(2) The commission may sponsor exhibitions, lectures, and tournament participation by visiting mental sports masters.

(3) In conducting mental sports tournaments and events, the commission shall consult with and seek the cooperation of local and national mental sports clubs and federations.

NEW SECTION. Sec. 7. By January 12, 1987, the mental sports competition and research commission shall submit to the legislature a report that includes:

(1) A summary of the commission's achievements;

(2) Recommendations on enhancing the status of mental sports within the common schools;

(3) Recommendations on promoting tournaments for the benefit of the general public; and

(4) Recommendations regarding possible future state financial support of the commission.

NEW SECTION. Sec. 8. Sections 1 through 6 of this act shall constitute a new chapter in Title 67 RCW.

NEW SECTION. Sec. 9. The legislature finds that unemployment remains persistently high in Washington. The economy, although diversifying, is shifting to a service-based economy and is still highly vulnerable to fluctuations in the national economy. In fact, unemployment has been

consistently higher than the national average. Washington does not have a long-term economic development policy and has suffered from lack of a long-term plan in its attempt to resolve the economic problems which continue to plague the state.

Washington's economic development effort has not matched the scope of the problem. An essential first step is to establish a public and private consensus on a long-term economic development strategy which recognizes both the competitive position and needs of our key businesses and industries and the need to establish new businesses and industries. A unique partnership between the private and public sectors can attract new businesses and encourage greater investment in Washington state.

NEW SECTION, Sec. 10. There is hereby established the Washington state economic development board, referred to in this chapter as the board. The board is charged with the responsibility for creating a long-term economic development strategy for the state.

NEW SECTION, Sec. 11. The board shall be composed of citizens from both the private and public sectors who are actively engaged in organizations and businesses which support economic expansion and job creation. The board shall be composed as follows:

- (1) The governor;
- (2) Four members of the legislature, including one member from each of the four largest caucuses in the legislature;
- (3) One representative of a manufacturing company employing more than one thousand persons;
- (4) One representative of a manufacturing company employing fewer than one hundred persons;
- (5) One representative of a manufacturing company employing between one hundred and one thousand persons;
- (6) One representative from organized labor;
- (7) One representative from a major financial institution;
- (8) One representative from agriculture;
- (9) One representative from education;
- (10) One representative from the tourism industry;
- (11) One representative from the forest products industry;
- (12) One economic development professional;
- (13) One owner of a women-owned business enterprise certified under chapter 39.19 RCW;
- (14) One owner of a minority-owned business enterprise certified under chapter 39.19 RCW; and
- (15) Five citizens at large.

The director of commerce and economic development, the director of revenue, the director of financial management, and the director of community development shall serve as ex officio members of the board.

The governor shall, within fourteen days of the effective date of this act, appoint all members of the board, except those in subsection (2) of this section who shall be appointed by their respective caucuses. The first meeting of the board shall occur within thirty days of the effective date of this act.

The governor shall serve as the chairperson and shall designate a citizen member to serve as vice-chairperson of the board. Members shall serve four-year terms. Members are subject to dismissal by the governor due to the lack of attendance or contribution. The position of a legislative member shall become vacant if the member ceases to be a member of the legislature. A vacancy in a legislative position shall be filled by the original appointing authority.

The board shall include at least two representatives from each of the state's congressional districts.

The board shall meet regularly and shall create subcommittees as needed to deal with specific issues and concerns. Members shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060, except legislative members shall be reimbursed under RCW 44.04.120.

NEW SECTION, Sec. 12. (1) The board shall develop a long-term economic development plan based on a strategic analysis. The objective of the plan shall be to spur new job creation and investment that is consistent with the preservation of the state's quality of life and environment. The board shall submit an initial plan to the governor and the legislature by January 10, 1987, and shall submit revisions to the plan based on continuing analysis and oversight on January 10 of each year thereafter.

(2) The board shall produce a report by January 10, 1986, submitting the report to the governor and the legislature, addressing the following issues:

- (a) Methods of facilitating economic activity and adjustment policies toward distressed communities and to enhance the employment opportunities of the economically disadvantaged;
- (b) Methods of improving the competitive environment by removing unnecessary regulations and other barriers to the development process; and
- (c) Methods of increasing the effectiveness and coordination of existing economic development programs and agencies, state and local.

NEW SECTION, Sec. 13. The board has the following responsibilities and powers:

(1) To secure and encourage substantial private sector, community, and citizen support in the analysis of economic development opportunities and development of specific recommendations for economic growth;

(2) To identify and analyze key traded businesses and industries to determine their potential for expansion, diversification, and production of high value-added goods;

(3) To propose an appropriate state role in new product development, venture capital formation, and research and development;

(4) To evaluate the performance of existing state economic development efforts for consistency and coordination, as well as for their effect on job creation, and to evaluate the long-term benefits to the state of these efforts;

(5) To propose, along with other state, local, and private groups, new methods to increase public and private partnerships to foster economic development efforts;

(6) To develop a long-term economic development strategy based on consensus goals and principles, an in-depth analysis of market opportunities, private sector support and investment, and specific private and public economic development measures which have a substantial potential to increase employment;

(7) To study the key components of the state's business climate as they relate to the long-term development strategy including, but not limited to, education and training, energy, existing environmental conditions, research and development, capital, land, transportation, advanced communications, taxes, and regulations with an analysis of their linkages to the key traded sectors;

(8) To review the various economic development policy recommendations made by other agencies or organizations and recommend to the governor and legislature those strategies, policies and programs it deems to be in the best interest of the state;

(9) To make specific recommendations for the establishment of public-private cooperative efforts in economic development and state-local cooperative efforts including but not limited to the need for establishing formal working relationships, whether by contract or otherwise, for purposes of engaging in joint, cooperative economic development activities;

(10) To cooperate with and secure the cooperation of any department, agency, or instrumentality in state, county, and city government, and other associations affected by or concerned with the business of the commission; and

(11) To accept gifts and grants upon such terms as the board may deem proper.

NEW SECTION. Sec. 14. The board may employ such staff as it requires and may contract for services as it deems necessary in order to carry out its duties and responsibilities. The governor and the legislature may provide additional staff and facilities as may be reasonably required to assist the board in carrying out its duties and responsibilities.

NEW SECTION. Sec. 15. Sections 9 through 14 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 16. The board shall implement sections 9 through 14 of this act only to the extent that funds are available.

NEW SECTION. Sec. 17. (1) Economic development and in particular international trade, tourism, and investment have become increasingly important to Washington, affecting the state's employment, revenues, and general economic well-being. Additionally, economic trends are rapidly changing and the international marketplace has become increasingly competitive as states and countries seek to improve and safeguard their own economic well-being. The purpose of the legislative committee on economic development is to provide responsive and consistent involvement by the legislature in economic development to maintain a healthy state economy and to provide employment opportunities to Washington residents.

(2) There is created a legislative committee on economic development which shall consist of six senators and six representatives from the legislature and the lieutenant governor who shall serve as chairperson. The senate members of the committee shall be appointed by the president of the senate and the house members of the committee shall be appointed by the speaker of the house. Not more than three members from each house shall be from the same political party. A list of appointees shall be submitted before the close of each regular legislative session during an odd-numbered year or any successive special session convened by the governor or the legislature prior to the close of such regular session or successive special session(s) for confirmation of senate members, by the senate, and house members, by the house. Vacancies occurring shall be filled by the appointing authority.

NEW SECTION. Sec. 18. The committee shall by majority vote establish subcommittees, and prescribe rules of procedure for itself and its subcommittees which are consistent with this chapter. The committee shall at a minimum establish a subcommittee on international trade and a subcommittee on industrial development.

NEW SECTION. Sec. 19. The committee or its subcommittees are authorized to study and review economic development issues with special emphasis on international trade, tourism, investment, and industrial development, and to assist the legislature in developing a comprehensive and consistent economic development policy. The issues under review by the committee shall include, but not be limited to:

(1) Evaluating existing state policies, laws, and programs which promote or affect economic development with special emphasis on those concerning international trade, tourism, and investment and determine their cost-effectiveness and level of cooperation with other public and private agencies.

(2) Monitoring economic trends, and developing for review by the legislature such appropriate state responses as may be deemed effective and appropriate.

(3) Monitoring economic development policies and programs of other states and nations and evaluating their effectiveness.

(4) Determining the economic impact of international trade, tourism, and investment upon the state's economy.

(5) Assessing the need for and effect of federal, regional, and state cooperation in economic development policies and programs.

(6) Developing and evaluating legislative proposals concerning the issues specified in this section.

NEW SECTION. Sec. 20. The committee shall receive the necessary staff support from both the senate and house staff resources.

NEW SECTION. Sec. 21. The members of the committee shall serve without additional compensation, but shall be reimbursed for their travel expenses, in accordance with RCW 44.04.120, incurred while attending sessions of the committee or meetings of any subcommittee of the committee, while engaged on other committee business authorized by the committee, and while going to and coming from committee sessions or committee meetings.

NEW SECTION. Sec. 22. All expenses incurred by the committee, including salaries and expenses of employees, shall be paid upon voucher forms as provided by the auditor and signed by the chairperson or vice chairperson of the committee and attested by the secretary of the committee, and the authority of the chairperson and secretary to sign vouchers shall continue until their successors are selected after each ensuing session of the legislature. Vouchers may be drawn on funds appropriated generally by the legislature for legislative expenses or upon any special appropriation which may be provided by the legislature for the expenses of the committee or both.

NEW SECTION. Sec. 23. The committee shall cooperate, act, and function with legislative committees, executive agencies, and with the councils or committees of other states similar to this committee and with other interstate research organizations.

NEW SECTION. Sec. 24. Sections 17 through 23 of this act shall constitute a new chapter in Title 44 RCW.

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. 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 July 1, 1985."

On page 1, line 1 of the title, after "development," strike the remainder of the title and insert "adding a new chapter to Title 43 RCW; adding a new chapter to Title 44 RCW; adding a new chapter to Title 67 RCW; creating new sections; declaring an emergency; and providing an effective date."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Appelwick, the House refused to concur in the Senate amendments to Engrossed Second Substitute House Bill No. 627, and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

April 12, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 718 with the following amendments:

On page 2, beginning on line 7 strike all material through "action." on line 24.

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 7, line 6 strike ", and" and insert "or"

On page 1, line 2 of the title strike "46.44.175"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Appelwick, the House concurred in the Senate amendments to page 2, line 7 and page 1, line 2 of the title and refused to concur in the amendment to page 7, line 6 and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

April 11, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 805 with the following amendments:

On page 1, line 7 after "legislature" strike "funds" and insert "finds"

On page 1, line 11 after "therefore," strike "directs" and insert "encourages"

On page 1, after line 22, insert the following:

*Sec. 3. Section 2, chapter 92, Laws of 1974 ex. sess. as last amended by section 1, chapter 56, Laws of 1983 and RCW 28A.02.201 are each amended to read as follows:

The legislature hereby recognizes that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students in the state and to insure a sufficient basic education to meet usual graduation requirements. The state, any agency or official thereof, shall not restrict or dictate any specific educational or other programs for private schools except as hereinafter in this section provided.

Principals of private schools or superintendents of private school districts shall file each year with the state superintendent of public instruction a statement certifying that the minimum requirements hereinafter set forth are being met, noting any deviations. After review of the statement, the state superintendent will notify schools or school districts of those deviations which must be corrected. In case of major deviations, the school or school district may request and the state board of education may grant provisional status for one year in order that the school or school district may take action to meet the requirements. Minimum requirements shall be as follows:

(1) The minimum school year shall be the same as that required of public schools in RCW 28A.01.025 as now or hereafter amended.

(2) The length of the school day shall be the same as that required of public schools in RCW 28A.01.010 and 28A.58.754, each as now or hereafter amended, except that the percentages of total program hour offerings as prescribed in RCW 28A.58.754 for basic skills, work skills, and optional subjects and activities shall not apply to private schools or private sectarian schools.

(3) All classroom teachers shall hold appropriate Washington state certification except as follows:

(a) Teachers for religious courses or courses for which no counterpart exists in public schools shall not be required to obtain a state certificate to teach those courses.

(b) In exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances.

(4) Appropriate measures shall be taken to safeguard all permanent records against loss or damage.

(5) The physical facilities of the school or district shall be adequate to meet the program offered by the school or district: PROVIDED, That each school building shall meet reasonable health and fire safety requirements.

(6) Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health with special reference to the prevention of child abuse, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements.

(7) Each school or school district shall be required to maintain up-to-date policy statements related to the administration and operation of the school or school district.

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.

Sec. 4. Section 28A.05.010, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 71, Laws of 1969 and RCW 28A.05.010 are each amended to read as follows:

All common schools shall give instruction in reading, penmanship, orthography, written and mental arithmetic, geography, English grammar, physiology and hygiene with special reference to the effects of alcoholic stimulants and narcotics on the human system and the prevention of child abuse, the history of the United States, and such other studies as may be prescribed by rule or regulation of the state board of education. All teachers shall stress the importance of the cultivation of manners, the fundamental principles of honesty, honor, industry

and economy, the minimum requisites for good health including the beneficial effect of physical exercise, and the worth of kindness to all living creatures.

NEW SECTION, Sec. 5. If specific funding for the purposes of the amendments to RCW 28A.02.201 by section 3 of this act and to RCW 28A.05.010 by section 4 of this act referencing this act by bill number, is not provided by the legislature by July 1, 1987, the amendments to RCW 28A.02.201 by section 3 of this act and to RCW 28A.05.010 by section 4 of this act shall be null and void. The amendments to RCW 28A.02.201 by section 3 of this act and to RCW 28A.05.010 by section 4 of this act shall be of no effect until such specific funding is provided. If such funding is so provided the amendments to RCW 28A.02.201 by section 3 of this act and to RCW 28A.05.010 by section 4 of this act shall take effect when the legislation providing the funding takes effect.

NEW SECTION, Sec. 6. 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."

Renumber the remaining section consecutively.

On page 1, line 1 of the title after "education;" insert "amending RCW 28A.02.201 and 28A.05.010;"

On page 1, line 2 of the title after "28A.71 RCW;" insert "creating a new section;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ebersole, the House refused to concur in the Senate amendments to Substitute House Bill No. 805 and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

April 11, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 832 with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION, Sec. 1.** A new section is added to chapter 43.96D RCW to read as follows:

The world fair commission may receive such gifts, grants, loans, and endowments from public or private sources as may be made from time to time, in trust or otherwise, and may enter into contracts, leases, or other revenue producing agreements for the use and benefit of the purposes of the commission and expend the same and any income therefrom in implementing its duties under this chapter. However, no gifts, grants, and endowments shall be accepted for the personal use of any commissioner.

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 1 of the title, after "commission;" strike "and" and on line 2, after "RCW" insert "; and declaring an emergency" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

Mr. Appelwick moved that the House do not concur in the Senate amendments to House Bill No. 832 and ask the Senate for a conference thereon.

Mr. Schoon moved that the House do concur in the Senate amendments.

Mr. Schoon spoke in favor of the motion, and Mr. McMullen spoke against it.

The motion was lost.

The Speaker announced that the House had, by its action, refused to concur in the Senate amendments to House Bill No. 832 and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

April 11, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 843 with the following amendments:

On page 3, line 24, after "rule" and before the period, insert: "PROVIDED, HOWEVER, The amount of indemnities paid for cattle under this chapter shall not be less than twenty-five dollars for any grade beef breed females, fifty dollars for any purebred registered beef breed bull or female, one hundred dollars for any grade dairy breed female or one hundred fifty dollars for any purebred registered dairy breed bull or female"

On page 8, on line 24, after "16.49A.510;" strike "and" and on line 27, after "16.36.095" insert "

(5) Section 11, chapter 165, Laws of 1927, section 1, chapter 210, Laws of 1929, section 9, chapter 172, Laws of 1947, section 1, chapter 161, Laws of 1959, section 15, chapter 154, Laws of 1979 and RCW 16.40.010;

(6) Section 12, chapter 165, Laws of 1927, section 1, chapter 146, Laws of 1937, section 1, chapter 196, Laws of 1939, section 10, chapter 172, Laws of 1947, section 16, chapter 154, Laws of 1979, section 9, chapter 238, Laws of 1979 ex. sess. and RCW 16.40.060;

(7) Section 2, chapter 146, Laws of 1937 and RCW 16.40.110;

(8) Section 15, chapter 165, Laws of 1927, section 2, chapter 177, Laws of 1933, section 11, chapter 172, Laws of 1947 and RCW 16.40.120; and

(9) Section 6, chapter 22, Laws of 1957 and RCW 16.40.130."

On page 8, after line 27, insert the following:

"Sec. 14. Section 5, chapter 198, Laws of 1929 and RCW 16.08.010 are each amended to read as follows:

The owner or keeper of any dog shall be liable to the owner of any animal killed or injured by such dog for the amount of damages sustained and costs of collection, to be recovered in a civil action(~~PROVIDED, That in case the owner or keeper of such dog or dogs is unknown or the damages can not be collected, the person suffering damages may present a claim for such damages to a justice of the peace of the county in which he resides within not more than forty days after any such animal or animals are killed or injured and make affidavit, stating the number of such animals killed or injured, the amount of the damages and the name of the owner of the dog or dogs, if known. The damages shall be proven by not less than two witnesses who shall be freeholders of the county. Justices of the peace are hereby required to administer oaths in such cases and shall issue and file with the county treasurer a certificate stating the amount of damages sustained. Such damages allowed in no event shall exceed the following amounts:~~

UNREGISTERED ANIMALS OR UNACCREDITED POULTRY:

	Per Head
For sheep or goats killed or injured	\$ 12.50
For cattle killed or injured	50.00
For horses or mules killed or injured	75.00
For turkeys killed or injured	4.00
For other poultry killed or injured	1.50
For swine killed or injured	12.50
For rabbits killed or injured	1.50

REGISTERED ANIMALS OR ACCREDITED POULTRY:

	Per Head
For sheep or goats killed or injured	\$ 25.00
For cattle killed or injured	100.00
For horses or mules killed or injured	150.00
For turkeys killed or injured	8.00
For other poultry killed or injured	3.00
For swine killed or injured	25.00
For rabbits killed or injured	3.00

Upon the filing with the county treasurer of the certificate of the justice of the peace fixing the damages as above provided, the treasurer shall pay to the claimant out of the county dog license tax fund the amount of damages sustained as certified by the justice of the peace).

Sec. 15. Section 1, chapter 31, Laws of 1951 as amended by section 13, chapter 7, Laws of 1975 1st ex. sess. and RCW 16.13.010 are each amended to read as follows:

It shall be unlawful for the owner of any horses, mules, donkeys, or cattle of any age to permit such animals to run at large and not under the care of a herder(~~PROVIDED, That~~) in any territory which has been designated as a stock restricted area under chapter 16.24 RCW. Such animals may only run at large upon lands belonging to the state or to the United States when the owner thereof has in writing been granted grazing privileges(~~and has filed a copy of such permit or certificate with the director of agriculture. 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 except upon any land which has been enclosed by a lawful fence as set forth in chapter 16.60 RCW.

Sec. 16. Section 2, chapter 31, Laws of 1951 as last amended by section 6, chapter 154, Laws of 1979 and RCW 16.13.020 are each amended to read as follows:

Any horses, mules, donkeys, or cattle of any age running at large or trespassing in violation of RCW 16.13.010 as now or hereafter amended are declared to be a public nuisance, and

shall be impounded by the sheriff of the county where found(~~(-PROVIDED, That))~~. The nearest brand inspector shall also have authority to impound class I estrays as defined in RCW 16.13.025.

Sec. 17. Section 7, chapter 31, Laws of 1951 and RCW 16.13.070 are each amended to read as follows:

~~((Sales of animals impounded under this chapter shall be governed by the provisions of Title 20 RCW.))~~ The proceeds of the sale of animals impounded under this chapter, after deducting the costs of sale, shall be impounded in the stray fund of the department of agriculture, and if no valid claim is made within one year from the date of sale, the director of the department of agriculture shall transfer the proceeds of sale to the brand fund of the department to be used for the enforcement of this chapter.

Sec. 18. Section 1, chapter 111, Laws of 1917 and RCW 16.20.020 are each amended to read as follows:

It shall be unlawful for any person, firm, association or corporation to turn upon or allow to run ~~((upon the open range))~~ at large on any range area in this state any bull other than a registered ~~((purebred))~~ bull of a recognized beef breed.

Sec. 19. Section 2, chapter 111, Laws of 1917 and RCW 16.20.030 are each amended to read as follows:

~~((That))~~ Before any person, firm, association or corporation ~~((shall))~~ turns upon the open range in this state any female breeding cattle of breeding age more than fifteen in number, ~~((two years old or over.))~~ they shall procure and turn with said female breeding cattle one registered ~~((purebred))~~ bull of recognized beef breed for every forty females or fraction thereof of twenty-five or over(~~(- PROVIDED, HOWEVER, That RCW 16.20.020 through 16.20.040 shall not apply to counties lying west of the summit of the Cascade mountains).~~ All persons running cattle in common on any range area may, however, agree to any other proportion of bulls to female cattle of breeding age as they may deem appropriate for their area.

NEW SECTION, Sec. 20. RCW 16.20.020 and 16.20.030 shall not apply to counties lying west of the summit of the Cascade mountains.

Sec. 21. Section 1, chapter 25, Laws of 1911 as amended by section 1, chapter 40, Laws of 1937 and RCW 16.24.010 are each amended to read as follows:

The board of county commissioners of any county of this state shall have the power to designate by an order made and published, as provided in RCW 16.24.030, certain territory as stock restricted area within such county in which it shall be unlawful to permit livestock of any kind to run at large(~~(- PROVIDED, That))~~ and shall require that the cost of any new fencing which may become necessary to prevent livestock located in a range area from running at large in such newly designated stock restricted area be shared equally by the affected adjoining landowners. No territory so designated shall be less than two square miles in area(~~(- AND PROVIDED FURTHER, That RCW 16.24.010 through 16.24.065 shall not affect counties having adopted township organization)).~~ All territory not ~~((so))~~ designated as stock restricted shall be range area, in which it shall be lawful to permit livestock to run at large.

Nothing in this section affects fencing agreements entered into between two or more parties before the effective date of this 1985 act.

Sec. 22. Section 6, chapter 40, Laws of 1937 and RCW 16.24.065 are each amended to read as follows:

No person owning or in control of any livestock shall wilfully or negligently allow such livestock to run at large in any stock restricted area, nor shall any person owning or in control of any livestock allow such livestock to wander or stray upon the right-of-way of any public highway of two or more lanes lying within a stock restricted area when not in the charge of some person.

Sec. 23. Section 1, chapter 12, Laws of 1891 and RCW 16.28.165 are each amended to read as follows:

~~((That))~~ No person shall ~~((be permitted to lead, drive, or in any manner))~~ remove any ~~((horse, mare, colt, jack, jenny, mule, or any head of neat cattle, or hog, sheep, goat, or any number of these animals, the same being the property of another person.))~~ livestock belonging to another from the range on which they are permitted to run ~~((in common))~~ at large, without the prior consent of the owner thereof ~~((first had and obtained. PROVIDED)),~~ The owner of any ~~((such animals, as aforesaid, finding the same running on the herd grounds or on common range with other animals of the same, may be permitted to drive))~~ livestock may move his or her own ~~((animal or animals))~~ livestock, together with such other ~~((animals as he cannot conveniently separate))~~ livestock as cannot be separated from his or her own, to the nearest ~~((and most convenient))~~ corral, or other ~~((place for separating his own from other animals, if he in such case, immediately with all convenient speed, drive all such animals not belonging to himself back to the herd ground or range from which he brought such animals))~~ facility in order to separate his or her own livestock, if the other livestock are returned to the same location from which they were moved within twenty-four hours.

Sec. 24. Section 1, page 323, Laws of 1869 as last amended by section 2488, Code of 1881 and RCW 16.60.010 are each amended to read as follows:

((The following shall be considered lawful fences in this state: Post and rail or plank fences, five feet high, made of sound posts five inches in diameter, set substantially in the ground, not more than ten feet apart, with four planks not less than one inch thick and six inches wide, securely fastened by nails or otherwise, said planks not more than nine inches apart. Posts and rail fences, with posts not more than ten feet apart and rails not less than four inches wide (five of them) made in all other respects the same as the first described in this section. Worm fences made in the usual way, of sound, substantial rails or poles, five feet high, including riders with stakes firmly set in the ground and spaces no greater than in post and plank or rail fences, except the two lower spaces which shall not be more than four inches, and the top spaces between riders, not to be more than sixteen inches. Ditch and pole, or board or rail fence, shall be made of a ditch not less than four feet wide on top and three feet deep, embankment thrown up on the inside of the ditch, with substantial posts set in the embankment not more than ten feet apart, and a plank, pole, or rail securely fastened to said posts, at least seven feet high from the bottom of the ditch.)) A lawful fence shall be of at least four barbed, horizontal, well-stretched wires, spaced so that the top wire is forty-eight inches, plus or minus four inches, above the ground and the other wires at intervals below the top wire of twelve, twenty-two, and thirty-two inches. These wires shall be securely fastened to substantial posts set firmly in the ground as nearly equidistant as possible, but not more than twenty-four feet apart. If the posts are set more than sixteen feet apart, the wires shall be supported by stays placed no more than eight feet from each other or from the posts.

Sec. 25. Section 2, page 324, Laws of 1869 as last amended by section 2489, Code of 1881 and RCW 16.60.011 are each amended to read as follows:

All other fences as strong and as well calculated ~~((to protect inclosures as either of those))~~ as the fence described in RCW 16.60.010 shall be lawful fences.

Sec. 26. Section 10, page 326, Laws of 1869 as last amended by section 2497, Code of 1881 and RCW 16.60.062 are each amended to read as follows:

In assessing the value of any partition fence, ~~((the parties shall proceed as provided for the assessment of damages in RCW 16.60.026))~~ if the parties cannot agree to the amount of reimbursement, the person seeking reimbursement may have the fence's value appraised by three reliable disinterested and practical farmers. If reimbursement is not received within two weeks after written request is provided by the person seeking reimbursement, he or she may recover the value thereof from the delinquent person before any court of competent jurisdiction, together with costs and disbursements and reasonable attorney fees, at trial and on appeal, to be adjudged by the court.

NEW SECTION, Sec. 27. A new section is added to chapter 16.60 RCW to read as follows:

If any person neglects to repair or rebuild such partition fence as is mentioned in RCW 16.60.020, or the portion thereof which he or she is required to maintain, the aggrieved person may so signify in writing to the delinquent person and direct the latter to repair or rebuild it within a reasonable time. If a partition fence is not repaired or rebuilt according to RCW 16.60.020 and this section, the complainant may repair or rebuild the fence and recover the value thereof from the delinquent person before any court of competent jurisdiction, together with costs and disbursements and reasonable attorney fees at trial and on appeal, to be adjudged by the court.

NEW SECTION, Sec. 28. A new section is added to chapter 16.60 RCW to read as follows:

It shall be unlawful for any person to wilfully break down or cause to be broken down any fence or gate or to leave open any gate in such fence. This section shall not apply to the owner or occupant unless such owner or occupant causes such fence or gate to be broken down or left open with malicious intent. Any violation of this section shall be punishable as a misdemeanor.

Sec. 29. Section 3, chapter 31, Laws of 1893 as amended by section 2, chapter 56, Laws of 1925 ex. sess. and RCW 16.04.025 are each amended to read as follows:

If the owner or the person having in charge or possession such animals is unknown to the person sustaining the damage, ~~((the notice provided in RCW 16.04.020 shall be given by posting three notices, in three public places in the neighborhood where the animals are restrained))~~ the person retaining such animals shall, within twenty-four hours, notify the county sheriff or the nearest state brand inspector as to the number, description, and location of the animals. The county sheriff or brand inspector shall examine the animals by brand, tattoo, or other identifying characteristics and attempt to ascertain ownership. If the animal is marked with a brand or tattoo which is registered with the director of agriculture, the brand inspector or county sheriff shall furnish this information and other pertinent information to the person holding the animals who in turn shall send the notice required in RCW 16.04.020 to the animals' owner of record by certified mail.

If the county sheriff or the brand inspector determines that there is no apparent damage to the property of the person retaining the animals, or if the person sustaining the damage contacts the county sheriff or brand inspector to have the animals removed from his or her property, such animals shall be removed in accordance with chapter 16.13 RCW. Such removal shall not prejudice the property owner's ability to recover damages through civil suit.

Sec. 30. Section 7, chapter 31, Laws of 1893 and RCW 16.04.050 are each amended to read as follows:

If the owner or keeper of such offending animals is unknown to plaintiff at the commencement of the action, or if on the trial it appears that the defendant is not the proper party, defendant, and the proper party is unknown, service of the summons or notice shall be made by publication, by publishing a copy of the summons or notice, with a notice attached, stating the object of the action and giving a description of the animals seized, at least once a week for two consecutive weeks in a ((weekly)) newspaper ((published nearest to the residence of)) of general circulation in the county in which the plaintiff((-if there be one published in the county; and if not, by posting said summons or notice with said notice attached in three public places in the county, in either case)) resides. The most recent notice shall be published not less than ten days previous to the day of trial.

Sec. 31. Section 3, page 324, Laws of 1869 as last amended by section 2490, Code of 1881 and RCW 16.60.015 are each amended to read as follows:

Any person making and maintaining in good repair around his or her enclosure or enclosures, any fence such as is described in RCW 16.60.010 and 16.60.011, may recover in a suit for trespass before the nearest court having competent jurisdiction, from the owner or owners of any animal or animals which shall break through such fence, in full for all damages sustained on account of such trespass, together with the costs of suits; and the animal or animals, so trespassing, may be taken and held as security for the payment of such damages and costs: PROVIDED, That such person shall provide notice as required under RCW 16.04.020 and 16.04.025: PROVIDED FURTHER, That such person shall have such fences examined and the damages assessed by three reliable, disinterested parties and practical farmers, within five days next after the trespass has been committed: AND, PROVIDED FURTHER, That if, before trial, the owner of such trespassing animal or animals, shall have tendered the person injured any costs which may have accrued, and also the amount in lieu of damages which shall equal or exceed the amount of damages afterwards awarded by the court or jury, and the person injured shall refuse the same and cause the trial to proceed, such person shall pay all costs and receive only the damages awarded.

NEW SECTION, Sec. 32. Section 9, page 325, Laws of 1869, section 9, page 65, Laws of 1871, section 9, page 449, Laws of 1873, section 2496, Code of 1881 and RCW 16.60.060 are each repealed.*

On page 1, line 3 of the title, after "16.65.080," strike "and" and after "16.65.320" insert: ", 16.08.010, 16.13.010, 16.13.020, 16.13.070, 16.20.020, 16.20.030, 16.24.010, 16.24.065, 16.28.165, 16.60.010, 16.60.011, 16.60.062, 16.04.025, 16.04.050, and 16.60.015"

On page 1, on line 3 of the title, after "16.49 RCW;" insert "adding new sections to chapter 16.60 RCW: creating a new section:"

On page 1, line 4 of the title, after "16.49.510," strike "and" and after "16.36.095" insert ", and 16.60.060"

On page 1, line 4 of the title, after "16.49A.510," strike "and" and after "16.36.095" insert ", 16.40.010, 16.40.060, 16.40.110, 16.40.120, and 16.40.130" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Vekich, the House refused to concur in the Senate amendments to Substitute House Bill No. 843, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

April 12, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 848 with the following amendments:

On page 1, line 21 after "Any" strike all the material down to and including "Offense" on page 1, line 22 and insert "person specified in writing by the prosecuting attorney"

On page 7, after line 24 insert the following:

NEW SECTION, Sec. 7. The failure to make a reasonable effort to ensure that persons who are to receive notice under sections 1 through 6 of this act shall not result in civil liability so long as the failure to make a reasonable effort was in good faith and without gross negligence.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Locke, the House refused to concur in the Senate amendments to Substitute House Bill No. 848, and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

April 15, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1001 with the following amendments:

On page 8, after line 17, insert the following:

*Sec. 11. Section 1, chapter 182, Laws of 1974 ex. sess. as last amended by section 5, chapter 11, Laws of 1983 1st ex. sess. and RCW 84.36.381 are each amended to read as follows:

A person shall be exempt from any legal obligation to pay all or a portion of the amount of excess and regular real property taxes due and payable in the year following the year in which a claim is filed, and thereafter, in accordance with the following:

(1) The property taxes must have been imposed upon a residence which was occupied by the person claiming the exemption as a principal place of residence as of January 1st of the year for which the exemption is claimed: PROVIDED, That any person who sells, transfers, or is displaced from his or her residence may transfer his or her exemption status to a replacement residence, but no claimant shall receive an exemption on more than one residence in any year: PROVIDED FURTHER, That confinement of the person to a hospital or nursing home shall not disqualify the claim of exemption if the residence is temporarily unoccupied or if the residence is occupied by a spouse and/or a person financially dependent on the claimant for support:

(2) The person claiming the exemption must have owned, at the time of filing, in fee, as a life estate, or by contract purchase, the residence on which the property taxes have been imposed or if the person claiming the exemption lives in a cooperative housing association, corporation, or partnership, such person must own a share therein representing the unit or portion of the structure in which he or she resides. For purposes of this subsection, a residence owned by a marital community or owned by cotenants shall be deemed to be owned by each spouse or cotenant, and any lease for life shall be deemed a life estate:

(3) The person claiming the exemption must have been sixty-one years of age or older on January 1st of the year in which the exemption claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of physical disability: PROVIDED, That any surviving spouse of a person who was receiving an exemption at the time of the person's death shall qualify if the surviving spouse is fifty-seven years of age or older and otherwise meets the requirements of this section:

(4) The amount that the person shall be exempt from an obligation to pay shall be calculated on the basis of combined disposable income, as defined in RCW 84.36.383. If the person claiming the exemption was retired for two months or more of the preceding year, the combined disposable income of such person shall be calculated by multiplying the average monthly combined disposable income of such person during the months such person was retired by twelve.

(5) A person who otherwise qualifies under this section and has a combined disposable income of ~~((fifteen))~~ sixteen thousand five hundred dollars or less shall be exempt from all excess property taxes; and in addition

(a) ~~((For taxes first due in 1984, a person who otherwise qualifies under this section and has a combined disposable income of twelve thousand dollars or less shall be exempt from all regular property taxes on up to twenty thousand dollars of the valuation of his or her residence; and~~

~~(b) For taxes first due in 1985 and thereafter:~~

~~((i)) A person who otherwise qualifies under this section and has a combined disposable income of ~~((twelve))~~ thirteen thousand dollars or less but greater than nine thousand five hundred dollars shall be exempt from all regular property taxes on the greater of twenty-two thousand dollars or thirty percent of the valuation of his or her residence, but not to exceed forty-two thousand dollars of the valuation of his or her residence; or~~

~~((ii)) (b) A person who otherwise qualifies under this section and has a combined disposable income of nine thousand five hundred dollars or less shall be exempt from all regular property taxes on the greater of ~~((twenty-five))~~ twenty-six thousand dollars or fifty percent of the valuation of his or her residence.~~

NEW SECTION, Sec. 12. This act applies to taxes first due in 1987 and thereafter."

On page 1, line 1 of the title, after "taxation;" strike "and" and on line 3 strike "and 84.56-.290" and insert "84.56.290, and 84.36.381; and creating a new section"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Braddock, the House refused to concur in the Senate amendments to Engrossed House Bill No. 1001 and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

April 12, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1010 with the following amendments:

On page 1, after line 10 insert:

*Sec. 1. The legislative systems committee is created to oversee the direction of the information processing and communications systems of the legislature. The legislative systems committee shall consist of eight members appointed as follows: Two members of the senate, one each appointed by the majority and minority leaders of the senate; two members of the house of representatives, one each appointed by the speaker of the house of representatives and the minority leader; one member of the legislature appointed by the statute law committee; one member of the legislature appointed by the legislative evaluation and accountability program committee, with the senate and the house and the majority and minority parties equally represented by these latter two appointments; and two nonvoting members, one from the judicial branch appointed by the chief justice of the state supreme court, and one from the office of financial management appointed by the governor.

The initial members of the legislative systems committee shall be appointed within five days after the effective date of this act, and shall serve until their successors are appointed and qualified in the 1987 regular legislative session. Members shall serve two-year terms, beginning with their appointment in the legislative session held in an odd-numbered year and continuing until their successors are appointed and qualified. In case of a vacancy, the original appointing authority shall appoint another member of the same party as the vacating member.

The legislative systems committee shall choose its own chairman from among its membership, and shall make rules for orderly procedure.

NEW SECTION, Sec. 2. The legislative systems advisory committee, hereafter referred to as the 'advisory committee,' is created to serve in an advisory capacity to the legislative systems committee. The advisory committee shall consist of the secretary of the senate, the chief clerk of the house of representatives, the code reviser, the administrator of the legislative evaluation and accountability program committee, and the legislative systems coordinator appointed under section 3 of this act, or their designees. The legislative systems coordinator shall act as chairman of the advisory committee.

NEW SECTION, Sec. 3. (1) The legislative systems committee, upon or after consultation with the advisory committee, shall appoint a legislative systems coordinator. The coordinator shall serve at the pleasure of the legislative systems committee, which shall fix the coordinator's salary.

(2) The coordinator shall coordinate and assist the advisory committee in carrying out its responsibilities under section 5 of this act.

NEW SECTION, Sec. 4. In regards to the information processing and communications systems of the legislature, the legislative systems committee shall, after considering the recommendations of the advisory committee:

- (1) Adopt, and enforce where appropriate, policies, procedures, or standards regarding:
 - (a) The definition of systems users requirements;
 - (b) The design of a general systems architecture;
 - (c) Systems capacity plans, including: Usage profiles, projected systems usage, and hardware and software requirements;
 - (d) Interchange of equipment;
 - (e) Interchange of software;
 - (f) Equipment acquisition and maintenance procedures;
 - (g) Systems security;
 - (h) Systems usage;
 - (i) Training and support programs with the following elements: Identification of user training and support requirements, identification of training resources, and systems users documentation and training materials;

(2) Consider, modify where it is deemed necessary, and adopt the systems application portfolio developed and submitted by the advisory committee; and

(3) Facilitate the communication and coordination of information regarding systems application, the exchange of systems improvement opportunities, and the exchange of functional improvement opportunities among systems users and support functions.

NEW SECTION, Sec. 5. In regards to the information processing and communications systems of the legislature, the legislative systems advisory committee shall:

- (1) Develop and submit to the legislative systems committee recommended policies, procedures, or standards pertaining to those matters enumerated under section 4(1) of this act;
- (2) Develop and submit, to the legislative systems committee, the recommended systems application portfolio required under section 4(2) of this act; and
- (3) Assist the legislative systems committee in carrying out the requirements of section 4(3) of this act.

NEW SECTION. Sec. 6. The information processing and communications functions of the senate, the house of representatives, the statute law committee, the legislative evaluation and accountability program committee, and any other legislative agency are subject to the requirements of this chapter and the standards, policies, and procedures established by the legislative systems committee.

NEW SECTION. Sec. 7. Members of the legislative systems committee and of the advisory committee shall be reimbursed for travel expenses under RCW 44.04.120 or 43.03.050 and 43.03.060, as appropriate, while attending meetings of their committee or on other committee business authorized by their committee.

NEW SECTION. Sec. 8. The legislative systems committee shall administer the legislative support center in accordance with section 4 of this act. The transition of management authority should maintain the highest level of stability possible so that staff and operation of the data base are maintained. The legislative information system shall become the legislative support center and shall provide automatic data processing services for the legislature, its various committees, and the statute law committee and may by agreement, for the judiciary and the legal or law-oriented agencies of the executive branch. Information directly placed or maintained in the legislative support center by agreement is subject to full security as negotiated with the originator. All such operations shall be subject to the general supervision of the legislative systems committee in accordance with the policies, procedures, or standards established under section 4 of this act. The legislative systems committee shall employ or engage and fix the compensation for all personnel as may be required to plan, supervise, operate, procure, or supply such services. The legislative systems committee may enter into contracts with public or private vendors or purchasers for the sale, exchange, or acquisition of data processing materials, services, and facilities.

The legislative evaluation and accountability program committee and the state actuary shall use the facilities of the legislative support center whenever feasible with an objective of full participation in the future.

NEW SECTION. Sec. 9. There is added to chapter 43.105 RCW a new section to read as follows:

The senate, the house of representatives, legislative agencies, and the statute law committee are exempt from the provisions of this chapter. However, the authority may provide its services to the senate, the house of representatives, legislative agencies, or the statute law committee at the request of the legislative systems committee created by section 1 of this act.

Sec. 10. Section 9, chapter 373, Laws of 1977 ex. sess. as amended by section 158, chapter 151, Laws of 1979 and RCW 44.48.090 are each amended to read as follows:

The committee shall have the following powers, to be exercised in accordance with the policies, procedures, or standards established under section 4 of this act:

- (1) To have timely access, upon written request of the administrator, to all machine readable, printed, and other data of state agencies relative to expenditures, budgets, and related fiscal matters;
- (2) To suggest changes relative to state accounting and reporting systems to the office of financial management or its successor and to require timely written responses to such suggestions; and
- (3) Pursuant to prior consultation with the legislative systems committee, to enter into contracts; and when entering into any contract for computer access, make necessary provisions relative to the scheduling of computer time and usage in recognition of the unique requirements and priorities of the legislative process.

NEW SECTION. Sec. 11. Any funds appropriated to the statute law committee for the operation of the legislative information system during the 1985-1987 biennium shall be transferred to the legislative systems committee for the operation of the legislative support center. All funds collected by the statute law committee for materials or information generated on behalf of the legislature, including but not limited to the revised code of Washington, shall be remitted to the legislative systems committee.

NEW SECTION. Sec. 12. Sections 1 through 8 of this act shall constitute a new chapter in Title 44 RCW.

NEW SECTION. Sec. 13. Section 5, chapter 212, Laws of 1969 ex. sess. and RCW 1.08.100 are each repealed."

Renumber the remaining sections accordingly.

On line 2 of the title, after "Washington;" and before "making an appropriation;" insert "amending RCW 44.48.090; adding a new section to chapter 43.105 RCW; adding a new chapter to Title 44 RCW; creating a new section; repealing RCW 1.08.100;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

POINT OF ORDER

Mr. Padden: "Mr. Speaker, I would like you to rule on scope and object of the Senate amendments to this bill."

The Speaker: "The Speaker will take this under advisement."

MESSAGE FROM THE SENATE

April 9, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3012, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House refused to recede from its amendments to Engrossed Substitute Senate Bill No. 3012, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

April 9, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3254, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House refused to recede from its amendments to Substitute Senate Bill No. 3254, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

April 16, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3146, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

On motion of Ms. Brekke, the House receded from its amendments to page 3, line 34, page 4, line 8 and the related title amendment.

On motion of Ms. Brekke, the House refused to recede from its amendments to page 2, line 12, page 4, line 8 and the related title amendment, and again asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 12, 1985

Mr. Speaker:

The Senate ruled the House amendments to SUBSTITUTE SENATE BILL NO. 3029 beyond the scope and object of the bill and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. D. Nelson moved that the House do recede from its amendments to Substitute Senate Bill No. 3029 and pass the bill without the House amendments.

Mr. D. Nelson spoke in favor of the motion, and Mr. Barrett spoke against it.

The motion was lost.

On motion of Mr. Lux, the House insisted on its position and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

April 9, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SENATE BILL NO. 3176, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House insisted on its position on Engrossed Senate Bill No. 3176, and asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 10, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 3207, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House insisted on its position on Substitute Senate Bill No. 3207, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

April 16, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 3233, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House insisted on its position on Senate Bill No. 3233, and again asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 16, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 4128, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House insisted on its position on Substitute Senate Bill No. 4128, and again asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 16, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendment to SENATE BILL NO. 4129, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House insisted on its position on Senate Bill No. 4129, and again asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 10, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 4424, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Vekich, the House insisted on its position on Substitute Senate Bill No. 4424, and asked the Senate for a conference thereon.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4196, by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Cantu and Wojahn; by Employment Security Department request)

Providing for special programs to assist the unemployed and underemployed.

The bill was read the second time.

On motion of Mr. Patrick, the following amendment by Representatives Patrick and Wang was adopted:

On page 9, after line 30 insert the following:

NEW SECTION, Sec. 11. The commerce and labor committees of the house of representatives and the senate shall study the possible effects of an extension of unemployment benefits for an additional thirteen weeks to determine whether such extension is necessary. The study shall include the cost impact of an extension of unemployment benefits on the funds available for unemployment compensation on employers. The committees shall report back to the legislature no later than December 31, 1985."

Renumber the remaining sections consecutively.

On motion of Mr. Wang, the following amendments were adopted:

On page 9, after line 25, insert the following:

NEW SECTION, Sec. 9. A new section is added to chapter 50.44 RCW to read as follows:

The term 'reasonable assurance', as used in RCW 50.44.050, means a written, verbal, or implied agreement that the employee will perform services in the same capacity during the ensuing academic year or term as in the first academic year or term. A person shall not be deemed to be performing services 'in the same capacity' unless those services are rendered under the same terms or conditions of employment in the ensuing year as in the first academic year or term.

NEW SECTION, Sec. 10. Section 1, chapter 140, Laws of 1984 and RCW 50.44.052 are each repealed."

Renumber the remaining sections and correct any internal references accordingly.

On page 1, line 3 of the title, after "50.24 RCW;" insert "adding a new section to chapter 50.44 RCW:"

On page 1, line 4 of the title, after "sections;" insert "repealing RCW 50.44.052:"

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

Representatives Wang and Patrick 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. 4196 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 4; excused, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough,

Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Fuhrman, Hastings, King R, Nealey - 4.

Excused: Representative Smith C - 1.

Engrossed Substitute Senate Bill No. 4196 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.

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

REPORT OF STANDING COMMITTEE

April 18, 1985

HB 1081 Prime Sponsor, Representative Grimm: Authorizing bonds for water pollution control facilities. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Hine, Holland, J. King, Locke, Madsen, G. Nelson, Niemi, Rust, Sayan, Smitherman, Taylor, Vander Stoep and B. Williams.

Voting nay: Representatives Hastings, Long, Silver, L. Smith, Sommers and Tilly.

Absent: Representative Sanders.

Passed to Committee on Rules for second reading.

The House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 4228, by Committee on Ways & Means (originally sponsored by Senator McDermott; by Department of Revenue request)

Modifying business and occupation tax provisions on persons taxable on multiple activities.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

Mr. Appelwick moved adoption of the committee amendment.

Mr. Appelwick moved adoption of the following amendment to the committee amendment:

On page 3, beginning on line 9 after "rate of" strike all material through "thereafter" on line 12 and insert "~~(thirty-three one hundredths)~~ one-eighth"

Mr. Appelwick spoke in favor of the amendment to the amendment.

Mr. Appelwick 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 C. Smith.

On motion of Mr. Appelwick, the absent member was excused and the House proceeded with business under the Call of the House.

Mr. Hastings spoke in favor of the amendment by Representative Appelwick to the committee amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment to the committee amendment:

On page 6, beginning on line 28 strike all of section 2 and renumber the remaining sections consecutively and correct internal references accordingly.

Representatives Appelwick and Hastings spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment to the committee amendment:

Beginning on page 10, line 3 strike all of sections 5, 6, 7 and 8.

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives Appelwick and Hastings spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendments to the committee amendment:

On page 15, beginning on line 28 strike "one" and insert "two"

On page 16, line 4 strike "one" and insert "two"

On page 16 strike all of lines 19 and 20.

Representatives Appelwick and Allen spoke in favor of the amendments to the committee amendment, and Representatives Bristow and Hastings spoke against them.

Mr. Appelwick spoke again in favor of the amendments, and Mr. Hastings again opposed them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Appelwick to Engrossed Substitute Senate Bill No. 4228, and the amendments were not adopted by the following vote: Yeas, 35; nays, 62; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Cole, Crane, Dellwo, Ebersole, Fisher, Grimm, Hine, Jacobsen, King J. Leonard, Locke, Lux, Madsen, Nelson D. Niemi, Nutley, O'Brien, Rust, Sommers, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, and Mr. Speaker - 35.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Day, Dobbs, Doty, Fisch, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, King P. King R. Kremen, Lewis, Long, Lundquist, May, McMullen, Miller, Nealey, Nelson G. Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L. Smitherman, Tanner, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Sloep, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky - 62.

Excused: Representative Smith C - 1.

Mr. Bristow moved adoption of the following amendment by Representatives Bristow, Tanner, Hastings, Barrett, Isaacson, Hankins, Rayburn, Day and Baugher to the committee amendment:

On page 1, after line 5 of the amendment, strike all material down through "1985." on page 16, line 35, and insert the following:

"Sec. 1. Section 5, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.260 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of buying wheat, oats, dry peas, dry beans, lentils, triticale, corn, rye and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of one one-hundredth of one percent.

(2) Upon every person engaging within this state in the business of manufacturing wheat into flour, soybeans into soybean oil, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour or oil manufactured, multiplied by the rate of one-eighth of one percent.

(3) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business shall be equal to the value of the peas split or processed, multiplied by the rate of one-quarter of one percent.

(4) Upon every person engaging within this state in the business of manufacturing seafood products which remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; as to such persons the amount of tax with respect to such business

shall be equal to the value of the products manufactured, multiplied by the rate of one-eighth of one percent.

(5) Upon every person engaging within this state in the business of manufacturing by canning, preserving, freezing or dehydrating fresh fruits and vegetables; as to such persons the amount of tax with respect to such business shall be equal to the value of the products canned, preserved, frozen or dehydrated multiplied by the rate of three-tenths of one percent.

(6) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of forty-four one-hundredths of one percent.

(7) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of ~~((thirty-three))~~ twenty-five one-hundredths of one percent through June 30, 1986, and one-eighth of one percent thereafter.

(8) Upon every person engaging within this state in the business of making sales, at retail or wholesale, of nuclear fuel assemblies manufactured by that person, as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the assemblies multiplied by the rate of twenty-five one-hundredths of one percent.

(9) Upon every person engaging within this state in the business of manufacturing nuclear fuel assemblies, as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of twenty-five one-hundredths of one percent.

(10) Upon every person engaging within this state in the business of acting as a travel agent; as to such persons the amount of the tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of twenty-five one-hundredths of one percent.

(11) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities shall be equal to the gross income derived from such activities multiplied by the rate of thirty-three one-hundredths of one percent.

(12) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds derived from such activities multiplied by the rate of thirty-three one hundredths of one percent. Persons subject to taxation under this subsection shall be exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(13) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010; as to such persons the amount of the tax with respect to such business shall be equal to the gross income of the business, excluding any fees imposed under chapter 43.21F RCW, multiplied by the rate of thirty percent.

If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state shall be determined in accordance with the methods of apportionment required under RCW 82.04.460.

(14) Upon every person engaging within this state as an insurance agent, insurance broker, or insurance solicitor licensed under chapter 48.17 RCW; as to such persons, the amount of the tax with respect to such licensed activities shall be equal to the gross income of such business multiplied by the rate of one percent.

Sec. 2. Section 82.04.330, chapter 15, Laws of 1961 as amended by section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330 are each amended to read as follows:

This chapter shall not apply to any person in respect to the business of growing or producing for sale upon ~~((his)) the person's own lands or upon land in which ((he)) the person has a present right of possession, any agricultural or horticultural produce or crop, including the raising for sale of any animal, bird, fish, or insect, or the milk, eggs, wool, fur, meat, honey, or other substance obtained therefrom, or in respect to the sale of such products at wholesale by such grower, producer, or raiser thereof. This exemption shall not apply to any person selling such products at retail or using such products as ingredients in a manufacturing process; nor to the sale of any animal or substance obtained therefrom by a person in connection with ((his)) the person's business of operating a stockyard or a slaughter or packing house; nor to any person in respect to the business of taking, cultivating, or raising Christmas trees or timber; nor to any association of persons whatever, whether mutual, cooperative or otherwise, engaging in any business activity with respect to which tax liability is imposed under the provisions of this chapter.~~

Sec. 3. Section 82.04.100, chapter 15, Laws of 1961 as amended by section 2, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.100 are each amended to read as follows:

'Extractor' means every person who from ~~((his)) the person's own land or from the 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, for sale or for commercial or industrial use mines, quarries, takes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resource product, or fells, cuts or takes timber, Christmas trees or other natural products, or takes((-cultivates, or raises)) fish, or takes, cultivates, or raises shellfish, or other sea or inland water foods or products. ((#)) 'Extractor' does not include persons performing under contract the necessary labor or mechanical services for others or persons cultivating or raising fish entirely within confined rearing areas on the person's own land or on land in which the person has a present right of possession.~~

NEW SECTION. Sec. 4. Nothing in sections 2 and 3 of this act shall be construed to imply that a person, sale, or use made exempt from tax under sections 2 and 3 of this act was taxable under Title 82 RCW prior to the enactment of sections 2 and 3 of this act.

NEW SECTION. Sec. 5. A new section is added to chapter 82.04 RCW to read as follows:

(1) For purposes of this chapter, 'wholesale sale,' 'sale at wholesale,' 'retail sale,' and 'sale at retail' do not include the sale of precious metal bullion or monetized bullion.

(2) In computing tax under this chapter on the business of making sales of precious metal bullion or monetized bullion, the tax shall be imposed on the amounts received as commissions upon transactions for the accounts of customers over and above the amount paid to other dealers associated in such transactions, but no deduction or offset is allowed on account of salaries or commissions paid to salesmen or other employees.

(3) For purposes of this section, 'precious metal bullion' means any precious metal which has been put through a process of smelting or refining, including, but not limited to, gold, silver, platinum, rhodium, and palladium, and which is in such state or condition that its value depends upon its contents and not upon its form. For purposes of this section, 'monetized bullion' means coins or other forms of money manufactured from gold, silver, or other metals and heretofore, now, or hereafter used as a medium of exchange under the laws of this state, the United States, or any foreign nation, but does not include coins or money sold to be manufactured into jewelry or works of art.

NEW SECTION. Sec. 6. 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. 7. 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 July 1, 1985."

Representatives Bristow and Hastings spoke in favor of the amendment to the amendment, and Representatives Appelwick and Sayan opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Bristow and others to the committee amendment to Engrossed Substitute Senate Bill No. 4228, and the amendment was adopted by the following vote: Yeas, 63; nays, 34; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Day, Dellwo, Dobbs, Doty, Fisch, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, King P, King R, Kremen, Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Schmidt, Schoon, Scott, Silver, Smith L, Sutherland, Tanner, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 63.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Cole, Crane, Ebersole, Fisher, Grimm, Hine, Jacobsen, King J. Leonard, Locke, Lux, Nelson D. Niemi, Nutley, O'Brien, Rust, Sayan, Smitherman, Sommers, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K. Wineberry, and Mr. Speaker - 34.

Excused: Representative Smith C - 1.

Mr. Taylor moved adoption of the following amendment to the committee amendment:

On page 1, after line 5 of the amendment, strike all material down through "1985." on page 16, line 35, and insert the following:

"Sec. 1. Section 5, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.260 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of buying wheat, oats, dry peas, dry beans, lentils, triticale, corn, rye and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of one one-hundredth of one percent.

(2) Upon every person engaging within this state in the business of manufacturing wheat into flour, soybeans into soybean oil, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour or oil manufactured, multiplied by the rate of one-eighth of one percent.

(3) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business shall be equal to the value of the peas split or processed, multiplied by the rate of one-quarter of one percent.

(4) Upon every person engaging within this state in the business of manufacturing seafood products which remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured, multiplied by the rate of one-eighth of one percent.

(5) Upon every person engaging within this state in the business of manufacturing by canning, preserving, freezing or dehydrating fresh fruits and vegetables; as to such persons the amount of tax with respect to such business shall be equal to the value of the products canned, preserved, frozen or dehydrated multiplied by the rate of three-tenths of one percent.

(6) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of forty-four one-hundredths of one percent.

(7) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of ~~((thirty-three))~~ twenty-five one-hundredths of one percent through June 30, 1986, and one-eighth of one percent thereafter.

(8) Upon every person engaging within this state in the business of making sales, at retail or wholesale, of nuclear fuel assemblies manufactured by that person, as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the assemblies multiplied by the rate of twenty-five one-hundredths of one percent.

(9) Upon every person engaging within this state in the business of manufacturing nuclear fuel assemblies, as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of twenty-five one-hundredths of one percent.

(10) Upon every person engaging within this state in the business of acting as a travel agent; as to such persons the amount of the tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of twenty-five one-hundredths of one percent.

(11) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities shall be equal to the gross income derived from such activities multiplied by the rate of thirty-three one-hundredths of one percent.

(12) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds derived from such activities multiplied by the rate of thirty-three one hundredths of one percent. Persons subject to taxation under this subsection shall be exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or

unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(13) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010; as to such persons the amount of the tax with respect to such business shall be equal to the gross income of the business, excluding any fees imposed under chapter 43.21F RCW, multiplied by the rate of thirty percent.

If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state shall be determined in accordance with the methods of apportionment required under RCW 82.04.460.

(14) Upon every person engaging within this state as an insurance agent, insurance broker, or insurance solicitor licensed under chapter 48.17 RCW; as to such persons, the amount of the tax with respect to such licensed activities shall be equal to the gross income of such business multiplied by the rate of one percent.

Sec. 2. Section 82.04.330, chapter 15, Laws of 1961 as amended by section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330 are each amended to read as follows:

This chapter shall not apply to any person in respect to the business of growing or producing for sale upon ~~(his)~~ the person's own lands or upon land in which ~~(he)~~ the person has a present right of possession, any agricultural or horticultural produce or crop, including the raising for sale of any animal, bird, fish, or insect, or the milk, eggs, wool, fur, meat, honey, or other substance obtained therefrom, or in respect to the sale of such products at wholesale by such grower, producer, or raiser thereof. This exemption shall not apply to any person selling such products at retail or using such products as ingredients in a manufacturing process; nor to the sale of any animal or substance obtained therefrom by a person in connection with ~~(his)~~ the person's business of operating a stockyard or a slaughter or packing house; nor to any person in respect to the business of taking, cultivating, or raising Christmas trees or timber; nor to any association of persons whatever, whether mutual, cooperative or otherwise, engaging in any business activity with respect to which tax liability is imposed under the provisions of this chapter.

Sec. 3. Section 82.04.100, chapter 15, Laws of 1961 as amended by section 2, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.100 are each amended to read as follows:

'Extractor' means every person who from ~~(his)~~ the person's own land or from the 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, for sale or for commercial or industrial use mines, quarries, takes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resource product, or fells, cuts or takes timber, Christmas trees or other natural products, or takes ~~(-cultivates, or raises)~~ fish, or takes, cultivates, or raises shellfish, or other sea or inland water foods or products. ~~(It)~~ 'Extractor' does not include persons performing under contract the necessary labor or mechanical services for others or persons cultivating or raising fish entirely within confined rearing areas on the person's own land or on land in which the person has a present right of possession.

NEW SECTION. Sec. 4. Nothing in sections 2 and 3 of this act shall be construed to imply that a person, sale, or use made exempt from tax under sections 2 and 3 of this act was taxable under Title 82 RCW prior to the enactment of sections 2 and 3 of this act.

NEW SECTION. Sec. 5. A new section is added to chapter 82.04 RCW to read as follows:

(1) For purposes of this chapter, 'wholesale sale,' 'sale at wholesale,' 'retail sale,' and 'sale at retail' do not include the sale of precious metal bullion or monetized bullion.

(2) In computing tax under this chapter on the business of making sales of precious metal bullion or monetized bullion, the tax shall be imposed on the amounts received as commissions upon transactions for the accounts of customers over and above the amount paid to other dealers associated in such transactions, but no deduction or offset is allowed on account of salaries or commissions paid to salesmen or other employees.

(3) For purposes of this section, 'precious metal bullion' means any precious metal which has been put through a process of smelting or refining, including, but not limited to, gold, silver, platinum, rhodium, and palladium, and which is in such state or condition that its value depends upon its contents and not upon its form. For purposes of this section, 'monetized bullion' means coins or other forms of money manufactured from gold, silver, or other metals and heretofore, now, or hereafter used as a medium of exchange under the laws of this state, the

United States, or any foreign nation, but does not include coins or money sold to be manufactured into jewelry or works of art.

NEW SECTION, Sec. 6. A new section is added to chapter 82.04 RCW to read as follows:

In computing tax there may be deducted from the measure of tax those amounts received by artistic or cultural organizations which represent income derived from business activities conducted by the organization.

Sec. 7. Section 6, chapter 140, Laws of 1981 and RCW 82.04.4328 are each amended to read as follows:

(1) For the purposes of RCW 82.04.4322, 82.04.4324, 82.04.4326, section 6 of this 1985 act, 82.08.031, and 82.12.031, the term 'artistic or cultural organization' means an organization which is organized and operated exclusively for the purpose of providing artistic or cultural exhibitions, presentations, or performances or cultural or art education programs, as defined in subsection (2) of this section, for viewing or attendance by the general public. The organization must be a not-for-profit corporation under chapter 24.03 RCW and managed by a governing board of not less than eight individuals none of whom is a paid employee of the organization or by a corporation sole under chapter 24.12 RCW. In addition, to qualify for deduction or exemption from taxation under RCW 82.04.4322, 82.04.4324, 82.04.4326, section 6 of this 1985 act, 82.08.031, and 82.12.031, the corporation shall satisfy the following conditions:

(a) No part of its income may be paid directly or indirectly to its members, stockholders, officers, directors, or trustees except in the form of services rendered by the corporation in accordance with its purposes and bylaws;

(b) Salary or compensation paid to its officers and executives must be only for actual services rendered, and at levels comparable to the salary or compensation of like positions within the state;

(c) Assets of the corporation must be irrevocably dedicated to the activities for which the exemption is granted and, on the liquidation, dissolution, or abandonment by the corporation, may not inure directly or indirectly to the benefit of any member or individual except a non-profit organization, association, or corporation which also would be entitled to the exemption;

(d) The corporation must be duly licensed or certified when licensing or certification is required by law or regulation;

(e) The amounts received that qualify for exemption must be used for the activities for which the exemption is granted;

(f) Services must be available regardless of race, color, national origin, or ancestry; and

(g) The director of revenue shall have access to its books in order to determine whether the corporation is exempt from taxes.

(2) The term 'artistic or cultural exhibitions, presentations, or performances or cultural or art education programs' includes and is limited to:

(a) An exhibition or presentation of works of art or objects of cultural or historical significance, such as those commonly displayed in art or history museums;

(b) A musical or dramatic performance or series of performances; or

(c) An educational seminar or program, or series of such programs, offered by the organization to the general public on an artistic, cultural, or historical subject.

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 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, 1985."

POINT OF ORDER

Mr. Appelwick: "Mr. Speaker, I believe we have already acted affirmatively on the sections affected. I would ask the Speaker to rule on whether or not this amendment is proper under Reed's Rule 143."

SPEAKER'S RULING

The Speaker: "The Speaker has examined Reed's Rule 143, which reads: 'If the motion to strike out and insert prevails, then the words inserted, or any of them, can not be stricken out.' We have dealt with the measure in the amendment by Representative Bristow and others, and in the manner which was described in Rule 143, the Speaker finds your point is well taken; the amendment is out of order."

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I would like to point out--continuing from where you were reading--and ask if you would consider the next paragraph which says: 'This, however, does not preclude the insertion of the same with other words, or a

part of the same words with others, or to strike out the same words with others....' I would ask you to consider that paragraph, Mr. Speaker, in making this ruling."

SPEAKER'S RULING

The Speaker: "The Speaker has examined that and has indicated that the amendment does strike out some of the same words as the previous amendment which we adopted. Based on that, the Speaker has found the amendment out of order."

Mr. Locke moved adoption of the following amendment by Representatives Locke, Wineberry, Tilly, Jacobsen, Zellinsky, D. Nelson, Grimm, Dellwo, Hine, Nutley, Braddock and Allen to the committee amendment:

On page 16, line 35 after "1985." insert:

NEW SECTION. Sec. 12. A new section is added to chapter 82.04 RCW to read as follows:

For the purposes of this chapter, 'monetized bullion' shall not mean or include coins or other forms of money (a) manufactured from gold, silver or other metals, and (b) heretofore, now or hereafter used or sold as a medium of exchange under the laws of this state, the United States of America or any foreign nation, by any nation which practices or has an official policy of apartheid."

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, based on your prior ruling, I would now ask you to consider whether or not this amendment is properly before us."

SPEAKER'S RULING

The Speaker: "Representative Barrett, if you notice that the amendment by Representative Bristow covers from page 1, after line 5 through page 16, line 35. Representative Taylor's amendment, which I ruled out of the scope and object, dealt with the same language. This amendment begins on page 16, line 35, after the language that was objected to. It does not deal with the same section and the same words. Your point is not well taken."

Representatives Locke, Wineberry, D. Nelson and Jacobsen spoke in favor of the amendment to the amendment, and Representatives S. Wilson, R. King, Barrett, Dobbs and Patrick opposed it.

Mr. Crane demanded the previous question and the demand was sustained.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Locke and others to the committee amendment to Engrossed Substitute Senate Bill No. 4228, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Cole, Dellwo, Ebersole, Fisch, Fisher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, Leonard, Locke, Lux, Nelson D, Niemi, Nutley, O'Brien, Peery, Rust, Sayan, Scott, Sommers, Sutherland, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Waik, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 44.

Voting nay: Representatives Ballard, Barnes, Barrett, Baugher, Betrozoff, Bond, Bristow, Brooks, Brough, Chandler, Crane, Day, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hastings, Haugen, Holland, Isaacson, King R, Kremen, Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith L, Smitherman, Tanner, Taylor, Thomas, van Dyke, Van Luven, Walker, West, Williams B, Williams J, Wilson S, Winsley - 53.

Excused: Representative Smith C - 1.

Mr. Hargrove moved adoption of the following amendment by Representatives Hargrove, Fisch, Vekich, Basich, Lundquist and B. Williams to the committee amendment:

On page 16, after line 35 of the amendment, insert the following:

NEW SECTION. Sec. 10. It is the intent of the state of Washington in section 11 of this act to provide assistance to those economically distressed areas that do not have substantial means to attract and encourage new business into their communities and also to provide substantial financial incentives for business that will create new jobs within those distressed areas.

NEW SECTION. Sec. 11. A new section is added to chapter 82.04 RCW to read as follows:

(1) 'New businesses' means businesses as defined in RCW 82.04.140 which were first legally required to register with the department of revenue on or after the effective date of this section and which have not been licensed to operate within the state of Washington within the last five years.

(2) 'Eligible businesses' means businesses engaging in manufacturing, research and development, and warehousing.

(3) 'Distressed areas' means:

(a) Any county which exceeds the state-wide average annual unemployment rate and any city with a population of forty thousand or less within such a county; and

(b) Any city with a population of forty thousand or less that can demonstrate that it is distressed by reason of recent business closures, or notice thereof, severe layoffs for periods in excess of six months, and any other criteria established by the department of commerce and economic development to identify an area as disadvantaged.

NEW SECTION, Sec. 12. A new section is added to chapter 82.04 RCW to read as follows:

Persons engaging in new eligible businesses in distressed areas shall be exempt during the first five years of business operation from the payment of fifty percent of the tax otherwise imposed under this chapter by reason of such activities."

Renumber the sections consecutively.

Representatives Hargrove, Fisch, B. Williams and Vekich spoke in favor of the amendment to the amendment, and Representatives Hastings and Bristow spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hargrove and others to the committee amendment to Engrossed Substitute Senate Bill No. 4228, and the amendment was not adopted by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Allen, Appelwick, Barnes, Basich, Belcher, Betzoff, Bond, Braddock, Brough, Cole, Crane, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hargrove, Hine, Holland, Jacobsen, Long, Lundquist, Madsen, May, McMullen, Niemi, Nutley, O'Brien, Padden, Peery, Sayan, Scott, Smith L, Sutherland, Thomas, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wineberry, Winsley - 48.

Voting nay: Representatives Addison, Armstrong, Ballard, Barrett, Baugher, Brekke, Bristow, Brooks, Chandler, Day, Dellwo, Dobbs, Doty, Gallagher, Hankins, Hastings, Haugen, Isaacson, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Miller, Nealey, Nelson D, Nelson G, Patrick, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Silver, Smitherman, Sommers, Tanner, Taylor, Tilly, Todd, Williams J, Wilson K, Wilson S, Zellinsky, and Mr. Speaker - 49.

Excused: Representative Smith C - 1.

Mr. Appelwick moved adoption of the following amendment by Representatives Appelwick and Todd to the committee amendment:

On page 16, after line 35 of the amendment, insert the following:

NEW SECTION, Sec. 6. A new section is added to chapter 82.04 RCW to read as follows:

(1) In computing tax there may be deducted from the measure of tax amounts derived from sales of fuel for consumption outside the territorial waters of the United States, by vessels used primarily in foreign commerce.

(2) Nothing in this section shall be construed to imply that amounts which may be deducted under this section were taxable under Title 82 RCW prior to the enactment of this section."

Renumber the sections consecutively.

Representatives Appelwick and Barnes spoke in favor of the amendment to the amendment, and Representatives Hastings and Bristow spoke against it.

Mr. Appelwick spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. G. Nelson.

Mr. G. Nelson: "Representative Appelwick, could you clarify for the body what the fiscal impact is of this small amendment?"

Mr. Appelwick: "The tax is not being collected at this time. Unlike the B&O tax on meat processors, which is being collected and would be a real dollar loss, this

tax has not been collected in the past and would not be a reduction from current revenue."

Representative Barrett opposed the amendment to the amendment, and Representatives Sayan and Braddock spoke in favor of it.

The amendment to the committee amendment was adopted.

Mr. Taylor moved adoption of the following amendment to the committee amendment:

On page 16, after line 35 of the amendment, insert the following:

***NEW SECTION, Sec. 12.** A new section is added to chapter 82.04 RCW to read as follows:

In computing tax there may be deducted from the measure of tax those amounts received by artistic or cultural organizations which represent income derived from business activities conducted by the organization.

Sec. 13. Section 6, chapter 140, Laws of 1981 and RCW 82.04.4328 are each amended to read as follows:

(1) For the purposes of RCW 82.04.4322, 82.04.4324, 82.04.4326, section 10 of this 1985 act, 82.08.031, and 82.12.031, the term 'artistic or cultural organization' means an organization which is organized and operated exclusively for the purpose of providing artistic or cultural exhibitions, presentations, or performances or cultural or art education programs, as defined in subsection (2) of this section, for viewing or attendance by the general public. The organization must be a not-for-profit corporation under chapter 24.03 RCW and managed by a governing board of not less than eight individuals none of whom is a paid employee of the organization or by a corporation sole under chapter 24.12 RCW. In addition, to qualify for deduction or exemption from taxation under RCW 82.04.4322, 82.04.4324, 82.04.4326, section 10 of this 1985 act, 82.08.031, and 82.12.031, the corporation shall satisfy the following conditions:

(a) No part of its income may be paid directly or indirectly to its members, stockholders, officers, directors, or trustees except in the form of services rendered by the corporation in accordance with its purposes and bylaws;

(b) Salary or compensation paid to its officers and executives must be only for actual services rendered, and at levels comparable to the salary or compensation of like positions within the state;

(c) Assets of the corporation must be irrevocably dedicated to the activities for which the exemption is granted and, on the liquidation, dissolution, or abandonment by the corporation, may not inure directly or indirectly to the benefit of any member or individual except a non-profit organization, association, or corporation which also would be entitled to the exemption;

(d) The corporation must be duly licensed or certified when licensing or certification is required by law or regulation;

(e) The amounts received that qualify for exemption must be used for the activities for which the exemption is granted;

(f) Services must be available regardless of race, color, national origin, or ancestry; and

(g) The director of revenue shall have access to its books in order to determine whether the corporation is exempt from taxes.

(2) The term 'artistic or cultural exhibitions, presentations, or performances or cultural or art education programs' includes and is limited to:

(a) An exhibition or presentation of works of art or objects of cultural or historical significance, such as those commonly displayed in art or history museums;

(b) A musical or dramatic performance or series of performances; or

(c) An educational seminar or program, or series of such programs, offered by the organization to the general public on an artistic, cultural, or historical subject."

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives Taylor, K. Wilson, Miller, Cole, Isaacson, Sayan and G. Nelson spoke in favor of the amendment to the amendment, and Representative Braddock opposed it.

Mr. Crane demanded the previous question and the demand was sustained.

The amendment to the committee amendment was adopted.

Mr. J. King moved adoption of the following amendment to the committee amendment:

On page 16, after line 35 of the amendment insert the following:

***NEW SECTION, Sec. 12.** The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and to give financial guarantees to local governments for public works projects.

Sec. 13. Section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 6, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.02.030 are each amended to read as follows:

(1) The rate of the additional taxes under RCW 54.28.020(2), 54.28.025(2), 66.24.210(2), 66.24.290(2), 82.04.2901, 82.16.020(2), ~~((82.26.010(2)))~~ 82.26.020(2), 82.27.020(5), 82.29A.030(2), 82.44.020(5), and 82.45.060(2) shall be seven percent;

(2) The rate of the additional taxes under RCW 82.08.150(4) shall be fourteen percent;

(3) The rate of the additional taxes under RCW 82.24.020(2) shall be fifteen percent; and

(4) The rate of the additional taxes under RCW 48.14.020(3) shall be four percent.

Sec. 14. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 13, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.16.020 are each amended to read as follows:

(1) There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

(a) Railroad, express, railroad car, ~~((water distribution))~~ sewerage collection, light and power, and telegraph businesses: Three and six-tenths percent;

(b) Gas distribution business: Three and six-tenths percent;

(c) Urban transportation business: Six-tenths of one percent;

(d) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

(e) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent;

(f) Water distribution and refuse collection businesses: Four and seven-tenths percent.

(2) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.

(3) Twenty percent of the moneys collected under subsection (1) of this section on water distribution businesses, seventy percent of the moneys collected under subsection (1) of this section on refuse collection businesses, and sixty percent of the moneys collected under subsection (1) of this section on sewerage collection businesses shall be deposited in the public works assistance account created in section 10 of this 1985 act.

Sec. 15. Section 82.20.010, chapter 15, Laws of 1961 as last amended by section 14, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.20.010 are each amended to read as follows:

(1) There is levied and there shall be collected a tax upon conveyances as follows: On any deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser, or any other person by his direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds one hundred dollars and does not exceed five hundred dollars or fractional part thereof, ~~((fifty cents))~~ one dollar; and for each additional five hundred dollars or fractional part thereof, ~~((fifty cents))~~ one dollar.

(2) ((An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.)) Forty-six and one-half percent of the moneys collected under this section shall be deposited in the public works assistance account created in section 10 of this 1985 act.

(3) This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

NEW SECTION. Sec. 16. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 244, Laws of 1984, section 9, chapter 6, Laws of 1985 and RCW 43.63A.200;

(2) Section 2, chapter 244, Laws of 1984, section 42, chapter 57, Laws of 1985 and RCW 43.79.450; and

(3) Section 3, chapter 244, Laws of 1984 and RCW 43.79.452."

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I would ask you to rule on scope and object of this amendment."

SPEAKER'S RULING

The Speaker: "Representative Barrett, the Speaker has examined the bill and the amendment by Representative Joe King. The amendment deals with various taxes, excise taxes, as does the original bill. The Speaker finds it is well within the scope and object."

Representatives J. King and Nutley spoke in favor of the amendment to the amendment, and Representatives Hastings and Vander Stoep opposed it.

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

Ms. Brough opposed the amendment to the amendment, and Mr. J. King spoke again in favor of it.

Representatives Addison and L. Smith opposed the amendment to the amendment, and Representatives Allen, Isaacson and Locke spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative J. King to the committee amendment to Engrossed Substitute Senate Bill No. 4228, and the amendment was adopted by the following vote: Yeas, 50; nays, 47; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Basich, Belcher, Braddock, Brekke, Chandler, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hine, Isaacson, Jacobsen, King J, King P, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, Peery, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Ballard, Barnes, Baugher, Betzoff, Bond, Bristow, Brooks, Brough, Day, Dobbs, Doty, Fuhrman, Hargrove, Hastings, Haugen, Holland, King R, Kremen, Lewis, Long, Lundquist, May, Nealey, Nelson G, O'Brien, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson S, Zellinsky - 47.

Excused: Representative Smith C - 1.

MOTION FOR RECONSIDERATION

Mr. Kremen, having voted on the prevailing side, moved that the House now reconsider the vote by which the amendment by Representative Hargrove and others to page 16, line 35 of the committee amendment was not adopted.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House reconsider the vote by which the amendment by Representative Hargrove and others to the committee amendment to Engrossed Substitute Senate Bill No. 4228 was not adopted, and the motion was carried by the following vote: Yeas, 49; nays, 48; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Barnes, Basich, Belcher, Betzoff, Braddock, Brooks, Brough, Cole, Dobbs, Ebersole, Fisch, Fisher, Fuhrman, Hargrove, Hine, Jacobsen, King P, Kremen, Lundquist, Madsen, McMullen, Nealey, Nelson G, Niemi, Nutley, Padden, Peery, Prince, Sayan, Smith L, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B, Wineberry, Winsley - 49.

Voting nay: Representatives Armstrong, Ballard, Barrett, Baugher, Bond, Brekke, Bristow, Chandler, Crane, Day, Dellwo, Doty, Gallagher, Grimm, Hankins, Hastings, Haugen, Holland, Isaacson, King J, King R, Leonard, Lewis, Locke, Long, Lux, May, Miller, Nelson D, O'Brien, Patrick, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smitherman, Sommers, Todd, Walk, Wang, Williams J, Wilson K, Wilson S, Zellinsky, and Mr. Speaker - 48.

Excused: Representative Smith C - 1.

The Speaker stated the question before the House to be reconsideration of the amendment by Representative Hargrove and others to the committee amendment.

Representatives Hargrove, Hastings, Van Luven, Dobbs, Ballard and Zellinsky spoke in favor of the amendment to the committee amendment, and Representatives Sommers, Lux and Baugher spoke against it.

POINT OF INQUIRY

Mr. Hargrove yielded to question by Mr. D. Nelson.

Mr. D. Nelson: "Representative Hargrove, the definition of 'distressed area' intrigues me. It says, '... any county which exceeds the state-wide average annual unemployment rate and any city with the population of 40,000 or less within such county....' Would that apply even though the unemployment rate were to drop, for example, to one percent and the city had a 1.1% unemployment rate and the county had a 1.1 unemployment rate, would this fifty percent tax exemption be available?"

Mr. Hargrove: "It says it would have to have the distressed area qualification of the high unemployment rate and a city with a population of 40,000 or less with

those other criteria. If those other criteria are being met, then I would assume it would; however, if the unemployment rate was that low we probably wouldn't have a revenue problem at all."

Mr. D. Nelson spoke against the amendment to the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on reconsideration of the amendment by Representative Hargrove and others to the committee amendment to Engrossed Substitute Senate Bill No. 4228, and the amendment to the amendment was adopted by the following vote: Yeas, 58; nays, 39; excused, 1.

Voting yea: Representatives Addison, Appelwick, Ballard, Barnes, Barrett, Basich, Betrozoff, Bond, Braddock, Brooks, Brough, Chandler, Day, Dobbs, Fisch, Fuhrman, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, King P, Kremen, Lewis, Long, Lundquist, Madsen, May, McMullen, Nealey, Nelson G, O'Brien, Padden, Patrick, Peery, Prince, Sanders, Schmidt, Silver, Smith L, Sutherland, Tanner, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky - 58.

Voting nay: Representatives Allen, Armstrong, Baugher, Belcher, Brekke, Bristow, Cole, Crane, Dellwo, Doty, Ebersole, Fisher, Gallagher, Grimm, Haugen, Jacobsen, King J, King R, Leonard, Locke, Lux, Miller, Nelson D, Niemi, Nutley, Rayburn, Rust, Sayan, Schoon, Scott, Smitherman, Sommers, Todd, Unsoeld, Valle, Walk, Wang, Wineberry, and Mr. Speaker - 39.

Excused: Representative Smith C - 1.

The committee amendment as amended was adopted.

MOTION

Mr. Padden moved that the committee amendment be tabled.

SPEAKER'S RULING

The Speaker: "Representative Padden, the question before us is the issue of the committee amendment as amended and that has already passed. The effect of your motion, if you were in order, would be to take the entire bill with it, but this is not in order because we are not on the committee amendment."

Mr. Appelwick moved adoption of the committee amendment to the title of the bill.

On motion of Mr. Appelwick, the following amendment to the title amendment were adopted:

On page 17, beginning on line 7 of the title amendment after "82.04.260," strike the remainder of the title and insert "82.04.330, 82.04.100, 82.02.030, 82.16.020, 82.20.010, 82.27.040, and 82.04.438; reenacting and amending RCW 82.27.010; adding new sections to chapter 82.04 RCW; creating new sections; repealing RCW 43.63A.200, 43.79.450, and 43.79.452; providing effective dates; and declaring an emergency."

The committee amendment as amended to the title was adopted.

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

Representatives Bond, Patrick, Nealey, Lux and L. Smith opposed passage of the bill, and Representatives Appelwick, Baugher, Tanner, Basich, Isaacson, J. King and Hargrove spoke in favor of it.

Mr. Crane 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. 4228 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 47; excused, 1.

Voting yea: Representatives Allen, Appelwick, Basich, Baugher, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Fisch, Fisher, Gallagher, Hankins, Hargrove, Hastings, Hine, Isaacson, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Madsen, McMullen, Miller, Nutley, O'Brien, Peery, Prince, Rayburn, Sayan, Schoon, Scott, Smitherman, Sutherland, Tanner, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Winsley, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Brekke, Dobbs, Ebersole, Fuhrman, Grimm, Haugen, Holland, Jacobsen, Long, Lundquist, Lux, May, Nealey, Nelson D, Nelson G, Niemi, Padden, Patrick, Rust, Sanders, Schmidt, Silver, Smith L, Sommers, Taylor, Thomas, Tilly, Todd, van Dyke, Van Luven, Vander Stoep, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky - 47.

Excused: Representative Smith C - 1.

Engrossed Substitute Senate Bill No. 4228 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. Appelwick, all bills passed by the House today were ordered immediately transmitted to the Senate.

On motion of Mr. J. King, the House dispensed with further business under the Call of the House.

MOTION

On motion of Mr. J. King, the House adjourned until 9:30 a.m., Saturday, April 20, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

NINETY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, April 20, 1985.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Fuhrman, Hastings, Lewis, C. Smith, Smitherman and Vander Stoep. Representatives Hastings, Lewis, C. Smith and Smitherman were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Stacy Albright and Kirk King. Prayer was offered by Reverend Lee Forstrom, Minister of the Westwood 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

April 19, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 3,
 SECOND SUBSTITUTE HOUSE BILL NO. 356,
 HOUSE BILL NO. 575,
 HOUSE BILL NO. 576,
 SUBSTITUTE HOUSE BILL NO. 1080,
 SUBSTITUTE HOUSE BILL NO. 1153,
 SUBSTITUTE HOUSE BILL NO. 1195,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3920, by Committee on Transportation (originally sponsored by Senator Peterson)

Adopting the 1985-87 transportation budget.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For amendments, see Journal, 95th Day, April 18, 1985.)

Mr. Walk moved adoption of the committee amendment.

MESSAGE FROM THE SENATE

April 19, 1985

Mr. Speaker:

The Senate has failed to pass:

SUBSTITUTE HOUSE BILL NO. 112,
 HOUSE BILL NO. 151.

Bill Gleason, Assistant Secretary.

SPEAKER'S RULING

The Speaker: "Representative Padden, as to your question on scope and object of the Senate amendments to House Bill 1010, the Speaker has examined the original bill which relates to the publication of the session laws of the State of Washington. I have examined the Senate amendment. The Senate amendment provides for a legislative systems committee to oversee the direction and the information process and communications systems of the legislature. The Speaker finds that the Senate amendment is outside the scope and object of the bill. Therefore, the bill is referred to the committee house of origin, which is to the Committee on Ways and Means. Your point is well taken."

SENATE AMENDMENTS TO HOUSE BILL

April 12, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 461 with following amendments:

Strike everything after the enacting clause and insert the following:

***PUBLIC WORKS**

NEW SECTION, Sec. 1. LEGISLATIVE FINDINGS AND POLICY. The legislature finds that there exists in the state of Washington over four billion dollars worth of critical projects for the planning, acquisition, construction, repair, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, and storm and sanitary sewage systems. The December, 1983 Washington state public works report prepared by the planning and community affairs agency documented that local governments expect to be capable of financing over two billion dollars worth of the costs of those critical projects but will not be able to fund nearly half of the documented needs. It is the policy of the state of Washington to encourage self-reliance by local governments in meeting their public works needs and to assist in the financing of critical public works projects by making loans, financing guarantees, and technical assistance available to local governments for these projects.

NEW SECTION, Sec. 2. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section shall apply throughout this chapter.

(1) 'Board' means the community economic revitalization board as created by chapter 43.160 RCW.

(2) 'Public works subcommittee' means the subcommittee created by section 12 of this act.

(3) 'Department' means the department of community development.

(4) 'Financing guarantees' means the pledge of money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects.

(5) 'Local governments' means cities, towns, counties, special purpose districts, and any other municipal corporations or quasi-municipal corporations in the state excluding school districts and port districts.

(6) 'Public works project' means a project of a local government for the planning, acquisition, construction, repair, reconstruction, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, or storm and sanitary sewage systems.

(7) 'Technical assistance' means training and other services provided to local governments to (a) help such local governments plan, apply, and qualify for loans and financing guarantees from the board and (b) help local governments improve their ability to plan for, finance, acquire, construct, repair, replace, rehabilitate, and maintain public facilities.

NEW SECTION, Sec. 3. GENERAL POWERS OF THE BOARD. For the purpose of implementing this chapter, the board may:

(1) Accept from any state or federal agency, loans or grants for the planning or financing of any public works project and enter into agreements with any such agency concerning the loans or grants;

(2) Provide technical assistance to local governments;

(3) Accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on any terms and conditions which are not in conflict with this chapter;

(4) Adopt rules under chapter 34.04 RCW as necessary to carry out the purposes of this chapter;

(5) Delegate to the public works subcommittee of the board, by rule, any of its powers under this chapter; and

(6) Do all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

NEW SECTION, Sec. 4. PUBLIC WORKS FINANCING POWERS. In order to aid the financing of public works projects, the board may:

(1) Make low-interest or interest-free loans to local governments from the public works assistance account or other funds and accounts for the purpose of assisting local governments in financing public works projects. The board may require such terms and conditions and may charge such rates of interest on its loans as it deems necessary or convenient to carry out the purposes of this chapter. Money received from local governments in repayment of loans made under this section shall be paid into the public works assistance account for uses consistent with this chapter.

(2) Pledge money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects. The board shall not pledge any amount greater than the sum of money in the public works assistance account plus money to be received from the payment of the debt service on loans made from

that account, nor shall the board pledge the faith and credit or the taxing power of the state or any agency or subdivision thereof to the repayment of obligations issued by any local government.

(3) Create such subaccounts in the public works assistance account as the board deems necessary to carry out the purposes of this chapter.

(4) Provide a method for the allocation of loans and financing guarantees and the provision of technical assistance under this chapter which shall be based on the recommendations of the public works subcommittee.

All local public works projects aided in whole or in part under the provisions of this chapter shall be put out for competitive bids. The competitive bids called for shall be administered in the same manner as all other public works projects put out for competitive bidding by the local governmental entity aided under this chapter.

NEW SECTION. Sec. 5. PRIORITIES FOR LOANS AND PLEDGES. The board shall set up a system of priorities it will use in making loans and providing financial guarantees and technical assistance under this chapter. Top priority will be given to (1) projects of local governments that have developed and implemented a financial plan to assure the continued funding for the repair and maintenance of existing public works; (2) projects of local governments that are contributing substantial local funds, but distressed areas with high unemployment may have a lower contribution requirement; and (3) projects that involve existing public works as defined in section 2(6) of this act. Additional factors to be considered include:

(a) The level of need of state assistance to each local government receiving such assistance;

(b) Public works projects that serve a number of communities or are funded by two or more local governments to share the costs of the assisted public works projects;

(c) The health and safety needs for particular public works projects proposed for assistance;

(d) The occurrence of natural disasters that create the need for assistance for public works projects;

(e) The existence of federal and state projects that create the need for assistance for public works projects;

(f) The need in a community to attract new employers, expand existing employers, or otherwise and the need for economic development and recognition of such need by the department of commerce and economic development which results in a community economic revitalization board allocation; and

(g) Such other criteria as the board deems appropriate.

In issuing rules setting forth the method of weighing the criteria set forth in this section, and selecting public works projects for assistance, the board shall endeavor to provide clear and understandable rules that will indicate to local governments the likelihood of receiving assistance from the board on particular public works projects. In adopting these rules the board shall consider the recommendations of the public works subcommittee.

NEW SECTION. Sec. 6. RECORDS, AUDITS, AND REPORTS. The board and the public works subcommittee shall keep proper records of accounts and shall be subject to audit by the state auditor. Annual reports on the activities of the board and the public works subcommittee in implementing this chapter shall be made by the department to the governor and the legislature at the start of each annual legislative session.

NEW SECTION. Sec. 7. REPEALER. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 244, Laws of 1984 and RCW 43.63A.200;

(2) Section 2, chapter 244, Laws of 1984 and RCW 43.79.450; and

(3) Section 3, chapter 244, Laws of 1984 and RCW 43.79.452.

NEW SECTION. Sec. 8. CAPTIONS. As used in this act, section captions constitute no part of the law.

NEW SECTION. Sec. 9. CODIFICATION. Sections 1 through 6 of this act shall constitute a new chapter in Title 43 RCW.

COMMUNITY ECONOMIC REVITALIZATION BOARD

Sec. 10. Section 3, chapter 40, Laws of 1982 1st ex. sess. as last amended by section 89, chapter 287, Laws of 1984 and RCW 43.160.030 are each amended to read as follows:

(1) The community economic revitalization board is hereby created to exercise the powers granted under this chapter.

(2) The board shall consist of ~~((nine))~~ eleven persons appointed by the governor ~~((and))~~, the director of commerce and economic development, the director of ~~((planning and community affairs))~~ community development, the director of revenue, the commissioner of employment security, ~~((and))~~ the chairmen of the committee on ~~((commerce))~~ trade and economic development of the house of representatives and the committee on commerce and labor of the senate, and the chairmen and the ranking minority member of the committees on ways and means of the senate and house of representatives, or the equivalent standing committees, for a total of ~~((seventeen))~~ twenty-one members. The appointive members shall be as follows: A recognized private or public sector economist selected from the governor's council of economic advisors; one port district official; one county official; one city official; one representative

of the public; one representative of small businesses each from: (a) The area west of Puget Sound, (b) the area east of Puget Sound and west of the Cascade range, (c) the area east of the Cascade range and west of the Columbia river, and (d) the area east of the Columbia river; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The appointive members shall initially be appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms which shall include the chairman. Thereafter each succeeding term shall be for three years. The representative from the governor's council of economic advisors shall serve as chairman of the board. The director of the department of commerce and economic development shall serve as vice chairman.

(3) Staff support shall be provided by the department of commerce and economic development to assist the board in implementing this chapter and the allocation of private activity bonds under chapter 39.-- RCW (sections 14 through 22 of this 1985 act).

(4) Staff support shall be provided by the department of community development to assist the board in implementing the public works provisions of chapter 43.-- RCW (sections 1 through 6 of this 1985 act).

(5) All appointive members of the board shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

((5)) (6) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the governor shall fill the same for the unexpired term. Any members of the board, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor, under chapter 34.04 RCW.

Sec. 11. Section 5, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.050 are each amended to read as follows:

In addition to powers and duties granted elsewhere in this chapter, the board may:

- (1) Adopt bylaws for the regulation of its affairs and the conduct of its business;
- (2) Adopt an official seal and alter the seal at its pleasure;
- (3) Contract with any consultants as may be necessary or desirable for its purposes and to fix the compensation of the consultants;
- (4) Utilize the services of other governmental agencies;
- (5) Accept from any federal agency loans or grants for the planning or financing of any project and enter into an agreement with the agency respecting the loans or grants;
- (6) Conduct examinations and investigations and take testimony at public or private hearings of any matter material for its information that will assist in determinations related to the exercise of the board's lawful powers;

(7) Make allocations of the state's private activity bonds pursuant to chapter 39.-- RCW (sections 14 through 22 of this 1985 act);

(8) Make pledges and loans and provide technical assistance pursuant to chapter 43.-- RCW (sections 1 through 6 of this 1985 act);

(9) Accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on any terms and conditions which are not in conflict with this chapter;

((8)) (10) Adopt rules under chapter 34.04 RCW as necessary to carry out the purposes of this chapter, chapter 39.-- RCW (sections 14 through 22 of this 1985 act), and chapter 43.-- RCW (sections 1 through 6 of this 1985 act);

((9)) (11) Do all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

NEW SECTION. Sec. 12. A new section is added to chapter 43.160 RCW to read as follows:

(1) There is hereby created the public works subcommittee of the board.

(2) The subcommittee shall be primarily responsible for providing the board with recommendations for: (a) Establishing a method of allocation for loans and financing guarantees; (b) providing technical assistance to local governments; and (c) adopting rules which set forth the method of weighing the criteria and selection of public works projects for assistance, pursuant to chapter 43.-- RCW (sections 1 through 6 of this act) and as authorized by rules adopted by the board.

(3) The subcommittee shall consist of six members appointed by the governor to four-year terms, except that initially two members shall be appointed to two-year terms, and three members of the board: (a) The chairman; (b) the county official; and (c) the city official. The appointed members shall include: (i) One member appointed from a list of at least three persons nominated by the association of Washington cities or its successor; (ii) one member appointed from a list of at least three persons nominated by the Washington state association of counties or its successor; (iii) two members appointed from a list of at least four persons nominated jointly by the Washington state association of water districts and the Washington state association of sewer districts or their successors; and (iv) two members appointed from the general public. In appointing the two general public members, the governor shall endeavor to balance the geographical composition of the board and to include members with special

expertise in relevant fields such as public finance, architecture and civil engineering, and public works construction. The chairman of the board shall serve as chair of the subcommittee.

(4) Staff support to the subcommittee shall be provided by the department of community development.

(5) Members of the subcommittee shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

(6) If a vacancy on the subcommittee occurs by death, resignation, failure to hold the office from which the member was appointed, or otherwise, the governor shall fill the vacant position for the unexpired term. Each vacancy in a position appointed from lists provided by the associations under subsection (3) of this section shall be filled from a list of at least three persons nominated by the relevant association or associations. Any members of the subcommittee, appointive or otherwise, may be removed by the governor for cause in accordance with RCW 43.06.070 and 43.06.080.

NEW SECTION, Sec. 13. A new section is added to chapter 43.160 RCW to read as follows:

(1) There is hereby created the private activity bond subcommittee of the board.

(2) The subcommittee shall be primarily responsible for reviewing and making recommendations to the board on requests for certification and allocation pursuant to the provisions of chapter 39.____ RCW (sections 14 through 22 of this act) and as authorized by rules adopted by the board.

(3) The subcommittee shall consist of the following members: (a) Five members of the board including: (i) The chairman; (ii) the county official; (iii) the city official; (iv) the port district official; and (v) the representative of the public; and (b) four members of the public works subcommittee created by section 12 of this act including: (i) The county official who is not a member of the board; (ii) the city official who is not a member of the board; (iii) a special purpose district official designated to serve on this subcommittee by the governor; and (iv) a general public representative designated to serve on this subcommittee by the governor. The members' terms shall coincide with their terms of appointment to the board or public works subcommittee, as appropriate.

(4) Staff support to the subcommittee shall be provided by the department of commerce and economic development.

(5) Members of the subcommittee shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

(6) If a vacancy on the subcommittee occurs by death, resignation, failure to hold the office from which the member was appointed, or otherwise, the vacancy shall be filled through the procedures specified for filling the corresponding vacancy on the board or the public works subcommittee.

PRIVATE ACTIVITY BONDS

NEW SECTION, Sec. 14. LEGISLATIVE FINDINGS AND POLICY. The federal deficit reduction act of 1984 imposes an annual ceiling on the aggregate amount of federally tax-exempt private activity bonds, including student loan bonds, industrial development bonds, and certain government activity bonds, that may be issued during any calendar year by or on behalf of states and their political subdivisions. The deficit reduction act of 1984 provides a formula for allocating the annual ceiling among various issuers of private activity bonds within a state, but permits each state to enact a different allocation method that is appropriate to that state's needs. The purpose of this chapter is to provide a flexible and efficient method of allocating the state ceiling in Washington in a manner that recognizes the need of the state and its political subdivisions to finance public improvements which are owned by those public entities and also promotes industrial and economic development, encourages private investment, and assists students seeking financial aid.

NEW SECTION, Sec. 15. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) 'Board' means the community economic revitalization board as created by chapter 43.160 RCW.

(2) 'Private activity bond subcommittee' means the subcommittee created by section 13 of this act.

(3) 'Bonds' means bonds, notes, or other obligations of an issuer.

(4) 'Bond purchase agreement' means an executed agreement for the purchase of bonds which may or may not be contingent on the allocation of a portion of the state ceiling for the bonds.

(5) 'Bond use category' means any of the following categories of bonds: Government activity bonds, industrial development bonds, or student loan bonds.

(6) 'Code' means the federal internal revenue code as it exists, with amendments, on the effective date of this act. It also means the code as amended after the effective date of this act, but only if the amendments are approved by the board as provided in section 19 of this act.

(7) 'Department' means the department of commerce and economic development or its successor with respect to the powers and duties granted by this chapter.

(8) 'Director' means the director of the department or the director's designee.

(9) 'Government activity bonds' means bonds that are classified as private activity bonds under the code and that are neither student loan bonds nor revenue bonds issued under Article XXXII of the state Constitution.

(10) 'Industrial development bonds' means nonrecourse revenue bonds issued under Article XXXII of the state Constitution.

(11) 'Issuer' means the state, any agency or instrumentality of the state, any political subdivision, or any other entity authorized to issue private activity bonds in the state.

(12) 'Private activity bonds' means bonds that are private activity bonds as defined in the code.

(13) 'State' means the state of Washington.

(14) 'State ceiling' means for any calendar year the aggregate amount of private activity bonds that may be issued in the state under the code.

(15) 'Student loan bonds' means bonds issued by an issuer that are student loan bonds as defined in the code.

NEW SECTION, Sec. 16. ALLOCATION. (1) The state ceiling shall be allocated each year initially as follows: Forty-five percent to government activity bonds; forty-five percent to industrial development bonds; and ten percent to student loan bonds. The allocation is subject to revision by the board as provided in section 18 of this act.

(2)(a) No issuer is eligible to file a notification form or receive an allocation for the financing of an individual project of more than seven and one-half million dollars of any government activity bond or industrial development bond allocation of the state ceiling without a certificate of approval from the board.

(b) In determining whether to issue a certificate of approval, the board may consider but is not limited to the following criteria:

(i) The number of employment opportunities the project is likely to create in relation to the amount of the bond issuance;

(ii) The level of unemployment in the geographic area likely to be affected by the project;

(iii) Public health and safety benefits;

(iv) The amount of state ceiling which remains unallocated;

(v) The number of persons who will benefit from the project; and

(vi) Other such criteria the board deems appropriate.

(c) The board may condition its certificate of approval on any terms it deems appropriate.

(3) The board shall issue or deny a certificate of approval within sixty days of the filing for an application for the certificate.

(4) The board may delegate to the private activity bond subcommittee of the board, by rule, any of its powers under this chapter.

(5) Subject to the provisions of this chapter, the portion of the state ceiling allocated to a bond use category shall be allocated automatically to an issuer of bonds in that category in the order of the date and time the issuer files a properly completed and signed notification form with the department.

NEW SECTION, Sec. 17. (1) The notification form filed by an issuer shall identify: (a) The amount of the state ceiling allocation that is sought; (b) the bond use category from which the allocation is to be made; (c) a certification by the issuer that a bond purchase agreement has been executed with respect to the bonds for which an allocation is sought; and (d) such other information or evidence of the issuer's intention to issue bonds as the director prescribes.

(2) If the principal amount of the bonds for which an allocation of the state ceiling is sought does not exceed the amount of the state ceiling available in the bond use category applicable to the bonds, the director shall mail a written allocation confirmation notice to the issuer within five business days after the filing of the issuer's notification form for the bonds.

(3) If the principal amount of the bonds for which an allocation of the state ceiling is sought exceeds the amount of the state ceiling available in the bond use category applicable, the director shall mail a written deficiency notice to the issuer within five business days after the filing of the issuer's notification form for such bonds and in that notice advise the issuer of the amount by which the principal amount of the bonds described in the notification form exceeds the available state ceiling. The issuer shall be entitled to an allocation of the remaining available state ceiling in the applicable bond use category upon its filing with the department within fifteen calendar days after the date of the director's deficiency notice, a written notice of the amount of the available state ceiling it will consume.

(4) State ceiling allocation notification forms filed in any year for which a full or partial deficiency notice was given by the director shall be retained on a waiting list. When any state ceiling becomes available that year or on January 1 of the following year for the bond use category for which the notification form was filed, the following rules apply: (a) The director shall notify by mail the issuers on the waiting list; and (b) those issuers who, within five business days of receipt of such notice, certify to the director their intention to issue bonds up to the amount stated in the original notification form, shall receive an allocation of the available state ceiling in the order the original notification forms were filed.

(5) Except as provided in section 18 (2) and (3) of this act, all allocations of the state ceiling shall expire on the ninety-first day after mailing of the director's allocation confirmation or the

notice of allocation, unless the bonds described in the issuer's state ceiling allocation notification form have been delivered to their original purchaser. Each issuer shall file a confirmation of delivery notice with the department within ten days after delivery of the bonds.

NEW SECTION. Sec. 18. REALLOCATION. (1) After June 1 of any year the board may, in its discretion, reallocate the remaining portion of the state ceiling in any bond use category allocated pursuant to section 16(1) of this act that has not been and does not appear reasonably likely to be consumed that year.

(2) The board may in its discretion grant an advanced allocation of the state ceiling in any future year of a portion of the state ceiling for a bond use category, upon such conditions as the board may determine, and may waive the requirements under section 17(5) of this act that the bonds be issued within ninety days of the director's allocation confirmation and notice of allocation. Advanced allocations shall be deemed to have been received by issuers on January 1 of the year for which they are granted in each year, and in the order they were granted. Any advanced allocation shall be contingent on the existence of available state ceiling. Such advanced allocations shall be considered received before any new allocations are made in a given year.

(3) In December of any year, if the board finds that it is reasonably likely that a portion of the state ceiling otherwise would not be consumed, the board, in its discretion, may grant an allocation of the state ceiling to an issuer for financing of a specific project and waive the requirements under section 17(5) of this act that bonds be issued within ninety days after mailing of the director's allocation confirmation or notice of allocation. The issuer may then carry forward the allocation for the project for a period of time permitted by the code.

NEW SECTION. Sec. 19. RULE-MAKING AUTHORITY. (1) The board may adopt such rules as are necessary to carry out the purposes of this chapter.

(2) In order to permit the full use of the authorized state ceiling under the federal law, the board may adopt rules approving any amendments made to the code after the effective date of this act.

NEW SECTION. Sec. 20. ANNUAL REPORT. The department shall report annually at the start of each annual legislative session to the legislature and the governor on the allocations of the state ceiling made during the previous year.

NEW SECTION. Sec. 21. TERMINATION. The method for making new allocations of the state ceiling provided in sections 16, 17, and 18 of this act shall expire on December 31, 1988, unless extended by law for an additional fixed period of time, except that any guaranteed allocations granted under section 18(2) of this act and any allocations carried forward under section 18(3) of this act shall remain in full force and effect after that date.

NEW SECTION. Sec. 22. RATIFICATION. Any state ceiling allocations taken during 1984 or 1985 in conformance with the code and an applicable executive order of the governor are ratified and confirmed and shall remain in full force and effect notwithstanding any other provision of this act.

Sec. 23. Section 10, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.900 are each amended to read as follows:

The community economic revitalization board and its powers and duties shall be terminated on June 30, 1987, and shall be subject to the procedures required by chapter 43.131 RCW. This chapter expires June 30, ((1987)) 1988. Any remaining duties of the community economic revitalization board after June 30, 1987, are transferred to the department of revenue on June 30, 1987.

NEW SECTION. Sec. 24. Sections 14 through 22 of this act shall constitute a new chapter in Title 39 RCW.

NEW SECTION. Sec. 25. The following acts or parts of acts are each repealed:

- (1) Section 1, chapter ____ (ESSB 3798), Laws of 1985;
- (2) Section 2, chapter ____ (ESSB 3798), Laws of 1985;
- (3) Section 3, chapter ____ (ESSB 3798), Laws of 1985;
- (4) Section 4, chapter ____ (ESSB 3798), Laws of 1985;
- (5) Section 5, chapter ____ (ESSB 3798), Laws of 1985;
- (6) Section 6, chapter ____ (ESSB 3798), Laws of 1985;
- (7) Section 8, chapter ____ (ESSB 3798), Laws of 1985;
- (8) Section 15, chapter ____ (ESSB 3798), Laws of 1985;
- (9) Section 16, chapter ____ (ESSB 3798), Laws of 1985;
- (10) Section 17, chapter ____ (ESSB 3798), Laws of 1985;
- (11) Section 18, chapter ____ (ESSB 3798), Laws of 1985; and
- (12) Section 19, chapter ____ (ESSB 3798), Laws of 1985.

NEW SECTION. Sec. 26. 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. 27. 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 July 1, 1985."

In line 1 of the title, after "development;" strike the remainder of the title and insert "amending RCW 43.160.030, 43.160.050, and 43.160.900; adding a new chapter to Title 43 RCW; adding a new chapter to Title 39 RCW; adding new sections to chapter 43.160 RCW; creating new sections; repealing RCW 43.63A.200, 43.79.450, and 43.79.452; repealing section 1, chapter ____ (ESSB 3798), Laws of 1985; repealing section 2, chapter ____ (ESSB 3798), Laws of 1985; repealing section 3, chapter ____ (ESSB 3798), Laws of 1985; repealing section 4, chapter ____ (ESSB 3798), Laws of 1985; repealing section 5, chapter ____ (ESSB 3798), Laws of 1985; repealing section 6, chapter ____ (ESSB 3798), Laws of 1985; repealing section 8, chapter ____ (ESSB 3798), Laws of 1985; repealing section 15, chapter ____ (ESSB 3798), Laws of 1985; repealing section 16, chapter ____ (ESSB 3798), Laws of 1985; repealing section 17, chapter ____ (ESSB 3798), Laws of 1985; repealing section 18, chapter ____ (ESSB 3798), Laws of 1985; repealing section 19, chapter ____ (ESSB 3798), Laws of 1985; providing an effective date; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. McMullen, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 461, and asked the Senate for a conference thereon.

SENATE AMENDMENTS TO HOUSE BILL

April 18, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 625 with following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature of the state of Washington finds that economic development is an essential public purpose which requires the active involvement of state government. The state's primary economic strategy is to encourage the retention and expansion of existing businesses, to attract new businesses and industries, and to foster the formation of new businesses. In order to aid the citizens of Washington to obtain desirable employment and achieve adequate incomes, it is necessary for the state to encourage and promote a more diversified and healthy economy.

The legislature finds that the state needs to improve its level of employment, business activity, and revenue growth. In order to increase job opportunities and revenues, a broader and more stable economic base is needed. The state shall take primary responsibility to encourage the balanced growth of the economy consistent with the preservation of Washington's quality of life and environment. A healthy economy can be achieved through partnership efforts with the private sector to facilitate increased investment in Washington. It is the policy of the state of Washington to encourage and promote an economic development program that provides sufficient employment opportunities for our current resident work force and those individuals who will enter the state's work force in the future.

The legislature finds that the state of Washington has the potential to become a major world trade gateway. In order for Washington to fulfill its potential and compete successfully with other states and provinces, it must articulate a consistent, long-term trade policy. It is the responsibility of the state to monitor and ensure that such traditional functions of state government as transportation, infrastructure, education, taxation, regulation and public expenditures contribute to the international trade focus the state of Washington must develop.

NEW SECTION. Sec. 2. There is established a department of state government to be known as the department of trade and economic development. The department shall be vested with all powers and duties authorized under this chapter and such other powers and duties as may be provided by law.

NEW SECTION. Sec. 3. As used in this chapter, unless the context indicates otherwise:

- (1) 'Department' means the department of trade and economic development.
- (2) 'Director' means the director of trade and economic development.
- (3) 'Office' means the office of small business within the department of trade and economic development.

(4) 'Small business' means any business entity (including a sole proprietorship, corporation, partnership, or other legal entity) which is owned and operated independently from all other businesses, which has the purpose of making a profit, and which has fifty or fewer employees.

NEW SECTION. Sec. 4. ECONOMIC DEVELOPMENT COORDINATION AND COOPERATION. The department shall pursue a coordinated approach for the state's economic development policies and programs to achieve a more diversified and healthy economy. The department shall support and work cooperatively with other state agencies, public and private organizations, and units of local government, as well as the federal government, to strengthen and coordinate economic development programs in the state. The department's activities shall include, but not be limited to:

(1) Providing economic development advisory assistance to the governor, other state agencies, and the legislature on economic-related issues, and other matters affecting the economic well-being of the state and its citizens.

(2) Providing staff and support to cabinet level interagency economic development coordinating activities.

(3) Representing and monitoring the state's interests with the federal government in its formulation of policies and programs in economic development.

(4) Assisting in the development and implementation of a long-term economic strategy for the state and the continual update of information and strategies contained in the long-term economic program for the state.

NEW SECTION, Sec. 5. FOREIGN AND DOMESTIC INVESTMENT OUTREACH. The department shall conduct a program to identify and attract both domestic and foreign businesses to locate job-creating plant and facility investments within the state. The department's activities shall include, but not be limited to:

(1) Implementing programs to attract domestic and international investors, and providing technical assistance to potential investors on the advantages of Washington state for business location and expansion.

(2) Coordinating business investment efforts with other state agencies, local governments, and public and private local economic development groups in order to assist communities seeking new business activity and the expansion of existing businesses.

(3) Using private sector organizations and individuals from Washington's businesses to facilitate outreach and investment efforts.

NEW SECTION, Sec. 6. BUSINESS EXPANSION AND TRADE DEVELOPMENT. The department shall assist in expanding the state's role as a major international gateway for landing and transshipping goods bound for domestic and foreign markets. The department shall identify and work with Washington businesses which can utilize state assistance to increase domestic and foreign exports and are capable of increasing production of goods and services, including but not limited to manufactured goods, raw materials, services, and retail trade. The department shall participate in trade and industry exhibitions both foreign and domestic to promote and market state products and services. The department's activities shall include, but not be limited to:

(1) Operating an active and vigorous effort to market the state's products and services internationally, coordinated with private and public international trade efforts throughout the state.

(2) Coordinating with the domestic and foreign export market development activities of the state department of agriculture.

(3) Sending delegations to foreign countries and other states to promote trade with Washington.

(4) Acting as a centralized location for the assimilation and distribution of trade information.

NEW SECTION, Sec. 7. The legislature declares that the long-term trade policy of the state of Washington will have the largest impact on the volume of trade moving through our state by providing leadership and vision, and by concentrating on traditional state functions, such as transportation, infrastructure, education, taxation, regulation, and public expenditures. It is the responsibility of the state to ensure that these traditional functions contribute to the international focus Washington must develop.

NEW SECTION, Sec. 8. In order to implement this long-term trade policy, to ensure traditional functions contribute to an international focus, the department of trade and economic development:

(1) Should support federal government efforts to work directly with foreign governments in reducing real and artificial trade barriers;

(2) Should coordinate its efforts with agencies in other states to affect regional and national policy. Washington has a common destiny with other free trade states. The governor, department heads, and legislative leaders should coordinate efforts with their counterparts in these other states;

(3) Should develop international trade goals, policies, and strategies with the full support and counsel of the private sector;

(4) Should monitor Washington's competitive status regarding taxation, transportation, education, and other public policies related to international trade;

(5) Should adopt policies which increase the efficiency and competitiveness of the state's transportation system, so products arrive to the end consumer quicker, and at a lower, predictable cost;

(6) Should recognize the critical need for constant, detailed, federal-state coordination in planning and implementing business outreach information programs; and

(7) Should recognize the appropriate role of the state, and only provide business assistance which is not duplicative, and which is responding to a tangible private sector demand not already being met by the private sector.

NEW SECTION. Sec. 9. **TOURISM DEVELOPMENT AND COORDINATION.** The department shall market and coordinate the attraction of visitors and conventions to the state and the expansion of the tourism industry throughout the state in cooperation with the visitor industry, as well as public and private tourism development organizations. The department's activities shall include, but not be limited to:

(1) Developing cooperative marketing programs with local public and private tourism promotion organizations throughout the state for dissemination both domestically and internationally.

(2) Participating in select tourism industry trade shows as part of a program to increase the state's attractiveness to all segments of the visitor market.

(3) Encouraging and stimulating the development of specific local tourism attractions and tourism destination facilities throughout the state.

NEW SECTION. Sec. 10. **FILM AND VIDEO PRODUCTION.** The department shall promote, market, and encourage growth in the production of films and videos, as well as television commercials, within the state. The department's activities shall include, but not be limited to, providing liaison, coordination, and referral assistance between film and video production companies, the state and local agencies, and private sector businesses.

NEW SECTION. Sec. 11. **SMALL BUSINESS ASSISTANCE AND COORDINATION.** The department shall create an office of small business and through the office of small business shall:

(1) Serve as an advocate for the development and conservation of small businesses and coordinate the delivery of state programs to assist small businesses.

(2) Serve as the small business ombudsman within state government and advise the governor and the legislature of the need for new legislation to improve the effectiveness of state programs to assist small businesses.

NEW SECTION. Sec. 12. **DEVELOPMENT SERVICES AND SUPPORT.** The department shall undertake research, analysis, and strategic planning in order to further the state economic development program. Direct financial and technical assistance shall be provided to stimulate new private sector investment, increase employment, and increase economic activity. The department's activities shall include, but not be limited to:

(1) Identifying for the governor and the legislature those strategies, policies, and programs that will best achieve economic stabilization, diversification, and growth.

(2) Maintaining current information on market and economic trends as they affect different industries, geographic regions, and communities with special economic problems in the state, as well as maintaining an information management system to service the programs administered by the department and other development organizations.

NEW SECTION. Sec. 13. The executive head and appointing authority of the department shall be the director. The director shall be appointed by the governor with the consent of the senate, and shall serve at the pleasure of the governor. The director shall be paid a salary to be fixed by the governor in accordance with RCW 43.03.040.

NEW SECTION. Sec. 14. The director shall have the power to appoint a confidential secretary, two deputy directors, and seven assistant directors as may be required to carry out the functions and duties of the department. The director shall have the power to employ such professional, technical, and clerical employees as may be necessary for the general administration of the department in accordance with chapter 41.06 RCW, except as otherwise provided.

The director may also delegate such functions, powers, and duties to other officers and employees of the department as the director deems necessary to further the purposes of this chapter, but the director shall be responsible for the official acts of the officers and employees of the department. The director shall ensure that yearly work plans are developed for all offices and divisions within the department.

NEW SECTION. Sec. 15. A new section is added to chapter 41.06 RCW to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, this chapter shall not apply in the department of trade and economic development to the director, to one confidential secretary, the deputy directors, and all assistant directors.

NEW SECTION. Sec. 16. The director may establish such advisory groups as in the director's discretion are necessary to carry out the purposes of this chapter. Members of and vacancies in such advisory groups shall be filled by appointment by the director. Members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 17. (1) In addition to other duties and responsibilities assigned under this chapter:

(a) The director may:

(i) Enter into contracts on behalf of the state to carry out the purposes of this chapter;

(ii) Act for the state in the initiation of or participation in any multigovernmental program relative to the purpose of this chapter; and

(iii) Accept gifts and grants, whether such grants be of federal or other funds;

(b) The director shall:

(1) Prepare and submit for executive and legislative action thereon the budget for the department;

(ii) Submit a biennial report to the governor and to the legislature on the activities of the department and the nature of existing economic development problems;

(iii) Submit recommendations for legislative actions as are deemed necessary to further the purposes of this chapter; and

(iv) Adopt rules in accordance with chapter 34.04 RCW and do all other things necessary and proper to carry out the purposes of this chapter.

(2) When federal or other funds are received by the department, they shall be promptly transferred to the state treasurer and thereafter expended only upon the approval of the director.

(3) The director may request information and assistance from all other agencies, departments, and officials of the state, and may reimburse such agencies, departments, or officials when such a request imposes any additional expenses upon any such agency, department, or official.

(4) The director shall, in carrying out the responsibilities of office, consult with governmental officials, private groups, and individuals and with officials of other states, and may, if the director deems it desirable, hold public hearings to obtain information for the purpose of carrying out the purposes of this chapter. All state agencies and their officials and the officials of any political subdivision of the state shall cooperate with and give such assistance to the department, including the submission of requested information, as to allow the department to carry out its purposes under this chapter.

NEW SECTION. Sec. 18. The department is charged with the primary role within state government for the establishment and operation of foreign offices created for the purpose of promoting overseas trade and commerce. The department shall serve as the state's official liaison and protocol office with foreign governments.

NEW SECTION. Sec. 19. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the department of commerce and economic development shall be delivered to the custody of the department of trade and economic development. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of commerce and economic development shall be made available to the department of trade and economic development. All funds, credits, or other assets held by the department of commerce and economic development shall be assigned to the department of trade and economic development.

Any appropriations made to the department of commerce and economic development shall, on the effective date of this act, be transferred and credited to the department of trade and economic development.

Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION. Sec. 20. All classified employees of the department of commerce and economic development are transferred to the jurisdiction of the department of trade and economic development. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the department of trade and economic development to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

NEW SECTION. Sec. 21. All rules and all pending business before the department of commerce and economic development shall be continued and acted upon by the department of trade and economic development. All existing contracts and obligations shall remain in full force and shall be performed by the department of trade and economic development.

NEW SECTION. Sec. 22. The transfer of the powers, duties, functions, and personnel of the department of commerce and economic development shall not affect the validity of any act performed prior to the effective date of this act.

NEW SECTION. Sec. 23. If apportionments of budgeted funds are required because of the transfers directed by sections 19 through 22 of this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

Sec. 24. Section 1, chapter 175, Laws of 1984 and RCW 43.31.373 are each amended to read as follows:

The Washington state legislature finds that there are various nations that may not be fully aware of the competitive products and services, and opportunities for investment, available in the state of Washington. The legislature further finds that the cost to the state of maintaining numerous offices and employees abroad to promote the products, services, and investment opportunities available in this state may be prohibitive. The legislature finds that there are numerous opportunities within the state, domestically and internationally, to utilize individuals to promote investment and economic development in Washington.

The legislature recognizes that there are numerous distinguished and civic minded individuals residing in this state as well as citizens of the United States and other nations who have a broad knowledge of this state and its products. The legislature acknowledges that certain of these individuals may be willing to act as ~~((honorary commercial attaches))~~ Washington ambassadors for the state of Washington.

Sec. 25. Section 2, chapter 175, Laws of 1984 and RCW 43.31.375 are each amended to read as follows:

Unless the context requires otherwise, the definitions in this section apply throughout this chapter.

(1) ~~((“Attache” means an honorary commercial attache))~~ “Ambassador” means a Washington ambassador.

(2) “Department” means the department of ((commerce)) trade and economic development, or its successor agency.

(3) “Director” means the director of ((commerce)) trade and economic development, or its successor agency.

(4) ~~((“Office” or “office of international trade” means the office of international trade of the department of commerce and economic development, or its successor agency.~~

(5)) “Program” means the ((honorary commercial attache)) Washington ambassador program.

Sec. 26. Section 3, chapter 175, Laws of 1984 and RCW 43.31.377 are each amended to read as follows:

There is established within the ~~((office of international trade))~~ department the ~~((honorary commercial attache))~~ Washington ambassador program.

The ~~((office))~~ department in administering the program, shall:

(1) Identify candidate ~~((attaches))~~ ambassadors by accepting recommendations and soliciting referrals from Washington state businesses having extensive overseas trade involvement, state universities with foreign student exchange programs, local internationally oriented societies and trade groups, international consulates, various levels of government, and other sources.

(2) Screen applicants to determine their suitability to ably represent the state as ~~((honorary commercial attaches))~~ Washington ambassadors, including:

(a) Making formal inquiry to the United States commercial attache in the appropriate United States embassy or consulate general;

(b) Conducting background research and reference evaluation as necessary to ensure that the applicant is a distinguished and respected member of his or her profession;

(3) Make its report and recommendations to the governor and the president of the senate regarding applicants;

(4) Provide a comprehensive orientation on state products and services and opportunities for investment in the state on an ongoing basis to ~~((attaches))~~ ambassadors;

(5) Prepare and provide the necessary brochures, pamphlets, and materials for use and distribution by ~~((attaches))~~ ambassadors;

(6) Target those regions and countries in which an ~~((attache))~~ ambassador would be most beneficial; and

(7) Assist the ~~((attaches))~~ ambassadors in the execution of their duties including providing guidance on developing trade and investment leads and acting as a focal point for all resulting communications between international companies and individuals with the state.

The department may administer the ~~((honorary commercial attache))~~ Washington ambassador program in conjunction with other similar programs.

Sec. 27. Section 4, chapter 175, Laws of 1984 and RCW 43.31.379 are each amended to read as follows:

~~((Honorary commercial attaches))~~ Washington ambassadors shall be appointed by the governor, with approval by the president of the senate, from recommendations submitted by the director of ~~((commerce))~~ trade and economic development. Upon appointment, ~~((an honorary commercial attache))~~ a Washington ambassador shall receive from the governor an official certificate and letter of appointment and the state flag. These articles may be used by the ~~((attache))~~ ambassador in the conduct of his or her official duties.

Sec. 28. Section 5, chapter 175, Laws of 1984 and RCW 43.31.381 are each amended to read as follows:

~~((Honorary commercial attaches))~~ Washington ambassadors shall act as representatives of the state in promoting international investment, trade, and tourism in Washington state in a manner consistent with this chapter.

The ~~((office))~~ department shall coordinate the development of the ~~((attaches’))~~ ambassadors’ agendas and long-term and short-term plans for the activities of the ~~((attaches))~~ ambassadors. An ~~((attache))~~ ambassador shall avoid conducting private or personal business when acting as a representative of the state of Washington. In any situation presenting a possible or apparent conflict of interest, the ~~((attache))~~ ambassador shall notify the director who shall recommend appropriate action. ~~((Honorary commercial attaches))~~ Washington ambassadors shall

not receive compensation, or reimbursement for travel or any other expenses associated with their duties.

Sec. 29. Section 6, chapter 175, Laws of 1984 and RCW 43.31.383 are each amended to read as follows:

The department (~~(through the office)~~) may:

(1) Receive funds, contract with institutions of higher education, and carry out such other duties as are deemed necessary to implement RCW 43.31.373 through 43.31.387;

(2) Receive such gifts, grants, and endowments from private or public sources as may be made available, in trust or otherwise, for the use and benefit of the (~~(honorary commercial attache)~~) Washington ambassador program, and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments; and

(3) Charge reasonable fees or other appropriate charges for using the (~~(office's)~~) department's services, attendance at workshops and conferences sponsored by the (~~(office)~~) department, and for various publications and materials which it is authorized to prepare and distribute for the purpose of defraying all or part of the costs of the (~~(office)~~) department in administering the (~~(honorary commercial attache)~~) Washington ambassador program.

Sec. 30. Section 7, chapter 175, Laws of 1984 and RCW 43.31.385 are each amended to read as follows:

The director (~~(of commerce and economic development or its successor agency)~~) shall report annually to the appropriate legislative committees with special emphasis on the (~~(honorary commercial attache)~~) Washington ambassador program's impact on the economy of the state; the number of (~~(honorary commercial attaches)~~) Washington ambassadors; and recommendations regarding the program.

Sec. 31. Section 8, chapter 175, Laws of 1984 and RCW 43.31.387 are each amended to read as follows:

(~~(Honorary commercial attaches)~~) Washington ambassadors shall serve at the pleasure of the governor who may revoke their certificates of appointment at any time, after consultation with the president of the senate.

NEW SECTION. Sec. 32. RCW 43.31.377 through 43.31.387 shall only apply to Washington ambassadors who travel or reside in other countries and who represent the interests of the state of Washington in those countries.

Sec. 33. Section 4, chapter 94, Laws of 1984 and RCW 43.31.390 are each amended to read as follows:

The department (~~(of commerce and economic development)~~) shall incorporate information from the environmental profile developed by the department of ecology in accordance with RCW 43.21A.510 in preparing promotional brochures and in its presentations to businesses considering locating in Washington state. It shall also make the information available to local economic development groups for use in local economic development efforts.

Sec. 34. Section 2, chapter 93, Laws of 1972 ex. sess. as last amended by section 1, chapter 2, Laws of 1981 2nd ex. sess. and RCW 43.31.832 are each amended to read as follows:

(~~(in addition to the sum transferred in RCW 43.31.831, additional)~~) Funds determined to be surplus funds by the director (~~(of the department of commerce and economic development)~~) may be transferred from the state trade fair fund to the general fund upon the recommendation of the director (~~(of the department of commerce and economic development)~~) and the state treasurer: PROVIDED, That the director may also elect to expend up to one million dollars of such surplus on (~~(the department of commerce and economic development)~~) foreign trade related activities, including, but not limited to, promotion of investment (~~(pursuant to RCW 43.31.668)~~), tourism (~~(pursuant to RCW 43.31.058)~~), and foreign trade (~~(pursuant to RCW 43.31.358 through 43.31.378)~~).

Sec. 35. Section 3, chapter 93, Laws of 1972 ex. sess. and RCW 43.31.833 are each amended to read as follows:

RCW (~~(43.31.831)~~) 43.31.832 through 43.31.834 shall not be construed to interfere with the state financial aid made available under the provisions of RCW 43.31.790 through 43.31.860 regardless of whether such aid was made available before or after May 23, 1972.

Sec. 36. Section 4, chapter 93, Laws of 1972 ex. sess. and RCW 43.31.834 are each amended to read as follows:

RCW (~~(43.31.831)~~) 43.31.832 through 43.31.834 shall be construed to supersede any provision of existing law to the contrary.

Sec. 37. Section 4, chapter 319, Laws of 1977 ex. sess. as last amended by section 5, chapter 182, Laws of 1982 and RCW 19.02.040 are each amended to read as follows:

(1) There is hereby created a board of review to provide policy direction to the department of licensing as it establishes and operates the business registration and licensing system. The board of review shall be composed of the following officials or their designees:

- (a) Director, department of revenue;
- (b) Director, department of labor and industries;
- (c) Commissioner, employment security department;
- (d) Director, department of agriculture;
- (e) Director, department of (~~(commerce)~~) trade and economic development;

- (f) Director, department of licensing;
- (g) Director, office of financial management;
- (h) Chairman, liquor control board;
- (i) Secretary, department of social and health services;
- (j) Secretary of state;
- (k) The governor; and
- (l) As ex officio members:
 - (i) The president of the senate or the president's designee;
 - (ii) The speaker of the house or the speaker's designee; and
 - (iii) A representative of a recognized state-wide organization of employers, representing a large cross section of the Washington business community, to be appointed by the governor.
- (2) The governor shall be the chairperson. In the governor's absence, the secretary of state shall act as chairperson.
- (3) The board shall meet at the call of the chairperson at least semi-annually or at the call of a member to:
 - (a) Establish interagency policy guidelines for the system;
 - (b) Review the findings, status, and problems of system operations and recommend courses of action;
 - (c) Receive reports from industry and agency task forces;
 - (d) Determine in questionable cases whether a specific license is to be included in the master license system;
 - (e) Review and make recommendations on rules proposed by the business license center and any amendments to or revisions of the center's rules.
- (4) The board shall submit a report to the legislature each biennium identifying the licenses that the board believes should be added to the list of those processed under the master license system.

Sec. 38. Section 5, chapter 319, Laws of 1977 ex. sess. as amended by section 78, chapter 158, Laws of 1979 and RCW 19.02.050 are each amended to read as follows:

(1) The legislature hereby directs the full participation by the following agencies in the implementation of this chapter:

- (a) Department of agriculture;
- (b) Secretary of state;
- (c) Department of social and health services;
- (d) Department of revenue;
- (e) Department of fisheries;
- (f) Department of employment security;
- (g) Department of labor and industries;
- (h) Department of ((commerce)) trade and economic development;
- (i) Liquor control board;
- (j) Board of pharmacy;
- (k) Department of licensing;
- (l) Utilities and transportation commission; and
- (m) Other agencies as determined by the governor.

Sec. 39. Section 1, chapter 196, Laws of 1977 ex. sess. and RCW 24.46.010 are each amended to read as follows:

It is the finding of the legislature that foreign trade zones serve an important public purpose by the creation of employment opportunities within the state and that the establishment of zones designed to accomplish this purpose is to be encouraged. It is the further intent of the legislature that the department of ((commerce)) trade and economic development provide assistance to entities planning to apply to the United States for permission to establish such zones.

Sec. 40. Section 6, chapter 21, Laws of 1983 1st ex. sess. and RCW 28C.04.440 are each amended to read as follows:

The department of ((commerce)) trade and economic development or its successor and the employment security department shall each enter into an interagency agreement with the commission on vocational education to establish cooperative working arrangements for the purposes of RCW 28C.04.410 through 28C.04.480.

Sec. 41. Section 8, chapter 21, Laws of 1983 1st ex. sess. and RCW 28C.04.460 are each amended to read as follows:

The department of ((commerce)) trade and economic development or its successor shall for the purposes of RCW 28C.04.410 through 28C.04.480:

- (1) Work cooperatively with the commission on vocational education to market the job skills program to business and economic development agencies and other firms;
- (2) Recruit industries from outside the state to participate in the job skills training program; and
- (3) Refer business and industry interested in developing a job skills training program to the commission on vocational education.

Sec. 42. Section 3, chapter 162, Laws of 1963 as amended by section 51, chapter 3, Laws of 1983 and RCW 31.24.030 are each amended to read as follows:

In furtherance of its purposes and in addition to the powers now or hereafter conferred on business corporations by the provisions of Title 23A RCW, the corporation shall, subject to the restrictions and limitations herein contained, have the following powers:

(1) To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of the purposes of the corporation: PROVIDED, That the corporation shall not incur any secondary liability by way of guaranty or endorsement of the obligations of any person, firm, corporation, joint stock company, association or trust, or in any other manner.

(2) To borrow money from its members and the small business administration and any other similar federal agency, for any of the purposes of the corporation; to issue therefor its bonds, debentures, notes or other evidence of indebtedness, whether secured or unsecured, and to secure the same by mortgage, pledge, deed of trust or other lien on its property, franchises, rights and privileges of every kind and nature or any part thereof or interest therein, without securing stockholder or member approval: PROVIDED, That no loan to the corporation shall be secured in any manner unless all outstanding loans to the corporation shall be secured equally and ratably in proportion to the unpaid balance of such loans and in the same manner.

(3) To make loans to any person, firm, corporation, joint-stock company, association or trust, and to establish and regulate the terms and conditions with respect to any such loans and the charges for interest and service connected therewith: PROVIDED, That the corporation shall not approve any application for a loan unless and until the person applying for said loan shall show that he has applied for the loan through ordinary banking channels and that the loan has been refused by at least one bank or other financial institution.

(4) To purchase, receive, hold, lease, or otherwise acquire, and to sell, convey, transfer, lease or otherwise dispose of real and personal property, together with such rights and privileges as may be incidental and appurtenant thereto and the use thereof, including, but not restricted to, any real or personal property acquired by the corporation from time to time in the satisfaction of debts or enforcement of obligations.

(5) To acquire the good will, business, rights, real and personal property, and other assets, or any part thereof, or interest therein, of any persons, firms, corporations, joint-stock companies, associations or trusts, and to assume, undertake, or pay the obligations, debts and liabilities of any such person, firm, corporation, joint-stock company, association or trust; to acquire improved or unimproved real estate for the purpose of constructing industrial plants or other business establishments thereon or for the purpose of disposing of such real estate to others for the construction of industrial plants or other business establishments; and to acquire, construct or reconstruct, alter, repair, maintain, operate, sell, convey, transfer, lease, or otherwise dispose of industrial plants or business establishments.

(6) To acquire, subscribe for, own, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of the stock, shares, bonds, debentures, notes or other securities and evidences of interest in, or indebtedness of, any person, firm, corporation, joint-stock company, association or trust, and while the owner or holder thereof to exercise all the rights, powers and privileges of ownership, including the right to vote thereon.

(7) To mortgage, pledge, or otherwise encumber any property, right or things of value, acquired pursuant to the powers contained in subsections (4), (5), or (6) of this section, as security for the payment of any part of the purchase price thereof.

(8) To cooperate with and avail itself of the facilities of the United States department of commerce, the department of ((commerce)) trade and economic development, and any other similar state or federal governmental agencies; and to cooperate with and assist, and otherwise encourage organizations in the various communities of the state in the promotion, assistance and development of the business prosperity and economic welfare of such communities or of this state or of any part thereof.

(9) To do all acts and things necessary or convenient to carry out the powers expressly granted in this chapter.

Sec. 43. Section 3, chapter 196, Laws of 1977 ex. sess. and RCW 35.21.800 are each amended to read as follows:

It is the finding of the legislature that foreign trade zones serve an important public purpose by the creation of employment opportunities within the state and that the establishment of zones designed to accomplish this purpose is to be encouraged. It is the further intent of the legislature that the department of ((commerce)) trade and economic development provide assistance to entities planning to apply to the United States for permission to establish such zones.

Sec. 44. Section 5, chapter 196, Laws of 1977 ex. sess. and RCW 36.01.120 are each amended to read as follows:

It is the finding of the legislature that foreign trade zones serve an important public purpose by the creation of employment opportunities within the state and that the establishment of zones designed to accomplish this purpose is to be encouraged. It is the further intent of the legislature that the department of ((commerce)) trade and economic development provide

assistance to entities planning to apply to the United States for permission to establish such zones.

Sec. 45. Section 4, chapter 120, Laws of 1983 and RCW 39.19.040 are each amended to read as follows:

(1) There is hereby created an advisory committee on minority and women's business enterprises to assist the director with the development of policies to carry out this chapter, consisting of the director of the office of financial management as a voting member and the following nonvoting members: The executive director of the human rights commission, a representative of the council of state college and university presidents, the commissioner of employment security, the secretary of social and health services, the secretary of transportation, the director of general administration, and the director of ((commerce)) trade and economic development. The president of the senate and the speaker of the house shall appoint two members each, one from the majority, and one from the minority party of each body. The governor shall appoint nine voting members from the private sector who shall be representative of both sexes and who shall also be ethnically and geographically diverse. Six of the private sector members shall represent minority and women-owned businesses; three members shall be from the business community.

(2) The initial terms of the private sector members shall commence on July 1, 1983. Five private sector members shall be appointed for an initial term of two years; four private sector members shall be appointed for an initial term of four years. Thereafter, all private sector members shall be appointed for four years or until their respective successors are appointed. Appointments to fill vacancies shall be for the balance of any unexpired term, and shall be filled in the same manner as the original appointments.

(3) Private sector members shall serve without pay, but all committee members shall be entitled to reimbursement for travel expenses incurred in performance of their duties as members of the committee under RCW 43.03.050 and 43.03.060, except that legislative members shall be entitled to reimbursement under RCW 44.04.120.

(4) Six voting members constitute a quorum for the conduct of official business. The advisory committee shall elect a chairperson from among the private sector members.

Sec. 46. Section 9, chapter 300, Laws of 1981 and RCW 39.84.090 are each amended to read as follows:

(1) Prior to issuance of any revenue bonds, each public corporation shall submit a copy of its enabling ordinance and charter, a description of any industrial development facility proposed to be undertaken, and the basis for its qualification as an industrial development facility to the department of ((commerce)) trade and economic development.

(2) If the industrial development facility is not eligible under this chapter, the department of ((commerce)) trade and economic development shall give notice to the public corporation, in writing and by certified mail, within twelve working days of receipt of the description.

(3) The department of ((commerce)) trade and economic development shall report annually to the legislature and the governor on the amount of capital investment undertaken under this chapter and the amount of permanent employment reasonably related to the existence of such industrial development facilities.

(4) The department of ((commerce)) trade and economic development shall provide such advice and assistance to public corporations and municipalities which have created or may wish to create public corporations as the public corporations or municipalities request and the department of ((commerce)) trade and economic development considers appropriate.

Sec. 47. Section 1, chapter 10, Laws of 1979 as last amended by section 12, chapter 125, Laws of 1984 and RCW 43.17.010 are each amended to read as follows:

There shall be departments of the state government which shall be known as (1) the department of social and health services, (2) the department of ecology, (3) the department of labor and industries, (4) the department of agriculture, (5) the department of fisheries, (6) the department of game, (7) the department of transportation, (8) the department of licensing, (9) the department of general administration, (10) the department of ((commerce)) trade and economic development, (11) the department of veterans affairs, (12) the department of revenue, (13) the department of retirement systems, (14) the department of corrections, and (15) the department of community development, which shall be charged with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties, as the legislature may provide.

Sec. 48. Section 2, chapter 10, Laws of 1979 as last amended by section 13, chapter 125, Laws of 1984 and RCW 43.17.020 are each amended to read as follows:

There shall be a chief executive officer of each department to be known as: (1) The secretary of social and health services, (2) the director of ecology, (3) the director of labor and industries, (4) the director of agriculture, (5) the director of fisheries, (6) the director of game, (7) the secretary of transportation, (8) the director of licensing, (9) the director of general administration, (10) the director of ((commerce)) trade and economic development, (11) the director of veterans affairs, (12) the director of revenue, (13) the director of retirement systems, (14) the secretary of corrections, and (15) the director of community development.

Such officers, except the secretary of transportation and the director of game, shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate. The secretary of transportation shall be appointed by the transportation commission as prescribed by RCW 47.01.041, and the director of game shall be appointed by the game commission.

Sec. 49. Section 43.21.260, chapter 8, Laws of 1965 and RCW 43.21.260 are each amended to read as follows:

Before the director of conservation shall construct said steam generating facility within the state, or make application for any permit, license or other right necessary thereto, he shall give notice thereof by publishing once a week for four consecutive weeks in a newspaper of general circulation in the county or counties in which such project is located a statement of intention setting forth the general nature, extent and location of the project. If any public utility in the state or any operating agency desires to construct such facility, such utility or operating agency shall notify the director of conservation thereof within ten days after the last date of publication of such notice. If the director of conservation determines that it is in the best public interest that the director of conservation proceed with such construction rather than the public utility or operating agency, he shall so notify the director of ((commerce)) trade and economic development, who shall set a date for hearing thereon. If after considering the evidence introduced the director of ((commerce)) trade and economic development finds that the public utility or operating agency making the request intends to immediately proceed with such construction and is financially capable of carrying out such construction and further finds that the plan of such utility or operating agency is equally well adapted to serve the public interest, he shall enter an order so finding and such order shall divest the director of conservation of authority to proceed further with such construction or acquisition until such time as the other public utility or agency voluntarily causes an assignment of its right or interest in the project to the director of conservation or fails to procure any further required governmental permit, license or authority or having procured such, has the same revoked or withdrawn, in accordance with the laws and regulations of such governmental entity, in which event the director of conservation shall have the same authority to proceed as though the director had originally entered an order so authorizing the director of conservation to proceed. If, after considering the evidence introduced, the director of ((commerce)) trade and economic development finds that the public utility or agency making the request does not intend to immediately proceed with such construction or acquisition or is not financially capable of carrying out such construction or acquisition, or finds that the plan of such utility or operating agency is not equally well adapted to serve the public interest, he shall then enter an order so finding and authorizing the director of conservation to proceed with the construction or acquisition of the facility.

Sec. 50. Section 17, chapter 62, Laws of 1970 ex. sess. as amended by section 68, chapter 141, Laws of 1979 and RCW 43.21A.170 are each amended to read as follows:

There is hereby created an ecological commission. The commission shall consist of seven members to be appointed by the governor from the electors of the state who shall have a general knowledge of and interest in environmental matters. No persons shall be eligible for appointment who hold any other state, county or municipal elective or appointive office.

- (a) One public member shall be a representative of organized labor.
- (b) One public member shall be a representative of the business community.
- (c) One public member shall be a representative of the agricultural community.
- (d) Four persons representing the public at large.

The members of the initial commission shall be appointed within thirty days after July 1, 1970. Of the members of the initial commission, two shall be appointed for terms ending June 30, 1974, two shall be appointed for terms ending on June 30, 1973, two shall be appointed for terms ending on June 30, 1972, and one shall be appointed for a term ending June 30, 1971. Thereafter, each member of the commission shall be appointed for a term of four years. Vacancies shall be filled within ninety days for the remainder of the unexpired term by appointment of the governor in the same manner as the original appointments. Each member of the commission shall continue in office until his successor is appointed. No member shall be appointed for more than two consecutive terms. The chairman of the commission shall be appointed from the members by the governor.

The governor may remove any commission member for cause giving him a copy of the charges against him, and an opportunity of being publicly heard in person, or by counsel in his own defense. There shall be no right of review in any court whatsoever. The director or administrator, or a designated representative, of each of the following state agencies:

- (1) The department of agriculture;
- (2) The department of ((commerce)) trade and economic development;
- (3) The department of fisheries;
- (4) The department of game;
- (5) The department of social and health services;
- (6) The department of natural resources; and

(7) The state parks and recreation commission shall be given notice of and may attend all meetings of the commission and shall be given full opportunity to examine and be heard on all proposed orders, regulations or recommendations.

Sec. 51. Section 2, chapter 94, Laws of 1984 and RCW 43.21A.510 are each amended to read as follows:

In order to assist the department of ((commerce)) trade and economic development in providing information to businesses interested in locating in Washington state, the department shall develop an environmental profile of the state. This profile shall identify the state's natural resources and describe how these assets are valuable to industry. Examples of information to be included are water resources and quality, air quality, and recreational opportunities related to natural resources.

Sec. 52. Section 3, chapter 94, Laws of 1984 and RCW 43.21A.515 are each amended to read as follows:

In order to emphasize the importance of the state's environmental laws and regulations and to facilitate compliance with them, the department of ecology shall provide assistance to businesses interested in locating in Washington state. When the department of ((commerce)) trade and economic development receives a query from an interested business through its industrial marketing activities, it shall arrange for the department of ecology to provide information on the state's environmental laws and regulations and methods of compliance. This section shall facilitate compliance with state environmental laws and regulations and shall not weaken their application or effectiveness.

Sec. 53. Section 6, chapter 125, Laws of 1984 and RCW 43.63A.075 are each amended to read as follows:

The department shall establish a community development finance program. Pursuant to this program, the department shall: (1) Develop expertise in federal, state, and local community and economic development programs; (2) assist communities and businesses to secure available financing; and (3) work closely with the department of ((commerce)) trade and economic development on financial and technical assistance programs available to small and medium sized businesses. To the extent permitted by federal law, the department is encouraged to use federal community block grant funds to make urban development action grants to communities which have not been eligible to receive such grants prior to June 30, 1984.

Sec. 54. Section 1, chapter 54, Laws of 1983 1st ex. sess. and RCW 43.83.184 are each amended to read as follows:

For the purpose of acquiring land and providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, and furnishing, together with all improvements, enhancements, fixed equipment facilities of office buildings, parking facilities, and such other buildings, facilities, and utilities as are determined to be necessary to provide space including offices, committee rooms, hearing rooms, work rooms, and industrial-related space for the legislature, for other elective officials, and such other state agencies as may be necessary, and for the purpose of land acquisitions by the department of transportation, grants and loans by the department of ((commerce)) trade and economic development, and facilities of the department of corrections and other state agencies, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of sixty-four million two hundred seventy thousand dollars, or so much thereof as may be required, to finance these projects and all costs incidental thereto. No bonds authorized in this section may be offered for sale without prior legislative appropriation.

Sec. 55. Section 1, chapter 177, Laws of 1983 and RCW 43.96D.010 are each amended to read as follows:

The 1962 world fair held in Seattle and the 1974 world fair held in Spokane resulted in the influx of thousands of visitors from all over the world and aided in promoting the state and its large variety of products and its great trade potential. They also served to strengthen the social, cultural, and economic ties between the state and its Canadian provincial neighbor to the north, British Columbia. In 1986 British Columbia will host a world exposition. Recent experience has proven that participation in such events benefits all those concerned.

Therefore, it is the declared intent of the Washington state legislature that the state of Washington should participate in Expo '86 in Vancouver, British Columbia, between May and October, 1986. The on-site presence of the state of Washington will conform to the theme of Expo '86, 'Man in Motion, Transportation and Communication,' and will be coordinated with efforts of the department of ((commerce)) trade and economic development, the department of transportation, the Washington state patrol, and other agencies to insure maximum hospitality and benefit for the millions of additional visitors who will co-visit Washington state.

Sec. 56. Section 2, chapter 177, Laws of 1983 and RCW 43.96D.020 are each amended to read as follows:

(1) There is hereby created the world fair commission to consist of nine members to be selected as follows: Five by the governor, two senators (being one from the senate majority and one from the senate minority) by the president of the senate, and two representatives (being one from the house majority and one from the house minority) by the speaker of the house of representatives, to serve until June 30, 1987. The governor shall designate one member to serve

as chairman of the commission. Members of the commission shall serve without compensation but shall be reimbursed for travel expenses while on commission business under RCW 43.03.050 and 43.03.060. The commission shall meet at such time as it is called by the governor or by the chairman of the commission.

(2) The governor shall appoint an executive director for the commission. The executive director shall serve at the governor's pleasure or until completion of state participation in the British Columbia exposition of 1986. The department of ~~((commerce))~~ trade and economic development shall provide administrative and staff support to the commission.

Sec. 57. Section 4, chapter 177, Laws of 1983 and RCW 43.96D.040 are each amended to read as follows:

Reimbursement of commissioners for expenses as authorized in subsection (1) of RCW 43.96D.020 shall be paid by the director of ~~((commerce))~~ trade and economic development as a proper charge to the state trade fair fund.

Sec. 58. Section 2, chapter 40, Laws of 1982 1st ex. sess. as last amended by section 12, chapter 6, Laws of 1985 and RCW 43.160.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Board' means the community economic revitalization board.

(2) 'Bond' means any bond, note, debenture, interim certificate, or other evidence of financial indebtedness issued by the board pursuant to this chapter.

(3) 'Department' means the department of ~~((commerce))~~ trade and economic development or its successor with respect to the powers granted by this chapter.

(4) 'Financial institution' means any bank, savings and loan association, credit union, development credit corporation, insurance company, investment company, trust company, savings institution, or other financial institution approved by the board and maintaining an office in the state.

(5) 'Industrial development facilities' means 'industrial development facilities' as defined in RCW 39.84.020.

(6) 'Industrial development revenue bonds' means tax-exempt revenue bonds used to fund industrial development facilities.

(7) 'Local government' means any port district, county, city, or town.

(8) 'Sponsor' means any of the following entities which customarily provide service or otherwise aid in industrial or other financing and are approved as a sponsor by the board: A bank, trust company, savings bank, investment bank, national banking association, savings and loan association, building and loan association, credit union, insurance company, or any other financial institution, governmental agency, or holding company of any entity specified in this subsection.

(9) 'Umbrella bonds' means industrial development revenue bonds from which the proceeds are loaned, transferred, or otherwise made available to two or more users under this chapter.

(10) 'User' means one or more persons acting as lessee, purchaser, mortgagor, or borrower under a financing document and receiving or applying to receive revenues from bonds issued under this chapter.

Sec. 59. Section 3, chapter 40, Laws of 1982 1st ex. sess. as last amended by section 13, chapter 6, Laws of 1985 and RCW 43.160.030 are each amended to read as follows:

(1) The community economic revitalization board is hereby created to exercise the powers granted under this chapter.

(2) The board shall consist of nine persons appointed by the governor and the director of ~~((commerce))~~ trade and economic development, the director of community development, the director of revenue, the commissioner of employment security, and the chairmen of the committee on ~~((commerce))~~ trade and economic development of the house of representatives and the committee on commerce and labor of the senate, or the equivalent standing committees, for a total of seventeen members. The appointive members shall be as follows: A recognized private or public sector economist selected from the governor's council of economic advisors; one port district official; one county official; one city official; one representative of the public; one representative of small businesses each from: (a) The area west of Puget Sound, (b) the area east of Puget Sound and west of the Cascade range, (c) the area east of the Cascade range and west of the Columbia river, and (d) the area east of the Columbia river; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The appointive members shall initially be appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms which shall include the chairman. Thereafter each succeeding term shall be for three years. The representative from the governor's council of economic advisors shall serve as chairman of the board. The director of ~~((the department of commerce))~~ trade and economic development shall serve as vice chairman.

(3) Staff support shall be provided by the department of ~~((commerce))~~ trade and economic development.

(4) All appointive members of the board shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(5) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the governor shall fill the same for the unexpired term. Any members of the board, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor, under chapter 34.04 RCW.

Sec. 60. Section 2, chapter 44, Laws of 1982 and RCW 43.170.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Department' means the department of ((commerce)) trade and economic development.

(2) 'Director' means the director of ((commerce)) trade and economic development.

(3) 'Program' means the small business innovators' opportunity program.

(4) 'Inventor' or 'innovator' means one who thinks of, imagines, or creates something new which may result in a device, contrivance, or process for the first time, through the use of the imagination or ingenious thinking and experimentation.

(5) 'Proposal' means a plan provided by an inventor or innovator on an idea for an invention or an improvement.

(6) 'Higher education' means any university, college, community college, or technical institute in this state.

Sec. 61. Section 3, chapter 44, Laws of 1982 and RCW 43.170.030 are each amended to read as follows:

The department of ((commerce)) trade and economic development, in cooperation with institutions of higher education, shall establish as a pilot project a small business innovators' opportunity program to provide a professional research and counseling service on a user fee basis to inventors, innovators, and the business community.

The composition and organizational structure of the program shall be determined by the department in a manner which will foster the continuation of the program without state funding at the end of the pilot project established by this chapter. The department shall provide staff support for the program for the duration of the pilot project. The program shall:

(1) Receive proposals from inventors and innovators;

(2) Review proposals for accuracy and evaluate their prospects for marketability;

(3) Cooperate with institutions of higher education to evaluate proposals for marketability, suitability for patent rights, and for the provision of professional research and counseling;

(4) Provide assistance to the innovators and inventors as appropriate; and

(5) Have the power to receive funds, contract with institutions of higher education, and carry out such other duties as are deemed necessary to implement this chapter.

The user fee shall be set by the director in an amount which is designed to recover the cost of the services provided.

Sec. 62. Section 7, chapter 282, Laws of 1984 and RCW 43.175.010 are each amended to read as follows:

(1) There is established the small business improvement council to consist of at least fifteen but not more than thirty members to be appointed by the governor. In making the appointments, the governor shall consider the recommendations of business organizations and persons operating small businesses. At least fifteen percent of the members of the council shall be women or members of minority groups, and at least one member of the council shall represent agribusiness concerns. Members of the small business improvement council shall be appointed for terms of four years, but the governor may modify the terms of the initial members as necessary to achieve staggered terms.

(2) Members of the small business improvement council shall not be compensated or be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(3) The department of ((commerce)) trade and economic development or its successor agency shall provide staff support and administrative assistance to the council.

Sec. 63. Section 8, chapter 282, Laws of 1984 and RCW 43.175.020 are each amended to read as follows:

The small business improvement council shall seek to identify regulatory, administrative, and legislative proposals that will improve the entrepreneurial environment for small businesses. In consultation with the department of ((commerce)) trade and economic development and the appropriate standing committees of the senate and house of representatives, the small business improvement council shall submit its proposals to the governor and the legislature prior to the convening of each regular session of the legislature. ~~((The proposals shall include the recommendations of the council's subcommittees established under section 9 of this act.))~~

Sec. 64. Section 5, chapter 20, Laws of 1983 1st ex. sess. and RCW 43.210.050 are each amended to read as follows:

The export assistance center formed under RCW 43.210.020 and 43.210.030 is eligible to receive consideration for a contract under this chapter from the department of ((commerce))

trade and economic development or its statutory successor. The contract shall require the center to provide export assistance services and may not have a duration of longer than two years. ~~((The center, including its branch, for the biennium ending June 30, 1985, may not have more than one contract with the department of commerce and economic development or its statutory successor.))~~

Sec. 65. Section 6, chapter 20, Laws of 1983 1st ex. sess. and RCW 43.210.060 are each amended to read as follows:

The department of ~~((commerce))~~ trade and economic development or its statutory successor shall adopt rules under chapter 34.04 RCW as necessary to carry out the purposes of this chapter.

Sec. 66. Section 3, chapter 43, Laws of 1982 as amended by section 18, chapter 6, Laws of 1985 and RCW 50.38.030 are each amended to read as follows:

The employment security department shall consult with the following agencies prior to the issuance of the state occupational forecast:

- (1) Office of financial management;
- (2) Department of ~~((commerce))~~ trade and economic development;
- (3) Department of labor and industries;
- (4) State board for community college education;
- (5) Superintendent of public instruction;
- (6) Department of social and health services;
- (7) Department of community development;
- (8) Commission for vocational education; and
- (9) Other state and local agencies as deemed appropriate by the commissioner of the employment security department.

These agencies shall cooperate with the employment security department, submitting information relevant to the generation of occupational forecasts.

Sec. 67. Section 1, chapter 16, Laws of 1980 and RCW 67.16.100 are each amended to read as follows:

In addition to the license fees required by this chapter, the licensee shall pay to the commission the percentages of the gross receipts of all parimutuel machines at each race meet in accordance with RCW 67.16.105, which sums shall be paid daily to the commission.

All sums paid to the commission, together with all sums collected for license fees under the provisions of this chapter, shall be disposed of by the commission as follows: Twenty percent thereof shall be retained by the commission for the payment of the salaries of its members, secretary, clerical, office, and other help and all expenses incurred in carrying out the provisions of this chapter. No salary, wages, expenses, or compensation of any kind shall be paid by the state in connection with the work of the commission. Of the remaining eighty percent, forty-seven percent shall, on the next business day following the receipt thereof, be paid to the state treasurer to be deposited in the general fund, and three percent shall, on the next business day following the receipt thereof, be paid to the state treasurer, who is hereby made ex officio treasurer of a fund to be known as the 'state trade fair fund' which shall be maintained as a separate and independent fund, and made available to the director of ~~((commerce))~~ trade and economic development for the sole purpose of assisting state trade fairs. The remaining thirty percent shall be paid to the state treasurer, who is hereby made ex officio treasurer of a fund to be known as the 'fair fund,' which shall be maintained as a separate and independent fund outside of the state treasury, and made available to the director of agriculture for the sole purpose of assisting fairs in the manner provided in Title 15 RCW. Any moneys collected or paid to the commission under the terms of this chapter and not expended at the close of the fiscal biennium shall be paid to the state treasurer and be placed in the general fund. The commission may, with the approval of the office of financial management, retain any sum required for working capital.

Sec. 68. Section 1, chapter 27, Laws of 1982 1st ex. sess. and RCW 67.34.010 are each amended to read as follows:

The legislature recognizes that:

(1) Interest in outdoor recreation has been steadily increasing, and that the facilities that now exist are inadequate to meet the growing demands of the people of Washington and the out-of-state tourist trade;

(2) The state is becoming a popular winter recreation area and has not fully developed its winter tourism industry adequately to respond to the increasing demand, as has been successfully done in the mountain states, Idaho, and British Columbia;

(3) The state of Washington presently has a flourishing winter recreation industry which adds more than twenty-five thousand new skiers each year. Far greater potential exists for year-round resort development which should include an emphasis on all winter recreation activities. Expansion of the winter recreation industry will attract tourist trade from other states and countries and will have a substantial positive impact on both the state and national economies; and

(4) The economic well-being of the state will be improved upon the introduction of new industry to provide employment, income to the state, and revenue for government.

The legislature recognizes the need to identify areas appropriate for recreational development on state lands or on federal lands which can be exchanged for state lands under state and federal laws.

Therefore, the legislature hereby establishes the Washington state winter recreation commission which shall be composed as follows: Two members of the senate appointed by the president of the senate, including one member from each caucus; two members of the house of representatives appointed by the speaker of the house of representatives, including one member from each caucus; one representative to be appointed by the governor from each of the following state departments: The parks and recreation commission, department of ((commerce)) trade and economic development, and department of natural resources; two representatives of industry appointed by the governor; two representatives of the environmental community appointed by the governor; one representative of cities appointed by the governor; and one representative of counties appointed by the governor. The commission shall choose one of its legislative members as chair.

Commission members and legislative staff shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060. Members of the legislature serving on the commission shall be reimbursed for travel expenses under RCW 44.04.120.

Sec. 69. Section 6, chapter 41, Laws of 1975-'76 2nd ex. sess. and RCW 70.95.265 are each amended to read as follows:

The department shall work closely with the department of ((commerce)) trade and economic development, the department of general administration, and with other state departments and agencies, the Washington state association of counties, the association of Washington cities, and business associations, to carry out the objectives and purposes of this 1976 amendatory act.

Sec. 70. Section 3, chapter 137, Laws of 1974 ex. sess. as last amended by section 108, chapter 287, Laws of 1984 and RCW 76.09.030 are each amended to read as follows:

(1) There is hereby created the forest practices board of the state of Washington as an agency of state government consisting of members as follows:

- (a) The commissioner of public lands or his designee;
- (b) The director of the department of ((commerce)) trade and economic development or his designee;
- (c) The director of the department of agriculture or his designee;
- (d) The director of the department of ecology or his designee;
- (e) An elected member of a county legislative authority appointed by the governor: PROVIDED, That such member's service on the board shall be conditioned on his continued service as an elected county official; and
- (f) Six members of the general public appointed by the governor, one of whom shall be an owner of not more than five hundred acres of forest land, and one of whom shall be an independent logging contractor.

(2) The members of the initial board appointed by the governor shall be appointed so that the term of one member shall expire December 31, 1975, the term of one member shall expire December 31, 1976, the term of one member shall expire December 31, 1977, the terms of two members shall expire December 31, 1978, and the terms of two members shall expire December 31, 1979. Thereafter, each member shall be appointed for a term of four years. Vacancies on the board shall be filled in the same manner as the original appointments. Each member of the board shall continue in office until his successor is appointed and qualified. The commissioner of public lands or his designee shall be the chairman of the board.

(3) The board shall meet at such times and places as shall be designated by the chairman or upon the written request of the majority of the board. The principal office of the board shall be at the state capital.

(4) Members of the board, except public employees and elected officials, shall be compensated in accordance with RCW 43.03.240 and in addition they shall be entitled to reimbursement for travel expenses incurred in the performance of their duties as provided in RCW 43.03.050 and 43.03.060.

(5) The board may employ such clerical help and staff pursuant to chapter 41.06 RCW as is necessary to carry out its duties.

Sec. 71. Section 151, chapter 7, Laws of 1985 RCW 80.50.030 are each amended to read as follows:

- (1) There is created and established the energy facility site evaluation council.
- (2) The chairman of the council shall be appointed by the governor with the advice and consent of the senate, shall have a vote on matters before the council, shall serve for a term coextensive with the term of the governor, and is removable for cause. The chairman may designate a member of the council to serve as acting chairman in the event of the chairman's absence. The salary of the chairman shall be determined under RCW 43.03.040. The chairman is a 'state employee' for the purposes of chapter 42.18 RCW.
- (3) The council shall consist of the directors, administrators, or their designees, of the following departments, agencies, commissions, and committees or their statutory successors:

- (a) Department of ecology;

- (b) Department of fisheries;
- (c) Department of game;
- (d) Department of parks and recreation;
- (e) Department of social and health services;
- (f) State energy office;
- (g) Department of ~~((commerce))~~ trade and economic development;
- (h) Utilities and transportation commission;
- (i) Office of financial management;
- (j) Department of natural resources;
- (k) Department of community development;
- (l) Department of emergency management;
- (m) Department of agriculture;
- (n) Department of transportation.

(4) The appropriate county legislative authority of every county wherein an application for a proposed site is filed shall appoint a member or designee as a voting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the county which he represents, and such member or designee shall serve until there has been a final acceptance or rejection of the proposed site:

(5) The city legislative authority of every city within whose corporate limits an energy plant is proposed to be located shall appoint a member or designee as a voting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the city which he represents, and such member or designee shall serve until there has been a final acceptance or rejection of the proposed site.

(6) For any port district wherein an application for a proposed port facility is filed subject to this chapter, the port district shall appoint a member or designee as a nonvoting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the port district which he represents, and such member or designee shall serve until there has been a final acceptance or rejection of the proposed site. The provisions of this subsection shall not apply if the port district is the applicant, either singly or in partnership or association with any other person.

Sec. 72. Section 12, chapter 175, Laws of 1984 and RCW 43.131.315 are each amended to read as follows:

The ~~((honorary commercial attache))~~ Washington ambassador program shall be reviewed under the process provided in chapter 43.131 RCW before December 1, ~~((1985))~~ 1987. Unless extended by law, the program shall be terminated on June 30, ~~((1986))~~ 1988.

Sec. 73. Section 13, chapter 175, Laws of 1984 and RCW 43.131.316 are each amended to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, ~~((1987))~~ 1989:

- (1) Section 1, chapter 175, Laws of 1984, section 24 of this 1985 act and RCW 43.31.373;
- (2) Section 2, chapter 175, Laws of 1984, section 25 of this 1985 act and RCW 43.31.375;
- (3) Section 3, chapter 175, Laws of 1984, section 26 of this 1985 act and RCW 43.31.377;
- (4) Section 4, chapter 175, Laws of 1984, section 27 of this 1985 act and RCW 43.31.379;
- (5) Section 5, chapter 175, Laws of 1984, section 28 of this 1985 act and RCW 43.31.381;
- (6) Section 6, chapter 175, Laws of 1984, section 29 of this 1985 act and RCW 43.31.383;
- (7) Section 7, chapter 175, Laws of 1984, section 30 of this 1985 act and RCW 43.31.385;

~~((and))~~

- (8) Section 8, chapter 175, Laws of 1984, section 31 of this 1985 act and RCW 43.31.387; and
- (9) Section 32 of this 1985 act and RCW 43.31.---

NEW SECTION, Sec. 74. RCW 43.31.400, 43.31.405, 43.31.410, 43.31.415, and 43.31.420 are reclassified as sections in chapter 43.21F RCW.

NEW SECTION, Sec. 75. RCW 43.31.500, 43.31.510, 43.31.520, 43.31.525, 43.31.530, 43.31.540, 43.31.550, 43.31.560, 43.31.570, 43.31.580, 43.31.590, 43.31.620, 43.31.630, 43.31.640, 43.31.660, 43.31.670, 43.31.680, 43.31.690, 43.31.700, 43.31.710, 43.31.720, 43.31.730, 43.31.740, 43.31.750, 43.31.760, 43.31.770, and 43.31.865 are each decodified.

NEW SECTION, Sec. 76. The following acts or parts of acts are each repealed:

- (1) Section 43.31.010, chapter 8, Laws of 1965 and RCW 43.31.010;
- (2) Section 43.31.020, chapter 8, Laws of 1965 and RCW 43.31.020;
- (3) Section 43.31.030, chapter 8, Laws of 1965 and RCW 43.31.030;
- (4) Section 43.31.040, chapter 8, Laws of 1965, section 2, chapter 10, Laws of 1965, section 2, chapter 221, Laws of 1967, section 6, chapter 70, Laws of 1977 ex. sess., section 13, chapter 295, Laws of 1981 and RCW 43.31.040;
- (5) Section 43.31.050, chapter 8, Laws of 1965, section 53, chapter 75, Laws of 1977 and RCW 43.31.050;
- (6) Section 43.31.060, chapter 8, Laws of 1965 and RCW 43.31.060;
- (7) Section 43.31.070, chapter 8, Laws of 1965 and RCW 43.31.070;
- (8) Section 43.31.080, chapter 8, Laws of 1965 and RCW 43.31.080;

- (9) Section 43.31.110, chapter 8, Laws of 1965, section 109, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.110;
- (10) Section 43.31.120, chapter 8, Laws of 1965 and RCW 43.31.120;
- (11) Section 43.31.140, chapter 8, Laws of 1965 and RCW 43.31.140;
- (12) Section 43.31.150, chapter 8, Laws of 1965 and RCW 43.31.150;
- (13) Section 43.31.160, chapter 8, Laws of 1965, section 54, chapter 75, Laws of 1977 and RCW 43.31.160;
- (14) Section 43.31.170, chapter 8, Laws of 1965 and RCW 43.31.170;
- (15) Section 43.31.180, chapter 8, Laws of 1965 and RCW 43.31.180;
- (16) Section 1, chapter 221, Laws of 1967 and RCW 43.31.350;
- (17) Section 3, chapter 221, Laws of 1967 and RCW 43.31.360;
- (18) Section 4, chapter 221, Laws of 1967, section 9, chapter 175, Laws of 1984 and RCW 43.31.370;
- (19) Section 1, chapter 93, Laws of 1972 ex. sess. and RCW 43.31.831;
- (20) Section 10, chapter 148, Laws of 1965 and RCW 43.31.860;
- (21) Section 1, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.870;
- (22) Section 2, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.875;
- (23) Section 3, chapter 68, Laws of 1975-'76 2nd ex. sess., section 46, chapter 7, Laws of 1984 and RCW 43.31.880;
- (24) Section 4, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.885;
- (25) Section 5, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.890;
- (26) Section 6, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.895;
- (27) Section 7, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.900;
- (28) Section 8, chapter 68, Laws of 1975-'76 2nd ex. sess. and RCW 43.31.910;
- (29) Section 1, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.915;
- (30) Section 2, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.920;
- (31) Section 3, chapter 70, Laws of 1977 ex. sess., section 9, chapter 6, Laws of 1982 and RCW 43.31.925;
- (32) Section 4, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.930;
- (33) Section 5, chapter 70, Laws of 1977 ex. sess. and RCW 43.31.935;
- (34) Section 2, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.940;
- (35) Section 3, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.942;
- (36) Section 4, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.944;
- (37) Section 5, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.946;
- (38) Section 6, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.948;
- (39) Section 1, chapter 176, Laws of 1984 and RCW 43.31B.010;
- (40) Section 2, chapter 176, Laws of 1984 and RCW 43.31B.020;
- (41) Section 3, chapter 176, Laws of 1984 and RCW 43.31B.030;
- (42) Section 4, chapter 176, Laws of 1984 and RCW 43.31B.040;
- (43) Section 5, chapter 176, Laws of 1984 and RCW 43.31B.050;
- (44) Section 8, chapter 176, Laws of 1984 and RCW 43.31B.900;
- (45) Section 2, chapter 197, Laws of 1983 and RCW 43.131.257;
- (46) Section 28, chapter 197, Laws of 1983 and RCW 43.131.258;
- (47) Section 9, chapter 176, Laws of 1984 and RCW 43.131.317; and
- (48) Section 10, chapter 176, Laws of 1984 and RCW 43.131.318.

NEW SECTION, Sec. 77. As used in this act, section headings constitute no part of the law.

NEW SECTION, Sec. 78. There is hereby created the forest products market development task force. The task force shall consist of the commissioner of public lands, the director of trade, and economic development, two members of the senate, one from each major political party to be appointed by the president of the senate, two members of the house of representatives, one from each major political party to be appointed by the speaker of the house of representatives, a representative of the University of Washington center for international trade for forest products, and fourteen members appointed by the governor including at least one member from each of the following forest product sectors: Log exports, manufactured wood products, pulp and paper, and hardwood mills. Also included shall be a representative of the port districts and other persons who have expertise in forest product trade export, financing, and marketing matters. The task force shall include at least one member from each congressional district in the state. Appointments under this section shall be made within twenty-one days after the effective date of this act. Task force members shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060, except legislative members shall be reimbursed under RCW 44.04.120.

The commissioner of public lands shall temporarily chair the task force until such time as the group organizes and selects a permanent chair. The task force shall be staffed by the department of natural resources and the department of trade and economic development. The task force may hold meetings at least once a month or when determined advisable by the committee. The initial meeting of the task force shall be held within forty-five days after the effective date of this act.

NEW SECTION. Sec. 79. The purposes of the forest products market development task force are:

- (1) To identify foreign and domestic trade and market-related problems affecting the state of Washington's forest products industry;
- (2) To identify strategies that could be employed which would improve the state's forest products industry's competitive position in domestic and international markets;
- (3) To provide coordination of present efforts by state agencies, institutions, and the forest products industry to minimize the effects of trade barriers;
- (4) To consult with national institutions and industry organizations and the state's congressional delegation regarding federal initiatives which affect the competitive position of the state's forest products industry; and
- (5) To identify and prioritize areas in which additional research is needed and to provide recommendations on the funding of high-priority programs.

NEW SECTION. Sec. 80. The forest products development task force shall:

- (1) Issue a preliminary report by December 1, 1985, to the legislature and to the state's congressional delegation which includes recommendations for state and federal legislation, strategies, and a report on the trade status of forest products produced in the state; and
- (2) Issue a final report by June 1, 1986, to the legislature and the state's congressional delegation with any additional recommendations and an outline of the activities and accomplishments of the task force.

The task force shall terminate on June 30, 1986, unless reactivated by the legislature after a determination of the task force's effectiveness.

NEW SECTION. Sec. 81. A new section is added to chapter 43.31 RCW to read as follows:

(1) The department of trade and economic development shall establish an international trade and investment information program. The program shall act as a centralized location for the assimilation and distribution of trade and investment information, including:

(a) International trade leads and potential trade opportunities which may assist Washington businesses in the export of their products and services;

(b) International investment leads and potential opportunities which may assist in attracting investments to Washington state;

(c) A listing of trade-related organizations in Washington state providing background information on their location, services, and calendar of events. The list shall be developed and distributed in cooperation with participating organizations;

(d) A listing of businesses in Washington state involved in international trade and of businesses that have the potential to engage in international trade with background information on their products and services;

(e) A listing of international trade shows and opportunities for participation by Washington state businesses;

(f) Information on trade tariffs, quotas, and other trade restrictions encountered by Washington products in major international markets;

(g) Export and import statistics which will assist the private and public sector in identifying economic trends and the cost-effectiveness of state trade and investment programs; and

(h) A state-wide industrial site inventory to assist in the location of businesses throughout the state including but not limited to information on site costs, land use requirements, proximity to labor markets, and the availability of transportation and utilities. The department of ecology and department of community development will, on request, assist the department in developing the industrial site inventory.

(2) State and local government agencies involved in international trade or investment shall on request assist the department in compiling and distributing the information outlined in this section.

(3) The department shall actively promote the distribution and use of the information listed in this section. The director shall report to the legislature annually by December 1, on the program's activities, the effectiveness of the program in promoting international trade and investment, and legislative recommendations concerning the program.

NEW SECTION. Sec. 82. To carry out section 82 of this act, the sum of forty-nine thousand five hundred dollars, or as much thereof as may be necessary, is appropriated to the department of trade and economic development from the general fund for the biennium ending June 30, 1987.

NEW SECTION. Sec. 83. There is hereby created an advisory commission to the department of trade and economic development to be known as the tourism partnership commission. The commission shall be composed of nine members. The commission members shall include: (1) The director of the department of trade and economic development or the director's designee; (2) two members of the senate appointed by the president of the senate from different political parties; (3) two members of the house of representatives appointed by the speaker of the house of representatives from different political parties; and (4) four public members appointed by the governor. The governor shall designate the chairman of the commission.

The public members shall serve terms of three years.

NEW SECTION. Sec. 84. For purposes of sections 84 through 91 of this act:

(1) 'Department' means the department of trade and economic development or its statutory successor.

(2) 'Commission' means the tourism partnership commission.

(3) 'Tourism partnership project' means projects determined by the commission to meet the criteria established by sections 86 and 87 of this act.

NEW SECTION. Sec. 85. The tourism partnership commission has the following powers and duties:

(1) To assist the department in conducting studies on the feasibility, design, and benefits to the state of establishing one or more destination tourism attractions or state marketing facilities;

(2) To assist the department and sponsoring municipal or nonprofit corporations in assessing the feasibility of projects and in administering the planning, design, construction, rehabilitation, or acquisition of real property, facilities, artifacts, and equipment for feasible projects that have demonstrated:

(a) Sponsorship by a municipal corporation or nonprofit corporation that has qualified under section 501(c)(3) of the federal internal revenue code;

(b) That at least fifty percent of the cost of the project has or can be raised from private or local government sources;

(c) That the project will increase state tax revenues enough to repay the state for its investment in the project; and

(d) That the project will be self-supporting once constructed;

(3) To assist the department in the development of a demonstration project that shall be monitored to assess its contribution to the economy of the state;

(4) To assist the department in evaluating the potential funding sources for qualifying projects;

(5) To advise the department in the adoption of rules in accordance with chapter 34.04 RCW governing the administration of the state funding of the tourism partnership projects. The rules shall specify that funding of tourism partnership projects may be administered by the local government participating in the project or by the department, with the advice of the commission, in cooperation with the affected municipal or nonprofit corporation; and

(6) To enter into contracts with the department as appropriate to carry out the powers and duties granted in sections 81 through 88 of this act.

NEW SECTION. Sec. 86. Projects that meet the criteria established by section 85(2) of this act shall be known as qualifying tourism partnership projects. The department, on the advice of the commission, may select for special consideration those qualifying tourism partnership projects that accomplish one or more of the following objectives:

(1) Develop tourism in depressed areas;

(2) Increase employment;

(3) Attract new industry;

(4) Attract new out-of-state tourists;

(5) Encourage the redevelopment of economically depressed areas;

(6) Assist in educating citizens and visitors about the economic potential of the state;

(7) Highlight the heritage of the state in honor of the 1989 centennial;

(8) Honor and promote the future of the state, including Washington's role as the nation's gateway to the Pacific; or

(9) Assist in marketing the products of the state.

NEW SECTION. Sec. 87. (1) The commission may employ such staff and administrative support as the commission deems appropriate for the administration of sections 84 through 91 of this act.

(2) The department shall make available to the commission additional staff and administrative support as it considers appropriate for the commission to carry out the requirements of sections 84 through 91 of this act. In order to implement sections 84 through 91 of this act, the governor may designate other employees of any agency to assist the commission.

NEW SECTION. Sec. 88. The department and the commission shall carry out sections 84 through 91 of this act in cooperation with the private sector, sponsoring municipal or nonprofit corporations identified in section 86 of this act.

NEW SECTION. Sec. 89. On January 1 of each year, the commission shall report on its activities, the results of the demonstration project, and the results of its studies, including any recommendations and proposed legislation, to the director of the department, the secretary of the senate, and the chief clerk of the house of representatives. The commission may include within its recommendations proposed contracts relating to the acquisition of land or the construction of facilities.

NEW SECTION. Sec. 90. The tourism development partnership capital fund is created in the custody of the department of trade and economic development.

(1) Moneys in the fund may be spent only for the purposes of sections 84 through 90 of this act. Disbursements from the fund shall be on authorization of the director of the department on the advice of the commission and with the approval of the legislative budget committee.

(2) Moneys may be deposited into the fund by legislative appropriation. The department may accept and expend moneys for the tourism development partnership capital fund from both public and private sources.

NEW SECTION, Sec. 91. Sections 84 through 92 and 94 of this act shall expire on December 31, 1990. Moneys remaining in the tourism development partnership capital fund on that date shall be deposited in the state general fund.

NEW SECTION, Sec. 92. Sections 84 through 92 of this act are each added to chapter 43.31 RCW.

NEW SECTION, Sec. 93. A new section is added to chapter 41.06 RCW to read as follows:

This chapter does not apply to the employees of the tourism partnership commission created under section 84 of this act.

NEW SECTION, Sec. 94. 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. 95. Sections 1 through 14, 16 through 18, and 32 of this act are added to chapter 43.31 RCW.

NEW SECTION, Sec. 96. 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 June 30, 1985."

On page 1, line 10 of the title, after "76.09.030," strike all material down through "80.50.030;" on line 11 and insert "80.50.030, 43.131.315, and 43.131.316;"

On page 1, line 11 of the title, strike "a new section" and insert "new sections"

On page 1, line 27 of the title, after "43.131.318;" insert "making an appropriation;"

On page 1, line 27 of the title, after "date;" insert "providing an expiration date;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. McMullen moved that the House do not concur in the Senate amendments to Substitute House Bill No. 625 and ask the Senate for a conference thereon.

Representatives Schoon and B. Williams spoke against the motion and Representatives J. King and McMullen spoke in favor of it.

Mr. Schoon again opposed the motion.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House do not concur in the Senate amendments to Substitute House Bill No. 625 and ask for a conference thereon, and the motion was carried by the following vote: Yeas, 52; nays, 40; absent, 2; excused, 4.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Hankins, Holland, Isaacson, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Walker, West, Williams B, Williams J, Wilson S, Winsley - 40.

Absent: Representatives Fuhrman, Vander Stoep - 2.

Excused: Representatives Hastings, Lewis, Smith C, Smitherman - 4.

SENATE AMENDMENT TO HOUSE BILL

April 18, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 804 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 134, Laws of 1969 ex. sess. as last amended by section 1, chapter 123, Laws of 1984 and RCW 70.95.010 are each amended to read as follows:

The legislature finds:

(1) Continuing technological changes in methods of manufacture, packaging, and marketing of consumer products, together with the economic and population growth of this state,

the rising affluence of its citizens, and its expanding industrial activity have created new and ever-mounting problems involving disposal of garbage, refuse, and solid waste materials resulting from domestic, agricultural, and industrial activities.

(2) Traditional methods of disposing of solid wastes in this state are no longer adequate to meet the ever-increasing problem. Improper methods and practices of handling and disposal of solid wastes pollute our land, air and water resources, blight our countryside, adversely affect land values, and damage the overall quality of our environment.

(3) Considerations of natural resource limitations, energy shortages, economics and the environment make necessary the development and implementation of solid waste recovery and/or recycling plans and programs.

(4) The following priorities in the management of solid waste are necessary and should be followed in order of descending priority as applicable:

- (a) Waste reduction;
- (b) Waste recycling;
- (c) Energy recovery or incineration; and
- (d) Landfill.

(5) There is an imperative need to anticipate, plan for, and accomplish effective storage, control, recovery, and recycling of discarded vehicle tires with the subsequent conservation of resources and energy.

Sec. 2. Section 2, chapter 134, Laws of 1969 ex. sess. as amended by section 2, chapter 41, Laws of 1975-76 2nd ex. sess. and RCW 70.95.020 are each amended to read as follows:

The purpose of this chapter is to establish a comprehensive state-wide program for solid waste handling, and solid waste recovery and/or recycling which will prevent land, air, and water pollution and conserve the natural, economic, and energy resources of this state. To this end it is the purpose of this chapter:

(1) To assign primary responsibility for adequate solid waste handling to local government, reserving to the state, however, those functions necessary to assure effective programs throughout the state;

(2) To provide for adequate planning for solid waste handling by local government;

(3) To provide for the adoption and enforcement of basic minimum performance standards for solid waste handling;

(4) To provide technical and financial assistance to local governments in the planning, development, and conduct of solid waste handling programs;

(5) To encourage storage, proper disposal, and recycling of discarded vehicle tires and to stimulate private recycling programs throughout the state.

It is the intent of the legislature that local governments be encouraged to use the expertise of private industry and to contract with private industry to the fullest extent possible to carry out solid waste recovery and/or recycling programs.

Sec. 3. Section 3, chapter 134, Laws of 1969 ex. sess. as last amended by section 2, chapter 123, Laws of 1984 and RCW 70.95.030 are each amended to read as follows:

As used in this chapter, unless the context indicates otherwise:

(1) 'City' means every incorporated city and town.

(2) 'Committee' means the solid waste advisory committee.

(3) 'Department' means the department of ecology.

(4) 'Director' means the director of the department of ecology.

(5) 'Disposal site' means the location where any final treatment, utilization, processing, or depository of solid waste occurs.

(6) 'Functional standards' means criteria for solid waste handling expressed in terms of expected performance or solid waste handling functions.

(7) 'Jurisdictional health department' means city, county, city-county, or district public health department.

(8) 'Person' means individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.

(9) 'Solid waste' means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities.

(10) 'Solid waste handling' means the management, storage, collection, transportation, treatment, utilization, processing, and final disposal of solid wastes, including the recovery and recycling of materials from solid wastes, the recovery of energy resources from such wastes or the conversion of the energy in such wastes to more useful forms or combinations thereof.

(11) 'Waste reduction' means reducing the amount or type of waste generated.

(12) 'Waste recycling' means reusing waste materials and extracting valuable materials from a waste stream.

(13) 'Energy recovery or incineration' means reducing the volume of wastes by use of an enclosed device using controlled flame combustion.

(14) 'Landfill' means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility.

(15) 'Vehicle' includes every device capable of being moved upon a public highway and in, upon, or by which any person or property is or may be transported or drawn upon a public highway, except devices moved by human or animal power or used exclusively upon stationary rails or tracks.

NEW SECTION. Sec. 4. (1) No person may drop, deposit, discard, or otherwise dispose of vehicle tires on any public property or private property in this state or in the waters of this state whether from a vehicle or otherwise, including, but not limited to, any public highway, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley unless:

(a) The property is designated by the state, or by any of its agencies or political subdivisions, for the disposal of discarded vehicle tires; and

(b) The person is authorized to use the property for such purpose.

(2) A violation of this section is punishable by a civil penalty, which shall not be less than two hundred dollars nor more than two thousand dollars for each offense.

(3) This section does not apply to the storage or deposit of vehicle tires in quantities deemed exempt under rules adopted by the department of ecology under its functional standards for solid waste.

NEW SECTION. Sec. 5. There is levied and there shall be collected by the department of revenue from every person engaging within this state in business making retail sales of new replacement vehicle tires, an annual assessment equal to the gross proceeds of the sales of new replacement vehicle tires sold within this state, multiplied by twelve hundredths of one percent. All of the applicable provisions of chapter 82.32 RCW have full force and application with respect to taxes imposed under this section. For the purposes of this section, 'new replacement vehicle tires' means tires that are newly manufactured for vehicle purposes and does not include retreaded vehicle tires.

NEW SECTION. Sec. 6. There is created an account within the state treasury to be known as the vehicle tire recycling account. All assessments and other funds collected or received under this chapter shall be deposited in the vehicle tire recycling account and used for the administration and implementation of this chapter as provided by section 7 of this act.

NEW SECTION. Sec. 7. Moneys in the account may be appropriated to the department of ecology:

(1) To provide for funding to state and local governments for the removal of discarded vehicle tires from unauthorized tire dump sites; and

(2) To accomplish the other purposes of RCW 70.95.020(5).

Sec. 8. Section 26, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.260 are each amended to read as follows:

The department shall in addition to its other powers and duties:

(1) Cooperate with the appropriate federal, state, interstate and local units of government and with appropriate private organizations in carrying out the provisions of this chapter.

(2) Coordinate the development of a solid waste management plan for all areas of the state in cooperation with local government, the ~~((planning and community affairs agency or its successor))~~ department of community development, and other appropriate state and regional agencies. The plan shall relate to solid waste management for twenty years in the future and shall be reviewed biennially, revised as necessary, and extended so that perpetually the plan shall look to the future for twenty years as a guide in carrying out a state coordinated solid waste management program.

(3) Provide technical assistance to any person as well as to cities, counties, and industries.

(4) Initiate, conduct, and support research, demonstration projects, and investigations, and coordinate research programs pertaining to solid waste management systems.

(5) Develop state-wide programs to increase public awareness of and participation in tire recycling, and to stimulate and encourage local private tire recycling centers and public participation in tire recycling.

(6) May, under the provisions of the Administrative Procedure Act, chapter 34.04 RCW, as now or hereafter amended, from time to time promulgate such rules and regulations as are necessary to carry out the purposes of this chapter.

NEW SECTION. Sec. 9. To aid in the state-wide tire recycling campaign, the legislature strongly encourages various industry organizations which are active in resource recycling efforts to provide active cooperation with the department of ecology so that additional technology can be developed for the tire recycling campaign.

NEW SECTION. Sec. 10. Sections 4 through 7 and 9 of this act are each added to chapter 70.95 RCW.

NEW SECTION. Sec. 11. The department of ecology shall submit a report to the appropriate committees of the legislature by January 1, 1987, on the implementation of sections 4 through 7 and 9 of this act."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Rust, the House refused to concur in the Senate amendment to Engrossed Substitute House Bill No. 804, and asked the Senate for a conference thereon.

MESSAGE FROM THE SENATE

April 17, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 3384 and asks the House for a conference thereon, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Sutherland moved that the House grant the request of the Senate for a conference on Substitute Senate Bill No. 3384.

Mr. Lundquist spoke in favor of the motion and it was carried.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Representatives Smitherman and Vander Stoep appeared at the bar of the House.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3920

The House resumed consideration of the bill on second reading.

Mr. D. Nelson moved adoption of the following amendment to the committee amendment:

On page 2, after line 14 insert the following:

"The appropriation in this section is subject to the following conditions and limitations:

(1) The urban arterial board shall require a cost-benefit analysis of each project submitted to the board for funding, based on the project priority criteria specified in chapter 47.26 RCW.

(2)*

Representatives D. Nelson and Sanders spoke in favor of the amendment to the amendment, and Representatives Walk, Schmidt and Brough opposed it.

The amendment to the committee amendment was not adopted.

The committee amendment was adopted. On motion of Mr. Walk, the committee amendment to the title of the bill was adopted.

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

Representatives Walk, Schmidt and Hine 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. 3920 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Yoting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Fuhrman - 0.

Excused: Representatives Hastings, Lewis, Smith C - 3.

Engrossed Substitute Senate Bill No. 3920 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 CONFEREES

The Speaker appointed the following conferees:

Substitute House Bill No. 190: Representatives Wang, Cole, Patrick;
Engrossed Substitute House Bill No. 804: Representatives Scott, Rust, Allen;
Substitute Senate Bill No. 3207: Representatives Brekke, Day, Walker.

SENATE AMENDMENTS TO HOUSE BILL

April 18, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1079 with the following amendments:

On page 1, line 11, after "opportunities" strike all material through "areas" on line 12

On page 1, line 13, strike "in these distressed areas"

On page 1, line 14, after "program" strike all material through "circumstances" on line 15

On page 1, line 19, after "in the" strike all material through "the" on line 20

On page 1, beginning on line 27, strike all material through "percent." on page 2, line 2 and renumber the remaining subsections accordingly.

On page 2, line 6, after "each" strike "one" and insert "two"

On page 2, line 7, after "investment" insert "on which a deferral is requested"

On page 6, line 3, strike "on July 1, 1985" and insert "immediately, provided that no taxes may be deferred prior to July 1, 1985" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. McMullen moved that the House do not concur in the Senate amendments to Substitute House Bill No. 1079 and ask the Senate to recede therefrom.

Mr. McMullen spoke in favor of the motion, and Mr. Schoon opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House refuse to concur in the Senate amendments to Substitute House Bill No. 1079, and the motion was carried by the following vote: Yeas, 53; nays, 41; absent, 1; excused, 3.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Hankins, Holland, Isaacson, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 41.

Absent: Representative Fuhrman - 0.

Excused: Representatives Hastings, Lewis, Smith C - 3.

SENATE AMENDMENT TO HOUSE BILL

April 17, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1107 with the following amendment:

On page 1, line 15 after "no" and before "vehicles" insert "renewal or duplicate" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Walk, the House refused to concur in the Senate amendment to Substitute House Bill No. 1107, and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

April 18, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1207 with the following amendments:

On page 1, line 27 after "College," strike "and"

On page 1, line 27 after "Yakima Valley Community College" insert ", and Centralia Community College"

On page 2, after line 31 insert the following new section:

"NEW SECTION. Sec. 3. The number of persons granted tuition and fee waivers under section 2 of this act shall not exceed two hundred full time equivalent students. The state board for community college education shall provide an equitable allocation of the waivers among the community colleges specified in subsection (3) of section 2 of this act. The provisions of RCW 28B.15.740 shall not apply to waivers of tuition and fees granted under this act. The waivers provided under this act may only be granted to the extent that public or private funds are provided to the state board for community college education expressly for such purposes."

Renumber the remaining sections consecutively.

On page 3, after line 2 add the following:

"NEW SECTION. Sec. 5. The emergency pilot vocational training program shall cease to exist on July 1, 1987, unless extended by law for an additional fixed period of time."

On line 2 of the title after "date;" insert "providing an expiration date;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. McMullen moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 1207 and ask the Senate to recede therefrom.

Mr. McMullen spoke in favor of the motion, and Mr. Schoon opposed it.

The motion was carried.

MESSAGE FROM THE SENATE

April 17, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 3134 and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Sommers, the House insisted on its position on Engrossed Senate Bill No. 3134, and again asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 17, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3516 and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Ebersole, the House insisted on its position on Engrossed Substitute Senate Bill No. 3516, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Lundquist, Sayan and Sutherland as conferees on Substitute Senate Bill No. 3384.

MOTION

On motion of Mr. Appelwick, the House adjourned until 10:00 a.m., Monday, April 22, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

NINETY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 22, 1985.

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 Isaacson, P. King, Locke, Padden, Sanders, C. Smith and Sutherland. Representatives P. King, Padden, C. Smith and Sutherland were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jessica Kelso and Kari Hart. Prayer was offered by Reverend Melvin Hiatt, Apostolic Faith Church of Bothell.

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

MESSAGES FROM THE SENATE

April 19, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3059,
 SENATE BILL NO. 3282,
 SENATE BILL NO. 3326,
 SENATE BILL NO. 3601,
 SENATE BILL NO. 3804,
 SECOND SUBSTITUTE SENATE BILL NO. 3828,
 SENATE BILL NO. 3830,
 SENATE BILL NO. 4278,
 SUBSTITUTE SENATE BILL NO. 4358,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 104,
 SENATE JOINT MEMORIAL NO. 110,
 SENATE JOINT MEMORIAL NO. 111,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 20, 1985

Mr. Speaker:

The Senate concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3027, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 20, 1985

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SENATE BILL NO. 3612, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 20, 1985

Mr. Speaker:

The Senate concurred in the House amendments to SENATE JOINT MEMORIAL NO. 102, and passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

SENATE AMENDMENT TO HOUSE BILL

April 12, 1985

Mr. Speaker:

The Senate has passed REENGROSSED SUBSTITUTE HOUSE BILL NO. 23 with the following amendment:

On page 1, after line 26 insert the following:

"Any member of the council may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the council as provided in this section. The waiver, to be effective, must be filed any time after the member's selection and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Haugen, the House concurred in the Senate amendment to Reengrossed Substitute House Bill No. 23.

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 Reengrossed Substitute House Bill No. 23 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 23 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 60; nays, 16; absent, 18; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Braddock, Bristow, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King R, Leonard, Lewis, Madsen, May, McMullen, Miller, Neale, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Scott, Smitherman, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wilson K, Wilson S, Wineberry, and Mr. Speaker - 60.

Voting nay: Representatives Berozoff, Bond, Brooks, Chandler, Hastings, Long, Lundquist, Schmidt, Schoon, Silver, Smith L, Thomas, van Dyke, Williams B, Williams J, Zellinsky - 16.

Absent: Representatives Basich, Baugher, Brekke, Dobbs, Fisch, Fuhrman, Isaacson, Kremen, Locke, Lux, Nelson D, Sanders, Sommers, Tanner, Taylor, Wang, West, Winsley - 18.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Reengrossed Substitute House Bill No. 23 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 15, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 36 with the following amendments:

On page 1, line 19 after "who" strike all the material down to and including "kidnapping" on page 1, line 20 and insert "commits or attempts to commit any of the offenses described in RCW 9A.40.020, RCW 9A.40.030, or RCW 9A.40.040"

On page 1, line 21 after "who" insert "establishes a perimeter around an area from which others are excluded and"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendments to Substitute House Bill No. 36.

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. 36 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 36 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; absent, 15; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Leonard, Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 79.

Absent: Representatives Basich, Baugher, Brekke, Dobbs, Fisch, Fuhrman, Isaacson, Kremen, Locke, Lux, Nelson D, Sanders, Tanner, Wang, Winsley - 15.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Substitute House Bill No. 36 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

April 15, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 62 with the following amendment:

Strike everything after the enacting clause and insert the following:

PART I

WASHINGTON CLEAN INDOOR AIR ACT

NEW SECTION, Sec. 1. The legislature recognizes the increasing evidence that tobacco smoke in closely confined places may create a danger to the health of some citizens of this state. In order to protect the health and welfare of those citizens, it is necessary to prohibit smoking in public places except in areas designated as smoking areas.

NEW SECTION, Sec. 2. As used in this chapter, the following terms have the meanings indicated unless the context clearly indicates otherwise.

(1) 'Smoke' or 'smoking' means the carrying or smoking of any kind of lighted pipe, cigar, cigarette, or any other lighted smoking equipment.

(2) 'Public place' means that portion of any building or vehicle used by and open to the public, regardless of whether the building or vehicle is owned in whole or in part by private persons or entities, the state of Washington, or other public entity, and regardless of whether a fee is charged for admission.

Public places include, but are not limited to: Elevators, public conveyances or transportation facilities, museums, concert halls, theaters, auditoriums, exhibition halls, indoor sports arenas, hospitals, nursing homes, health care facilities or clinics, enclosed shopping centers, retail stores, retail service establishments, financial institutions, educational facilities, ticket areas, public hearing facilities, state legislative chambers and immediately adjacent hallways, public restrooms, libraries, restaurants, waiting areas, lobbies, and reception areas. A public place does not include a private residence. This chapter is not intended to restrict smoking in private facilities which are occasionally open to the public except upon the occasions when the facility is open to the public.

(3) 'Restaurant' means any building, structure, or area used, maintained, or advertised as, or held out to the public to be, an enclosure where meals are made available to be consumed on the premises, for consideration of payment.

NEW SECTION, Sec. 3. No person may smoke in a public place except in designated smoking areas.

NEW SECTION, Sec. 4. (1) A smoking area may be designated in a public place by the owner or, in the case of a leased or rented space, by the lessee or other person in charge except in:

(a) Elevators; buses, except for private hire; streetcars; taxis, except those clearly and visibly designated by the owner to permit smoking; public areas of retail stores and lobbies of financial institutions; office reception areas and waiting rooms of any building owned or leased by the state of Washington or by any city, county, or other municipality in the state of Washington; museums; public meetings or hearings; classrooms and lecture halls of schools, colleges, and universities; and the seating areas and aisle ways which are contiguous to seating areas of concert halls, theaters, auditoriums, exhibition halls, and indoor sports arenas; and

(b) Hallways of health care facilities, with the exception of nursing homes, and lobbies of concert halls, theaters, auditoriums, exhibition halls, and indoor sports arenas, if the area is not physically separated. Owners or other persons in charge are not required to incur any expense to make structural or other physical modifications in providing these areas.

Except as provided in other provisions of this chapter, no public place, other than a bar, tavern, bowling alley, tobacco shop, or restaurant, may be designated as a smoking area in its entirety. If a bar, tobacco shop, or restaurant is designated as a smoking area in its entirety, this designation shall be posted conspicuously on all entrances normally used by the public.

(2) Where smoking areas are designated, existing physical barriers and ventilation systems shall be used to minimize the toxic effect of smoke in adjacent nonsmoking areas.

(3) Managers of restaurants who choose to provide smoking areas shall designate an adequate amount of seating to meet the demands of restaurant patrons who wish to smoke. Owners of restaurants are not required to incur any expense to make structural or other physical modifications in providing these areas. Restaurant patrons shall be informed that separate smoking and nonsmoking sections are available.

(4) Except as otherwise provided in this chapter, a facility or area may be designated in its entirety as a nonsmoking area by the owner or other person in charge.

NEW SECTION. Sec. 5. Owners, or in the case of a leased or rented space the lessee or other person in charge, of a place regulated under this chapter shall make every reasonable effort to prohibit smoking in public places by posting signs prohibiting or permitting smoking as appropriate under this chapter. Signs shall be posted conspicuously at each building entrance. In the case of retail stores and retail service establishments, signs shall be posted conspicuously at each entrance and in prominent locations throughout the place. The boundary between a nonsmoking area and a smoking permitted area shall be clearly designated so that persons may differentiate between the two areas.

NEW SECTION. Sec. 6. This chapter is not intended to regulate smoking in a private enclosed workplace, within a public place, even though such workplace may be visited by nonsmokers, excepting places in which smoking is prohibited by the state fire marshal or by other law, ordinance, or regulation.

NEW SECTION. Sec. 7. (1) Any person intentionally violating this chapter by smoking in a public place not designated as a smoking area or any person removing, defacing, or destroying a sign required by this chapter is subject to a civil fine of up to one hundred dollars. Local law enforcement agencies shall enforce this section by issuing a notice of infraction to be assessed in the same manner as traffic infractions. The provisions contained in chapter 46.63 RCW for the disposition of traffic infractions apply to the disposition of infractions for violation of this subsection except as follows:

(a) The provisions in chapter 46.63 RCW relating to the provision of records to the department of licensing in accordance with RCW 46.20.270 are not applicable to this chapter; and

(b) The provisions in chapter 46.63 RCW relating to the imposition of sanctions against a person's driver's license or vehicle license are not applicable to this chapter.

The form for the notice of infraction for a violation of this subsection shall be prescribed by rule of the supreme court.

(2) When violations of section 4 or 5 of this act occur, a warning shall first be given to the owner or other person in charge. Any subsequent violation is subject to a civil fine of up to one hundred dollars. Each day upon which a violation occurs or is permitted to continue constitutes a separate violation.

(3) Local fire departments or fire districts shall enforce section 4 or 5 of this act regarding the duties of owners or persons in control of public places, and local health departments shall enforce section 4 or 5 of this act regarding the duties of owners of restaurants by either of the following actions:

(a) Serving notice requiring the correction of any violation; or

(b) Calling upon the city or town attorney or county prosecutor to maintain an action for an injunction to enforce sections 4 and 5 of this act, to correct a violation, and to assess and recover a civil penalty for the violation.

NEW SECTION. Sec. 8. Any penalty assessed and recovered in an action brought under this chapter shall be paid to the city or county bringing the action.

NEW SECTION. Sec. 9. Local fire departments or fire districts and local health departments may adopt regulations as required to implement this chapter.

NEW SECTION. Sec. 10. This chapter shall be known as the Washington clean indoor air act.

NEW SECTION. Sec. 11. Sections 1 through 10 of this act shall constitute a new chapter in Title 70 RCW.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Rust moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 62.

Representatives Rust and Allen spoke in favor of the motion and it 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 the final passage of Engrossed Substitute House Bill No. 62 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 62 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 78; nays, 5; absent, 11; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Betzozoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Fuhrman, Schmidt, Thomas, Williams J, Wilson S - 5.

Absent: Representatives Basich, Dobbs, Fisch, Isaacson, Locke, Lux, Nelson D, Sanders, Tanner, Wang, Winsley - 11.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Engrossed Substitute House Bill No. 62 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 12, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 68 with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. The legislature finds that certain practices in storing human remains and in performing cremations violate common notions of decency and generally held expectations. In enacting this legislation, the legislature is reaffirming that certain practices, which have never been acceptable, violate principles of human dignity.

NEW SECTION. Sec. 2. If embalming services are not desired nor required for the type of arrangements chosen by the authorized family member or representative and a refrigeration unit is unavailable for use, embalming services shall be provided without charge in instances where the body is to be held more than twenty-four hours.

NEW SECTION. Sec. 3. (1) A person authorized to dispose of human remains shall not cremate or cause to be cremated more than one body at a time unless written permission, after full and adequate disclosure regarding the manner of cremation, has been received from the person or persons under RCW 68.08.160 having the authority to order cremation.

(2) Violation of this section is a gross misdemeanor.

NEW SECTION. Sec. 4. A new section is added to chapter 68.05 RCW to read as follows:

A permit or endorsement issued by the cemetery board or under chapter 18.39 RCW is required in order to operate a crematory or conduct a cremation. Conducting a cremation without a permit or endorsement is a misdemeanor. Each such cremation is a separate violation. Crematories owned or operated by or located on property licensed as a funeral establishment shall be regulated by the board of funeral directors and embalmers. Crematories not affiliated with a funeral establishment shall be regulated by the cemetery board.

Sec. 5. Section 15, chapter 43, Laws of 1981 and RCW 18.39.215 are each amended to read as follows:

(1) No licensed embalmer shall embalm a deceased body without first having obtained authorization from a family member or representative of the deceased.

Notwithstanding the above prohibition a licensee may embalm without such authority when after due diligence no authorized person can be contacted and embalming is in accordance with legal or accepted standards of care in the community, or the licensee has good reason to believe that the family wishes embalming. If embalming is performed under these circumstances, the licensee shall not be deemed to be in violation of the provisions of this subsection.

The funeral director or embalmer shall inform the family member or representative of the deceased that embalming is not required by state law, except that embalming is required under certain conditions as determined by rule by the state board of health.

(2) Any person authorized to dispose of human remains shall refrigerate or embalm the body within twenty-four hours upon receipt of the body, unless disposition of the body has been made. However, subsection (1) of this section and RCW 68.08.108 shall be complied with before a body is embalmed. Upon written authorization of the proper state or local authority, the provisions of this subsection may be waived for a specified period of time.

Violation of this subsection is a gross misdemeanor.

Sec. 6. Section 9, chapter 93, Laws of 1977 ex. sess. as last amended by section 34, chapter 287, Laws of 1984 and RCW 18.39.175 are each amended to read as follows:

Each member of the board of funeral directors and embalmers shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses in connection with board duties in accordance with RCW 43.03.050 and 43.03.060.

The state board of funeral directors and embalmers shall have the following duties and responsibilities:

(1) To be responsible for the preparation, conducting, and grading of examinations of applicants for funeral director and embalmer licenses;

(2) To certify to the director the results of examinations of applicants and certify the applicant as having "passed" or "failed";

(3) To make findings and recommendations to the director on any and all matters relating to the enforcement of this chapter;

(4) To adopt, promulgate, and enforce reasonable rules. Rules regulating the cremation of human remains and establishing fees and permit requirements shall be adopted in consultation with the cemetery board; and

(5) To suspend or revoke any license, after proper hearing and notice to the licensee, if the licensee has committed any of the following:

(a) A crime involving moral turpitude and resulting in a conviction;

(b) Unprofessional conduct, which includes:

(i) Misrepresentation or fraud in the conduct of the business or the profession of a funeral director or embalmer;

(ii) False or misleading advertising as a funeral director or embalmer;

(iii) Solicitation of human dead bodies by the licensee, his agents, assistants or employees, whether the solicitation occurs after death or while death is impending. This chapter does not prohibit general advertising or the sale of pre-need funeral plans;

(iv) Employment by the licensee of persons known as 'cappers,' 'steerers,' or 'solicitors' or other persons to obtain funeral directing or embalming business;

(v) Employment directly or indirectly of any person for the purpose of calling upon individuals or institutions by whose influence dead human bodies may be turned over to a particular funeral director or embalmer;

(vi) The buying of business by the licensee, his agents, assistants or employees, or the direct or indirect payment or offer of payment of a commission by the licensee, his agents, assistants, or employees, for the purpose of securing business;

(vii) Aiding or abetting an unlicensed person to practice funeral directing or embalming;

(viii) Solicitation or acceptance by a licensee of any commission or bonus or rebate in consideration of recommending or causing a dead human body to be disposed of in any crematory, mausoleum, or cemetery;

(ix) Using any casket or part of a casket which has previously been used as a receptacle for, or in connection with, the burial or other disposition of a dead human body without the written consent of next of kin;

(x) Violation of any of the provisions of this chapter or the rules in support thereof;

(xi) Violation of any state law or municipal or county ordinance or regulation affecting the handling, custody, care, or transportation of dead human bodies;

(xii) Fraud or misrepresentation in obtaining a license;

(xiii) Refusing to promptly surrender the custody of a dead human body upon the express order of the person lawfully entitled to its custody;

(xiv) Selling, or offering for sale, a share, certificate, or an interest in the business of any funeral director or embalmer, or in any corporation, firm, or association owning or operating a funeral establishment, which promises or purports to give to purchasers a right to the services of the funeral director, embalmer, or corporation, firm, or association at a charge or cost less than that offered or given to the public; or

(xv) Knowingly concealing information concerning a violation of this chapter;

(6) To adopt rules establishing mandatory continuing education requirements to be met by persons applying for license renewal.

NEW SECTION. Sec. 7. A new section is added to chapter 18.39 RCW to read as follows:

A permit or endorsement issued by the board or under chapter 68.05 RCW is required in order to operate a crematory or conduct a cremation. Conducting a cremation without a permit or endorsement is a misdemeanor. Each such cremation is a separate violation. Crematories owned or operated by or located on property licensed as a funeral establishment shall be regulated by the board of funeral directors and embalmers. Crematories not affiliated with a funeral establishment shall be regulated by the cemetery board.

Sec. 8. Section 36, chapter 290, Laws of 1953 and RCW 68.05.100 are each amended to read as follows:

The board may establish necessary rules and regulations for the administration and enforcement of this title and the laws subject to its jurisdiction and prescribe the form of statements and reports provided for in this title: PROVIDED, HOWEVER, The board shall have no jurisdiction with regard to the provisions of chapter 68.48 RCW. Rules regulating the cremation

of human remains and establishing fees and permit requirements shall be adopted in consultation with the state board of funeral directors and embalmers.

Sec. 9. Section 14, chapter 108, Laws of 1937 as amended by section 218, chapter 158, Laws of 1979 and RCW 68.08.230 are each amended to read as follows:

Whenever any dead human body shall have been in the lawful possession of any person, firm, corporation or association for a period of one year or more, or whenever the incinerated remains of any dead human body have been in the lawful possession of any person, firm, corporation or association for a period of two years or more, and the relatives of, or persons interested in, the deceased person shall fail, neglect or refuse for such periods of time, respectively, to direct the disposition to be made of such body or remains, such body or remains may be disposed of by the person, firm, corporation or association having such lawful possession thereof, under and in accordance with ~~((such)) rules ((and regulations as may be made and promulgated by said director of licensing))~~ adopted by the cemetery board and the board of funeral directors and embalmers, not inconsistent with any statute of the state of Washington or rule or regulation prescribed by the state board of health.

NEW SECTION. Sec. 10. Sections 2 and 3 of this act are added to chapter 68.08 RCW."

On page 1, line 2 of the title, after "RCW" insert "18.39.215," and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Brekke, the House concurred in the Senate amendments to Substitute House Bill No. 68.

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. 68 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 68 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 1; absent, 8; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Long, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Taylor, Thomas, Tilly, Todd, Unsold, Valle, van Dyke, Van Luvan, Vander Stoep, Vekich, Waik, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representative Lundquist - 1.

Absent: Representatives Isaacson, Locke, Lux, Nelson D, Sanders, Tanner, Wang, Winsley - 8.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Substitute House Bill No. 68 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 12, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 66 with the following amendments:

On page 2, line 31 after "more than" strike "one noncertified individual" and insert "three noncertified individuals"

On page 2, line 31, after "be" strike all material through "plumber," on line 33 and insert "":
(a) From the effective date of this 1985 act through June 30, 1988, not more than three noncertified plumbers working on any one job site for every certified journeyman or specialty plumber;
(b) effective July 1, 1988, not more than two noncertified plumbers working on any one job site for every certified specialty plumber or journeyman plumber working as a specialty plumber;
and (c) effective July 1, 1988, not more than one noncertified plumber working on any one job site for every certified journeyman plumber working as a journeyman plumber."
 and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Cole, the House concurred in the Senate amendments to House Bill No. 66.

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 House Bill No. 66 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 66 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 53; nays, 36; absent, 5; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Betzoff, Braddock, Brække, Chandler, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King R, Kremen, Leonard, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Tanner, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 53.

Voting nay: Representatives Ballard, Barnes, Barrett, Bond, Bristow, Brooks, Brough, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Prince, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 36.

Absent: Representatives Isaacson, Locke, Nelson D, Sanders, Winsley - 5.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

House Bill No. 66 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 12, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 69 with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. A new section is added to chapter 70.95 RCW to read as follows:

(1) By July 1, 1987, each holder or applicant of a permit for a landfill disposal facility issued under this chapter shall establish a reserve account to cover the costs of closing the facility in accordance with state and federal regulations. The account shall be designed to ensure that there will be adequate revenue available by the projected date of closure. Landfill disposal facilities maintained on private property for the sole use of the entity owning the site shall not be required to establish a reserve account if, to the satisfaction of the department, they provide another form of financial assurance adequate to comply with the requirements of this section.

(2) By July 1, 1986, the department shall adopt rules under chapter 34.04 RCW to implement subsection (1) of this section. The rules shall include but not be limited to:

(a) Methods to estimate closure costs, including postclosure monitoring, pollution prevention measures, and any other procedures required under state and federal regulations;

(b) Methods to ensure that reserve accounts receive adequate funds, including:

(i) Requirements that the reserve account be generated by user fees. However, the department may waive this requirement for existing landfills if user fees would be prohibitively high;

(ii) Requirements that moneys be placed in the reserve account on a regular basis and that the reserve account be kept separate from all other accounts; and

(iii) Procedures for the department to verify that adequate sums are deposited in the reserve account; and

(c) Methods to ensure that other types of financial assurance provided in accordance with subsection (1) of this section are adequate to cover the costs of closing the facility.

Sec. 2. Section 11, chapter 295, Laws of 1961 and RCW 81.77.100 are each amended to read as follows:

Neither this chapter nor any provision thereof shall apply, or be construed to apply, to commerce with foreign nations or commerce among the several states except insofar as the same may be permitted under the provisions of the Constitution of the United States and the acts of congress.

However, in order to protect public health and safety and to ensure garbage and refuse collection services are provided to all areas of the state, the commission, in accordance with

this chapter, shall regulate all garbage or refuse collection companies conducting business in the state."

On page 1, line 1 of the title, after "management;" insert "amending RCW 81.77.100;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Rust, the House concurred in the Senate amendments to Substitute House Bill No. 69.

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. 69 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 69 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 3; absent, 3; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Bond, Fuhrman, Hastings - 3.

Absent: Representatives Isaacson, Locke, Sanders - 3.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Substitute House Bill No. 69 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

April 12, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 139 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 15, chapter 182, Laws of 1945 and RCW 14.08.330 are each amended to read as follows:

Every airport and other air navigation facility controlled and operated by any municipality, or jointly controlled and operated pursuant to the provisions of this chapter, shall, subject to federal and state laws, rules, and regulations, be under the exclusive jurisdiction and control of the municipality or municipalities controlling and operating it ~~((and))~~. The municipality or municipalities shall have concurrent jurisdiction over the adjacent territory described in RCW 14.08.120(2). No other municipality in which ~~((such))~~ the airport or air navigation facility is located shall have any police jurisdiction of the same or any authority to charge or exact any license fees or occupation taxes for the operations ~~((thereon. Such municipality or municipalities shall have concurrent jurisdiction over the adjacent territory described in RCW 14.08.120(2))). However, by agreement with the municipality operating and controlling the airport or air navigation facility, a municipality in which an airport or air navigation facility is located may be responsible for the administration and enforcement of the uniform fire code, as adopted by that municipality under RCW 19.27.040, on that portion of any airport or air navigation facility located within its jurisdictional boundaries.~~"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Haugen moved that the House do concur in the Senate amendment to House Bill No. 139.

Representatives Haugen and Brough spoke in favor of the motion, and it 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 the final passage of House Bill No. 139 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 139 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; absent, 3; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Isaacson, Locke, Sanders - 3.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

House Bill No. 139 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 16, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 178 with the following amendments:

On page 2, beginning on line 14 after "work" strike all material down to and including "focus" on line 15 and insert "and have demonstrated a substantial interest in public sector management"

On page 3, after line 27 add a new section to read as follows:

"NEW SECTION. Sec. 10. Nothing in this act shall be construed to limit the authority of state agencies to continue or establish other internship programs or positions."

Renumber the remaining section consecutively, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Ms. Belcher moved that the House do concur in the Senate amendments to Substitute House Bill No. 178.

Representatives Belcher and Hankins spoke in favor of the motion, and it 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 the final passage of Substitute House Bill No. 178 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 178 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; absent, 3; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Isaacson, Locke, Sanders - 3.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Substitute House Bill No. 178 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 15, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 199 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 1, chapter 392, Laws of 1955 and RCW 19.30.010 are each amended to read as follows:

As used in this chapter:

(1) 'Person' includes any individual, firm, partnership, association ~~((or)),~~ corporation, or unit or agency of state or local government.

(2) 'Farm labor contractor' means any person, or his or her agent or subcontractor, who, for a fee, ~~((employs workers to render personal services in connection with the production of any farm products, to, for, or under the direction of an employer engaged in the growing, producing or harvesting of farm products, or who recruits, solicits, supplies, or hires workers on behalf of an employer engaged in the growing, producing or harvesting of farm products or who provides in connection with recruiting, soliciting, supplying or hiring workers engaged in the growing, producing or harvesting of farm products, one or more of the following services: Furnishes board, lodging or transportation for such workers; supervises, times, checks, counts, sizes, or otherwise directs or measures their work; or disburses wage payments to such persons)) performs any farm labor contracting activity.~~

(3) 'Farm labor contracting activity' means recruiting, soliciting, employing, supplying, transporting, or hiring agricultural employees.

(4) 'Agricultural employer' means any person engaged in agricultural activity, including the growing, producing, or harvesting of farm or nursery products, or engaged in the forestation or reforestation of lands, which includes but is not limited to the planting, transplanting, tubing, precommercial thinning, and thinning of trees and seedlings, the clearing, piling, and disposal of brush and slash, the harvest of Christmas trees, and other related activities.

(5) 'Agricultural employee' means any person who renders personal services to, or under the direction of, an agricultural employer in connection with the employer's agricultural activity.

(6) This chapter shall not apply to employees of the employment security department acting in their official capacity or their agents, nor to any common carrier or full time regular employees thereof while transporting agricultural employees, nor to any person who performs any of the ~~((above))~~ services enumerated in subsection (3) of this section only within the scope of his or her regular employment for ~~((the))~~ one agricultural employer ~~((engaged in the growing, producing or harvesting of farm products))~~ on whose behalf he or she is so acting, unless he or she is receiving a commission or fee, which commission or fee is determined by the number of workers recruited, or to a nonprofit corporation or organization which performs the same functions for its members~~((PROVIDED, HOWEVER, That said)).~~ Such nonprofit corporation or organization shall be one in which:

(a) None of its directors, officers, or employees are deriving any profit beyond a reasonable salary for services performed in its behalf.

(b) Membership dues and fees are used solely for the maintenance of the association or corporation.

~~((3))~~ (7) 'Fee' means:

(a) Any money or other valuable consideration paid or promised to be paid for services rendered or to be rendered by a farm labor contractor.

(b) Any valuable consideration received or to be received by a farm labor contractor for or in connection with any of the services described ~~((above))~~ in subsection (3) of this section, and shall include the difference between any amount received or to be received by him, and the amount paid out by him for or in connection with the rendering of such services.

~~((4))~~ (8) 'Director' as used in this chapter means the director of the department of labor and industries of the state of Washington.

Sec. 2. Section 2, chapter 392, Laws of 1955 and RCW 19.30.020 are each amended to read as follows:

No person shall act as a farm labor contractor until a license to do so has been issued to him or her by the director, and unless such license is in full force and effect and is in ~~((his))~~ the contractor's possession. The director shall, by regulation, provide a means of issuing duplicate licenses in case of loss of the original license or any other appropriate instances. The director shall issue, on a monthly basis, a list of currently licensed farm labor contractors.

Sec. 3. Section 3, chapter 392, Laws of 1955 and RCW 19.30.030 are each amended to read as follows:

The director shall not issue to any person a license to act as a farm labor contractor until:

(1) Such person has executed a written application (~~(therefor)~~) on a form prescribed by the director, subscribed and sworn to by the applicant, and containing (a) a statement by the applicant of all facts required by the director concerning the applicant's character, competency, responsibility, and the manner and method by which he or she proposes to conduct (~~his~~) operations as a farm labor contractor if such license is issued, and (b) the names and addresses of all persons financially interested, either as partners, stockholders, associates (~~or~~), profit sharers, or providers of board or lodging to agricultural employees in the proposed operation as a labor contractor, together with the amount of their respective interests;

(2) The director, after investigation, is satisfied as to the character, competency, and responsibility of the applicant;

(3) ~~The applicant has paid to the director a license fee of (ten dollars, which shall accompany the license application and which shall be refunded to the applicant in the event a license is denied): (1) Thirty-five dollars in the case of a farm labor contractor not engaged in forestation or reforestation, or (2) one hundred dollars in the case of a farm labor contractor engaged in forestation or reforestation or such other sum as the director finds necessary, and adopted by rule, for the administrative costs of evaluating applications;~~

(4) The applicant has filed proof satisfactory to the director of the existence of a policy of insurance with any insurance carrier authorized to do business in the state of Washington in an amount satisfactory to the director, which insures (~~said licensee~~) the contractor against liability for damage to persons or property arising out of the (~~licensee's~~) contractor's operation of, or ownership of, any vehicle or vehicles for the transportation of individuals in connection with (~~his~~) the contractor's business, activities, or operations as a farm labor contractor;

(5) The applicant has filed a surety bond or other security which meets the requirements set forth in section 4 of this 1985 act;

(6) The applicant executes a written statement which shall be subscribed and sworn to and shall contain the following declaration:

'With regards to any action filed against me concerning my activities as a farm labor contractor, I appoint the director of the Washington department of labor and industries as my lawful agent to accept service of summons when I am not present in the jurisdiction in which the action is commenced or have in any other way become unavailable to accept service'; and

(7) The applicant has stated on his or her application whether or not his or her contractor's license or the license of any of his or her agents, partners, associates, stockholders, or profit sharers has ever been suspended, revoked, or denied by any state or federal agency, and whether or not there are any outstanding judgments against him or her or any of his or her agents, partners, associates, stockholders, or profit sharers in any state or federal court arising out of activities as a farm labor contractor.

Sec. 4. Section 4, chapter 392, Laws of 1955 and RCW 19.30.040 are each amended to read as follows:

(1) The director (may) shall require the deposit of a surety bond by any person (seeking a license) acting as a farm labor contractor under this chapter to insure compliance with the provisions of this chapter. Such bond shall be in an amount specified by the director (and) in accordance with such criteria as the director adopts by rule but shall not be less than five thousand dollars. The bond shall be payable to the state of Washington and shall be conditioned that the (applicant) contractor will comply with this chapter and will pay all sums legally owing to any person (when the farm labor contractor or his agents have received such sums) recruited, solicited, employed, supplied, or hired by the contractor, or the contractor's agent or subcontractor, and will pay all damages (occasioned to any person by failure so to do, or by any violation of the provisions) arising out of the violation of any provision of this chapter, or false statements or misrepresentations made in the procurement of (his) the contractor's license. The aggregate liability of the surety upon such bond for all claims which may arise thereunder shall not exceed the face amount of the bond.

(2) The amount of the bond may be raised or additional security required by the director, upon his or her own motion or upon petition to the director by any person, when it is shown that the security or bond is insufficient to satisfy the contractor's potential liability for the licensed period.

(3) No surety insurer may provide any bond, undertaking, recognizance, or other obligation for the purpose of securing or guaranteeing any act, duty, or obligation, or the refraining from any act with respect to a contract using the services of a farm labor contractor unless the farm labor contractor has made application for or has a valid license issued under section 3 of this 1985 act at the time of issuance of the bond, undertaking, recognizance, or other obligation.

(4) During the period for which a bond is executed, the bond may not be canceled or otherwise terminated, unless alternative security arrangements are approved by the director.

(5) In lieu of the surety bond required by this section, the contractor may file with the director a deposit consisting of cash or other security acceptable to the director. The deposit shall not be less than five thousand dollars in value. The security deposited with the director in

lieu of the surety bond shall be returned to the contractor at the expiration of three years after the farm labor contractor's license has expired or been revoked if no legal action has been instituted against the contractor or on the security deposit at the expiration of the three years.

(6) If a contractor has deposited a bond with the director and has failed to comply with the conditions of the bond as provided by this section, and has departed from this state, service may be made upon the surety as prescribed in RCW 4.28.090.

Sec. 5. Section 5, chapter 392, Laws of 1955 and RCW 19.30.050 are each amended to read as follows:

A license to operate as a farm labor contractor shall be denied:

(1) To any person who sells or proposes to sell intoxicating liquors in a building or on premises where he or she operates or proposes to operate as a farm labor contractor, or

(2) To a person whose license has been revoked within three years from the date of application.

Sec. 6. Section 6, chapter 392, Laws of 1955 and RCW 19.30.060 are each amended to read as follows:

Any person may protest the grant or renewal of a license under this section. The director may revoke, suspend, or refuse to issue or renew any license when it is shown that:

(1) The ((licensee)) farm labor contractor or any agent of the ((licensee)) contractor has violated or failed to comply with any of the provisions of this chapter;

(2) The ((licensee)) farm labor contractor has made any misrepresentations or false statements in his or her application for a license;

(3) The conditions under which the license was issued have changed or no longer exist;

(4) The ((licensee)) farm labor contractor, or any agent of the ((licensee)) contractor, has violated or wilfully aided or abetted any person in the violation of, or failed to comply with, any law of the state of Washington regulating employment in agriculture, the payment of wages to farm employees, or the conditions, terms, or places of employment affecting the health and safety of farm employees, which is applicable to the business activities, or operations of the ((licensee)) contractor in his or her capacity as a farm labor contractor; ((or))

(5) The ((licensee)) farm labor contractor or any agent of ((licensee)) the contractor has in recruiting farm labor solicited or induced the violation of any then existing contract of employment of such laborers; or

(6) The farm labor contractor or any agent of the contractor has an unsatisfied judgment against him or her in any state or federal court, arising out of his or her farm labor contracting activities.

Sec. 7. Section 7, chapter 392, Laws of 1955 and RCW 19.30.070 are each amended to read as follows:

Each license shall contain, on the face thereof:

(1) The name and address of the licensee and the fact that he or she is licensed to act as a farm labor contractor for the period upon the face of the license only;

(2) The number, date of issuance, and date of expiration of the license;

(3) The amount of the surety bond deposited by the licensee; ~~((and))~~

(4) The fact that the license may not be transferred or assigned; and

(5) A statement that the licensee is or is not licensed to transport workers.

NEW SECTION, Sec. 8. A new section is added to chapter 19.30 RCW to read as follows:

Farm labor contractors may hold either a one-year license or a two-year license, at the director's discretion.

The one-year license shall run to and include the 31st day of December next following the date thereof unless sooner revoked by the director. A license may be renewed each year upon the payment of the annual license fee, but the director shall require that a new application and a renewed bond be submitted.

The two-year license shall run to and include the 31st day of December of the year following the year of issuance unless sooner revoked by the director. This license may be renewed every two years under the same terms as the one-year license, except that a farm labor contractor possessing a two-year license shall renew his or her bond each year and file an application on which he or she shall disclose all information required by RCW 19.30.030 (1)(b), (4), and (7).

Sec. 9. Section 11, chapter 392, Laws of 1955 and RCW 19.30.110 are each amended to read as follows:

Every ((licensee must)) person acting as a farm labor contractor shall:

(1) Carry ((his)) a current farm labor contractor's license ((with him)) at all times and exhibit ((the same)) it to all persons with whom ((he)) the contractor intends to deal in ((his)) the capacity ((as)) of a farm labor contractor prior to so dealing.

(2) Disclose to every person with whom he or she deals in the capacity of a farm labor contractor the amount of his or her bond and the existence and amount of any claims against the bond.

(3) File at the United States post office serving the address of the ((licensee)) contractor, as noted on the face of ((his)) the farm labor contractor's license, a correct change of address

immediately upon each occasion (~~said licensee~~) the contractor permanently moves his or her address, and notify the director within ten days after an address change is made.

~~((3))~~ (4) Promptly when due, pay or distribute to the individuals entitled thereto all moneys or other things of value entrusted to the (~~licensee~~) contractor by any third person for such purpose.

~~((4))~~ (5) Comply (~~on his part~~) with the terms and provisions of all legal and valid agreements and contracts entered into between (~~licensee~~) the contractor in (~~his~~) the capacity (~~as~~) of a farm labor contractor and third persons.

~~((5))~~ (6) File information regarding (~~his~~) work offers with the nearest employment service office, such information to include wages and work to be performed and any other information prescribed by the director.

(7) On a form prescribed by the director, furnish to each worker, at the time of hiring, recruiting, soliciting, or supplying, whichever occurs first, a written statement in English and any other language common to workers who are not fluent or literate in English that contains a description of:

(a) The compensation to be paid and the method of computing the rate of compensation;

(b) The terms and conditions of any bonus offered, including the manner of determining when the bonus is earned;

(c) The terms and conditions of any loan made to the worker;

(d) The conditions of any transportation, housing, board, health, and day care services or any other employee benefit to be provided by the farm labor contractor or by his or her agents, and the costs to be charged for each of them;

(e) The terms and conditions of employment, including the approximate length of season or period of employment and the approximate starting and ending dates thereof, and the crops on which and kinds of activities in which the worker may be employed;

(f) The terms and conditions under which the worker is furnished clothing or equipment;

(g) The place of employment;

(h) The name and address of the owner of all operations, or the owner's agent, where the worker will be working as a result of being recruited, solicited, supplied, or employed by the farm labor contractor;

(i) The existence of a labor dispute at the worksite;

(j) The name and address of the farm labor contractor;

(k) The existence of any arrangements with any owner or agent of any establishment at the place of employment under which the farm labor contractor is to receive a fee or any other benefit resulting from any sales by such establishment to the workers; and

(l) The name and address of the surety on the contractor's bond and the workers' right to claim against the bond.

(8) Furnish to the worker each time the worker receives a compensation payment from the farm labor contractor, a written statement itemizing the total payment and the amount and purpose of each deduction therefrom, hours worked, rate of pay, and pieces done if the work is done on a piece rate basis, and if the work is done under the Service Contract Act (41 U.S.C. Secs. 351 through 401) or related federal or state law, a written statement of any applicable prevailing wage.

(9) With respect to each worker recruited, solicited, employed, supplied, or hired by the farm labor contractor:

(a) Make, keep, and preserve for three years a record of the following information:

(i) The basis on which wages are paid;

(ii) The number of piecework units earned, if paid on a piecework basis;

(iii) The number of hours worked;

(iv) The total pay period earnings;

(v) The specific sums withheld and the purpose of each sum withheld; and

(vi) The net pay; and

(b) Provide to any other farm labor contractor and to any user of farm labor for whom he or she recruits, solicits, supplies, hires, or employs workers copies of all records, with respect to each such worker, which the contractor is required by this chapter to make, keep, and preserve. The recipient of such records shall keep them for a period of three years from the end of the period of employment. When necessary to administer this chapter, the director may require that any farm labor contractor provide the director with certified copies of his or her payroll records for any payment period.

The record-keeping requirements of this chapter shall be met if either the farm labor contractor or any user of the contractor's services makes, keeps, and preserves for the requisite time period the records required under this section, and so long as each worker receives the written statements specified in subsection (8) of this section.

Sec. 10. Section 12, chapter 392, Laws of 1955 and RCW 19.30.120 are each amended to read as follows:

No (~~licensee~~) person acting as a farm labor contractor shall:

(1) Make any misrepresentation or false statement in (~~his~~) an application for a license.

(2) Make or cause to be made, to any person, any false, fraudulent, or misleading representation, or publish or circulate or cause to be published or circulated any false, fraudulent, or misleading information concerning the terms or conditions or existence of employment at any place or places, or by any person or persons, or of any individual or individuals.

(3) Send or transport any worker to any place where the farm labor contractor knows a strike or lockout exists.

(4) Do any act in ~~(his)~~ the capacity ~~((as))~~ of a farm labor contractor, or cause any act to be done, which constitutes a crime involving moral turpitude under any law of the state of Washington.

Sec. 11. Section 14, chapter 392, Laws of 1955 and RCW 19.30.130 are each amended to read as follows:

~~(1) The director ((may promulgate)) shall adopt rules ((and regulations)) not inconsistent with this chapter for the purpose of enforcing and administering this chapter.~~

~~(2) The director shall investigate and attempt to adjust equitably controversies between farm labor contractors and their workers with respect to claims arising under this chapter.~~

NEW SECTION. Sec. 12. A new section is added to chapter 19.30 RCW to read as follows:

The director or any other person may bring suit in any court of competent jurisdiction to enjoin any person from using the services of an unlicensed farm labor contractor or to enjoin any person acting as a farm labor contractor in violation of this chapter, or any rule adopted under this chapter, from committing future violations. The court may award to the prevailing party costs and disbursements and a reasonable attorney fee.

NEW SECTION. Sec. 13. A new section is added to chapter 19.30 RCW to read as follows:

No farm labor contractor or agricultural employer may discharge or in any other manner discriminate against any employee because:

(1) The employee has made a claim against the farm labor contractor or agricultural employer for compensation for the employee's personal services.

(2) The employee has caused to be instituted any proceedings under or related to section 12 of this act.

(3) The employee has testified or is about to testify in any such proceedings.

(4) The employee has discussed or consulted with anyone concerning the employee's rights under this chapter.

NEW SECTION. Sec. 14. A new section is added to chapter 19.30 RCW to read as follows:

Any person who knowingly uses the services of an unlicensed farm labor contractor shall be personally, jointly, and severally liable with the person acting as a farm labor contractor to the same extent and in the same manner as provided in this chapter. In making determinations under this subsection, any user may rely upon either the license issued by the director to the farm labor contractor under section 3 of this act or the director's representation that such contractor is licensed as required by this chapter.

NEW SECTION. Sec. 15. A new section is added to chapter 19.30 RCW to read as follows:

(1) In addition to any criminal penalty imposed under RCW 19.30.150, the director may assess against any person who violates this chapter, or any rule adopted under this chapter, a civil penalty of not more than one thousand dollars for each violation.

(2) The person shall be afforded the opportunity for a hearing, upon request to the director made within thirty days after the date of issuance of the notice of assessment. The hearing shall be conducted in accordance with chapter 34.04 RCW.

(3) If any person fails to pay an assessment after it has become a final and unappealable order, or after the court has entered final judgment in favor of the agency, the director shall refer the matter to the state attorney general, who shall recover the amount assessed by action in the appropriate superior court. In such action, the validity and appropriateness of the final order imposing the penalty shall not be subject to review.

(4) Without regard to any other remedy otherwise provided in this chapter, the director may bring suit upon the surety bond filed by the farm labor contractor on behalf of any worker whose rights under this chapter have been violated by the contractor. Such action may be commenced in any court of competent jurisdiction. In any such action, the notice and service requirements set forth in section 16(3) of this act shall be complied with.

NEW SECTION. Sec. 16. A new section is added to chapter 19.30 RCW to read as follows:

(1) After filing a notice of a claim with the director, in addition to any other penalty provided by law, any person aggrieved by a violation of this chapter or any rule adopted under this chapter may bring suit in any court of competent jurisdiction of the county in which the claim arose, or in which either the plaintiff or respondent resides, without regard to the amount in controversy and without regard to exhaustion of any alternative administrative remedies provided in this chapter. No such action may be commenced later than three years after the date of the violation giving rise to the right of action. In any such action the court may award to the prevailing party, in addition to costs and disbursements, reasonable attorney fees at trial and appeal.

(2) In any action under subsection (1) of this section, if the court finds that the respondent has violated this chapter or any rule adopted under this chapter, it may award damages up to

and including an amount equal to the amount of actual damages, or statutory damages of five hundred dollars per plaintiff per violation, whichever is greater, or other equitable relief.

(3) Without regard to any other remedy otherwise provided in this chapter, any person having a claim against the farm labor contractor for any violation of this chapter may bring suit upon the surety bond or security deposit filed by the contractor pursuant to RCW 19.30.040, in any court of competent jurisdiction of the county in which the claim arose, or in which either the claimant or contractor resides. An action upon the bond or security deposit shall be commenced by serving and filing the complaint within three years from the date of expiration or cancellation of the bond, or in the case of a security deposit, within three years of the date of the expiration or revocation of the license. A copy of the complaint in any such action shall be served upon the director at the time of commencement of the action and the director shall maintain a record, available for public inspection, of all suits so commenced. Such service shall constitute service on the farm labor contractor and the surety for suit upon the bond and the director shall transmit the complaint or a copy thereof to the contractor at the address listed in his or her application and to the surety within forty-eight hours after it has been received. The surety upon the bond may, upon notice to the director and the parties, tender to the clerk of the court having jurisdiction of the action an amount equal to the claims thereunder or the amount of the bond less the amount of judgments, if any, previously satisfied therefrom and to the extent of such tender the surety upon the bond shall be exonerated. A claimant against the bond or security deposit shall be entitled to damages under subsection (2) of this section. If the actions commenced and pending at any one time exceed the amount of the bond then unimpaired, the claims shall be satisfied from the bond in the following order:

- (a) Wages, including employee benefits;
- (b) Damages imposed under subsection (2) of this section;
- (c) Any costs and attorney's fees claimant may be entitled to recover.

If any final judgment impairs the liability of the surety upon the bond so furnished so that there is not in effect a bond undertaking in the full amount prescribed by the director, the director shall suspend the license of such contractor until the bond liability in the required amount unimpaired by unsatisfied judgment claims has been furnished. If such bond becomes fully impaired, a new bond must be furnished.

If the farm labor contractor has filed other security with the director in lieu of a surety bond, any person having an unsatisfied final judgment against the contractor for any violation of this chapter may execute upon the security deposit held by the director by serving a certified copy of the unsatisfied final judgment by registered or certified mail upon the director. Upon the receipt of service of such certified copy, the director shall pay or order paid from the deposit, through the registry of the court which rendered judgment, towards the amount of the unsatisfied judgment. The priority of payment by the director shall be the order of receipt by the director, but the director shall have no liability for payment in excess of the amount of the deposit.

NEW SECTION. Sec. 17. The following acts or parts of acts are each repealed:

- (1) Section 10, chapter 392, Laws of 1955 and RCW 19.30.100;
- (2) Section 15, chapter 392, Laws of 1955, section 20, chapter 199, Laws of 1969 ex. sess. and RCW 19.30.140; and
- (3) Section 8, chapter 392, Laws of 1955 and RCW 19.30.080.

NEW SECTION. Sec. 18. 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. 19. This 1985 act shall take effect January 1, 1986."

On page 1, line 1 of the title, after "labor," strike the remainder of the title and insert "amending RCW 19.30.010, 19.30.020, 19.30.030, 19.30.040, 19.30.050, 19.30.060, 19.30.070, 19.30.110, 19.30.120, and 19.30.130; adding new sections to chapter 19.30 RCW; repealing RCW 19.30.100, 19.30.140, and 19.30.080; and providing an effective date." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Wang moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 199.

Representatives Wang and Chandler spoke in favor of the motion and it 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 the final passage of Engrossed Substitute House Bill No. 199 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 199 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 87; nays, 4; absent, 3; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hanks, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Barnes, Bond, Bristow, Fuhrman - 4.

Absent: Representatives Isaacson, Locke, Sanders - 3.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Engrossed Substitute House Bill No. 199 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

April 12, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 214 with the following amendment:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 15, chapter 7, Laws of 1983 as amended by section 47, chapter 3, Laws of 1983 2nd ex. sess. and RCW 88.02.020 are each amended to read as follows:

((#)) Except as provided in this chapter, no person may own or operate any vessel on the waters of this state unless the vessel has been registered and displays a registration number and a valid decal in accordance with this chapter, except that a vessel which has or is required to have a valid marine document as a vessel of the United States is only required to display a valid decal.

~~((2) No person may use any vessel to which this chapter applies:~~

~~(a) in a negligent manner so as to endanger the life, limb, or property of any person; or~~

~~(b) while under the influence of alcohol, narcotic drugs, hallucinogens, or other controlled substances;))~~

NEW SECTION, Sec. 2. A new section is added to chapter 88.02 RCW to read as follows:

(1) It shall be unlawful for any person to operate a vessel in a negligent manner, except a commercial vessel which has or is required to have a valid marine document as a vessel of the United States and is operating in the navigable waters of the United States. For the purpose of this section, to 'operate in a negligent manner' shall be construed to mean the operation of a vessel in such manner as to endanger or be likely to endanger any persons or property.

(2) A person is guilty of operating a vessel while under the influence of intoxicating liquor or any drug if the person operates a vessel within this state while:

(a) The person has 0.10 percent or more by weight of alcohol in his blood as shown by chemical analysis of the person's breath, blood, or other bodily substance made under RCW 46.61.506; or

(b) The person is under the influence of or affected by intoxicating liquor or any drug; or

(c) The person is under the combined influence of or affected by intoxicating liquor and any drug.

The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section. A person cited under this subsection may upon request be given a breath test for blood alcohol or may request to have a blood sample taken for blood alcohol analysis. An arresting officer shall administer field sobriety tests when circumstances permit.

(3) For the purposes of this section, 'vessel' means any watercraft used or capable of being used as a means of transportation on the water.

(4) For the purpose of this section, 'vessel operator' means a person who is in actual physical control of a vessel.

(5) A violation of this section is a misdemeanor, punishable by up to ninety days in jail and by a fine of not more than one thousand dollars. In addition, the court may order the defendant to pay restitution for any damages or injuries resulting from the offense.

Sec. 3. Section 1, chapter 198, Laws of 1969 ex. sess. as last amended by section 19, chapter 263, Laws of 1984 and RCW 10.31.100 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through ~~((4))~~ (5) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 10.99.040(2), 10.99.050, 26.09.060, chapter 26.26 RCW, or chapter 26.50 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence or excluding the person from a residence; or

(b) The person within the preceding four hours has assaulted that person's spouse, former spouse, or other person with whom the person resides or has formerly resided.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(f) RCW 46.61.525, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5) Any police officer having probable cause to believe that a person has committed or is committing a violation of section 2 of this 1985 act shall have the authority to arrest the person.

(6) Except as specifically provided in subsections (2), (3), and (4) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

~~((6))~~ (7) No police officer may be held criminally or civilly liable for making an arrest pursuant to RCW 10.31.100(2) if the police officer acts in good faith and without malice." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 214.

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. 214 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 214 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 12; absent, 3; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Leonard, Lewis, Long, Lux, Madsen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Barrett, Bristol, Brooks, Fuhrman, Kremen, Lundquist, May, McMullen, Miller, Silver, Williams J, Wilson S - 12.

Absent: Representatives Isaacson, Locke, Sanders - 3.

Excused: Representatives King P. Padden, Smith C. Sutherland - 4.

Engrossed Substitute House Bill No. 214 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.

Representative Locke appeared at the bar of the House.

SENATE AMENDMENTS TO HOUSE BILL

April 15, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 262 with the following amendments:

On page 2, line 34 after "instruction" strike all material through "handicapped children" on line 35 and insert "an administrative section or unit for the education of children with handicapping conditions (~~a division of special education for handicapped children, to be known as the division for handicapped children~~)"

On page 4, line 8 after "through the" strike "division of special education for handicapped children" and insert "administrative section or unit for the education of children with handicapping conditions (~~division of special education~~)" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ebersole, the House concurred in the Senate amendments to Substitute House Bill No. 262.

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. 262 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 262 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Isaacson, Sanders - 2.

Excused: Representatives King P. Padden, Smith C. Sutherland - 4.

Substitute House Bill No. 262 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 16, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 435 with the following amendments:

On page 2, line 5, after "purposes of" strike "sections 1 through 5, 7, and 8 of this act" and insert "this section"

On page 2, line 7, after "overtime pay" strike everything through "compensation" on line 8

On page 4, line 22, after "apply to" strike "salary"

On page 4, line 27, before "The" insert "(1)"

On page 4, line 30, after "supplement" insert a period and insert:

"(2) The disability leave supplement provided in section 3(3) of this act shall not be considered salary or wages for personal services"

On page 6, after line 9, insert the following:

NEW SECTION, Sec. 12. A new section is added to chapter 41.04 RCW to read as follows:

Cities and towns with a population of less than twenty-five hundred and counties with a population of less than ten thousand shall not be required to provide a disability leave supplement to their commissioned law enforcement officers and full-time paid fire fighters who qualify for payments pursuant to RCW 51.32.090, due to temporary total disability.

NEW SECTION, Sec. 13. A new section is added to chapter 41.04 RCW to read as follows:

This act neither grants employees a vested right to receive a disability leave supplement nor creates a contractual obligation on behalf of the state or its political subdivisions to provide a disability leave supplement."

On page 6, after line 9, insert the following:

NEW SECTION, Sec. 12. A new section is added to chapter 41.04 RCW to read as follows:

Disability leave supplement payments for employees covered by this act shall not be subject to interest arbitration as defined in RCW 41.56.430 through 41.56.905."

Renumber any remaining sections and correct any internal references accordingly, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Wang, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 435.

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. 435 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 435 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 79; nays, 13; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzozoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Todd, Unsöld, Valle, van Dyke, Van Loven, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 79.

Voting nay: Representatives Barnes, Bond, Dobbs, Fuhrman, Hastings, Lundquist, Nealey, Nelson G, Prince, Tilly, Vander Stoep, Williams J, Wilson S - 13.

Absent: Representatives Isaacson, Sanders - 2.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Engrossed Substitute House Bill No. 435 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

I inadvertently voted incorrectly on ESHB 435. I meant to vote "No."

SALLY W. WALKER, 28th District.

SENATE AMENDMENT TO HOUSE BILL

April 12, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 466 with the following amendment:

On page 3, line 28 after "(2)" strike all material through "accordingly" and insert "A wholesale dealer shall, within seven days of engaging additional fish buyers, notify the department and increase the amount of the bonding required in subsection (1)" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. K. Wilson, the House concurred in the Senate amendment to Substitute House Bill No. 466.

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. 466 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 466 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Bond, Braddock, Brekke, Bristol, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Isaacson, Sanders - 2.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Substitute House Bill No. 466 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 15, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 543 with the following amendments:

On page 4, line 2, after "county," strike all material down through "board," on line 5 and insert "In addition to any meeting held by the county, a boundary review board, if requested by a majority of the county legislative authority, may hold a public meeting on proposed consolidation of cities. The meeting shall be limited to receiving comments and written materials from citizens and city officials on the proposed consolidation of that portion of cities located in the county which the boundary review board serves. The record and proceedings of the boundary review board are supplemental and advisory to the consolidation of cities. If a boundary review board meets pursuant to this section, the boundary review board may include, as part of its record, comments pertaining to the probable environmental impact of the proposed consolidation. The record of the meeting and advisory comments of the board, if any, must be filed with the county legislative authority no later than twenty days before the date of the election at which the question of consolidating the cities is presented to the voters."

On page 4, line 8, after "meetings" insert "of the county or the boundary review board"

On page 5, line 1 after "The" strike all material down to and including "therein, the" on line 6

On page 12, after line 34, insert the following:

"Sec. 24. Section 1, chapter 73, Laws of 1967 and RCW 35.14.010 are each amended to read as follows:

Whenever ~~((cities are consolidated or cities of the third or fourth classes are annexed pursuant to the provisions of chapter 35.10 RCW, or))~~ unincorporated territory is annexed by a city pursuant to the provisions of chapter 35.13 RCW, community municipal corporations may be organized in the manner provided for in this 1967 amendatory act for the ~~((following service areas:~~

~~(1) The entire territory within the boundaries of the least populous of two cities consolidated pursuant to chapter 35.10 RCW;~~

~~(2) The entire territory within the boundaries of any city of the third or fourth class which has become annexed to a city of the first class pursuant to chapter 35.10 RCW; and~~

~~(3) The) territory comprised of all or a part of an unincorporated area annexed to a city pursuant to chapter 35.13 RCW, if ~~((a))~~ (1) the service area is such as would be eligible for incorporation as a city or town or ~~((b))~~ (2) the service area has a minimum population of not less than three hundred inhabitants and ten percent of the population of the annexing city or ~~((c))~~ (3) the service area has a minimum population of not less than one thousand inhabitants.~~

No territory shall be included in the service area of more than one community municipal corporation. Whenever a new community municipal corporation is formed embracing all of the territory of an existing community municipal corporation, the prior existing community municipal corporation shall be deemed to be dissolved on the effective date of the new corporation.

Sec. 25. Section 2, chapter 73, Laws of 1967 and RCW 35.14.020 are each amended to read as follows:

A community municipal corporation shall be governed by a community council composed ~~((as follows:~~

~~(1) As to a service area comprising the territory within the boundaries of the least populous of two consolidated cities, the members of the city council or commission of the least populous of the two cities shall be the members of the original community council. If the voters within the service area have elected to continue the community municipal corporation in existence as provided for in RCW 35.14.060, the membership of any such subsequent council shall be the same in number as the original council and such subsequent members shall be elected to consecutively numbered positions at the continuation election from qualified electors residing within the service area:~~

~~(2) As to a service area comprising the territory within a city of the third or fourth class annexed to a city of the first class, the members of the city council or commission of the third or fourth class city shall be the members of the original community council. If the voters within the service area have elected to continue the community municipal corporation in existence as provided for in RCW 35.14.060, the membership of any such subsequent council shall be the same in number as the original council and such subsequent members shall be elected to consecutively numbered positions at the continuation election from qualified electors residing within the service area:~~

~~(3) As to a service area comprising all or part of an unincorporated area annexed to a city, the community council shall consist)) of five members. Initial council members shall be elected concurrently with the annexation election to consecutively numbered positions from qualified electors residing within the service area. Declarations of candidacy and withdrawals shall be in the same manner as is provided for members of the city council or other legislative body of the city to which annexation is proposed. Subsequent council membership shall be the same in number as the initial council and such members shall be elected to consecutively numbered positions at the continuation election pursuant to RCW 35.14.060 from qualified electors residing within the service area.~~

~~((4)) Terms of original council members shall be coexistent with the original term of existence of the community municipal corporation and until their successors are elected and qualified. Vacancies in any council shall be filled for the remainder of the unexpired term by a majority vote of the remaining members."~~

Renumber the sections consecutively.

On page 16, line 13 after "disincorporation" insert "of any city, town, or special purpose district"

On page 1, line 3 of the title, after "35.10.331," insert "35.14.010, 35.14.020," and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Haugen, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 543.

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. 543 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 543 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremens, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nedley, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Isaacson, Sanders - 2.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Engrossed Substitute House Bill No. 543 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 15, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 629 with the following amendments:

On page 1, after line 27, insert the following:

"NEW SECTION, Sec. 2. This act shall take effect December 5, 1985, if the proposed amendment to Article VII, section 2 of the state Constitution on voting requirements (HJR 22) is validly submitted to and is approved and ratified by the voters at a general election held in November 1985. If the proposed amendment is not so approved and ratified, this act shall be null and void in its entirety."

On page 1, line 1 of the title, strike "and" and on line 2, after "84.52.056" insert "; and providing an effective date"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ebersole, the House concurred in the Senate amendments to House Bill No. 629.

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 House Bill No. 629 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 629 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 68; nays, 24; absent, 2; excused, 4.

Voting yea: Representatives Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sryan, Scott, Smitherman, Sommers, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, and Mr. Speaker - 68.

Voting nay: Representatives Addison, Bond, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hastings, Lundquist, May, Nealey, Patrick, Schmidt, Schoon, Silver, Smith L, Tilly, van Dyke, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 24.

Absent: Representatives Isaacson, Sanders - 2.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

House Bill No. 629 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 11, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 781 with the following amendments:

On page 2, line 15 strike "July 1, 1985" and insert "the effective date of this act"

On page 3, line 28 after "Sec. 7," strike all language down to and including "entirety" on line 31 and insert "If specific funding for the purposes of this act, referencing this act by bill number, is not provided by the legislature by July 1, 1987, this act shall be null and void. This act shall be of no effect until such specific funding is provided. If such funding is so provided, this act shall take effect when the legislation providing the funding takes effect"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Jacobsen, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 781.

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. 781 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 781 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 1; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representative Lewis - 1.

Absent: Representatives Isaacson, Sanders - 2.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Engrossed Substitute House Bill No. 781 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

April 16, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 815 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. (1) In order to protect water quality, the department of ecology, in cooperation with the Puget Sound water quality authority, shall review existing standards for pretreatment of industrial wastewater that is discharged into sewage treatment facilities that discharge into Puget Sound. Standards for treatment by industrial facilities that discharge directly into Puget Sound or into waters that flow into Puget Sound shall also be reviewed.

(2) The department of ecology shall report its progress to the legislature by January 1, 1986. The report shall address whether standards require revision to reflect all known, available, and reasonable methods of treatment. The department shall report its conclusions to the legislature by January 1, 1987.

NEW SECTION, Sec. 2. (1) The department of ecology shall work with local governments to develop reasonable plans and compliance schedules for the greatest reasonable reduction of combined sewer overflows. The plan shall address various options, including construction of storage tanks for sewage and separation of sewage and stormwater transport systems. The compliance schedule shall be designed to achieve the greatest reasonable reduction of combined sewer overflows at the earliest possible date. The plans and compliance schedules shall be completed by January 1, 1988. A compliance schedule will be a condition of any waste discharge permit issued or renewed after January 1, 1988.

(2) By September 1, 1987, the department of ecology shall report to the legislature any statutory changes necessary to implement the plans and compliance schedules described in subsection (1) of this section. The report shall include (a) a recommended date by which all sewage treatment facilities shall achieve the greatest reasonable reduction of combined sewer overflows, and (b) a comprehensive assessment of the total cost to achieve compliance, the projected need and recommended distribution of local, state, and federal funding, and the availability of local, state, and federal funding. A thorough discussion of the potential funding sources shall accompany the report.

NEW SECTION, Sec. 3. Plans for upgrading sewage treatment facilities and plans for new sewage treatment facilities shall address the greatest reasonable reduction of combined sewer overflows and implementation of pretreatment standards.

NEW SECTION, Sec. 4. The department of ecology shall collect administrative expenses from any person or entity requesting action of the department pertaining to the processing of applications for permits provided in RCW 90.48.160, 90.48.162, and 90.48.260. For the purposes of this section, 'administrative expenses' shall mean the total actual costs incurred by the department in processing such permit applications.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act are each added to chapter 90.48 RCW, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Hine, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 815.

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. 815 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 815 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sryan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Isaacson, Sanders - 2.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Engrossed Substitute House Bill No. 815 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

April 11, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 865 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There is hereby created the hazardous substance information and education office. Through this office the department shall:

- (1) Facilitate access to existing information on hazardous substances within a community;
- (2) Request and obtain information about hazardous substances at specified locations and facilities from agencies that regulate those locations and facilities. The department shall review, approve, and provide confidentiality as provided by statute. Upon request of the department, each agency shall provide the information within forty-five days;
- (3) At the request of citizens or public health or public safety organizations, compile existing information about hazardous substance use at specified locations and facilities. This information shall include but not be limited to:
 - (a) Point and nonpoint air and water emissions;
 - (b) Extremely hazardous, moderate risks wastes and dangerous wastes as defined in chapter 70.105 RCW produced, used, stored, transported from, or disposed of by any facility;
 - (c) A list of the hazardous substances present at a given site and data on their acute and chronic health and environmental effects;
 - (d) Data on governmental pesticide use at a given site;
 - (e) Data on commercial pesticide use at a given site if such data is only given to individuals who are chemically sensitive; and
 - (f) Compliance history of any facility.
- (4) Provide education to the public on the proper production, use, storage, and disposal of hazardous substances, including but not limited to:
 - (a) A technical resource center on hazardous substance management for industry and the public;
 - (b) Programs, in cooperation with local government, to educate generators of moderate risk waste, and provide information regarding the potential hazards to human health and the environment resulting from improper use and disposal of the waste and proper methods of handling, reducing, recycling, and disposing of the waste;

(c) Public information and education relating to the safe handling and disposal of hazardous household substances; and

(d) Guidelines to aid counties in developing and implementing a hazardous household substances program.

Requests for information from the hazardous substance information and education office may be made by letter or by a toll-free telephone line, if one is established by the department. Requests shall be responded to in accordance with chapter 42.17 RCW.

This section shall not require any agency to compile information that is not required by existing laws or regulations.

NEW SECTION. Sec. 2. Unless the context clearly indicates otherwise, the definitions in this section shall apply throughout this chapter.

(1) 'Agency' means any state agency or local government entity.

(2) 'Hazardous household substances' means those substances identified by the department as hazardous household substances in the guidelines developed by the department.

(3) 'Department' means the department of ecology.

(4) 'Director' means the director of the department.

(5) 'Hazardous substances' or 'hazardous materials' means those substances or materials identified as such under regulations adopted pursuant to the federal hazardous materials transportation act, the toxic substances control act, the resource recovery and conservation act, the comprehensive environmental response compensation and liability act, the federal insecticide, fungicide, and rodenticide act, the occupational safety and health act hazardous communications standards, and the state hazardous waste act.

(6) 'Moderate risk waste' means any waste that exhibits any of the properties of dangerous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation and any household wastes that are generated from the disposal of substances identified by the department as hazardous household substances.

NEW SECTION. Sec. 3. Sections 1 and 2 of this act shall constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 4. The sum of forty-five thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1987, from the general fund to the department of ecology for the purposes of this act.

NEW SECTION. Sec. 5. Funds in the worker and community right to know fund established under RCW 49.70.170 may be spent by the department of ecology to implement section 1 (1) through (3) of this act following legislative appropriation. Disbursements from the fund shall be on authorization of the director of the department of ecology." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Rust moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 865.

Ms. Rust spoke in favor of the motion.

POINT OF INQUIRY

Ms. Rust yielded to question by Ms. Valle.

Ms. Valle: "Representative Rust, on page 1, lines 20 to 23, it states that confidentiality shall be provided in a manner consistent with existing statute. To what statute does that refer?"

Ms. Rust: "The confidentiality provisions will be provided consistent with the Public Disclosure Act, chapter 42.17 RCW."

Ms. Allen spoke in favor of the motion to concur, and it 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 the final passage of Engrossed Substitute House Bill No. 865 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 865 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; absent, 2; excused, 4.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough,

Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Isaacson, Sanders - 2.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Engrossed Substitute House Bill No. 865 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

April 11, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 891 with the following amendment:

On page 1, line 6 strike "fifteen thousand" and insert "five thousand" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Haugen, the House concurred in the Senate amendment to Substitute House Bill No. 891.

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. 891 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 891 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Isaacson, Sanders - 2.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Substitute House Bill No. 891 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

April 15, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 932 with the following amendment:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. The Washington state legislature finds and declares:

The children of the state of Washington are the state's greatest resource and the greatest source of wealth to the state of Washington. Children of all ages must be protected from child abuse. Governmental authorities must give the prevention, treatment, and punishment of child abuse the highest priority, and all instances of child abuse must be reported to the proper authorities who should diligently and expeditiously take appropriate action, and child abusers must be held accountable to the people of the state for their actions.

The legislature recognizes the current heavy caseload of governmental authorities responsible for the prevention, treatment, and punishment of child abuse. The information

obtained by child abuse reporting requirements, in addition to its use as a law enforcement tool, will be used to determine the need for additional funding to ensure that resources for appropriate governmental response to child abuse are available.

Sec. 2, Section 3, chapter 13, Laws of 1965 as last amended by section 3, chapter 97, Laws of 1984 and RCW 26.44.030 are each amended to read as follows:

(1) When any practitioner, professional school personnel, registered or licensed nurse, social worker, psychologist, pharmacist, or employee of the department has reasonable cause to believe that a child or adult dependent person has suffered abuse or neglect, he shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040. The report shall be made at the first opportunity, but in no case longer than ~~((seven days))~~ forty-eight hours after there is reasonable cause to believe that the child or adult has suffered abuse or neglect.

(2) Any other person who has reasonable cause to believe that a child or adult dependent person has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040 ~~((as now or hereafter amended))~~.

(3) The department, upon receiving a report of an incident of abuse or neglect pursuant to this chapter, involving a child or adult dependent person who has died or has had physical injury or injuries inflicted upon him other than by accidental means or who has been subjected to sexual abuse, shall report such incident in writing to the proper law enforcement agency.

(4) Any law enforcement agency receiving a report of an incident of abuse or neglect pursuant to this chapter, involving a child or adult dependent person who has died or has had physical injury or injuries inflicted upon him other than by accidental means, or who has been subjected to sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime ~~((has))~~ may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them.

(5) Any county prosecutor or city attorney receiving a report under subsection (4) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

NEW SECTION, Sec. 3. A new section is added to chapter 26.44 RCW to read as follows:

If the department or a law enforcement agency responds to a complaint of child abuse or neglect and discovers that another agency has also responded to the complaint, the agency shall notify the other agency of their presence, and the agencies shall coordinate the investigation and keep each other apprised of progress.

The department, each law enforcement agency, each county prosecuting attorney, each city attorney, and each court shall make as soon as practicable a written record and shall maintain records of all incidents of suspected child abuse reported to that person or agency. Records kept under this section shall be identifiable by means of an agency code for child abuse.

NEW SECTION, Sec. 4. A new section is added to chapter 26.44 RCW to read as follows:

Commencing in 1986, the prosecuting attorney shall include in the annual report a section stating the number of child abuse reports received by the office under this chapter and the number of cases where charges were filed, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 932.

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. 932 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 932 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; absent, 2; excused, 4.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson

D. Nelson G. Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Isaacson, Sanders - 2.

Excused: Representatives King P, Padden, Smith C, Sutherland - 4.

Engrossed Substitute House Bill No. 932 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, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 863 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 3, chapter 40, Laws of 1982 1st ex. sess. as amended by section 2, chapter 60, Laws of 1983 1st ex. sess. and RCW 43.160.030 are each amended to read as follows:

(1) The community economic revitalization board is hereby created to exercise the powers granted under this chapter.

(2) The board shall consist of ~~((nine))~~ eleven persons appointed by the governor and the director of commerce and economic development, the director of ~~((planning and community affairs))~~ community development, the director of revenue, the commissioner of employment security, the secretary of the department of transportation, and the chairmen of the committee on ~~((commerce))~~ trade and economic development of the house of representatives and the committee on commerce and labor of the senate, or the equivalent standing committees ~~((for a total of seventeen members))~~. The appointive members shall be as follows: A recognized private or public sector economist selected from the governor's council of economic advisors; one port district official; one county official; one city official; one representative of the public; one representative of small businesses each from: (a) The area west of Puget Sound, (b) the area east of Puget Sound and west of the Cascade range, (c) the area east of the Cascade range and west of the Columbia river, and (d) the area east of the Columbia river; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The appointive members shall initially be appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms which shall include the chairman. Thereafter each succeeding term shall be for three years. The representative from the governor's council of economic advisors shall serve as chairman of the board. The director of the department of commerce and economic development shall serve as vice chairman.

(3) Staff support shall be provided by the department of commerce and economic development.

(4) All appointive members of the board shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 as now or hereafter amended.

(5) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the governor shall fill the same for the unexpired term. Any members of the board, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor, under chapter 34.04 RCW.

Sec. 2. Section 3, chapter 40, Laws of 1982 1st ex. sess. as last amended by section 89, chapter 287, Laws of 1984 and by section 1 of this act and RCW 43.160.030 are each reenacted to read as follows:

(1) The community economic revitalization board is hereby created to exercise the powers granted under this chapter.

(2) The board shall consist of eleven persons appointed by the governor and the director of commerce and economic development, the director of community development, the director of revenue, the commissioner of employment security, the secretary of the department of transportation, and the chairmen of the committee on trade and economic development of the house of representatives and the committee on commerce and labor of the senate, or the equivalent standing committees. The appointive members shall be as follows: A recognized private or public sector economist selected from the governor's council of economic advisors; one port district official; one county official; one city official; one representative of the public; one representative of small businesses each from: (a) The area west of Puget Sound, (b) the area east of Puget Sound and west of the Cascade range, (c) the area east of the Cascade range and west of the Columbia river, and (d) the area east of the Columbia river; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The appointive members shall initially be appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms which shall include the chairman. Thereafter each succeeding term shall be

for three years. The representative from the governor's council of economic advisors shall serve as chairman of the board. The director of the department of commerce and economic development shall serve as vice chairman.

(3) Staff support shall be provided by the department of commerce and economic development.

(4) All appointive members of the board shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(5) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the governor shall fill the same for the unexpired term. Any members of the board, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor, under chapter 34.04 RCW.

NEW SECTION. Sec. 3. A new section is added to chapter 43.160 RCW to read as follows:

Each agency head of an executive branch agency who is appointed to the community economic revitalization board under RCW 43.160.030 may designate an agency employee to take his or her place on the board for meetings in which the agency head will be absent. The designee has all powers to vote and participate in board deliberations as have the other board members.

NEW SECTION. Sec. 4. A new section is added to chapter 43.160 RCW to read as follows:

(1) An application to the board from a political subdivision may also include a request for improvements to an existing state highway or highways. The application is subject to all of the applicable criteria relative to qualifying types of development set forth in this chapter, as well as procedures and criteria established by the board.

(2) Before board consideration of an application from a political subdivision that includes a request for improvements to an existing state highway or highways, the application shall be forwarded by the board to the transportation commission.

(3) The board may not make its final determination on any application made under subsection (1) of this section before receiving the findings of the transportation commission as specified in section 5 of this act. Notwithstanding its disposition of the remainder of any such application, the board may not approve a request for improvements to an existing state highway or highways without approval of the improvements, as submitted or amended, by the transportation commission as specified in section 5 of this act.

(4) The board shall notify the transportation commission of its decision regarding any application made under this section.

NEW SECTION. Sec. 5. A new section is added to chapter 47.01 RCW to read as follows:

(1) Upon receiving an application for improvements to an existing state highway or highways pursuant to section 4 of this act from the community economic revitalization board, the transportation commission shall, in a timely manner, determine whether or not the proposed state highway improvements:

- (a) Meet the safety and design criteria of the department of transportation;
- (b) Will impair the operational integrity of the existing highway system;
- (c) Will affect any other improvements planned by the department; and
- (d) Will be consistent with its policies developed pursuant to RCW 47.01.071.

(2) Upon completion of its determination of the factors contained in subsection (1) of this section and any other factors it deems pertinent, the transportation commission shall forward its approval of the proposed improvements as submitted or amended, or its disapproval, to the board, along with any recommendation it may wish to make concerning the desirability and feasibility of the proposed development. If the transportation commission disapproves any proposed improvements, it shall specify its reasons for disapproval.

(3) Upon notification from the board of an application's approval pursuant to section 4 of this act, the transportation commission shall direct the department of transportation to carry out the improvements in coordination with the applicant.

(4) The transportation commission shall notify the legislative transportation committee of all state highway improvements to be carried out pursuant to sections 4 and 5 of this act.

(5) All state highway improvements that are approved pursuant to sections 4 and 5 of this act shall be charged to the economic development account of the motor vehicle fund created by RCW 47.10.803.

Sec. 6. Section 1, chapter 316, Laws of 1981 as amended by section 1, chapter 19, Laws of 1982 and RCW 47.10.801 are each amended to read as follows:

(1) In order to provide funds necessary for the location, design, right of way, and construction of selected interstate and other state highway improvements, there shall be issued and sold, subject to subsections (2) and (3) of this section, upon the request of the Washington state transportation commission a total of four hundred (~~thirty~~) sixty million dollars of general obligation bonds of the state of Washington for the following purposes and specified sums:

(a) Not to exceed two hundred twenty-five million dollars to pay the state's share of costs for federal-aid interstate highway improvements and until December 31, (~~1985~~) 1989, to temporarily pay the regular federal share of construction of federal-aid interstate highway

improvements to complete state routes 82, 90, 182, and 705 in advance of federal-aid apportionments under the provisions of 23 U.S.C. Secs. 115 or 122: PROVIDED, That the total amount of bonds issued to temporarily pay the regular federal share of construction of federal-aid interstate highways in advance of federal-aid apportionments as authorized by this section and RCW 47.10.790 shall not exceed one hundred twenty million dollars: PROVIDED FURTHER, That the transportation commission shall consult with the legislative transportation committee prior to the adoption of plans for the obligation of federal-aid apportionments received in federal fiscal year 1985 and subsequent years to pay the regular federal share of federal-aid interstate highway construction projects or to convert such apportionments under the provisions of 23 U.S.C. Secs. 115 or 122:

(b) Two hundred twenty-five million dollars for major transportation improvements throughout the state that are identified as category C improvements and for selected major non-interstate construction and reconstruction projects that are included as Category A Improvements in RCW 47.05.030;

(c) Ten million dollars for state highway improvements necessitated by planned economic development, as determined through the procedures set forth in sections 4 and 5 of this act.

(2) The amount of bonds authorized in subsection (1)(a) of this section shall be reduced if the transportation commission, in consultation with the legislative transportation committee, determines that any of the bonds that have not been sold are no longer required.

(3) The amount of bonds authorized in subsection (1)(b) of this section shall be increased by an amount not to exceed, and concurrent with, any reduction of bonds authorized under subsection (1)(a) of this section in the manner prescribed in subsection (2) of this section.

Sec. 7. Section 3, chapter 316, Laws of 1981 and RCW 47.10.803 are each amended to read as follows:

The proceeds from the sale of the bonds authorized by RCW 47.10.801(1) (a) and (b) shall be deposited in the motor vehicle fund (~~and~~). The proceeds from the sale of the bonds authorized by RCW 47.10.801(1)(c) shall be deposited in the economic development account of the motor vehicle fund, hereby created. All such proceeds shall be available only for the purposes enumerated in RCW 47.10.801, for the payment of bond anticipation notes, if any, and for the payment of the expense incurred in the drafting, printing, issuance, and sale of such bonds.

NEW SECTION. Sec. 8. The sum of ten million dollars, or so much thereof as may be necessary, is appropriated from the economic development account of the motor vehicle fund to the department of transportation for the biennium ending June 30, 1987, to carry out the provisions of sections 4 and 5 of this act and RCW 47.10.801(1)(c). However, the money available for expenditure under this appropriation may not exceed the amount of money derived from the sale of bonds, and interest earned thereon, authorized by RCW 47.10.801(1)(c) and deposited to the credit of the economic development account of the motor vehicle fund.

NEW SECTION. Sec. 9. 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. 10. Section 11, chapter 316, Laws of 1981 and RCW 47.10.810 are each hereby repealed.

NEW SECTION. Sec. 11. LEGISLATIVE FINDINGS AND POLICY. The legislature finds that there exists in the state of Washington over four billion dollars worth of critical projects for the planning, acquisition, construction, repair, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, and storm and sanitary sewage systems. The December, 1983 Washington state public works report prepared by the planning and community affairs agency documented that local governments expect to be capable of financing over two billion dollars worth of the costs of those critical projects but will not be able to fund nearly half of the documented needs. It is the policy of the state of Washington to encourage self-reliance by local governments in meeting their public works needs and to assist in the financing of critical public works projects by making loans, financing guarantees, and technical assistance available to local governments for these projects.

NEW SECTION. Sec. 12. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section shall apply throughout this chapter.

(1) 'Board' means the public works board created in section 13 of this act.

(2) 'Department' means the department of community development.

(3) 'Financing guarantees' means the pledge of money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects.

(4) 'Local governments' means cities, towns, counties, special purpose districts, and any other municipal corporations or quasi-municipal corporations in the state excluding school districts and port districts.

(5) 'Public works project' means a project of a local government for the planning, acquisition, construction, repair, reconstruction, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, or storm and sanitary sewage systems.

(6) 'Technical assistance' means training and other services provided to local governments to (a) help such local governments plan, apply, and qualify for loans and financing guarantees from the board and (b) help local governments improve their ability to plan for, finance, acquire, construct, repair, replace, rehabilitate, and maintain public facilities.

NEW SECTION, Sec. 13. PUBLIC WORKS BOARD CREATED. (1) The public works board is hereby created.

(2) The board shall be composed of thirteen members appointed by the governor for terms of four years, except that five members initially shall be appointed for terms of two years. The board shall include: (a) Three members, two of whom shall be elected officials and one shall be a public works manager, appointed from a list of at least six persons nominated by the association of Washington cities or its successor; (b) three members, two of whom shall be elected officials and one shall be a public works manager, appointed from a list of at least six persons nominated by the Washington state association of counties or its successor; (c) three members appointed from a list of at least six persons nominated jointly by the Washington state association of water districts, the Washington public utility districts association, and the Washington state association of sewer districts or their successors; and (d) four members appointed from the general public. In appointing the four general public members, the governor shall endeavor to balance the geographical composition of the board and to include members with special expertise in relevant fields such as public finance, architecture and civil engineering, and public works. The governor shall appoint one of the general public members of the board as chair. The term of the chair shall coincide with the term of the governor.

(3) Staff support to the board shall be provided by the department.

(4) Members of the board shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

(5) If a vacancy on the board occurs by death, resignation, or otherwise, the governor shall fill the vacant position for the unexpired term. Each vacancy in a position appointed from lists provided by the associations under subsection (2) of this section shall be filled from a list of at least three persons nominated by the relevant association or associations. Any members of the board, appointive or otherwise, may be removed by the governor for cause in accordance with RCW 43.06.070 and 43.06.080.

NEW SECTION, Sec. 14. GENERAL POWERS OF THE BOARD. The board may:

(1) Accept from any state or federal agency, loans or grants for the planning or financing of any public works project and enter into agreements with any such agency concerning the loans or grants;

(2) Provide technical assistance to local governments;

(3) Accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on any terms and conditions which are not in conflict with this chapter;

(4) Adopt rules under chapter 34.04 RCW as necessary to carry out the purposes of this chapter;

(5) Do all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

NEW SECTION, Sec. 15. PUBLIC WORKS FINANCING POWERS. In order to aid the financing of public works projects, the board may:

(1) Make low-interest or interest-free loans to local governments from the public works assistance account or other funds and accounts for the purpose of assisting local governments in financing public works projects. The board may require such terms and conditions and may charge such rates of interest on its loans as it deems necessary or convenient to carry out the purposes of this chapter. Money received from local governments in repayment of loans made under this section shall be paid into the public works assistance account for uses consistent with this chapter.

(2) Pledge money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal or interest on obligations issued by local governments to finance public works projects. The board shall not pledge any amount greater than the sum of money in the public works assistance account plus money to be received from the payment of the debt service on loans made from that account, nor shall the board pledge the faith and credit or the taxing power of the state or any agency or subdivision thereof to the repayment of obligations issued by any local government.

(3) Create such subaccounts in the public works assistance account as the board deems necessary to carry out the purposes of this chapter.

(4) Provide a method for the allocation of loans and financing guarantees and the provision of technical assistance under this chapter.

All local public works projects aided in whole or in part under the provisions of this chapter shall be put out for competitive bids. The competitive bids called for shall be administered in the same manner as all other public works projects put out for competitive bidding by the local governmental entity aided under this chapter.

NEW SECTION. Sec. 16. **ELIGIBILITY AND PRIORITY.** (1) To qualify for loans or pledges under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a long-term plan for financing public works needs; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) The board shall develop a priority process for public works projects as provided in this section. The intent of the priority process is to maximize the value of public works projects accomplished with assistance under this chapter. The board shall attempt to assure a geographical balance in assigning priorities to projects. The board shall consider at least the following factors in assigning a priority to a project:

(a) Whether the local government receiving assistance has experienced severe fiscal distress resulting from natural disaster or emergency public works needs;

(b) Whether the project is critical in nature and would affect the health and safety of a great number of citizens;

(c) The cost of the project compared to the size of the local government and amount of loan money available;

(d) The number of communities served by or funding the project; and

(e) Other criteria that the board considers advisable.

(5) Existing debt or financial obligations of local governments shall not be refinanced under this chapter. Each local government applicant shall provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(6) Before November 1 of each year, the board shall develop and submit to the ways and means committees of the senate and house of representatives a prioritized list of projects which are recommended for funding by the legislature. The list shall include, but not be limited to, a description of each project and recommended financing, the terms and conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list shall also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes; real estate excise taxes; property taxes; and charges for or taxes on sewerage, water, garbage, and other utilities.

(7) The board shall not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds for a specific list of public works projects. The legislature may remove projects from the list recommended by the board. The legislature shall not change the order of the priorities recommended for funding by the board.

NEW SECTION. Sec. 17. **PUBLIC WORKS ASSISTANCE ACCOUNT.** The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and to give financial guarantees in accordance with this chapter.

NEW SECTION. Sec. 18. **RECORDS, AUDITS, AND REPORTS.** The board shall keep proper records of accounts and shall be subject to audit by the state auditor. Biennial reports on the activities of the board shall be made by the chair to the governor and the legislature.

Sec. 19. Section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 6, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.02.030 are each amended to read as follows:

(1) The rate of the additional taxes under RCW 54.28.020(2), 54.28.025(2), 66.24.210(2), 66.24.290(2), 82.04.2901, 82.16.020(2), ~~((82.26.010(2)))~~ 82.26.020(2), 82.27.020(5), 82.29A.030(2), 82.44.020(5), and 82.45.060(2) shall be seven percent;

(2) The rate of the additional taxes under RCW 82.08.150(4) shall be fourteen percent;

(3) The rate of the additional taxes under RCW 82.24.020(2) shall be fifteen percent; and

(4) The rate of the additional taxes under RCW 48.14.020(3) shall be four percent.

Sec. 20. Section 82.16.020, chapter 15, Laws of 1961 as last amended by section 13, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.16.020 are each amended to read as follows:

(1) There is levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. The tax shall be equal to the gross income of the business, multiplied by the rate set out after the business, as follows:

(a) Railroad, express, railroad car, ~~((water distribution))~~ sewerage collection, light and power, and telegraph businesses: Three and six-tenths percent;

(b) Gas distribution business: Three and six-tenths percent;

(c) Urban transportation business: Six-tenths of one percent;

(d) Vessels under sixty-five feet in length, except tugboats, operating upon the waters within the state: Six-tenths of one percent;

(e) Motor transportation and tugboat businesses, and all public service businesses other than ones mentioned above: One and eight-tenths of one percent;

(f) Water distribution and refuse collection businesses: Four and seven-tenths percent.

(2) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.

(3) Twenty percent of the moneys collected under subsection (1) of this section on water distribution businesses, seventy percent of the moneys collected under subsection (1) of this section on refuse collection businesses, and sixty percent of the moneys collected under subsection (1) of this section on sewerage collection businesses shall be deposited in the public works assistance account created in section 17 of this 1985 act.

Sec. 21. Section 82.20.010, chapter 15, Laws of 1961 as last amended by section 14, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.20.010 are each amended to read as follows:

(1) There is levied and there shall be collected a tax upon conveyances as follows: On any deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser, or any other person by his direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds one hundred dollars and does not exceed five hundred dollars or fractional part thereof, ~~((fifty cents))~~ one dollar; and for each additional five hundred dollars or fractional part thereof, ~~((fifty cents))~~ one dollar.

(2) ((An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.)) Forty-six and one-half percent of the moneys collected under this section shall be deposited in the public works assistance account created in section 17 of this 1985 act.

(3) This section shall not apply to any instrument or writing, given to secure a debt, nor to any conveyance to the state.

NEW SECTION. Sec. 22. FEASIBILITY STUDY. The department shall study the feasibility of innovative financing and development alternatives, such as joint development or privatization, by which local governments may provide needed public services to users. The study shall be conducted on an expeditious basis, making maximum use of available expertise. The department shall report to the board and the legislature on the study's conclusions and recommendations as soon as practicable. The sum of \$75,000, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1987, from the public works trust fund to the department of community development for the purpose of this study.

NEW SECTION. Sec. 23. REPEALER. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 244, Laws of 1984, section 9, chapter 6, Laws of 1985 and RCW 43.63A.200;

(2) Section 2, chapter 244, Laws of 1984 and RCW 43.79.450; and

(3) Section 3, chapter 244, Laws of 1984 and RCW 43.79.452.

NEW SECTION. Sec. 24. CAPTIONS. As used in this act, section captions constitute no part of the law.

NEW SECTION. Sec. 25. CODIFICATION. Sections 11 through 18 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 26. EFFECTIVE DATE. 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, except section 2 of this act shall take effect July 1, 1985, and sections 11 through 23 of this act shall take effect June 1, 1985."

On page 1, beginning on line 2 of the title, after "development;" strike the remainder of the title and insert "amending RCW 43.160.030, 47.10.801, 47.10.803, 82.02.030, 82.16.020, and 82.20.010; reenacting RCW 43.160.030; adding a new chapter to Title 43 RCW; adding new sections to chapter 43.160 RCW; adding a new section to chapter 47.01 RCW; creating a new section; repealing RCW 47.10.810, 43.63A.200, 43.79.450, and 43.79.452; making appropriations; declaring an emergency; and providing effective dates." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Walk, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 863, and asked the Senate to recede therefrom.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 11:30 a.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. Representatives P. King, Padden, Sanders and Sutherland appeared at the bar of the House.

SENATE AMENDMENT TO HOUSE BILL

April 12, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 975 with the following amendment:

On page 13, line 32 after "activities" insert ", including the use of dispute resolution centers established pursuant to chapter 7.75 RCW" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Allen, the House concurred in the Senate amendment to Engrossed Second Substitute House Bill No. 975.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 975 as amended by the Senate.

Ms. Allen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 975 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Engrossed Second Substitute House Bill No. 975 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 12, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1046 with the following amendments:

On page 2, line 7 after "contract" insert "for health care services"

On page 2, beginning on line 9 after "fails to" strike "provide services required by law" and insert "comply with state law"

On page 3, line 15 after "contract" insert "for health care services"

On page 3, beginning on line 17 after "fails to" strike "provide services required by law" and insert "comply with state law"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Lux moved that the House do concur in the Senate amendments to Substitute House Bill No. 1046.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Substitute House Bill No. 1046, and the motion was carried by the following vote: Yeas, 81; absent, 16; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wineberry, Winsley, Zellinsky - 81.

Absent: Representatives Belcher, Chandler, Dellwo, Isaacson, King J, Lewis, Padden, Schmidt, Smith L, Taylor, Unsoeld, Vander Stoep, West, Williams J, Wilson S, and Mr. Speaker - 16.

Excused: Representative Smith C - 1.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1046 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1046 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1046 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 12, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTION HOUSE BILL NO. 1060 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 1, chapter 98, Laws of 1980 as amended by section 5, chapter 284, Laws of 1983 and by section 180, chapter 46, Laws of 1983 1st ex. sess. and RCW 82.27.010 are each reenacted and amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) ('Food fish and shellfish' has the meaning ascribed to it by RCW 75.08.011 and includes byproducts and also parts of food fish and shellfish, whether fresh, frozen, canned, or otherwise.) 'Enhanced food fish' includes all species of food fish, shellfish, and anadromous game fish, including byproducts and parts thereof, originating within the territorial and adjacent waters of Washington and salmon originating from within the territorial and adjacent waters of Oregon, Washington, and British Columbia, and all troll-caught Chinook salmon originating from within the territorial and adjacent waters of southeast Alaska. As used in this subsection, 'adjacent' waters of Oregon, Washington, and Alaska are those comprising the United States fish conservation zone; 'adjacent' waters of British Columbia are those comprising the Canadian two hundred mile exclusive economic zone; and 'southeast Alaska' means that portion of Alaska south and east of Cape Suckling to the Canadian border. For purposes of this chapter, point of origination is established by a document which identifies the product and state or province in which it originates, including, but not limited to fish tickets, bills of lading, invoices, or other documentation required to be kept by governmental agencies.

(2) 'Commercial' means related to or connected with buying, selling, bartering, or processing.

(3) 'Possession' means the control of enhanced food fish (~~(-shellfish, and anadromous game fish)~~) by the owner and includes both actual and constructive possession. Constructive possession occurs when the person has legal ownership but not actual possession of the enhanced food fish (~~(-shellfish, or anadromous game fish)~~).

(4) 'Anadromous game fish' means steelhead trout and anadromous cutthroat trout and Dolly Varden char and includes byproducts and also parts of anadromous game fish, whether fresh, frozen, canned, or otherwise.

(5) 'Landed' means the act of physically placing enhanced food fish (a) on a tender in the territorial waters of Washington; or (b) on any land within or without the state of Washington including wharves, piers, or any such extensions therefrom.

Sec. 2. Section 2, chapter 98, Laws of 1980 as last amended by section 17, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.27.020 are each amended to read as follows:

(1) In addition to all other taxes, licenses, or fees provided by law there is established an excise tax on the commercial possession of enhanced food fish (~~(-shellfish, and anadromous game fish)~~) as provided in this chapter. The tax is levied upon and shall be collected from the owner of the enhanced food fish (~~(-shellfish, or anadromous game fish)~~) whose possession constitutes the taxable event. The taxable event is the first possession in Washington by an owner (~~((after the food fish, shellfish, or anadromous game fish have been landed))~~). Processing and handling of enhanced food fish (~~(-shellfish, and anadromous game fish)~~) by a person who is not the owner is not a taxable event to the processor or handler.

(2) A person in possession of enhanced food fish (~~(-shellfish, and anadromous game fish)~~) and liable to this tax may deduct from the price paid to the person from which the enhanced food fish (~~(-shellfish)~~) (except oysters) (~~(-or anadromous game fish)~~) are purchased an amount equal to a tax at one-half the rate levied in this section upon these products.

(3) The measure of the tax is the ((price paid by the first person in possession)) value of the enhanced food fish (~~(-shellfish, or anadromous game fish)~~) at the point of landing. (~~((if the food fish, shellfish, or anadromous game fish are acquired other than by purchase or are purchased under conditions where the purchase price does not represent the value of the food fish, shellfish, or anadromous game fish or these products are transferred outside the state without sale, the measure of the tax shall be determined as nearly as possible according to the selling price of similar products of like quality and character under rules adopted by the department of revenue.))~~)

(4) The tax shall be equal to the measure of the tax multiplied by the rates for enhanced food fish (~~(-shellfish, and anadromous game fish)~~) as follows:

- (a) Chinook, coho, and chum salmon and anadromous game fish: Five percent.
- (b) Pink and sockeye salmon: Three percent.
- (c) Other food fish and shellfish: Two percent.
- (d) Oysters: Seven one-hundredths of one percent.

(5) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (4) of this section.

Sec. 3. Section 3, chapter 98, Laws of 1980 and RCW 82.27.030 are each amended to read as follows:

The tax imposed by RCW 82.27.020 shall not apply to: (1) Enhanced food fish (~~((or shellfish previously landed))~~) originating outside the state which ((is shipped into)) enters the state as (a) frozen enhanced food fish (~~((or frozen shellfish))~~) or (b) enhanced food fish (~~((or shellfish))~~) packaged for retail sales; (2) ((fresh net caught food fish to the extent provided under an interstate agreement entered into under RCW 82-27-080; and (3)) the growing, processing, or dealing with food fish which are raised from eggs or fry and which are under the physical control of the grower at all times until being sold or harvested; and (3) food fish, shellfish, anadromous game fish, and byproducts or parts of food fish shipped from outside the state which enter the state, except as provided in RCW 82.27.010, provided the taxpayer must have documentation showing shipping origination of fish exempt under this subsection to qualify for exemption. Such documentation includes, but is not limited to fish tickets, bills of lading, invoices, or other documentation required to be kept by governmental agencies.

Sec. 4. Section 4, chapter 98, Laws of 1980 and RCW 82.27.040 are each amended to read as follows:

A credit shall be allowed against the tax imposed by RCW 82.27.020 upon enhanced food fish (~~((or shellfish))~~) with respect to any tax (~~((legally imposed and))~~) previously paid (~~((to another state by the taxpayer upon the same food fish or shellfish purchased in the other state))~~) on that same enhanced food fish to any other legally established taxing authority. To qualify for a credit, the owner of the enhanced food fish must have documentation showing a tax was paid in another jurisdiction.

NEW SECTION. Sec. 5. Section 13, chapter 98, Laws of 1980 and RCW 82.27.080 are each repealed.

NEW SECTION. Sec. 6. 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 page 1, line 2 of the title, after ";" strike "and"

On page 1, line 3 of the title, after "82.27.010" insert "; and repealing RCW 82.27.080" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Substitute House Bill No. 1060.

Representatives Appelwick and Hastings spoke in favor of the motion and it 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 Substitute House Bill No. 1060 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1060 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1060 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 announced he was signing:

SECOND SUBSTITUTE HOUSE BILL NO.	3,
HOUSE BILL NO.	54,
SUBSTITUTE HOUSE BILL NO.	84,
HOUSE BILL NO.	158,
SUBSTITUTE HOUSE BILL NO.	232,
HOUSE BILL NO.	331,
SECOND SUBSTITUTE HOUSE BILL NO.	356,
HOUSE BILL NO.	575,
HOUSE BILL NO.	576,
SUBSTITUTE HOUSE BILL NO.	717,
SECOND SUBSTITUTE HOUSE BILL NO.	738,
HOUSE BILL NO.	758,
HOUSE BILL NO.	853,
HOUSE BILL NO.	943,
SUBSTITUTE HOUSE BILL NO.	1080,
HOUSE BILL NO.	1094,
SUBSTITUTE HOUSE BILL NO.	1153,
SUBSTITUTE HOUSE BILL NO.	1195,
SUBSTITUTE SENATE BILL NO.	3059,
SENATE BILL NO.	3282,
SENATE BILL NO.	3326,
SENATE BILL NO.	3601,
SENATE BILL NO.	3804,

SECOND SUBSTITUTE SENATE BILL NO. 3828,
 SENATE BILL NO. 3830,
 SENATE BILL NO. 4278,
 SUBSTITUTE SENATE BILL NO. 4358,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 104,
 SENATE JOINT MEMORIAL NO. 110,
 SENATE JOINT MEMORIAL NO. 111.

SENATE AMENDMENT TO HOUSE BILL

April 11, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1170 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Department' means the department of labor and industries.
 (2) 'Employee' means an employee of an employer who is employed in the business of his or her employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is personal labor for an employer under this chapter whether by way of manual labor or otherwise. However, for the purposes of this chapter, employee shall not mean immediate family members of an employer engaged in agricultural production of crops or livestock.

(3) 'Employer' means any person, firm, corporation, partnership, business trust, legal representative, or other business entity that engages in any business, industry, profession, or activity in this state and employs one or more employees or who contract with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations: PROVIDED, That any person, partnership, or business entity not having employees, and who is covered by the industrial insurance act shall be considered both an employer and an employee.

NEW SECTION. Sec. 2. (1) The department shall prepare and make available to employers or the public, upon request, a translation in any of the five most common foreign languages used in the workplace, of a written hazard communication program, a material safety data sheet, or written materials prepared by the department to inform employees of their rights relating to hazard communication standards under this chapter and chapter 49.17 RCW.

(2) An employer employing employees who have trouble communicating in English shall make reasonable efforts to post any notices in the employees' native languages as provided by the department.

NEW SECTION. Sec. 3. (1) An employer shall provide employees engaged in agricultural production of crops or livestock or agricultural services with information and training on hazardous chemicals in their workplace at the time of their initial assignment, and whenever a new hazard is introduced into their work area, such instruction shall be tailored to the types of hazards to which the employees will be exposed. Seasonal and temporary employees who are not exposed to hazardous chemicals in their work area need not be trained.

(2) Employers shall maintain any material safety data sheets that are received with incoming shipments of hazardous chemicals, and ensure that they are accessible to agricultural employees upon request.

(3) Employers shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced.

NEW SECTION. Sec. 4. (1) The department shall adopt rules in accordance with chapter 34.04 RCW establishing criteria for evaluating the validity of trade secret claims and procedures for issuing a trade secret exemption. Manufacturers or importers that make a trade secret claim to the department must notify direct purchasers if a trade secret claim has been made on a product being offered for sale.

(2) If a trade secret claim exists, a manufacturer, importer, or employer may require a written statement of need or confidentiality agreement before the specific chemical identity of a hazardous substance is released. However, if a treating physician or nurse determines that a medical emergency exists and the specific chemical identity of a hazardous substance is necessary for emergency or first aid treatment, the manufacturer, importer, or employer shall immediately disclose the specific chemical identity to that treating physician or nurse, regardless of the existence of a written statement of need or a confidentiality agreement. The chemical manufacturer, importer, or employer may require a written statement of need and confidentiality agreement, as defined by rule, as soon as circumstances permit.

(3) Any challenge to the denial of a trade secret claim shall be heard by an administrative law judge in accordance with chapter 34.04 RCW.

Sec. 5, Section 17, chapter 289, Laws of 1984 and RCW 49.70.120 are each amended to read as follows:

(1) The director shall establish in the department a right-to-know advisory council, which shall consist of ~~((fifteen)) sixteen~~ members appointed by the director. Each of these members shall be appointed for a term of three years, provided that of the members of the council first appointed by the director, five shall serve for terms of one year, five shall serve for terms of two years, and five shall serve for terms of three years. Of these members, one shall be appointed from persons having training and experience in industrial hygiene recommended by recognized labor unions; one from persons recommended by recognized agricultural organizations; ~~one from persons recommended by recognized migrant labor organizations~~; one from persons recommended by recognized environmental organizations; one from persons recommended by recognized public interest organizations; one from persons recommended by recognized organizations of chemical industries; one from persons recommended by recognized community organizations; one from persons recommended by recognized organizations of petroleum industries; one from persons recommended by recognized organizations of fire fighters; one from persons recommended by recognized business or trade organizations; one from persons recommended by recognized organizations of small business; one from persons holding an M.D. degree recommended by recognized public health organizations; two persons from professional accident and safety organizations; one person from the technology-based industries; and one from persons with training and experience in environmental epidemiology and toxicology recommended by recognized research or academic organizations. In the event that no recommendations for a particular category of membership are made to the director three months after June 7, 1984, in the case of the initial appointments, or within sixty days of the date of the expiration of the term of office of any member or the occurrence of any vacancy in the case of subsequent appointments, the director shall appoint as a member for that category of membership a person whom the director believes will be representative thereof.

(2) A majority of the membership of the council constitutes a quorum for the transaction of council business. Action may be taken and motions and resolutions adopted by the council at any meeting thereof by the affirmative vote of a majority of the members of the council present and voting.

(3) The council shall meet regularly as it may determine, and shall also meet at the call of the department.

(4) The council shall appoint a ~~((chairman)) chair~~ and other officers as may be necessary from among its members. The council may, within the limits of any funds appropriated or otherwise made available to it for this purpose, appoint such staff or hire such experts as it may require.

(5) Members of the council shall serve without compensation, but the council may, within the limits of funds appropriated or otherwise made available to it for such purposes, reimburse its members for necessary expenses incurred in the discharge of their official duties in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 6. Sections 1 through 5 of this act are each added to chapter 49.70 RCW.*

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Rust, the House concurred in the Senate amendment to Substitute House Bill No. 1170.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1170 as amended by the Senate.

Mr. Chandler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1170 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Neeley, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsold, Valle, van Dyke, Van Luven, Vander Stoep, Vekich,

Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1170 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 20, 1985

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 3038,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3764,
ENGROSSED SENATE BILL NO. 4146,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

2SSB 3038 by Committee on Ways & Means (originally sponsored by Senators Kreidler, Granlund and Stratton)

Requiring the provision of information about day care centers.

Referred to Committee on Ways & Means.

E2SSB 3764 by Committee on Ways & Means (originally sponsored by Senators Talmadge, Newhouse, Halsan and McManus)

Providing funds for criminal justice assistance.

Referred to Committee on Ways & Means.

ESB 4146 by Senators Thompson, McDermott, DeJarnatt and Zimmerman

Revising provisions relating to the effects of the eruption of Mount St. Helens.

Referred to Committee on Ways & Means.

SENATE AMENDMENTS TO HOUSE BILL

April 16, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 39 with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. A new section is added to chapter 48.01 RCW to read as follows:

The term 'developmental disability' as used in this title means a disability attributable to mental retardation, cerebral palsy, epilepsy, autism, or another neurological condition closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen, which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual.

Sec. 2. Section .02.12, chapter 79, Laws of 1947 as amended by section 1, chapter 130, Laws of 1979 ex. sess. and RCW 48.02.120 are each amended to read as follows:

(1) The commissioner shall preserve in permanent form records of his or her proceedings, hearings, investigations, and examinations, and shall file such records in his or her office.

(2) The records of the commissioner and insurance filings in his or her office shall be open to public inspection, except as otherwise provided by this code.

(3) Actuarial formulas, statistics, and assumptions submitted in support of a rate or form filed by an insurer, health care service contractor, or health maintenance organization or submitted to the commissioner upon his or her request shall be withheld from public inspection in order to preserve trade secrets or prevent unfair competition.

Sec. 3. Section .05.20, chapter 79, Laws of 1947 and RCW 48.05.200 are each amended to read as follows:

(1) Each authorized foreign or alien insurer shall appoint the commissioner as its attorney to receive service of, and upon whom shall be served, all legal process issued against it in this state upon causes of action arising within this state. Service upon the commissioner as attorney shall constitute service upon the insurer. Service of legal process against such insurer can be

had only by service upon the commissioner, except actions upon contractor bonds pursuant to RCW 18.27.040, where service may be upon the department of labor and industries.

(2) With the appointment the insurer shall designate by name and address the person to whom the commissioner shall forward legal process so served upon him or her. The insurer may change such person by filing a new designation.

(3) The appointment of the commissioner as attorney shall be irrevocable, shall bind any successor in interest or to the assets or liabilities of the insurer, and shall remain in effect as long as there is in force in this state any contract made by the insurer or liabilities or duties arising therefrom.

Sec. 4. Section .10.07, chapter 79, Laws of 1947 as last amended by section 5, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.10.070 are each amended to read as follows:

(1) A domestic reciprocal insurer hereafter formed, if it has otherwise complied with the provisions of this code, may be authorized to transact insurance if it ~~((deposits and maintains on deposit with the commissioner surplus funds in the minimum amount of three hundred thousand dollars))~~ initially possesses surplus in an amount equal to or exceeding the capital and surplus requirements required under RCW 48.05.340(1) plus special surplus, if any, required under RCW 48.05.360 and thereafter possesses, and maintains surplus funds equal to the paid-in capital stock required under RCW 48.05.340 of a stock insurer transacting like kinds of insurance, and the special surplus, if any, required under RCW 48.05.360.

(2) A ~~((domestic reciprocal insurer may be authorized to transact other kinds of insurance in addition to that for which it was originally authorized. If it has otherwise complied with the provisions of this code therefor and possesses and maintains surplus funds equal to the paid-in capital stock required under RCW 48.05.340 of a stock insurer transacting like kinds of insurance, and the special surplus, if any, required under RCW 48.05.360 as to such a stock insurer. The minimum deposit held by the commissioner shall constitute part of the surplus funds so otherwise required. The insurer need not deposit such additional surplus funds with the commissioner. PROVIDED: That a))~~ domestic reciprocal insurer which under prior laws held authority to transact insurance in this state may continue to be so authorized so long as it otherwise qualifies therefor and maintains surplus funds in amount not less than as required under laws of this state in force at the time such authority to transact insurance in this state was granted.

(3) A domestic reciprocal insurer heretofore formed shall maintain on deposit with the commissioner surplus funds of not less than the sum of one hundred thousand dollars, and to transact kinds of insurance transacted by it in addition to that authorized by its original certificate of authority, shall have and maintain surplus (including the amount of such deposit) in amount not less than the paid-in capital stock required under RCW 48.05.340(1) plus special surplus, if any, required under RCW 48.05.360, of a domestic stock insurer formed after 1967 and transacting the same kinds of insurance. Such additional surplus funds need not be deposited with the commissioner.

Sec. 5. Section .15.16, chapter 79, Laws of 1947 as amended by section 22, chapter 190, Laws of 1949 and RCW 48.15.160 are each amended to read as follows:

(1) The provisions of this chapter controlling the placing of insurance with unauthorized insurers shall not apply to reinsurance or to the following insurances when so placed by licensed agents or brokers of this state:

(a) Ocean marine and foreign trade insurances.

(b) Insurance on subjects located, resident, or to be performed wholly outside of this state, or on vehicles or aircraft owned and principally garaged outside this state.

(c) Insurance on operations of railroads engaged in transportation in interstate commerce and their property used in such operations.

(d) Insurance of aircraft owned or operated by manufacturers of aircraft, or of aircraft operated in schedule interstate flight, or cargo of such aircraft, or against liability, other than workmen's compensation and employer's liability, arising out of the ownership, maintenance or use of such aircraft.

(2) Agents and brokers so placing any such insurance with an unauthorized insurer shall keep a full and true record of each such coverage in detail as required of surplus line insurance under this chapter and shall meet the requirements imposed upon a surplus line broker pursuant to RCW 48.15.090 and any regulations adopted thereunder. The record shall be preserved for not less than five years from the effective date of the insurance and shall be kept available in this state and open to the examination of the commissioner. The agent or broker shall furnish to the commissioner at ~~((his))~~ the commissioner's request and on forms as designated and furnished by him or her a report of all such coverages so placed in a designated calendar year.

Sec. 6. Section .16.07, chapter 79, Laws of 1947 as amended by section 8, chapter 86, Laws of 1955 and RCW 48.16.070 are each amended to read as follows:

The commissioner may designate any solvent trust company or other solvent financial institution having trust powers domiciled in this state, as the commissioner's depository to receive and hold any ~~((such))~~ deposit of securities. Any deposit so held shall be at the expense of the insurer. Any solvent financial institution domiciled in this state, the deposits of which are

insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation, may be designated as the commissioner's depository to receive and hold any deposit of funds. All funds deposited shall be fully insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

Sec. 7. Section .17.01, chapter 79, Laws of 1947 as amended by section 9, chapter 339, Laws of 1981 and RCW 48.17.010 are each amended to read as follows:

'Agent' means any person appointed by an insurer to solicit applications for insurance on its behalf(~~and~~), If authorized so to do. ~~((to))~~ an agent may effectuate insurance contracts(~~and to~~). An agent may collect premiums on insurances so applied for or effectuated.

Sec. 8. Section .17.52, chapter 79, Laws of 1947 as amended by section 9, chapter 197, Laws of 1953 and RCW 48.17.520 are each amended to read as follows:

(1) No such temporary license shall be effective for more than ninety days in any twelve month period, subject to extension for an additional period of not more than ninety days at the commissioner's discretion and for good cause shown. The commissioner may refuse so to license again any person who has previously been so licensed.

(2) An individual requesting temporary agent's license on account of death or disability of an agent, shall not be so licensed for any insurer as to which such agent was not licensed at the time of death or commencement of disability.

~~((3) No person writing or renewing any 'controlled business,' as defined in this chapter, under any temporary license, shall be entitled to receive any commission or other compensation on account thereof unless and until prior to the expiration of the temporary license such person fully qualifies for and receives a permanent license in replacement of the temporary license. Otherwise, the licensee under such temporary license may exercise the same powers as under a like permanent license.))~~

Sec. 9. Section .18.11, chapter 79, Laws of 1947 as amended by section 9, chapter 181, Laws of 1982 and RCW 48.18.110 are each amended to read as follows:

(1) The commissioner shall disapprove any such form of policy, application, rider, or endorsement, or withdraw any previous approval thereof, only:

(a) If it is in any respect in violation of or does not comply with this code or any applicable order or regulation of the commissioner issued pursuant to the code; or

(b) If it does not comply with any controlling filing theretofore made and approved; or

(c) If it contains or incorporates by reference any inconsistent, ambiguous or misleading clauses, or exceptions and conditions which unreasonably or deceptively affect the risk purported to be assumed in the general coverage of the contract; or

(d) If it has any title, heading, or other indication of its provisions which is misleading; or

(e) If purchase of insurance thereunder is being solicited by deceptive advertising.

(2) In addition to the grounds for disapproval of any such form as provided in subsection (1) of this section, the commissioner may disapprove any form of disability insurance policy if the benefits provided therein are unreasonable in relation to the premium charged.

Sec. 10. Section 3, chapter 128, Laws of 1969 ex. sess. and RCW 48.20.420 are each amended to read as follows:

Any disability insurance contract providing health care services, delivered or issued for delivery in this state more than one hundred twenty days after August 11, 1969, which provides that coverage of a dependent child shall terminate upon attainment of the limiting age for dependent children specified in the contract, shall also provide in substance that attainment of such limiting age shall not operate to terminate the coverage of such child while the child is and continues to be both (1) incapable of self-sustaining employment by reason of ~~((mental retardation))~~ developmental disability or physical handicap and (2) chiefly dependent upon the subscriber for support and maintenance, provided proof of such incapacity and dependency is furnished to the insurer by the subscriber within thirty-one days of the child's attainment of the limiting age and subsequently as may be required by the insurer but not more frequently than annually after the two year period following the child's attainment of the limiting age.

Sec. 11. Section 16, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.20.450 are each amended to read as follows:

The commissioner shall issue regulations to establish specific standards, including standards of full and fair disclosure, that set forth the manner, content, and required disclosure for the sale of individual policies of disability insurance which shall be in addition to and in accordance with applicable laws of this state, including RCW ~~((48-20-032))~~ 48.20.450 through 48.20.480, which may cover but shall not be limited to:

- (1) Terms of renewability;
- (2) Initial and subsequent conditions of eligibility;
- (3) Nonduplication of coverage provisions;
- (4) Coverage of dependents;
- (5) Preexisting conditions;
- (6) Termination of insurance;
- (7) Probationary periods;
- (8) Limitations;

(9) Exceptions;

(10) Reductions;

(11) Elimination periods;

(12) Requirements for replacement;

(13) Recurrent conditions; and

(14) The definition of terms including but not limited to the following: Hospital, accident, sickness, injury, physician, accidental means, total disability, partial disability, nervous disorder, guaranteed renewable, and noncancellable.

Sec. 12. Section 18, chapter 266, Laws of 1975 1st ex. sess. and RCW 48.20.470 are each amended to read as follows:

(1) No policy of individual disability insurance shall be delivered or issued for delivery in this state unless an outline of coverage described in subsection (2) of this section is furnished to the applicant in accord with such rules or regulations as the commissioner shall prescribe.

(2) The commissioner shall prescribe the format and content of the outline of coverage required by subsection (1) of this section. 'Format' means style, arrangement, and overall appearance, including such items as the size, color, and prominence of type and the arrangement of text and captions. Such outline of coverage shall include:

(a) A statement identifying the applicable category or categories of coverage provided by the policy as prescribed in ~~(section 15 of this 1975 act)~~ RCW 48.20.450;

(b) A description of the principal benefits and coverage provided in the policy;

(c) A statement of the exceptions, reductions and limitations contained in the policy;

(d) A statement of the renewal provisions including any reservation by the insurer of a right to change premiums; and

(e) A statement that the outline is a summary of the policy issued or applied for and that the policy should be consulted to determine governing contractual provisions.

Sec. 13. Section .30.01, chapter 79, Laws of 1947 as last amended by section 6, chapter 152, Laws of 1973 1st ex. sess. and RCW 48.30.010 are each amended to read as follows:

(1) No person engaged in the business of insurance shall engage in unfair methods of competition or in unfair or deceptive acts or practices in the conduct of such business as such methods, acts, or practices are defined pursuant to subsection (2) of this section.

(2) In addition to such unfair methods and unfair or deceptive acts or practices as are expressly defined and prohibited by this code, the commissioner may from time to time by regulation promulgated pursuant to chapter 34.04 RCW, define other methods of competition and other acts and practices in the conduct of such business reasonably found by ~~(him)~~ the commissioner to be unfair or deceptive.

(3) No such regulation shall be made effective prior to the expiration of thirty days after the date of the order by which it is promulgated.

(4) If the commissioner has cause to believe that any person is violating any such regulation ~~(he)~~, the commissioner may order such person to cease and desist therefrom. The commissioner shall deliver such order to such person direct or mail it to the person by registered mail with return receipt requested. If the person violates the order after expiration of ten days after the cease and desist order has been received by him or her, he or she may be fined by the commissioner a sum not to exceed two hundred and fifty dollars for each violation committed thereafter ~~(-or the commissioner may take such other action independently, or in addition, as is permitted under the insurance code for the violation of the regulation).~~

(5) If any such regulation is violated, the commissioner may take such other or additional action as is permitted under the insurance code for violation of a regulation.

Sec. 14. Section .30.14, chapter 79, Laws of 1947 as amended by section 3, chapter 119, Laws of 1975-'76 2nd ex. sess. and RCW 48.30.140 are each amended to read as follows:

(1) Except to the extent provided for in an applicable filing with the commissioner then in effect, no insurer, general agent, agent, broker, or solicitor shall, as an inducement to insurance, or after insurance has been effected, directly or indirectly, offer, promise, allow, give, set off, or pay to the insured or to any employee of the insured, any rebate, discount, abatement, or reduction of premium or any part thereof named in any insurance contract, or any commission thereon, or earnings, profits, dividends, or other benefit, or any other valuable consideration or inducement whatsoever which is not expressly provided for in the policy.

(2) Subsection (1) of this section shall not apply as to commissions paid to a licensed agent, general agent, broker, or solicitor for insurance placed on his or her own property or risks ~~(-if the aggregate of such commissions does not exceed five percent of the total net commissions received by the agent, general agent, broker, or solicitor during the same twelve month period).~~

(3) This section shall not apply to the allowance by any marine insurer, or marine insurance agent, general agent, broker, or solicitor, to any insured, in connection with marine insurance, of such discount as is sanctioned by custom among marine insurers as being additional to the agent's or broker's commission.

(4) This section shall not apply to advertising or promotional programs conducted by insurers, agents, or brokers whereby prizes, goods, wares, or merchandise, not exceeding five

dollars in value per person in the aggregate in any twelve month period, are given to all insureds or prospective insureds under similar qualifying circumstances.

Sec. 15. Section 1, chapter 36, Laws of 1983 and RCW 48.42.010 are each amended to read as follows:

Notwithstanding any other provision of law, and except as provided in this chapter, any person or other entity which provides coverage in this state for life insurance, annuities, loss of time, medical, surgical, chiropractic, physical therapy, speech pathology, audiology, professional mental health, dental, hospital, or optometric expenses, whether the coverage is by direct payment, reimbursement, the providing of services, or otherwise, shall be subject to the authority of the state insurance commissioner, unless the person or other entity shows that while providing the services it is subject to the jurisdiction and regulation of another agency of this state, any subdivisions thereof, or the federal government.

NEW SECTION. Sec. 16. Section .17.08, chapter 79, Laws of 1947 and RCW 48.17.080 are each repealed.

Sec. 17. Section .18.29, chapter 79, Laws of 1947 as last amended by section 7, chapter 110, Laws of 1982 and RCW 48.18.290 are each amended to read as follows:

(1) Cancellation by the insurer of any policy which by its terms is cancellable at the option of the insurer, or of any binder based on such policy, may be effected as to any interest only upon compliance with either or both of the following:

(a) Written notice of such cancellation must be actually delivered or mailed to the insured or to his or her representative in charge of the subject of the insurance not less than ~~((twenty))~~ forty-five days prior to the effective date of the cancellation except for cancellation of insurance policies for nonpayment of premiums, which notice shall be not less than ten days prior to such date and except for cancellation of fire insurance policies under chapter 48.53 RCW, which notice shall not be less than five days prior to such date:

(b) Like notice of not less than ~~((twenty))~~ forty-five days must also be so delivered or mailed to each mortgagee, pledgee, or other person shown by the policy to have an interest in any loss which may occur thereunder.

(2) The mailing of any such notice shall be effected by depositing it in a sealed envelope, directed to the addressee at his or her last address as known to the insurer or as shown by the insurer's records, with proper prepaid postage affixed, in a letter depository of the United States post office. The insurer shall retain in its records any such item so mailed, together with its envelope, which was returned by the post office upon failure to find, or deliver the mailing to, the addressee.

(3) The affidavit of the individual making or supervising such a mailing, shall constitute prima facie evidence of such facts of the mailing as are therein affirmed.

(4) The portion of any premium paid to the insurer on account of the policy, unearned because of the cancellation and in amount as computed on the pro rata basis, must be actually paid to the insured or other person entitled thereto as shown by the policy or by any endorsement thereon, or be mailed to the insured or such person as soon as possible, and no later than ~~((thirty))~~ forty-five days after the date of notice of cancellation to the insured for homeowners', dwelling fire, and private passenger auto. Any such payment may be made by cash, or by check, bank draft, or money order.

(5) This section shall not apply to contracts of life or disability insurance without provision for cancellation prior to the date to which premiums have been paid.

Sec. 18. Section 19, chapter 241, Laws of 1969 ex. sess. as amended by section 6, chapter 199, Laws of 1979 ex. sess. and RCW 48.18.291 are each amended to read as follows:

(1) No contract of insurance predicated wholly or in part upon the use of a private passenger automobile shall be terminated by cancellation by the insurer until at least twenty days after mailing written notice of cancellation to the named insured at the latest address filed with the insurer by or on behalf of the named insured, accompanied by the reason therefor: PROVIDED, That where cancellation is for nonpayment of premium, or is within the first thirty days after the contract has been in effect, at least ten days notice of cancellation, accompanied by the reason therefor, shall be given: PROVIDED HOWEVER, That in case of a contract evidenced by a written binder which has been delivered to the insured, if such binder contains a clearly stated expiration date, no additional notice of cancellation or nonrenewal shall be required.

(2) (a) No notice of cancellation by the insurer as to a contract of insurance to which subsection (1) applies shall be valid if sent more than sixty days after the contract has been in effect unless:

(i) The named insured fails to discharge when due any of his or her obligations in connection with the payment of premium for the policy or any installment thereof, whether payable directly to the insurer or to its agent or indirectly under any premium finance plan or extension of credit.

(ii) The driver's license of the named insured, or of any other operator who customarily operates an automobile insured under the policy, has been under suspension or revocation during the policy period or, if the policy is a renewal, during its policy period or the one hundred eighty days immediately preceding the effective date of the renewal policy.

(b) Modification by the insurer of automobile physical damage coverage by the inclusion of a deductible not exceeding one hundred dollars shall not be deemed a cancellation of the coverage or of the policy.

(3) The substance of subsections (1) and (2)(a) of this section must be set forth in each contract of insurance subject to the provisions of subsection (1) above, and may be in the form of an attached endorsement.

(4) No notice of cancellation of a policy which can be canceled only pursuant to subsection (2) shall be effective unless the reason therefor accompanies or is included in the notice of cancellation.

Sec. 19. Section 20, chapter 241, Laws of 1969 ex. sess. as last amended by section 17, chapter 339, Laws of 1981 and RCW 48.18.292 are each amended to read as follows:

(1) Each insurer shall be required to renew any contract of insurance subject to RCW 48.18.291 unless one of the following situations exists:

(a) The insurer gives the named insured at least twenty days' notice in writing as provided for in RCW 48.18.291(1), that it proposes to refuse to renew the insurance contract upon its expiration date; and sets forth therein the actual reason for refusing to renew; or

(b) At least twenty days prior to its expiration date, the insurer has communicated its willingness to renew in writing to the named insured, and has included therein a statement of the amount of the premium or portion thereof required to be paid by the insured to renew the policy, including the amount by which the premium or deductibles have changed from the previous policy period, and the date by which such payment must be made, and the insured fails to discharge when due his obligation in connection with the payment of such premium or portion thereof; or

(c) The insured's agent or broker has procured other coverage acceptable to the insured prior to the expiration of the policy period.

(2) Renewal of a policy shall not constitute a waiver or estoppel with respect to grounds for cancellation which existed before the effective date of such renewal.

(3) 'Renewal' or 'to renew' means the issuance and delivery by an insurer of a contract of insurance replacing at the end of the contract period a contract of insurance previously issued and delivered by the same insurer, or the issuance and delivery of a certificate or notice extending the term of a contract beyond its policy period or term: PROVIDED, HOWEVER, That any contract of insurance with a policy period or term of six months or less whether or not made continuous for successive terms upon the payment of additional premiums shall for the purpose of RCW 48.18.291 through 48.18.297 be considered as if written for a policy period or term of six months: PROVIDED, FURTHER, That any policy written for a term longer than one year or any policy with no fixed expiration date, shall, for the purpose of RCW 48.18.291 through 48.18.297, be considered as if written for successive policy periods or terms of one year.

(4) On and after January 1, 1980, no policy of insurance subject to RCW 48.18.291 shall be issued for a policy period or term of less than six months.

(5) No insurer shall refuse to renew the liability and/or collision coverage of an automobile insurance policy on the basis that an insured covered by the policy of the insurer has submitted one or more claims under the comprehensive, road service, or towing coverage of the policy. Nothing in this subsection shall prohibit the nonrenewal of comprehensive, road service, or towing coverage on the basis of one or more claims submitted by an insured.

NEW SECTION. Sec. 20. A new section is added to chapter 48.18 RCW, to be codified as RCW 48.18.290, to read as follows:

(1) Each insurer shall be required to renew any contract of insurance subject to RCW 48.18.290 unless one of the following situations exists:

(a) The insurer gives the named insured at least forty-five days' notice in writing as provided for in RCW 48.18.290, that it proposes to refuse to renew the insurance contract upon its expiration date; and sets forth therein the actual reason for refusing to renew; or

(b) At least twenty days prior to its expiration date, the insurer has communicated its willingness to renew in writing to the named insured, and has included therein a statement of the amount of the premium or portion thereof required to be paid by the insured to renew the policy, including the amount by which the premium or deductibles have changed from the previous policy period, and the date by which such payment must be made, and the insured fails to discharge when due his obligation in connection with the payment of such premium or portion thereof; or

(c) The insured's agent or broker has procured other coverage acceptable to the insured prior to the expiration of the policy period.

(2) Renewal of a policy shall not constitute a waiver or estoppel with respect to grounds for cancellation which existed before the effective date of such renewal, or with respect to cancellation of fire policies under chapter 48.53 RCW.

(3) 'Renewal' or 'to renew' means the issuance and delivery by an insurer of a contract of insurance replacing at the end of the contract period a contract of insurance previously issued and delivered by the same insurer, or the issuance and delivery of a certificate or notice extending the term of a contract beyond its policy period or term: PROVIDED, HOWEVER, That

any contract of insurance with a policy period or term of six months or less whether or not made continuous for successive terms upon the payment of additional premiums shall for the purpose of RCW 48.18.290 and 48.18.293 through 48.18.295 be considered as if written for a policy period or term of six months: PROVIDED, FURTHER, That any policy written for a term longer than one year or any policy with no fixed expiration date, shall, for the purpose of RCW 48.18.290 and 48.18.293 through 48.18.295, be considered as if written for successive policy periods or terms of one year.

Sec. 21. Section 2, chapter 95, Laws of 1967 ex. sess. as amended by section 22, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.295 are each amended to read as follows:

Nothing in RCW ~~((48.18.291))~~ 48.18.290 through 48.18.297 shall be construed to prevent the cancellation or nonrenewal of any such insurance where:

(1) Such cancellation or nonrenewal is ordered by the commissioner under a statutory delinquency proceeding commenced under the provisions of chapter 48.31 RCW, or

(2) Permission for such cancellation or nonrenewal has been given by the commissioner on a showing that the continuation of such coverage can reasonably be expected to create a condition in the company hazardous to its policyholder, or to its creditors, or to its members, subscribers, or stockholders, or to the public.

Sec. 22. Section 23, chapter 241, Laws of 1969 ex. sess. as amended by section 6, chapter 32, Laws of 1983 1st ex. sess. and RCW 48.18.296 are each amended to read as follows:

~~((+))~~ The provisions of RCW 48.18.291 through 48.18.297 shall not apply to:

~~((+))~~ (1) Contracts of insurance issued under the assigned risk plan; and

~~((b))~~ ~~Contracts of insurance, other than combination homeowners and vehicle insurance policies, providing principally general casualty or property insurance with only incidental additional vehicle insurance; and~~

~~((c))~~ ~~Contracts of insurance insuring more than four motor vehicles; and~~

~~((d))~~ (2) Any policy covering garage, automobile sales agency, repair shop, service station, or public parking place operation hazards.

Sec. 23. Section .23.30, chapter 79, Laws of 1947 as amended by section 21, chapter 32, Laws of 1983 1st ex. sess. and RCW 48.23.300 are each amended to read as follows:

Any life insurer shall have the power to hold under agreement the proceeds of any policy issued by it, upon such terms and restrictions as to revocation by the policyholder and control by beneficiaries, and with such exemptions from the claims of creditors of beneficiaries other than the policyholder as set forth in the policy or as agreed to in writing by the insurer and the policyholder. Upon maturity of a policy in the event the policyholder has made no such agreement, the insurer shall have the power to hold the proceeds of the policy under an agreement with the beneficiaries. The insurer shall not be required to segregate funds so held but may hold them as part of its general assets.

~~((An insurer holding proceeds while awaiting determination of the final settlement option shall accrue interest on the proceeds from the date of death or maturity at a rate not less than the lower of the average over a period of thirty-six months and the average over a period of twelve months, ending on June 30 of the calendar year next preceding the year of death or maturity, of Moody's Corporate Bond Yield Average Monthly Average Corporates, as published by Moody's Investors Service, Inc. This interest shall become payable as part of the settlement. If Moody's Corporate Bond Yield Average Monthly Average Corporates is no longer published by Moody's Investor Service, Inc., or if the National Association of Insurance Commissioners determines that Moody's Corporate Bond Yield Average Monthly Average Corporates as published by Moody's Investors Service, Inc. is no longer appropriate for the determination of this interest rate, then an alternative interest rate shall be defined by rule adopted by the commissioner))~~ An insurer shall pay interest on death benefits payable under the terms of a life insurance policy insuring the life of any person who was a resident of this state at the time of death. Such interest shall accrue commencing on the date of death at the rate then paid by the insurer on other withdrawable policy proceeds left with the company, but not less than eight percent. Benefits payable that have not been tendered to the beneficiary within ninety days of the receipt of proof of death shall accrue interest, commencing on the ninety-first day, at the aforementioned rate plus three percent. This section applies to death of insureds that occur on or after September 1, 1985.

NEW SECTION. Sec. 24. Sections 17 through 22 of this act apply to all new or renewal policies issued or renewed after the effective date of sections 17 through 22 of this act. Sections 17 through 22 of this act shall not apply to or affect the validity of any notice of cancellation mailed or delivered prior to the effective date of sections 17 through 22 of this act. Sections 17 through 22 of this act shall not be construed to affect cancellation of a renewal policy, if notice of cancellation is mailed or delivered within forty-five days after the effective date of sections 17 through 22 of this act. Sections 17 through 22 of this act shall not be construed to require notice, other than that already required, of intention not to renew any policy which expires less than forty-five days after the effective date of sections 17 through 22 of this act.

NEW SECTION. Sec. 25. Sections 17 through 22 of this act 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.'

On page 1, line 1 of the title, after "insurance;" strike the remainder of the title and insert "amending RCW 48.02.120, 48.05.200, 48.10.070, 48.15.160, 48.16.070, 48.17.010, 48.17.520, 48.18.110, 48.20.420, 48.20.450, 48.20.470, 48.30.010, 48.30.140, 48.42.010, 48.18.290, 48.18.291, 48.18.292, 48.18.295, 48.18.296, and 48.23.300; adding a new section to chapter 48.01 RCW; adding a new section to chapter 48.18 RCW; creating a new section; repealing RCW 48.17.080; and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Zellinsky, the House concurred in the Senate amendments to Substitute House Bill No. 39.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 39 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 39 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 1; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative King R - 1.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 39 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

April 18, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 58 with the following amendment:

On page 2, line 19 strike "majority" and insert "((majority)) two-thirds or greater" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendment to Engrossed House Bill No. 58.

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. 58 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 58 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey,

Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B. Williams J. Wilson K. Wilson S. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Engrossed House Bill No. 58 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 17, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 61 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 1, chapter 75, Laws of 1963 as last amended by section 1, chapter 82, Laws of 1974 ex. sess. and RCW 41.04.180 are each amended to read as follows:

(1) 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 or self-insurers as provided for in chapter 48.52 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 as provided for in chapter 48.52 RCW: 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.

(2) Any county, municipality, or other political subdivision of the state that provides a plan for all or part of hospitalization and medical aid for its employees shall permit retired and disabled employees and their dependents to continue participation in such plan subject to the following exceptions, limitations, and conditions:

(a) This subsection shall have no application to school district personnel provided for in RCW 28A.58.420; to a county, municipality, or other political subdivision participating in an insurance program administered under chapter 41.05 RCW if retired and disabled employees and their dependents of such participating county, municipality, or other political subdivision are permitted to continue coverage under an insurance program administered under chapter 41.05 RCW; and members of the law enforcement officers' and fire fighters' retirement system under chapter 41.26 RCW.

(b) A person who requests continued participation in the plan may be required to pay for such continuation of coverage under the plan; however, such payment may not exceed the rate, cost, or premium provided for active employees.

If the person is eligible for federal medicare, the plan shall reduce benefits and rates, costs or premiums for such person to the extent medicare benefits duplicate plan benefits.

(c) Nothing contained in this subsection shall be deemed to affect any plan contained in a collective bargaining agreement in existence as of the effective date of this act; however, any plan contained in future collective bargaining agreements shall conform to the provisions of this subsection.

(d) A retired or disabled employee shall bear the full cost of the premium as determined by subsection (2)(b) of this section. However, the enactment of this subsection shall not require any reduction in benefits now being received.

(e) After an initial open enrollment period of not less than ninety days after the effective date of this 1985 act, no retired or disabled employee may be covered pursuant to this subsection if coverage is allowed to lapse at any time. If any employer offered a medical plan to its employees at the time they retired or became disabled, which plan had substantially the same benefits and premium charges as the plan offered to the active employees at the time, no retired or disabled employee who failed to enroll in such plan at the time it was offered may now enroll in a medical plan pursuant to this subsection except at the option of the employer.

(f) Premiums for coverage may be assigned to the insurance carrier from public pension benefits or paid to the former employer so that no carrier shall be required to accept individual premium payments from retired or disabled employees and/or dependents.

(g) The benefits granted under this subsection shall not be considered a matter of contractual right. Should the legislature, county, municipality, or other political subdivision of the state revoke or change any benefits granted under this subsection, no affected retiree, employee, or dependent shall be entitled thereafter to receive such benefits as a matter of contractual right.

(h) 'Retired employee,' as used in this subsection, is defined as an individual who is a public employee with not less than five years of service at the date of retirement.

(i) 'Disabled employee,' as used in this subsection, is defined as an individual eligible to receive a disability retirement allowance from a public retirement system.

(j) This subsection is applicable from and after January 1, 1986, or the date of current policy or contract renewal, whichever is later.

(k) Any county, municipality, or other political subdivision of the state may offer one or more medical plans for retirees only which are designed to meet the needs of the retirees. The rate, cost, or premium for the medical plan or plans offered to retirees shall not exceed that charged to the active employee group of which the retiree was a member. However, the benefits provided in the retiree plan or plans may be different than the benefits provided in the plan or plans for active employees.

(l) If an employer leaves a group or trust medical plan, that plan has no further responsibility to the retired or disabled former employees who may have had coverage through that group or trust plan. However, the employer shall include all retired or disabled employees who have had such coverage in any new group or trust medical plan.

NEW SECTION. Sec. 2. To the extent it does not conflict with RCW 41.04.180(2), any employer or group providing insurance to any retired or disabled employee and/or their dependents may adopt terms and conditions necessary to administer the provisions of RCW 41.04.180(2). Such terms and conditions may include, but are not limited to, requirements for coordination of benefits with any other insurance plan covering a person affected by RCW 41.04.180(2)."

On page 1, line 1 of the title, strike "and" and after "41.04.180" insert "; and creating a new section"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Zellinsky, the House concurred in the Senate amendments to Substitute House Bill No. 61.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 61 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 61 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 5; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristol, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsöld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Chandler, Doty, Fuhrman, Nealey, Vander Stoep - 5.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 61 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

April 16, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 270 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The following terms in this chapter shall have the meanings set forth in this section unless the context clearly indicates otherwise:

(1) 'Acupuncture' means a health care service based on a traditional Oriental system of medical theory utilizing Oriental diagnosis and treatment to promote health and treat organic or functional disorders by treating specific acupuncture points or meridians. Acupuncture includes but is not necessarily limited to the following techniques:

- (a) Use of acupuncture needles to stimulate acupuncture points and meridians;
 - (b) Use of electrical, mechanical, or magnetic devices to stimulate acupuncture points and meridians;
 - (c) Moxibustion;
 - (d) Acupressure;
 - (e) Cupping;
 - (f) Dermal friction technique (gwa hsa);
 - (g) Infra-red;
 - (h) Sonopuncture;
 - (i) Laserpuncture;
 - (j) Dietary advice based on traditional Chinese medical theory; and
 - (k) Point injection therapy (aquapuncture).
- (2) 'Acupuncturist' means a person certified under this chapter.
- (3) 'Department' means the department of licensing.
- (4) 'Director' means the director of licensing or the director's designee.

NEW SECTION, Sec. 2. (1) No one may hold themselves out to the public as an acupuncturist or certified acupuncturist or any derivative thereof which is intended to or is likely to lead the public to believe such a person is an acupuncturist or certified acupuncturist unless certified as provided for in this chapter.

(2) No one may use any configuration of letters after their name (including Ac.) which indicates a degree or formal training in acupuncture unless certified as provided for in this chapter.

(3) The director may by rule proscribe or regulate advertising and other forms of patient solicitation which are likely to mislead or deceive the public as to whether someone is certified under this chapter.

NEW SECTION, Sec. 3. Any person certified as provided for in this chapter may practice acupuncture irrespective of any other occupational licensing law. This authorization also extends to:

(1) The practice of acupuncture by a person who is a regular student in a school of acupuncture approved by the director: PROVIDED, HOWEVER, That the performance of such services be pursuant only to a regular course of instruction or assignments from his instructor and that such services are performed only under the direct supervision and control of a person certified pursuant to this chapter or licensed under any other healing art whose scope of practice includes acupuncture; and

(2) The practice of acupuncture by any person licensed or certified to perform acupuncture in any other jurisdiction where such person is doing so in the course of regular instruction of a school of acupuncture approved by the director or in an educational seminar sponsored by a professional organization of acupuncture: PROVIDED, That in the latter case, the practice is supervised directly by a person certified pursuant to this chapter or licensed under any other healing art whose scope of practice includes acupuncture.

NEW SECTION, Sec. 4. The proscriptions contained in section 2 (1) and (2) of this act do not extend to:

(1) Those holding valid licenses under chapter 18.71, 18.57, 18.22, or 18.32 RCW operating within their lawful scopes of practice or valid registration authorizing the performance of acupuncture procedures pursuant to chapter 18.71A or 18.57A RCW;

(2) Those practicing acupuncture in the state under the authority of any instrumentality of the United States; and

(3) Those performing acupuncture procedures under section 3 (1) and (2) of this act. PROVIDED, That such persons shall not hold themselves out as being certified acupuncturists under this chapter.

NEW SECTION, Sec. 5. Any person seeking to be examined shall present to the director at least forty-five days before the commencement of the examination:

(1) A written application on a form or forms provided by the director setting forth under affidavit such information as the director may require; and

(2) Proof that the candidate has:

- (a) Completed a minimum of two academic years or seventy-two quarter credits of undergraduate college education in the general sciences and humanities prior to entering an acupuncture training program. The obtaining of a degree is not required for the educational credits to qualify;

- (b) Successfully completed a course, approved by the director, of didactic training in basic sciences and acupuncture over a minimum period of two academic years. The training

shall include such subjects as anatomy, physiology, bacteriology, biochemistry, pathology, hygiene, and a survey of western clinical sciences. The basic science classes must be equivalent to those offered at the collegiate level. However, if the applicant is a licensed chiropractor under chapter 18.25 RCW or a drugless healer under chapter 18.36 RCW, the requirements of this subsection relating to basic sciences may be reduced by up to one year depending upon the extent of the candidate's qualifications as determined under rules adopted by the director;

(c) Successfully completed a course, approved by the director, of clinical training in acupuncture over a minimum period of one academic year. The training shall include a minimum of: (i) Twenty-nine quarter credits of supervised practice, consisting of at least four hundred separate patient treatments involving a minimum of one hundred different patients, and (ii) one hundred hours or nine quarter credits of observation which shall include case presentation and discussion.

NEW SECTION. Sec. 6. The department shall consider for approval any school, program, apprenticeship, or tutorial which meets the requirements outlined in this chapter and provides the training required under section 5 of this act. Clinical and didactic training may be approved as separate programs or as a joint program. The process for approval shall be established by the director by rule.

NEW SECTION. Sec. 7. No applicant may be permitted to take an examination under this chapter until the director has approved his or her application and the applicant has paid an examination fee as prescribed under RCW 43.24.086. The examination fee shall accompany the application.

NEW SECTION. Sec. 8. (1) The director of licensing is hereby authorized and empowered to execute the provisions of this chapter and shall offer examinations in acupuncture at least twice a year at such times and places as the director may select. The examination shall be a written examination in English and may include a practical examination.

(2) The director shall develop or approve a licensure examination in the subjects that the director determines are within the scope of and commensurate with the work performed by certified acupuncturists and shall include but not necessarily be limited to anatomy, physiology, bacteriology, biochemistry, pathology, hygiene, and acupuncture. All application papers shall be deposited with the director and there retained for a least one year, when they may be destroyed.

(3) If the examination is successfully passed, the director shall confer on such candidate the title of Certified Acupuncturist.

NEW SECTION. Sec. 9. Before certification, each applicant shall demonstrate sufficient fluency in reading, speaking, and understanding the English language to enable the applicant to communicate with other health care providers and patients concerning health care problems and treatment.

NEW SECTION. Sec. 10. Each applicant shall, as part of his or her application, furnish written consent to an investigation of his or her personal background, professional training, and experience by the department or any person acting on its behalf.

NEW SECTION. Sec. 11. The uniform disciplinary act, chapter 18.130 RCW, governs the issuance and denial of certificates and the disciplining of certificate holders under this chapter. The director shall be the disciplining authority under this chapter.

NEW SECTION. Sec. 12. (1) Every person certified in acupuncture shall register with the director annually and pay an annual renewal registration fee determined by the director as provided in RCW 43.24.086 on or before the certificate holder's birth anniversary date. The certificate of the person shall be renewed for a period of one year or longer in the discretion of the director.

(2) Any failure to register and pay the annual renewal registration fee shall render the certificate invalid. The certificate shall be reinstated upon: (a) Written application to the director; (b) payment to the state of a penalty fee determined by the director as provided in RCW 43.24.086; and (c) payment to the state of all delinquent annual certificate renewal fees.

(3) Any person who fails to renew his or her certification for a period of three years shall not be entitled to renew such certification under this section. Such person, in order to obtain a certification in acupuncture in this state, shall file a new application under this chapter, along with the required fee, and shall meet examination or continuing education requirements as the director, by rule, provides.

(4) All fees collected under this section and section 6 of this act shall be credited to the health professions account as required under RCW 43.24.072.

NEW SECTION. Sec. 13. The director shall develop a form to be used by an acupuncturist to inform the patient of the acupuncturist's scope of practice and qualifications. All certificate holders shall bring the form to the attention of the patients in whatever manner the director, by rule, provides.

NEW SECTION. Sec. 14. Every certified acupuncturist shall develop a written plan for consultation, emergency transfer, and referral to other health care practitioners operating within the scope of their authorized practices. The written plan shall be submitted with the initial application for certification as well as annually thereafter with the certificate renewal fee to the

department. The department may withhold certification or renewal of certification if the plan fails to meet the standards contained in rules promulgated by the director.

When the acupuncturist sees patients with potentially serious disorders such as cardiac conditions, acute abdominal symptoms, and such other conditions, the acupuncturist shall immediately request a consultation or recent written diagnosis from a physician licensed under chapter 18.71 or 18.57 RCW. In the event that the patient with the disorder refuses to authorize such consultation or provide a recent diagnosis from such physician, acupuncture treatment shall not be continued.

NEW SECTION, Sec. 15. Any person violating the provisions of section 13 or 14 of this act shall be guilty of a misdemeanor and shall be punished as provided in RCW 9.92.030.

NEW SECTION, Sec. 16. The director shall adopt rules in the manner provided by chapter 34.04 RCW as are necessary to carry out the purposes of this chapter.

NEW SECTION, Sec. 17. (1) The acupuncture advisory committee is created. The committee shall be composed of one physician licensed under chapter 18.71 or 18.57 RCW, three acupuncturists certified under this chapter, and one public member, who does not have any financial interest in the rendering of health services.

(2) The director shall appoint members to staggered terms so as to provide continuity in membership. Members shall serve at the pleasure of the director but may not serve more than five years total. Members of the committee shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(3) Each member of the committee shall receive fifty dollars for each day during which the member attends an official meeting of the group or performs statutorily prescribed duties approved by the director.

(4) The committee shall meet only on the request of the director and consider only those matters referred to it by the director.

NEW SECTION, Sec. 18. All persons registered as acupuncture assistants pursuant to chapter 18.71A or 18.57A RCW on the effective date of this act shall be certified under this chapter by the director without examination if they otherwise would qualify for certification under this chapter and apply for certification within one hundred twenty days of the effective date of this act.

NEW SECTION, Sec. 19. The director may certify a person without examination if such person is licensed or certified as an acupuncturist in another jurisdiction if, in the director's judgment, the requirements of that jurisdiction are equivalent to or greater than those of Washington state.

NEW SECTION, Sec. 20. Nothing in this chapter may be construed to require that individual or group policies or contracts of an insurance carrier, health care service contractor, or health maintenance organization provide benefits or coverage for services and supplies provided by a person registered or certified under this chapter.

NEW SECTION, Sec. 21. This chapter shall not be construed as permitting the administration or prescription of drugs or in any way infringing upon the practice of medicine and surgery as defined in chapter 18.71 or 18.57 RCW, except as authorized in this chapter.

NEW SECTION, Sec. 22. Sections 1 through 21 of this act shall terminate on July 1, 1991, and shall be subject to the process provided for in chapter 43.131 RCW.

NEW SECTION, Sec. 23. Sections 1 through 21 of this act are each repealed effective July 1, 1992.

NEW SECTION, Sec. 24. Sections 1 through 23 of this act shall constitute a new chapter in Title 18 RCW.

Sec. 25. Section 1, chapter 157, Laws of 1969 ex. sess. as last amended by section 4, chapter 56, Laws of 1975-76 2nd ex. sess. and RCW 4.24.240 are each amended to read as follows:

(1) (a) A person licensed by this state to provide health care or related services, including, but not limited to, a certified acupuncturist, a physician, osteopathic physician, dentist, nurse, optometrist, podiatrist, chiropractor, physical therapist, psychologist, pharmacist, optician, physician's assistant, osteopathic physician's assistant, nurse practitioner, including, in the event such person is deceased, his estate or personal representative;

(b) An employee or agent of a person described in subparagraph (a) of this subsection, acting in the course and scope of his employment, including, in the event such employee or agent is deceased, his estate or personal representative; or

(c) An entity, whether or not incorporated, facility, or institution employing one or more persons described in subparagraph (a) of this subsection, including, but not limited to, a hospital, clinic, health maintenance organization, or nursing home; or an officer, director, trustee, employee, or agent thereof acting in the course and scope of his employment, including in the event such officer, director, employee, or agent is deceased, his estate or personal representative;

shall be immune from civil action for damages arising out of the good faith performance of their duties on such committees, where such actions are being brought by or on behalf of the person who is being evaluated.

(2) No member, employee, staff person, or investigator of a professional review committee shall be liable in a civil action as a result of acts or omissions made in good faith on behalf of

the committee; nor shall any person be so liable for filing charges with or supplying information or testimony in good faith to any professional review committee; nor shall a member, employee, staff person, or investigator of a professional society, of a professional examining or licensing board, of a professional disciplinary board, of a governing board of any institution, or of any employer of professionals be so liable for good faith acts or omissions made in full or partial reliance on recommendations or decisions of a professional review committee or examining board.

Sec. 26. Section 1, chapter 35, Laws of 1975 1st ex. sess. as amended by section 1, chapter 149, Laws of 1983 and RCW 4.24.290 are each amended to read as follows:

In any civil action for damages based on professional negligence against a hospital which is licensed by the state of Washington or against the personnel of any such hospital, or against a member of the healing arts including, but not limited to, an acupuncturist certified under chapter 18.-- RCW (sections 1 through 23 of this 1985 act), a physician licensed under chapter 18.71 RCW, an osteopathic physician licensed under chapter 18.57 RCW, a chiropractor licensed under chapter 18.25 RCW, a dentist licensed under chapter 18.32 RCW, a podiatrist licensed under chapter 18.22 RCW, or a nurse licensed under chapters 18.78 or 18.88 RCW, the plaintiff in order to prevail shall be required to prove by a preponderance of the evidence that the defendant or defendants failed to exercise that degree of skill, care, and learning possessed at that time by other persons in the same profession, and that as a proximate result of such failure the plaintiff suffered damages, but in no event shall the provisions of this section apply to an action based on the failure to obtain the informed consent of a patient.

Sec. 27. Section 7, chapter 56, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 53, Laws of 1981 and RCW 7.70.020 are each amended to read as follows:

As used in this chapter 'health care provider' means either:

(1) A person licensed by this state to provide health care or related services, including, but not limited to, a certified acupuncturist, a physician, osteopathic physician, dentist, nurse, optometrist, podiatrist, chiropractor, physical therapist, psychologist, pharmacist, optician, physician's assistant, midwife, osteopathic physician's assistant, nurse practitioner, or physician's trained mobile intensive care paramedic, including, in the event such person is deceased, his estate or personal representative;

(2) An employee or agent of a person described in part (1) above, acting in the course and scope of his employment, including, in the event such employee or agent is deceased, his estate or personal representative; or

(3) An entity, whether or not incorporated, facility, or institution employing one or more persons described in part (1) above, including, but not limited to, a hospital, clinic, health maintenance organization, or nursing home; or an officer, director, employee, or agent thereof acting in the course and scope of his employment, including in the event such officer, director, employee, or agent is deceased, his estate or personal representative.

Sec. 28. Section 2, chapter 168, Laws of 1983 as amended by section 18, chapter 9, Laws of 1984 and by section 57, chapter 279, Laws of 1984 and RCW 18.120.020 are each reenacted and amended to read as follows:

The definitions contained in this section shall apply throughout this chapter unless the context clearly requires otherwise.

(1) 'Applicant group' includes any health professional group or organization, any individual, or any other interested party which proposes that any health professional group not presently regulated be regulated or which proposes to substantially increase the scope of practice of the profession.

(2) 'Certificate' and 'certification' mean a voluntary process by which a statutory regulatory entity grants recognition to an individual who (a) has met certain prerequisite qualifications specified by that regulatory entity, and (b) may assume or use 'certified' in the title or designation to perform prescribed health professional tasks.

(3) 'Grandfather clause' means a provision in a regulatory statute applicable to practitioners actively engaged in the regulated health profession prior to the effective date of the regulatory statute which exempts the practitioners from meeting the prerequisite qualifications set forth in the regulatory statute to perform prescribed occupational tasks.

(4) 'Health professions' means and includes the following health and health-related licensed or regulated professions and occupations: Podiatry under chapter 18.22 RCW; chiropractic under chapters 18.25 and 18.26 RCW; dental hygiene under chapter 18.29 RCW; dentistry under chapter 18.32 RCW; dispensing opticians under chapter 18.34 RCW; hearing aids under chapter 18.35 RCW; drugless healing under chapter 18.36 RCW; embalming and funeral directing under chapter 18.39 RCW; midwifery under chapter 18.50 RCW; nursing home administration under chapter 18.52 RCW; optometry under chapters 18.53 and 18.54 RCW; ophthalmology under chapter 18.55 RCW; osteopathy and osteopathic medicine and surgery under chapters 18.57 and 18.57A RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine under chapters 18.71, 18.71A, and 18.72 RCW; emergency medicine under chapter 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses under chapter 18.78 RCW; psychologists under chapter 18.83 RCW; registered nurses under chapter 18.88 RCW; occupational therapists licensed pursuant to chapter 18.59 RCW; veterinarians and animal technicians under

chapter 18.92 RCW; ~~((and))~~ massage practitioners under chapter 18.108 RCW; and acupuncturists certified under chapter 18.-- RCW (sections 1 through 23 of this 1985 act).

(5) 'Inspection' means the periodic examination of practitioners by a state agency in order to ascertain whether the practitioners' occupation is being carried out in a fashion consistent with the public health, safety, and welfare.

(6) 'Legislative committees of reference' means the standing legislative committees designated by the respective rules committees of the senate and house of representatives to consider proposed legislation to regulate health professions not previously regulated.

(7) 'License', 'licensing', and 'licensure' mean permission to engage in a health profession which would otherwise be unlawful in the state in the absence of the permission. A license is granted to those individuals who meet prerequisite qualifications to perform prescribed health professional tasks and for the use of a particular title.

(8) 'Professional license' means an individual, nontransferable authorization to carry on a health activity based on qualifications which include: (a) Graduation from an accredited or approved program, and (b) acceptable performance on a qualifying examination or series of examinations.

(9) 'Practitioner' means an individual who (a) has achieved knowledge and skill by practice, and (b) is actively engaged in a specified health profession.

(10) 'Public member' means an individual who is not, and never was, a member of the health profession being regulated or the spouse of a member, or an individual who does not have and never has had a material financial interest in either the rendering of the health professional service being regulated or an activity directly related to the profession being regulated.

(11) 'Registration' means the formal notification which, prior to rendering services, a practitioner shall submit to a state agency setting forth the name and address of the practitioner; the location, nature and operation of the health activity to be practiced; and, if required by the regulatory entity, a description of the service to be provided.

(12) 'Regulatory entity' means any board, commission, agency, division, or other unit or subunit of state government which regulates one or more professions, occupations, industries, businesses, or other endeavors in this state.

(13) 'State agency' includes every state office, department, board, commission, regulatory entity, and agency of the state, and, where provided by law, programs and activities involving less than the full responsibility of a state agency.

Sec. 29. Section 4, chapter 279, Laws of 1984 and RCW 18.130.040 are each amended to read as follows:

(1) This chapter applies only to the director and the boards having jurisdiction in relation to the professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2) (a) The director has authority under this chapter in relation to the following professions:

(i) Dispensing opticians licensed under chapter 18.34 RCW;

(ii) Drugless healers licensed under chapter 18.36 RCW;

(iii) Midwives licensed under chapter 18.50 RCW;

(iv) Ocularists licensed under chapter 18.55 RCW;

(v) Psychologists licensed under chapter 18.83 RCW unless a disciplinary committee is established under chapter 18.83 RCW;

(vi) Massage operators and businesses licensed under chapter 18.108 RCW; ~~((and))~~

(vii) Dental hygienists licensed under chapter 18.29 RCW; and

(viii) Acupuncturists certified under chapter 18.-- RCW (sections 1 through 23 of this 1985 act).

(b) The boards having authority under this chapter are as follows:

(i) The podiatry board as established in chapter 18.22 RCW;

(ii) The chiropractic disciplinary board as established in chapter 18.26 RCW governing licenses issued under chapter 18.25 RCW;

(iii) The dental disciplinary board as established in chapter 18.32 RCW;

(iv) The council on hearing aids as established in chapter 18.35 RCW;

(v) The board of funeral directors and embalmers as established in chapter 18.39 RCW;

(vi) The board of examiners for nursing home administrators as established in chapter 18.52 RCW;

(vii) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;

(viii) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapters 18.57 and 18.57A RCW;

(ix) The medical disciplinary board as established in chapter 18.72 RCW governing licenses and registrations issued under chapters 18.71 and 18.71A RCW;

(x) The board of physical therapy as established in chapter 18.74 RCW;

(xi) The board of occupational therapy practice as established in chapter 18.59 RCW;

(xii) The board of practical nursing as established in chapter 18.78 RCW;

(xiii) The board of nursing as established in chapter 18.88 RCW; and

(xiv) The veterinary board of governors as established in chapter 18.92 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. However, the board of chiropractic examiners has authority over issuance and denial of licenses provided for in chapter 18.25 RCW, the board of dental examiners has authority over issuance and denial of licenses provided for in RCW 18.32.040, and the board of medical examiners has authority over issuance and denial of licenses and registrations provided for in chapters 18.71 and 18.71A RCW. This chapter governs any investigation, hearing, or proceeding relating to denial of licensure by the disciplining authority, the board of chiropractic examiners, the board of dental examiners, and the board of medical examiners, if adopted pursuant to this chapter by the disciplining authority.

NEW SECTION. Sec. 30. There is hereby appropriated the sum of eighty-one thousand seven hundred seven dollars to the department of licensing from the health professions account—general fund for the implementation of this chapter for the 1985-87 biennium." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Brekke, the House concurred in the Senate amendment to Substitute House Bill No. 270.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 270 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 270 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 3; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Krømen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Barnes, Bond, van Dyke - 3.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 270 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 17, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 297 with the following amendments:

On page 1, line 28 after "and" strike "similar" and insert "other"

On page 2, line 2 after "stimulants" insert "but excluding bacillus thur ingensis and other natural pesticides"

On page 2, line 9 strike "harvesting" and insert "seed planting or transplanting or, in the case of perennial crops, within one year before the appearance of the flower bud" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Jacobsen, the House concurred in the Senate amendments to Substitute House Bill No. 297.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 297 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 297 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 297 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

April 18, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 323 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. (1) The legislature finds that:

(a) The Nisqually river, its waters, and beds have been statutorily characterized for more than a decade as an area of state-wide significance by the people of the state;

(b) The river is a highly prized area of great natural beauty that extends through four biological zones of Washington state from the peak of Mount Rainier to the Nisqually Delta;

(c) The productive uses of the river may well be enhanced in terms of recreation, fish and wildlife habitat, forestry, agriculture, and other benefits associated with the basin if a carefully developed program of stewardship for the area is established;

(d) Notwithstanding existing governmental units' management programs, including those developed under the shoreline management act, an optimum management program designed to achieve maximum benefits for the public and the private landowning community for the use of this valuable natural river corridor has not been established;

(e) The Nisqually river corridor has been historically used for such productive uses as agriculture, education, forestry, hunting, fishing, mining, military maneuvers, irrigation, and electric power production.

(2) It is the purpose of this act to initiate a process that emphasizes the natural and economic values of this river of state-wide significance and that will bring about a stewardship program for the Nisqually river that will assure enhancement of economic and recreational benefits for this generation as well as those to come.

NEW SECTION, Sec. 2. (1) The department of ecology is directed to develop an overall management plan for the Nisqually river consistent with the findings and objectives of section 1 of this act. This plan shall set forth with reasonable specificity, the boundaries of the managed area, the management objectives for the various reaches of the river, the institutional arrangements for carrying out the plan, the moneys and funding sources for successful plan implementation and property owner compensation, and the economic impact on private property owners. If this plan requires private property owners to sell property they own, the property owners shall receive fair market value for their property interests. Taking of less than the fee interest shall be in accordance with RCW 84.34.200 through 84.34.240.

(2) In order to accomplish this task the department shall establish advisory committees to provide technical assistance and policy guidance. Membership on the advisory committees shall include but not be limited to persons representing the interests of federal, state, and local governmental entities, agriculture, forestry, the Nisqually Indian tribe, other property owners, and environmentalists.

NEW SECTION, Sec. 3. The department shall submit a report to the president of the senate and the speaker of the house of representatives not later than January 6, 1986. The report shall set forth a management plan as directed by section 2 of this act and any proposed legislation

recommended or required to implement the plan. The plan shall not be implemented before adoption by the legislature, however, this section shall not prevent the department from performing duties and functions otherwise authorized by law.

NEW SECTION. Sec. 4. This act shall not limit the rights of private or public property owners without fair monetary compensation nor may this act require that private property owners sell their property for less than fair market value.

NEW SECTION. Sec. 5. There is appropriated from the general fund to the department of ecology for the biennium ending June 30, 1987, the sum of forty-two thousand five hundred sixteen dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 6. Sections 1 through 6 of this act shall not be codified." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Appelwick, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 323.

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. 323 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 323 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 14; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Bond, Chandler, Dobbs, Fuhrman, Hastings, Lundquist, Madsen, Nutley, Padden, Sanders, van Dyke, Van Luven, West, Williams J - 14.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 323 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 17, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 512 with the following amendments:

On page 1, line 19 after "act" strike all material down through and including "statute." on line 22 and insert "punishable as a felony, gross misdemeanor, or misdemeanor under the laws of this state or equivalent federal or local law."

On page 2, line 35 after "proceedings" strike ", the ability to appreciate the importance of telling the truth, and all other fact-finding questions," and insert a period.

On page 3, after line 14 insert a new section as follows:

"NEW SECTION. Sec. 4. The failure to provide notice to a child victim or witness under this chapter of the rights enumerated in section 3 of this act shall not result in civil liability so long as the failure to notify was in good faith and without gross negligence. The failure to make a reasonable effort to assure that child victims and witnesses are afforded the rights enumerated in section 3 of this act shall not result in civil liability so long as the failure to make a reasonable effort was in good faith and without gross negligence."

Renumber the sections consecutively and correct internal references accordingly.

On page 3, line 15 after "through" strike "3" and insert "4" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendments to Substitute House Bill No. 512.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 512 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 512 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 512 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

April 17, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 550 with the following amendment:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. A new section is added to chapter 9A.56 RCW to read as follows:

(1) A person is guilty of theft of cable television services if:

(a) With intent to avoid payment of the lawful charge for any communication service of a cable system, he or she:

(i) Tampered with the equipment of the cable system, whether by mechanical, electrical, acoustical, or other means; or

(ii) Knowingly misrepresents a material fact; or

(iii) Uses any other artifice, trick, deception, code, or other device; and

(b) He or she wrongfully obtains cable communication services for himself or herself or another.

(2) Sections 1 through 4 of this act do not apply to the interception or receipt by any individual or the assisting (including the manufacture or sale), of such interception or receipt of any satellite-transmitted programming for private use.

(3) Proof that a person tampered with equipment of the cable system without the consent of the system creates a presumption that the person acted with intent to avoid payment of the lawful charge for any communication service of a cable system.

(4) Theft of cable television services is a gross misdemeanor.

NEW SECTION, Sec. 2. A new section is added to chapter 9A.56 RCW to read as follows:

(1) A person is guilty of unlawful sale of cable television services if, with intent to avoid payment of the lawful charge for any communications service of a cable system, he or she offers for sale or otherwise makes available any telecommunications decoder or descrambler that defeats a mechanism of electronic signal encryption, or that restricts delivery of individually addressed switching imposed by the cable system.

(2) Unlawful sale of cable television services is a gross misdemeanor.

NEW SECTION, Sec. 3. A new section is added to chapter 9A.56 RCW to read as follows:

Upon conviction of theft or unlawful sale of cable television services and upon motion and hearing, the court shall order the forfeiture of any decoder, descrambler, or other device used in committing the violation of section 1 or 2 of this act as contraband and dispose of it at the court's discretion.

NEW SECTION, Sec. 4. A new section is added to chapter 9A.56 RCW to read as follows:

(1) In addition to the criminal penalties provided in sections 1 and 2 of this act, there is created a civil cause of action for theft of cable television services and for unlawful sale of cable television services.

(2) The prevailing party may recover actual damages, reasonable attorneys' fees, and costs.

(3) The superior court may grant temporary and final injunctions on such terms as it deems reasonable to prevent or restrain violations of sections 1 and 2 of this act.

(4) Presumption of intent to avoid payment of the lawful charge for any communication service of a cable system under section 1 of this act applies in civil actions brought under this section.

NEW SECTION. Sec. 5. A new section is added to chapter 9A.56 RCW to read as follows:

No person may be charged with theft under section 1 of this act or subject to a civil cause of action under section 4 of this act for connecting a nondecoding or nondescrambling channel frequency converter, which includes cable-ready television sets, video recorders, or similar equipment, to a cable system.

NEW SECTION. Sec. 6. Section 1, chapter 94, Laws of 1973 1st ex. sess. and RCW 9.45.250 are each repealed.

NEW SECTION. Sec. 7. 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." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 550.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 550, and the motion was carried by the following vote: Yeas, 84; nays, 1; absent, 12; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, Padden, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 84.

Voting nay: Representative Fisher - 1.

Absent: Representatives Basich, Chandler, Gallagher, Hargrove, Isaacson, Miller, O'Brien, Patrick, Schoon, Sutherland, Vekich, Zellinsky - 12.

Excused: Representative Smith C - 1.

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. 550 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 550 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 550 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

April 18, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 577 with the following amendment:

On page 2, line 30 after "1987, the" strike "commissioner" and insert "director" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. McMullen, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 577.

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. 577 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 577 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J., King P., King R., Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D., Nelson G., Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L., Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B., Williams J., Wilson K., Wilson S., Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 577 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 12, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 606 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the environmental, recreational, and aesthetic values of many of the state's lakes are threatened by eutrophication and other deterioration and that existing governmental authorities are unable to adequately improve and maintain the quality of the state's lakes.

It is the purpose of this chapter to establish a governmental mechanism by which property owners can embark on a program of lake improvement and maintenance for their and the general public's benefit, health, and welfare. Public property, including state property, shall be considered the same as private property in this chapter, except liens for special assessments shall not extend to public property. Lake bottom property shall not be considered to be benefited, shall not be subject to special assessments, and shall not receive voting rights under this chapter.

NEW SECTION. Sec. 2. Any county may create lake management districts to finance the improvement and maintenance of lakes located within or partially within the boundaries of the county. All or a portion of a lake and the adjacent land areas may be included within one or more lake management districts. More than one lake, or portions of lakes, and the adjacent land areas may be included in a single lake management district. A lake management district may be created for a period of up to ten years.

Special assessments may be imposed on the property included within a lake management district to finance lake improvement and maintenance activities, including: (1) The control or removal of aquatic plants and vegetation; (2) water quality; (3) the control of water levels; (4) storm water diversion and treatment; (5) agricultural waste control; (6) studying lake water quality problems and solutions; (7) cleaning and maintaining ditches and streams entering or leaving the lake; and (8) the related administrative, engineering, legal, and operational costs, including the costs of creating the lake management district.

Special assessments may be imposed annually on all the land in a lake management district for the duration of the lake management district without a related issuance of lake management district bonds. Special assessments also may be imposed in the manner of special assessments in a local improvement district with each landowner being given the choice of paying the entire special assessment in one payment, or to paying installments, with lake management district bonds being issued to obtain moneys not derived by the initial full payment of the special assessments, and the installments covering all of the costs related to issuing, selling, and redeeming the lake management district bonds.

NEW SECTION. Sec. 3. A lake management district may be initiated upon either the adoption of a resolution of intention by a county legislative authority or the filing of a petition signed by ten landowners or twenty-five percent of the landowners within the proposed lake management district, whichever is greater. A petition or resolution of intention shall set forth: (1) The nature of the lake improvement or maintenance activities proposed to be financed; (2) the amount of money proposed to be raised by special assessments; (3) whether the special assessments will be imposed annually for the duration of the lake management district, or the full special assessments will be imposed at one time, with the possibility of installments being made to finance the issuance of lake management district bonds, or both methods; (4) the number of years proposed for the duration of the lake management district; and (5) the proposed boundaries of the lake management district.

The county legislative authority may require the posting of a bond of up to five thousand dollars before the county considers the proposed creation of a lake management district initiated by petition. The bond may only be used by the county to finance its costs in studying, holding hearings, making notices, preparing special assessment rolls, and conducting elections related to the lake management district if the proposed lake management district is not created.

A resolution of intention shall also designate the number of the proposed lake management district, and fix a date, time, and place for a public hearing on the formation of the proposed lake management district. The date for the public hearing shall be at least thirty days and no more than ninety days after the adoption of the resolution of intention unless an emergency exists.

Petitions shall be filed with the county legislative authority. The county legislative authority shall determine the sufficiency of the signatures, which shall be conclusive upon all persons. No person may withdraw his or her name from a petition after it is filed. If the county legislative authority determines a petition to be sufficient and the proposed lake management district appears to be in the public interest and the financing of the lake improvement or maintenance activities is feasible, it shall adopt a resolution of intention, setting forth all of the details required to be included when a resolution of intention is initiated by the county legislative authority.

NEW SECTION. Sec. 4. Notice of the public hearing shall be published in at least two consecutive issues of a newspaper of general circulation in the proposed lake management district, the date of the first publication to be at least fifteen days prior to the date fixed for the public hearing by the resolution of intention. Notice of the public hearing shall also be given to the owner or reputed owner of any lot, tract, parcel of land, or other property within the proposed lake management district by mailing the notice at least fifteen days before the date fixed for the public hearing to the owner or reputed owner of the property as shown on the tax rolls of the county assessor at the address shown thereon. Notice of the public hearing shall also be mailed to the departments of fisheries, game, and ecology at least fifteen days before the date fixed for the public hearing.

Notices of the public hearing shall: (1) Refer to the resolution of intention; (2) designate the proposed lake management district by number; (3) set forth a proposed plan describing: (a) The nature of the proposed lake improvement or maintenance activities; (b) the amount of special assessments proposed to be raised by the lake management district; (c) whether the special assessments will be imposed annually for the duration of the lake management district, or the full special assessments will be payable at one time, with the possibility of periodic installments being paid and lake management bonds being issued, or both; and (d) the proposed duration of the lake management district; and (4) indicate the date, time, and place of the public hearing designated in the resolution of intention.

In the case of the notice sent to each owner or reputed owner by mail, the notice shall set forth the estimated amount of the cost of the lake improvement or maintenance activities to be borne by special assessment or annual special assessments on the lot, tract, parcel of land, or other property owned by the owner or reputed owner.

If the county legislative authority has designated a committee of itself or an officer to hear complaints and make recommendations to the full county legislative authority, as provided in section 10 of this act, the notice shall also describe this additional step before the full county legislative authority may adopt a resolution creating the lake management district.

NEW SECTION, Sec. 5. The county legislative authority shall hold a public hearing on the proposed lake management district at the date, time, and place designated in the resolution of intention.

At this hearing the county legislative authority shall hear objections from any person affected by the formation of the lake management district. Representatives of the departments of fisheries, game, and ecology shall be afforded opportunities to make presentations on and comment on the proposal. Members of the public shall be afforded an opportunity to comment on the proposal. The county legislative authority must consider recommendations provided to it by the departments of fisheries, game, and ecology. The public hearing may be extended to other times and dates declared at the public hearing. The county legislative authority may make such changes in the boundaries of the lake management district or such modification in plans for the proposed lake improvement or maintenance activities as it deems necessary. The county legislative authority may not change boundaries of the lake management district to include property that was not included previously without first passing an amended resolution of intention and giving new notice to the owners or reputed owners of property newly included in the proposed lake management district in the manner and form and within the time provided for the original notice. The county legislative authority shall not alter the plans for the proposed lake improvement or maintenance activities to result in an increase in the amount of money proposed to be raised, and shall not increase the amount of money proposed to be raised, without first passing an amended resolution of intention and giving new notice to property owners in the manner and form and within the time provided for the original notice.

NEW SECTION, Sec. 6. After the public hearing, the county legislative authority may adopt a resolution submitting the question of creating the lake management district to the owners of land within the proposed lake management district, including publicly owned land, if the county legislative authority finds that it is in the public interest to create the lake management district and the financing of the lake improvement and maintenance activities is feasible. The resolution shall also include a plan describing the proposed lake improvement and maintenance activities which avoid adverse impacts on fish and wildlife and provide for appropriate measures to protect and enhance fish and wildlife, the number of years the lake management district will exist, the amount to be raised by special assessments, whether the special assessments shall be imposed annually for the duration of the lake management district or only once with the possibility of installments being imposed and lake management bonds being issued, or both, and, if both types of special assessments are proposed to be imposed, the lake improvement or maintenance activities proposed to be financed by each type of special assessment.

No lake management district may be created by a county that includes territory located in another county without the approval of the legislative authority of the other county.

NEW SECTION, Sec. 7. A ballot shall be mailed to each owner or reputed owner of any lot, tract, parcel of land, or other property within the proposed lake management district, including publicly owned land, which ballot shall contain the following proposition:

'Shall lake management district No. be formed?

Yes... ..

No

In addition, the ballot shall contain appropriate spaces for the signatures of the landowner or landowners, or officer authorized to cast such a ballot. Each ballot shall include a description of the property owner's property, the number of acres of such property, and the number of feet of lake front footage, if any. A copy of the instructions and the resolution submitting the question to the landowners shall also be included.

NEW SECTION, Sec. 8. The balloting shall be subject to the following conditions, which shall be included in the instructions mailed with each ballot, as provided in section 7 of this act: (1) All ballots must be signed by the owner or reputed owner of property according to the assessor's tax rolls; (2) each ballot must be returned to the county legislative authority not later than five o'clock p.m. of a specified day, which shall be at least twenty but not more than thirty days after the ballots are mailed; (3) each property owner shall mark his or her ballot for or against the creation of the proposed lake management district, with the ballot weighted so that the property owner has one vote for any amount of property up to one acre and one vote for each additional acre, or major portion of an acre, he or she owns in the proposed lake management district and one vote for any amount up to fifty feet, and one vote for each additional fifty feet, or major portion thereof, of lake frontage he or she owns in the proposed lake management district; and (4) the valid ballots shall be tabulated and a simple majority of the votes cast shall determine whether the proposed lake management district shall be approved or rejected.

NEW SECTION. Sec. 9. If the proposal receives a simple majority vote in favor of creating the lake management district, the county legislative authority shall adopt an ordinance creating the lake management district and may proceed with establishing the special assessments, collecting the special assessments, and performing the lake improvement or maintenance activities. If a proposed lake management district includes more than one lake and its adjacent areas, the lake management district may only be established if the proposal receives a simple majority vote in favor of creating it by the voters on each lake and its adjacent areas. The county legislative authority shall publish a notice in a newspaper of general circulation in a lake management district indicating that such an ordinance has been adopted within ten days of the adoption of the ordinance.

The ballots shall be available for public inspection after they are counted.

NEW SECTION. Sec. 10. A county legislative authority may adopt an ordinance providing for a committee of itself, or an officer, to hold public hearings on the proposed formation of a lake management district and hear objections to the proposed formation as provided in section 5 of this act. The committee or officer shall make a recommendation to the full legislative authority, which need not hold a public hearing on the proposed creation of the lake management district. The full county legislative authority by resolution may approve or disapprove the recommendation and submit the question of creating the lake management district to the property owners as provided in sections 6 through 9 of this act.

NEW SECTION. Sec. 11. No lawsuit may be maintained challenging the jurisdiction or authority of the county legislative authority to proceed with the lake improvement and maintenance activities and creating the lake management district or in any way challenging the validity of the actions or decisions or any proceedings relating to the actions or decisions unless the lawsuit is served and filed no later than forty days after publication of a notice that the ordinance has been adopted ordering the lake improvement and maintenance activities and creating the lake management district. Written notice of the appeal shall be filed with the county legislative authority and clerk of the superior court in the county in which the property is situated.

NEW SECTION. Sec. 12. After a lake management district is created, the county shall prepare a proposed special assessment roll. A separate special assessment roll shall be prepared for annual special assessments if both annual special assessments and special assessments paid at one time are imposed. The proposed special assessment roll shall list: (1) Each separate lot, tract, parcel of land, or other property in the lake management district; (2) the acreage of such property, and the number of feet of lake frontage, if any; (3) the name and address of the owner or reputed owner of each lot, tract, parcel of land, or other property as shown on the tax rolls of the county assessor; and (4) the special assessment proposed to be imposed on each lot, tract, parcel of land, or other property, or the annual special assessments proposed to be imposed on each lot, tract, parcel of land, or other property.

At the time, date, and place fixed for a public hearing, the county legislative authority shall act as a board of equalization and hear objections to the special assessment roll, and at the times to which the public hearing may be adjourned, the county legislative authority may correct, revise, raise, lower, change, or modify the special assessment roll or any part thereof, or set the proposed special assessment roll aside and order a new proposed special assessment roll to be prepared. The county legislative authority shall confirm and approve a special assessment roll by adoption of a resolution.

If a proposed special assessment roll is amended to raise any special assessment appearing thereon or to include omitted property, a new public hearing shall be held. The new public hearing shall be limited to considering the increased special assessments or omitted property. Notices shall be sent to the owners or reputed owners of the affected property in the same manner and form and within the time provided for the original notice.

Objections to a proposed special assessment roll must be made in writing, shall clearly state the grounds for objections, and shall be filed with the governing body prior to the public hearing. Objections to a special assessment or annual special assessments that are not made as provided in this section shall be deemed waived and shall not be considered by the governing body or a court on appeal.

NEW SECTION. Sec. 13. A county legislative authority may adopt an ordinance providing for a committee of itself, or an officer, to hear objections to the special assessment roll, act as a board of equalization, and make recommendations to the full county legislative authority, which need not hold a public hearing on the special assessment roll. The ordinance shall provide a process by which an appeal may be made in writing to the full county legislative authority by a person protesting his or her special assessment or annual special assessments as confirmed by the committee or officer. The full county legislative authority by resolution shall approve the special assessment roll, modify and approve the special assessment roll as a result of hearing objections, or reject the special assessment roll and return it to the committee or officer for further work and recommendations. No objection to the decision of the full county legislative authority approving the special assessment roll may be considered by a court unless an objection to the decision has been timely filed with the county legislative authority as provided in this section.

NEW SECTION. Sec. 14. Notice of the original public hearing on the proposed special assessment roll, and any public hearing held as a result of raising special assessments or including omitted property, shall be published and mailed to the owner or reputed owner of the property as provided in section 4 of this act for the public hearing on the formation of the lake management district. However, the notice need only provide the total amount to be collected by the special assessment roll and shall state that: (1) A public hearing on the proposed special assessment roll will be held, giving the time, date, and place of the public hearing; (2) the proposed special assessment roll is available for public perusal, giving the times and location where the proposed special assessment roll is available for public perusal; (3) objections to the proposed special assessment must be in writing, include clear grounds for objections, and must be filed prior to the public hearing; and (4) failure to so object shall be deemed to waive an objection.

Notices mailed to the owners or reputed owners shall additionally indicate the amount of special assessment ascribed to the particular lot, tract, parcel of land, or other property owned by the person so notified.

NEW SECTION. Sec. 15. The decision of a county legislative authority upon any objection to the special assessment roll may be appealed to the superior court only if the objection had been timely made in the manner prescribed in this chapter. The appeal shall be made within ten days after publication of a notice that the resolution confirming the special assessment roll has been adopted by filing written notice of the appeal with the county legislative authority and the clerk of the superior court in the county in which the real property is situated. The notice of appeal shall describe the property and set forth the objections of the appellant to the special assessment. Within ten days from the filing of such notice of appeal with the clerk of the superior court, the appellant shall file with the clerk of the court a transcript consisting of the special assessment roll and his or her objections thereto, together with the resolution confirming such special assessment roll and the record of the county legislative authority with reference to the special assessment or annual special assessments, which transcript, upon payment of the necessary fees therefor, shall be furnished by an officer of the county and by him or her certified to contain full, true, and correct copies of all matters and proceedings required to be included in the transcript. Such fees shall be the same as the fees payable to the county clerk for the preparation and certification of transcripts on appeal to the supreme court or the court of appeals in civil actions.

At the time of the filing of the notice of appeal with the clerk of the superior court a sufficient bond in the penal sum of two hundred dollars, with a surety or sureties thereon as provided by law for appeals in civil cases, shall be filed conditioned to prosecute such appeal without delay, and if unsuccessful, to pay all costs incurred by the county because of the appeal. The court may order the appellant, upon application therefor, to execute and file such additional bond or bonds as the necessity of the case may require.

Within three days after such transcript is filed in the superior court, the appellant shall give written notice to the county legislative authority that such transcript is filed. The notice shall state a time, not less than three days from the service thereof, when the appellant will call up the cause for hearing.

The superior court shall, at this time or at such further time as may be fixed by order of the court, hear and determine such appeal without a jury, and such cause shall have preference over all civil causes pending in the court, except proceedings under an act relating to eminent domain in such county and actions of forcible entry and detainer. The judgment of the court shall confirm, correct, modify, or annul the special assessment or annual special assessments insofar as the same affects the property of the appellant. A certified copy of the decision of the court shall be filed with the officer having custody of the special assessment roll, and he or she shall modify and correct such special assessment roll in accordance with the decision.

An appeal shall lie to the supreme court or the court of appeals from the judgment of the superior court, as in other cases, however, such appeal must be taken within fifteen days after the date of the entry of the judgment of the superior court, and the record and opening brief of the appellant in the cause shall be filed in the supreme court or the court of appeals within sixty days after the appeal is taken by notice as provided in this section. The time for filing the record and serving and filing of briefs may be extended by order of the superior court, or by stipulation of the parties concerned. The supreme court or the court of appeals on such appeal may correct, modify, confirm, or annul the special assessment or annual special assessments insofar as the same affects the property of the appellant. A certified copy of the order of the supreme court or the court of appeals upon such appeal shall be filed with the officer having custody of such special assessment roll, who shall thereupon modify and correct such special assessment roll in accordance with such decision.

NEW SECTION. Sec. 16. All property included within a lake management district shall be considered to be the property specially benefited by the lake improvement or maintenance activities and shall be the property upon which special assessments are imposed to pay the costs and expenses of the lake improvement or maintenance activities, or such part of the costs and expenses as may be chargeable against the property specially benefited. The special assessments shall be imposed on property in accordance with the special benefits conferred on

the property up to but not in excess of the total costs and expenses of the lake improvement or maintenance activities as provided in the special assessment roll.

Special assessments may be measured by front footage, acreage, the extent of improvements on the property, or any other factors that are deemed to fairly reflect special benefits. Special assessments may be calculated by using more than one factor. Zones around the public improvement may be used that reflect different levels of benefit in each zone that are measured by a front footage, acreage, the extent of improvements, or other factors.

Public property, including property owned by the state of Washington, shall be subject to special assessments to the same extent that private property is subject to the special assessments, except no lien shall extend to public property.

NEW SECTION, Sec. 17. The total annual special assessments may not exceed the estimated cost of the lake improvement or maintenance activities proposed to be financed by such special assessments, as specified in the resolution of intention. The total of special assessments imposed in a lake management district that are of the nature of special assessments imposed in a local improvement district shall not exceed one hundred fifty percent of the estimated total cost of the lake improvement or maintenance activities that are proposed to be financed by the lake management district as specified in the resolution of intention. After a lake management district has been created, the resolution of intention may be amended to increase the amount to be financed by the lake management district by using the same procedure in which a lake management district is created.

NEW SECTION, Sec. 18. Whenever annual special assessments are being imposed, the county legislative authority may modify the level of annual special assessments imposed by conforming with the procedures and subject to the limitations included in sections 12 through 17 of this act.

NEW SECTION, Sec. 19. Special assessments and installments on any special assessment shall be collected by the county treasurer.

The county treasurer shall publish a notice indicating that the special assessment roll has been confirmed and that the special assessments are to be collected. The notice shall indicate the duration of the lake management district and shall describe whether the special assessments will be paid in annual payments for the duration of the lake management district, or whether the full special assessments will be payable at one time, with the possibility of periodic installments being paid and lake management bonds being issued, or both.

If the special assessments are to be payable at one time, the notice additionally shall indicate that all or any portion of the special assessments may be paid within thirty days from the date of publication of the first notice without penalty or interest. This notice shall be published in a newspaper of general circulation in the lake management district.

Within ten days of the first newspaper publication, the county treasurer shall notify each owner or reputed owner of property whose name appears on the special assessment roll, at the address shown on the special assessment roll, for each item of property described on the list: (1) Whether one special assessment payable at one time or special assessments payable annually have been imposed; (2) the amount of the property subject to the special assessment or annual special assessments; and (3) the total amount of the special assessment due at one time, or annual amount of special assessments due. If the special assessment is due at one time, the notice shall also describe the thirty-day period during which the special assessment may be paid without penalty, interest, or cost.

NEW SECTION, Sec. 20. If the special assessments are to be payable at one time, all or any portion of any special assessment may be paid without interest, penalty, or costs during this thirty-day period and placed into a special fund to defray the costs of the lake improvement or maintenance activities. The remainder shall be paid in installments as provided in a resolution adopted by the county legislative authority, but the last installment shall be due at least two years before the maximum term of the bonds issued to pay for the improvements or maintenance. The installments shall include amounts sufficient to redeem the bonds issued to pay for the lake improvement and maintenance activities. A twenty-day period shall be allowed after the due date of any installment within which no interest, penalty, or costs on the installment may be imposed.

The county shall establish by ordinance an amount of interest that will be imposed on late special assessments imposed annually or at once, and on installments of a special assessment. The ordinance shall also specify the penalty, in addition to the interest, that will be imposed on a late annual special assessment, special assessment, or installment which shall not be less than five percent of the delinquent special assessment or installment.

The owner of any lot, tract, parcel of land, or other property charged with a special assessment may redeem it from all liability for the unpaid amount of the installments by paying, to the county treasurer, the remaining portion of the installments that is attributable to principal on the lake management district bonds.

NEW SECTION, Sec. 21. Whenever any land against which there has been levied any special assessment or annual special assessments by any county has been sold in part, subdivided, or short subdivided, the county legislative authority may order a segregation of the

special assessment or annual special assessments. If an installment has been made, the segregation shall apportion the remaining installments on the parts or lots created.

Any person desiring to have such a special assessment or annual special assessments against a tract of land segregated to apply to smaller parts thereof shall apply to the county legislative authority which levied the special assessment or annual special assessments. If the county legislative authority determines that a segregation should be made, it shall by resolution order the county treasurer to segregate the special assessment or annual special assessments on the original assessment roll as directed in the resolution. The segregation shall be made as nearly as possible on the same basis as the original special assessment or annual special assessments were levied, and the total of the segregated parts of the special assessment or annual special assessments shall equal the amount of the special assessment or annual special assessments unpaid before segregation. The resolution shall describe the original tract and the amount and date of the original special assessment or annual special assessments and shall define the boundaries of the divided parts and the amount of the special assessment or annual special assessments chargeable to each part. A certified copy of the resolution shall be delivered to the county treasurer who shall proceed to segregate the special assessment or annual special assessments upon being tendered a fee of three dollars for each tract of land for which a segregation is to be made. In addition to such charge the county legislative authority may require as a condition to the order of segregation that the person seeking it pay the local government the reasonable engineering and clerical costs incident to making the segregation.

NEW SECTION, Sec. 22. Within fifteen days after a county creates a lake management district, the county shall cause to be filed with the county treasurer, a description of the lake improvement and maintenance activities proposed that the lake management district finances, the lake management district number, and a copy of the diagram or print showing the boundaries of the lake management district and preliminary special assessment roll or abstract of same showing thereon the lots, tracts, parcels of land, and other property that will be specially benefited thereby and the estimated cost and expense of such lake improvement and maintenance activities to be borne by each lot, tract, parcel of land, or other property. The treasurer shall immediately post the proposed special assessment roll upon his or her index of special assessments against the properties affected by the lake improvement or maintenance activities.

NEW SECTION, Sec. 23. The special assessment or annual special assessments imposed upon the respective lots, tracts, parcels of land, and other property in the special assessment roll or annual special assessment roll confirmed by resolution of the county legislative authority for the purpose of paying the cost and expense in whole or in part of any lake improvement or maintenance activities shall be a lien upon the property assessed from the time the special assessment roll is placed in the hands of the county treasurer for collection, but as between the grantor and grantee, or vendor and vendee of any real property, when there is no express agreement as to payment of the special assessments against the real property, the lien of such special assessments shall attach thirty days after the filing of the diagram or print and the estimated cost and expense of such lake improvement or maintenance activities to be borne by each lot, tract, parcel of land, or other property, as provided in section 22 of this act. Interest and penalty shall be included in and shall be a part of the special assessment lien. No lien shall extend to public property subjected to special assessments.

The special assessment lien shall be paramount and superior to any other lien or encumbrance theretofore or thereafter created except a lien for general taxes.

NEW SECTION, Sec. 24. Special assessments shall be valid and enforceable as such and the lien thereof on the property assessed shall be valid if the county legislative authority in making the special assessments acted in good faith and without fraud. Delinquent special assessments or installments shall be foreclosed in the same manner as special assessments are foreclosed under chapter 36.94 RCW. Public property subject to special assessments shall not be subject to liens.

NEW SECTION, Sec. 25. The county legislative authority may stop the imposition of annual special assessments if, in its opinion, the public interest will be served by such action.

NEW SECTION, Sec. 26. (1) Counties may issue lake management district bonds in accordance with this section. Lake management district bonds may be issued to obtain money sufficient to cover that portion of the special assessments that are not paid within the thirty-day period provided in section 19 of this act. The maximum term of lake management district bonds shall be ten years.

Whenever lake management district bonds are proposed to be issued, the county legislative authority shall create a special fund or funds for the lake management district from which all or a portion of the costs of the lake improvement and maintenance activities shall be paid. Lake management district bonds shall not be issued in excess of the costs and expenses of the lake improvement and maintenance activities and shall not be issued prior to twenty days after the thirty days allowed for the payment of special assessments without interest or penalties.

Lake management district bonds shall be exclusively payable from the special fund or funds and from a guaranty fund that the county may have created out of a portion of proceeds from the sale of the lake management district bonds.

(2) Lake management district bonds shall not constitute a general indebtedness of the county issuing the bond nor an obligation, general or special, of the state. The owner of any lake management district bond shall not have any claim for the payment thereof against the county that issues the bonds except for payment from the special assessments made for the lake improvement or maintenance activities for which the lake management district bond was issued and from a lake management district guaranty fund that may have been created. The county shall not be liable to the owner of any lake management district bond for any loss to the lake management district guaranty fund occurring in the lawful operation of the fund. The owner of a lake management district bond shall not have any claim against the state arising from the lake management district bond, special assessments, or guaranty fund. Tax revenues shall not be used to secure or guarantee the payment of the principal or of interest on lake management district bonds.

The substance of the limitations included in this subsection shall be plainly printed, written, engraved, or reproduced on: (a) Each lake management district bond that is a physical instrument; (b) the official notice of sale; and (c) each official statement associated with the lake management district bonds.

(3) If the county fails to make any principal or interest payments on any lake management district bond or to promptly collect any special assessment securing the bonds when due, the owner of the lake management district bond may obtain a writ of mandamus from any court of competent jurisdiction requiring the county to collect the special assessments, foreclose on the related lien, and make payments out of the special fund or guaranty fund if one exists. Any number of owners of lake management districts may join as plaintiffs.

(4) A county may create a lake management district bond guaranty fund for each issue of lake management district bonds. The guaranty fund shall only exist for the life of the lake management district bonds with which it is associated. A portion of the bond proceeds may be placed into a guaranty fund. Unused moneys remaining in the guaranty fund during the last two years of the installments shall be used to proportionally reduce the required level of installments and shall be transferred into the special fund into which installment payments are placed.

(5) Lake management district bonds shall be issued and sold in accordance with chapter 39.46 RCW. The authority to create a special fund or funds shall include the authority to create accounts within a fund.

NEW SECTION. Sec. 27. A new section is added to chapter 35.21 RCW to read as follows:

Any city or town may establish lake management districts within its boundaries as provided in chapter 36.____ RCW (sections 1 through 26 of this act). When a city or town establishes a lake management district pursuant to chapter 36.____ RCW (sections 1 through 26 of this act), the term 'county legislative authority' shall be deemed to mean the city or town governing body, the term 'county' shall be deemed to mean the city or town, and the term 'county treasurer' shall be deemed to mean the city or town treasurer or other fiscal officer.

Sec. 28. Section 2, chapter 107, Laws of 1939 as amended by section 1, chapter 258, Laws of 1959 and RCW 90.24.010 are each amended to read as follows:

Ten or more owners of real property abutting on a meandered lake may petition the superior court of the county in which the lake is situated, for an order to provide for the regulation of the outflow of the lake in order to maintain a certain water level therein (~~for the benefit of the property abutting thereon and to provide for the periodic lowering of the lake level to facilitate the elimination of weed growth and other similar objectionable matters in the lake~~). The court, after hearing, is authorized to make an order fixing the water level thereof (~~except during that period when it is ordered to be lowered for weed control and other similar purposes~~) and directing the (~~supervisor~~) department of ecology to regulate the outflow therefrom in accordance with the purposes described in the petition. This section shall not apply to any meandered lake or reservoir used for the storage of water for irrigation or other beneficial purposes, or to lakes navigable from the sea.

Sec. 29. Section 5, chapter 107, Laws of 1939 as amended by section 3, chapter 258, Laws of 1959 and RCW 90.24.040 are each amended to read as follows:

At the hearing evidence shall be introduced in support of the petition and all interested parties may be heard for or against it. The court shall make findings and conclusions and enter an order granting or refusing the petition, and if the petition is granted, shall fix the water level to be maintained and direct the (~~supervisor~~) department of ecology to regulate and control the outflow of the lake so as to properly maintain the water level so far as practicable within maximum and minimum limits when the proper control devices are installed: PROVIDED, That (~~the court may order periodic lowering of the lake level to facilitate weed control and other similar objectives: PROVIDED FURTHER, That~~) the court shall have continuing jurisdiction after a petition is once granted and shall, upon subsequent petition filed and heard in accordance with the preceding sections, make such further findings and conclusions and enter such further orders as are necessary to accomplish fully the objectives sought in the initial petition: AND

PROVIDED FURTHER, That shall the court find any such riparian owners abutting on a stream or river flowing from such lake be adversely affected in any way by the granting of such a petition, such petition shall be refused.

NEW SECTION. Sec. 30. Section 4, chapter 258, Laws of 1959 and RCW 90.24.065 are each repealed.

NEW SECTION. Sec. 31. Sections 28 through 30 of this act shall take effect January 1, 1986.

NEW SECTION. Sec. 32. Sections 1 through 26 of this act shall constitute a new chapter in Title 36 RCW."

On page 1, on line 1 of the title, after "improvements," strike the remainder of the title and insert "amending RCW 90.24.010 and 90.24.040; adding a new chapter to Title 36 RCW; adding a new section to chapter 35.21 RCW; repealing RCW 90.24.065; and providing an effective date," and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Ms. Nutley moved that the House do concur in the Senate amendments to Substitute House Bill No. 606.

Representatives Nutley and Brough spoke in favor of the motion and it 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 Substitute House Bill No. 606 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 606 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Deilwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 606 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 12, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 957 with the following amendments:

On page 2, beginning on line 24 after "policy," strike all material down to and including "coverage," on line 27

Beginning on page 3, strike all of section 2.

On line 1 of the title after "RCW 48.22.030" strike "and 48.22.040"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Lux, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 957.

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. 957 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 957 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 957 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

April 18, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1190 with the following amendment:

On page 1, line 9 strike "establish" and insert "operate" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Sommers, the House concurred in the Senate amendment to Substitute House Bill No. 1190.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1190 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1190 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1190 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

April 17, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1269 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 200, Laws of 1979 ex. sess. as amended by section 5, chapter 131, Laws of 1984 and RCW 84.52.069 are each amended to read as follows:

(1) As used in this section, 'taxing district' means a county, emergency medical service district, city or town, public hospital district, or fire protection district.

(2) A taxing district may impose additional regular property tax levies in an amount equal to twenty-five cents or less per thousand dollars of the assessed value of property in the taxing district in each year for six consecutive years when specifically authorized so to do by a majority of at least three-fifths of the electors thereof approving a proposition authorizing the levies submitted at a general or special election, at which election the number of persons voting 'yes' on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election when the number of electors voting on the proposition does not exceed forty per centum of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition when the number of electors voting on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election. Ballot propositions shall conform with RCW 29.30.111.

(3) Any tax imposed under this section shall be used only for the provision of emergency medical care or emergency medical services, including related personnel costs, training for such personnel, and related equipment, supplies, vehicles and structures needed for the provision of emergency medical care or emergency medical services.

(4) If a county levies a tax under this section, no taxing district within the county may levy a tax under this section. No other taxing district may levy a tax under this section if another taxing district has levied a tax under this section within its boundaries: PROVIDED, That if a county levies less than twenty-five cents per thousand dollars of the assessed value of property, then any other taxing district may levy a tax under this section equal to the difference between the rate of the levy by the county and twenty-five cents: PROVIDED FURTHER, That if a taxing district within a county levies this tax, and the voters of the county subsequently approve a levying of this tax, then the ~~((tax levy for emergency medical services shall cease being levied in the taxing district originally levying it and shall be replaced with the county-wide levy))~~ amount of the taxing district levy within the county shall be reduced, when the combined levies exceed twenty-five cents. Whenever a tax is levied county-wide, the service shall, insofar as is feasible, be provided throughout the county: PROVIDED FURTHER, That no county-wide levy proposal may be placed on the ballot without the approval of the legislative authority of each city exceeding fifty thousand population within the county: AND PROVIDED FURTHER, That this section and RCW 36.32.480 shall not prohibit any city or town from levying an annual excess levy to fund emergency medical services: AND PROVIDED, FURTHER, That if a county proposes to impose tax levies under this section, no other ballot proposition authorizing tax levies under this section by another taxing district in the county may be placed before the voters at the same election at which the county ballot proposition is placed: AND PROVIDED FURTHER, That any taxing district emergency medical service levy that is authorized subsequent to a county emergency medical service levy, shall expire concurrently with the county emergency medical service levy.

(5) The tax levy authorized in this section is in addition to the tax levy authorized in RCW 84.52.043.

(6) The limitation in RCW 84.55.010 shall not apply to the first levy imposed pursuant to this section following the approval of such levy by the voters pursuant to subsection (2) of this section."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Nutley moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 1269.

Representatives Nutley and Brough spoke in favor of the motion and it 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. 1269 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1269 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough,

Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Engrossed Substitute 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 AMENDMENT TO HOUSE BILL

April 18, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 187 with the following amendment:

On page 2, line 21 after "roads" insert "existing private roads that will become county roads as a result of this improvement district process" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wineberry, the House concurred in the Senate amendment to Substitute House Bill No. 187.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 187 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 187 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 187 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, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 203 with the following amendments:

On page 1, after line 18 insert:

"Sec. 2. Section 1, chapter 1, Laws of 1959 and RCW 41.14.010 are each amended to read as follows:

The general purpose of this chapter is to establish a merit system of employment for county deputy sheriffs and other employees of the office of county sheriff, thereby raising the standards and efficiency of such offices and law enforcement in general. The provisions of this chapter have no application to any class AA county which provides for civil service in the police department or sheriff's office by local charter or ordinance where such local charter or

ordinance substantially accomplishes the purpose of this chapter: PROVIDED, That if any such county at any time repeals the charter provisions or ordinances providing for civil service for the police department or sheriff's office, this chapter must thereafter apply to such county."

Renumber the remaining section consecutively.

On page 1, after line 18 insert a new section as follows: "NEW SECTION, Sec. 2. A new section is added to chapter 36.75 RCW as follows:

If the centerline of a portion of a county road is part of a corporate boundary of a city or town as of the effective date of this 1985 act and that portion of county road has no connection to the county road system, maintenance of all affected portions of the road shall be the responsibility of such city or town after a petition requesting the same has been made to the city or town by the county legislative authority."

Renumber the remaining section.

On page 1, line 1 of the title after "section;" insert "amending RCW 41.14.010;"

On page 1, line 1 of the title after "section" insert ": creating a new section in chapter 36.75 RCW"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Wineberry, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 203.

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. 203 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 203 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 1; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Neeley, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Fisher - 1.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 203 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 17, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 222 with the following amendments:

On page 2, after line 23, insert the following:

"Sec. 2. Section 13, chapter 283, Laws of 1969 ex. sess. as last amended by section 1, chapter 92, Laws of 1984 and RCW 28A.02.061 are each amended to read as follows:

The following are school holidays, and school shall not be taught on these days: Saturday; Sunday; the first day of January, commonly called New Year's Day; the third Monday of January, being celebrated as the anniversary of the birth of Martin Luther King, Jr.; the third Monday in February (~~being the anniversary of the birth of~~) to be known as Presidents' Day and to be celebrated as the anniversary of the births of Abraham Lincoln and George Washington; the last Monday in May, commonly known as Memorial Day; the fourth day of July, being the anniversary of the Declaration of Independence; the first Monday in September, to be known as Labor Day; the eleventh day of November, to be known as Veterans' Day, the fourth Thursday in November, commonly known as Thanksgiving Day; the day immediately following Thanksgiving Day; the twenty-fifth day of December, commonly called Christmas Day: PROVIDED, That no reduction from the teacher's time or salary shall be made by reason of the fact

that a school day happens to be one of the days referred to in this section as a day on which school shall not be taught."

On page 1, line 1 of the title, after "1.16.050" insert "and 28A.02.061" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Belcher, the House concurred in the Senate amendments to Engrossed House Bill No. 222.

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. 222 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 222 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; nays, 12; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, West, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Barnes, Bond, Chandler, Dobbs, Fuhrman, Hastings, Padden, Sanders, van Dyke, Van Luven, Williams B, Williams J - 12.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Engrossed House Bill No. 222 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

April 17, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 228 with the following amendment:

On page 2 after "United States" insert "and are powered by propulsion machinery of ten or less horsepower"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Wineberry, the House concurred in the Senate amendment to Engrossed House Bill No. 228.

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. 228 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 228 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich,

Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Engrossed House Bill No. 228 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

April 18, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 974 with the following amendment:

On page 2, line 15 after "technology" insert "or the appropriate committees of the house and of the senate"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Rust moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 974.

Representatives Rust and Allen spoke in favor of the motion, and it 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. 974 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 974 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 3; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Baugher, Bond, Padden - 3.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 974 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

April 18, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1061 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 20, Laws of 1983 1st ex. sess. and RCW 43.210.010 are each amended to read as follows:

The legislature finds:

(1) The exporting of goods and services from Washington to international markets is an important economic stimulus to the growth ~~((and)), development, and stability of ((many)) the state's businesses, and ((the economic activities associated with exporting make an important contribution to the economic well-being of the state))~~ that these economic activities create needed jobs for Washingtonians.

(2) Impediments to the entry of many small and medium-sized businesses into export markets have restricted growth in exports from the state.

(3) Particularly significant impediments for many small and medium-sized businesses are the lack of easily accessible information about export opportunities and ~~((export))~~ financing alternatives ~~((and the limited availability of export financing at reasonable costs from conventional financing sources for many small and medium-sized businesses)).~~

(4) There is a need for ~~((an))~~ a small business export finance assistance center which will specialize in providing export assistance to small and medium-sized businesses throughout the state ~~((in the financing of export transactions and))~~ in acquiring information about export opportunities and financial alternatives for exporting.

Sec. 2. Section 2, chapter 20, Laws of 1983 1st ex. sess. and RCW 43.210.020 are each amended to read as follows:

A nonprofit corporation, to be known as the small business export finance assistance center, and branches subject to its authority, may be formed under chapter 24.03 RCW for the following public purposes:

(1) To assist small and medium-sized businesses in the financing of export transactions.

(2) To provide, singly or in conjunction with other organizations, information and assistance to these businesses about export opportunities and ~~((export))~~ financing alternatives.

(3) To provide information to and assist those businesses interested in exporting products, including the opportunities available to them in organizing export trading companies under the United States export trading company act of 1982, for the purpose of increasing their comparative sales volume and ability to export their products to foreign markets.

Sec. 3. Section 3, chapter 20, Laws of 1983 1st ex. sess. and RCW 43.210.030 are each amended to read as follows:

The small business export finance assistance center and its branches shall be governed and managed by a board of ~~((eleven))~~ seventeen directors appointed by the governor and confirmed by the senate. The directors shall serve terms of six years except that two of the original directors shall serve for two years and two of the original directors shall serve for four years. The directors may provide for the payment of their expenses. The directors shall include a representative of a not-for-profit corporation formed for the purpose of facilitating economic development, ~~((a))~~ at least two representatives of ~~((a))~~ state financial institutions engaged in the financing of export transactions, a representative of a port district, and a representative of organized labor. ~~Of the remaining board members, there shall be a representative of the governor, ((and four representatives of businesses: (a))) one representative of business from the area west of Puget Sound, ((b)) one representative of business from the area east of Puget Sound and west of the Cascade range, ((c)) one representative of business from the area east of the Cascade range and west of the Columbia river, and ((d)) one representative of business from the area east of the Columbia river. One of the directors shall be a representative of the public selected from the area in the state west of the Cascade mountain range and one director shall be a representative of the public selected from that area of the state east of the Cascade mountain range. One director shall be a representative of the public at large. The directors shall be broadly representative of geographic areas of the state, and the ((three)) representatives of businesses shall represent at least four different industries in different sized businesses as follows: (a) one representative of a company employing fewer than one hundred persons; (b) one representative of a company employing between one hundred and five hundred persons; and (c) two representatives of companies employing more than five hundred persons. Any vacancies on the board due to the expiration of a term or for any other reason shall be filled by appointment by the governor for the unexpired term. ~~((Upon expiration of the terms of each of the original directors, the governor shall appoint directors for six-year terms.))~~~~

Sec. 4. Section 4, chapter 20, Laws of 1983 1st ex. sess. and RCW 43.210.040 are each amended to read as follows:

(1) The small business export finance assistance center formed under RCW 43.210.020 and 43.210.030 shall have the powers granted under chapter 24.03 RCW. In exercising such powers, the center may:

(a) Solicit and accept grants, contributions, and any other financial assistance from the federal government, federal agencies, and any other sources to carry out its purposes;

(b) Make loans to Washington businesses with annual sales of twenty-five million dollars or less for the purpose of financing exports of goods or services by those businesses to buyers in foreign countries. Loans by ~~((an))~~ the small business export finance assistance center under this chapter shall not compete with nor be a substitute for available loans by a bank or other financial institution and shall only be considered upon a financial institution's assurance that such loan is not available;

(c) Provide loan guarantees on loans made by financial institutions to businesses with annual sales of one hundred million dollars or less for the purpose of financing exports of goods or services by those businesses to buyers in foreign countries;

(d) Establish and regulate the terms and conditions of any such loans and loan guarantees and charges for interest and services connected therewith: ~~((and))~~

(e) Provide export financial counseling to Washington exporters with annual sales of one hundred million dollars or less, provided that such counseling is not available from a

Washington for-profit business. For such counseling, the center may charge such fees as it determines are necessary.

(f) Contract with the federal government and its agencies to become a program administrator for federally provided country risk insurance programs and for the purposes of this chapter; and

(g) Take whatever action may be necessary to accomplish the purposes set forth in this chapter.

(2) The center may not use any Washington state funds or funds which come from the public treasury of the state of Washington to make loans or to make any payment under a loan guarantee agreement. Under no circumstances may the center use any funds received under RCW 43.210.050 to make or assist in making any loan or to pay or assist in paying any amount under a loan guarantee agreement. Debts of the center shall be center debts only and may be satisfied only from the resources of the center. The state of Washington shall not in any way be liable for such debts.

(3) The small business export finance assistance center shall make every effort to seek nonstate funds for its continued operation and shall report to the governor and legislature each January 1st on the amounts it has secured from nonstate funding sources.

(4) The small business export finance assistance center may receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of the small business export finance assistance center and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments.

Sec. 5. Section 5, chapter 20, Laws of 1983 1st ex. sess. and RCW 43.210.050 are each amended to read as follows:

The small business export finance assistance center formed under RCW 43.210.020 and 43.210.030 is eligible to receive consideration for a contract under this chapter from the department of commerce and economic development or its statutory successor. The contract shall require the center to provide export assistance services ~~((and)),~~ may not have a duration of longer than two years, and shall require the center to aggressively seek to fund its continued operation from nonstate funds. The contract shall also require the center to report at least twice annually to the department on its success in obtaining nonstate funding. ((The center, including its branch, for the biennium ending June 30, 1985, may not have more than one contract with the department of commerce and economic development or its statutory successor.))

Sec. 6. Section 7, chapter 20, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

The director of commerce and economic development or its statutory successor shall: (a) Report to the governor and the legislature before ~~((October 1, 1985))~~ December 1, 1985, concerning the contract made with the small business export finance assistance center under this chapter during the ~~((1983-85))~~ 1985 biennium, and the operations and activities of the small business export finance assistance center during that period; and (b) make a report to the small business export finance assistance center by September 1, ~~((1983))~~ 1985, and at least annually thereafter as to products and services the department or its statutory successor has been able to identify and has targeted as those products and services which are sought by foreign markets. Upon request the department or its statutory successor shall furnish a copy of its report to the small business export finance assistance center to any interested party.

NEW SECTION. Sec. 7. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the export assistance center shall be delivered to the custody of the small business export finance assistance center. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the export assistance center shall be made available to the small business export finance assistance center. All funds, credits, or other assets held by the export assistance center shall be assigned to the small business export finance assistance center.

Whenever any question arises as to the transfer of any funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION. Sec. 8. All existing contracts and obligations shall remain in full force and shall be performed by the small business export finance assistance center.

NEW SECTION. Sec. 9. The transfer of the powers, duties, and functions of the export assistance center shall not affect the validity of any act performed prior to the effective date of this act.

NEW SECTION. Sec. 10. A new section is added to chapter 43.131 RCW to read as follows: The small business export finance assistance center and its powers and duties shall be terminated on June 30, 1990, as provided in section 11 of this 1985 act.

NEW SECTION. Sec. 11. A new section is added to chapter 43.131 RCW to read as follows: The following acts, or parts of acts, as now existing or hereafter amended are each repealed, effective June 30, 1991:

(1) Section 1, chapter 20, Laws of 1983 1st ex. sess., section 1 of this 1985 act and RCW 43.210.010;

(2) Section 2, chapter 20, Laws of 1983 1st ex. sess., section 2 of this 1985 act and RCW 43.210.020;

(3) Section 3, chapter 20, Laws of 1983 1st ex. sess., section 3 of this 1985 act and RCW 43.210.030;

(4) Section 4, chapter 20, Laws of 1983 1st ex. sess., section 4 of this 1985 act and RCW 43.210.040;

(5) Section 5, chapter 20, Laws of 1983 1st ex. sess., section 5 of this 1985 act and RCW 43.210.050;

(6) Section 6, chapter 20, Laws of 1983 1st ex. sess. and RCW 43.210.060;

(7) Section 7, chapter 20, Laws of 1983 1st ex. sess. and section 6 of this 1985 act (uncodified);

(8) Section 7 of this 1985 act (uncodified);

(9) Section 8 of this 1985 act (uncodified); and

(10) Section 9 of this 1985 act (uncodified).

NEW SECTION. Sec. 12. 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." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Kremen moved that the House do concur in the Senate amendment to Substitute House Bill No. 1061.

Mr. Schoon spoke against the motion and Mr. McMullen spoke in favor of it.

The motion 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 Substitute House Bill No. 1061 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1061 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1061 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, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 348 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 3, chapter 137, Laws of 1981 as last amended by section 3, chapter 209, Laws of 1984 and RCW 9.94A.030 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Commission' means the sentencing guidelines commission.

(2) 'Community corrections officer' means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(3) 'Community service' means compulsory service, without compensation, performed for the benefit of the community by the offender.

(4) 'Community supervision' means a period of time during which a convicted offender is subject to crime-related prohibitions and other sentence conditions imposed pursuant to this chapter by a court. For first-time offenders, the supervision may include crime-related prohibitions and other conditions imposed pursuant to RCW 9.94A.120(5).

(5) 'Confinement' means total or partial confinement as defined in this section.

(6) 'Conviction' means an adjudication of guilt pursuant to Titles 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(7) 'Crime-related prohibition' means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct.

(8) (a) 'Criminal history' means the list of a defendant's prior convictions, whether in this state, in federal court, or elsewhere. The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) 'Criminal history' includes a defendant's prior convictions ((or pleas of guilty)) in juvenile court if: (i) The ((guilty plea or)) conviction was for an offense which is a felony and is criminal history as defined in RCW 13.40.020(6)(a); and (ii) the defendant was fifteen years of age or older at the time the offense was committed; and (iii) the defendant ((had not reached his or her twenty-third birthday)) was less than twenty-three years of age at the time the offense for which he or she is being sentenced was committed.

(9) 'Department' means the department of corrections.

(10) 'Determinate sentence' means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community supervision, the number of actual hours or days of community service work, or dollars or terms of a fine or restitution. The fact that an offender through 'earned early release' can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(11) 'Drug offense' means any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.401(d)).

(12) 'Escape' means escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), or willful failure to return from work release (RCW 72.65.070).

(13) 'Felony traffic offense' means vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), or felony hit-and-run injury-accident (RCW 46.52.020(4)).

(14) 'Fines' means the requirement that the offender pay a specific sum of money over a specific period of time to the court.

~~((+2))~~ (15) 'First-time offender' means any person convicted of a felony not classified as a violent offense under this chapter, who previously has never been convicted of a felony in this state, federal court, or another state, and who has never participated in a program of deferred prosecution for a felony offense.

~~((+3))~~ (16) 'Nonviolent offense' means an offense which is not a violent offense.

(17) 'Offender' means a person who has committed a felony established by state law and is eighteen years of age or older or is less than eighteen years of age but whose case has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. Throughout this chapter, the terms 'offender' and 'defendant' are used interchangeably.

~~((+4))~~ (18) 'Partial confinement' means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, for a substantial portion of each day with the balance of the day spent in the community.

~~((+5))~~ (19) 'Restitution' means the requirement that the offender pay a specific sum of money over a specific period of time to the court as payment of damages. The sum may include both public and private costs. The imposition of a restitution order does not preclude civil redress.

~~((+6))~~ (20) 'Serious traffic offense' means driving while intoxicated (RCW 46.61.502), actual physical control while intoxicated (RCW 46.61.504), reckless driving (RCW 46.61.500), or hit-and-run an attended vehicle (RCW 46.52.020(5)).

(21) 'Serious violent offense' is a subcategory of violent offense and means murder in the first degree, murder in the second degree, assault in the first degree, kidnapping in the first degree, or rape in the first degree.

(22) 'Sentence range' means the sentencing court's discretionary range in imposing a non-appealable sentence.

~~((†7))~~ (23) 'Sex offense' means a felony which is a violation of chapter 9A.44 RCW or RCW 9A.64.020 or which is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes.

(24) 'Total confinement' means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

~~((†8))~~ (25) 'Violent offense' means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation or of criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, rape in the second degree, kidnapping in the second degree, arson in the second degree, assault in the second degree, extortion in the first degree, robbery in the second degree, ~~((and))~~ vehicular homicide, and vehicular assault;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in subsection ~~((†8))~~ (25)(a) of this section; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under subsection ~~((†8))~~ (25)(a) or (b) of this section.

Sec. 2. Section 4, chapter 137, Laws of 1981 as amended by section 2, chapter 192, Laws of 1982 and RCW 9.94A.040 are each amended to read as follows:

(1) A sentencing guidelines commission is established as an agency of state government.

(2) The commission shall, following a public hearing or hearings:

(a) Devise a series of recommended standard sentence ranges for all felony offenses and a system for determining which range of punishment applies to each offender based on the extent and nature of the offender's criminal history, if any;

(b) Devise recommended prosecuting standards in respect to charging of offenses and plea agreements; and

(c) Devise recommended standards to govern whether sentences are to be served consecutively or concurrently.

(3) Each of the commission's recommended standard sentence ranges shall include one or more of the following: Total confinement, partial confinement, community supervision, community service, and a fine.

(4) In devising the standard sentence ranges of total and partial confinement under this section, the commission is subject to the following limitations:

(a) If the maximum term in the range is one year or less, the minimum term in the range shall be no less than one-third of the maximum term in the range, except that if the maximum term in the range is ninety days or less, the minimum term may be less than one-third of the maximum;

(b) If the maximum term in the range is greater than one year, the minimum term in the range shall be no less than seventy-five percent of the maximum term in the range; and

(c) The maximum term of confinement in a range may not exceed the statutory maximum for the crime as provided in RCW 9A.20.020.

(5) In carrying out its duties under subsection (2) of this section, the commission shall give consideration to the existing guidelines adopted by the association of superior court judges and the Washington association of prosecuting attorneys and the experience gained through use of those guidelines. The commission shall emphasize confinement for the violent offender and alternatives to total confinement for the nonviolent offender.

(6) This commission shall conduct a study to determine the capacity of correctional facilities and programs which are or will be available. While the commission need not consider such capacity in arriving at its recommendations, the commission shall project whether the implementation of its recommendations would result in exceeding such capacity. If the commission finds that this result would probably occur, then the commission shall prepare an additional list of standard sentences which shall be consistent with such capacity.

~~(7) ((By January 10, 1983, the commission shall recommend its standard sentence ranges and standards to the legislature by providing the recommendations to the chief clerk of the house of representatives and secretary of the senate. If the commission has prepared an additional list of standard sentence ranges, as provided under subsection (6) of this section, then the commission shall include such list along with its recommendations.~~

~~(8) Every two years;~~) The commission may recommend to the legislature revisions or modifications to the standard sentence ranges and other standards. If implementation of the revisions or modifications would result in exceeding the capacity of correctional facilities, then the commission shall accompany its recommendation with an additional list of standard sentence ranges which are consistent with correction capacity.

~~((9))~~ (8) The commission shall study the existing criminal code and from time to time make recommendations to the legislature for modification.

~~((+0))~~ (9) The commission shall exercise its duties under this section in conformity with chapter 34.04 RCW, as now existing or hereafter amended.

Sec. 3. Section 7, chapter 137, Laws of 1981 and RCW 9.94A.070 are each amended to read as follows:

~~((1) At its regular session convening in 1983, the legislature shall enact laws approving or modifying either the standards recommended by the commission, or the additional list of standard sentence ranges consistent with prison capacity in the event an additional list has been submitted pursuant to RCW 9.94A.040(6). The standards so adopted shall take effect on July 1, 1984.~~

~~(2)) Revisions or modifications of standard sentence ranges or other standards, together with any additional list of standard sentence ranges, shall be submitted to the legislature at least every two years ((and shall become effective as provided under subsection (1) of this section on July first of the year in which they are submitted)).~~

Sec. 4. Section 12, chapter 137, Laws of 1981 as last amended by section 6, chapter 209, Laws of 1984 and RCW 9.94A.120 are each amended to read as follows:

When a person is convicted of a felony, the court shall impose punishment as provided in this section.

(1) Except as authorized in subsections (2) ~~((and)),~~ (5), and (7) of this section, the court shall impose a sentence within the sentence range for the offense.

(2) The court may impose a sentence outside the standard sentence range for that offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(3) Whenever a sentence outside the standard range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard range shall be a determinate sentence.

(4) An offender convicted of the crime of murder in the first degree shall be sentenced to a term of total confinement not less than twenty years. An offender convicted of the crime of assault in the first degree where the offender used force or means likely to result in death or intended to kill the victim shall be sentenced to a term of total confinement not less than five years. An offender convicted of the crime of rape in the first degree shall be sentenced to a term of total confinement not less than three years, and shall not be eligible for furlough, work release or other authorized leave of absence from the correctional facility during such minimum three year term except for the purpose of commitment to an inpatient treatment facility. The foregoing minimum terms of total confinement are mandatory and shall not be varied or modified as provided in subsection (2) of this section.

(5) In sentencing a first-time offender, other than a person convicted of a violation of chapter 9A.44 RCW or RCW 9A.64.020, the court may waive the imposition of a sentence within the sentence range and impose a sentence which may include up to ninety days of confinement in a facility operated or utilized under contract by the county and a requirement that the offender refrain from committing new offenses. The sentence may also include up to two years of community supervision, which, in addition to crime-related prohibitions, may include requirements that the offender perform any one or more of the following:

(a) Devote time to a specific employment or occupation;

(b) Undergo available outpatient treatment for up to two years, or inpatient treatment not to exceed the standard range of confinement for that offense;

(c) Pursue a prescribed, secular course of study or vocational training;

(d) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;

(e) Report as directed to the court and a community corrections officer; or

(f) Pay a fine, make restitution, and/or accomplish some community service work.

(6) If a sentence range has not been established for the defendant's crime, the court shall impose a determinate sentence which may include not more than one year of confinement, community service work, restitution, a term of community supervision not to exceed one year, and/or a fine. The court may impose a sentence which provides more than one year of confinement if the court finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(7) (a) When an offender is convicted of ~~((any))~~ a sex offense other than a violation of ~~((chapter 9A.44 RCW or RCW 9A.64.020 except))~~ RCW 9A.44.040 or RCW 9A.44.050 and has no prior convictions ~~((of chapter 9A.44 RCW, RCW 9A.64.020))~~ for a sex offense or any other felony sexual offenses in this or any other state, the sentencing court, on its own motion or the motion of the state or the defendant, may order an examination to determine whether the defendant is amenable to treatment.

After receipt of the reports, the court shall then determine whether the offender and the community will benefit from use of this special sexual offender sentencing alternative. If the court determines that both the offender and the community will benefit from use of this provision, the court shall then impose a sentence within the sentence range and, if this sentence is less than six years of confinement, the court may suspend the execution of the sentence and

place the offender on community supervision for up to two years. As a condition of the suspended sentence, the court may impose other sentence conditions including up to six months of confinement, not to exceed the sentence range of confinement for that offense, crime-related prohibitions, and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment;
- (iii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;
- (iv) Report as directed to the court and a community corrections officer;
- (v) Pay a fine, make restitution, accomplish some community service work, or any combination thereof; or
- (vi) Make recoupment to the victim for the cost of any counseling required as a result of the offender's crime.

If the offender violates these sentence conditions the court may revoke the suspension and order execution of the sentence. All confinement time served during the period of community supervision shall be credited to the offender if the suspended sentence is revoked.

(b) When an offender is convicted of any felony sexual offense and is sentenced to a term of confinement of more than one year but less than six years, the sentencing court may, on its own motion or on the motion of the offender or the state, order the offender committed for up to thirty days to the custody of the secretary of the department of social and health services at the Eastern State Hospital or the Western State Hospital for evaluation and report to the court on the offender's amenability to treatment at these facilities. If the secretary of the department of social and health services cannot begin the evaluation within thirty days of the court's order of commitment, the offender shall be transferred to the state for confinement pending an opportunity to be evaluated at the appropriate facility. The court shall review the reports and may order that the term of confinement imposed be served in the sexual offender treatment programs at Western State Hospital or Eastern State Hospital, ((as determined by the secretary of the department of social and health services)) only if the report indicates that the offender is amenable to treatment at these facilities. The offender shall be transferred to the state pending placement in the treatment program.

If the offender does not comply with the conditions of the treatment program, the secretary of the department of social and health services may refer the matter to the sentencing court for determination as to whether the offender shall be ((transferred)) committed to the department of corrections to serve the balance of his term of confinement.

If the offender successfully completes the treatment program before the expiration of his term of confinement, the court may convert the balance of confinement to community supervision and may place conditions on the offender including crime-related prohibitions and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;
- (iii) Report as directed to the court and a community corrections officer;
- (iv) Undergo available outpatient treatment.

If the offender violates any of the terms of his community supervision, the court may order the offender to serve out the balance of his community supervision term in confinement in the custody of the department of corrections.

(c) Whenever a court sentences a person convicted of a sex offense to a term of confinement of more than one year, including a sentence under (b) of this subsection, the court may also order, in addition to the other terms of the sentence, that the offender, upon release from confinement, serve up to two years of community supervision. The conditions of supervision shall be limited to:

- (i) Crime-related prohibitions;
- (ii) A requirement that the offender report to a community corrections officer at regular intervals; and

(iii) A requirement to remain within or without stated geographical boundaries.

The length and conditions of supervision shall be set by the court at the time of sentencing. However, within thirty days prior to release from confinement and throughout the period of supervision, the length and conditions of supervision may be modified by the sentencing court, upon motion of the department of corrections, the offender, or the prosecuting attorney. The period of supervision shall be tolled during any time the offender is in confinement for any reason. The period of supervision shall be concurrent with any outpatient supervision that is part of a treatment program imposed under (b) of this subsection. In no case shall the period of supervision, in combination with the other terms of the offender's sentence, exceed the statutory maximum term for the offender's crime, as set forth in RCW 9A.20.021.

If the offender violates any condition of supervision, the sentencing court, after a hearing conducted in the same manner as provided for in RCW 9.94A.200, may order the offender to be confined for up to sixty days in the county jail at state expense from funds provided for this purpose to the department of corrections. Reimbursement rates for such purposes shall be established based on a formula determined by the office of financial management and reestablished each even-numbered year. An offender may be held in jail at state expense pending the hearing, and any time served while awaiting the hearing shall be credited against confinement imposed for a violation. Even after the period of supervision has expired, an offender may be confined for a violation occurring during the period of supervision. The court shall retain jurisdiction for the purpose of holding the violation hearing and imposing a sanction.

(8) If the court imposes a sentence requiring confinement of thirty days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than thirty days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(9) If a sentence imposed includes a fine or restitution, the sentence shall specify a reasonable manner and time in which the fine or restitution shall be paid. In any sentence under this chapter the court may also require the offender to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (a) to pay court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, (b) to make recoupment of the cost of defense attorney's fees if counsel is provided at public expense, (c) to contribute to a county or interlocal drug fund, and (d) to make such other payments as provided by law. All monetary payments shall be ordered paid by no later than ten years after the date of the judgment of conviction.

(10) Except as provided under RCW 9.94A.140(1), a court may not impose a sentence providing for a term of confinement or community supervision which exceeds the statutory maximum for the crime as provided in RCW 9A.20.020.

(11) All offenders sentenced to terms involving community supervision, community service, restitution, or fines shall be under the supervision of the secretary of the department or such person as the secretary may designate and shall follow implicitly the instructions of the secretary including reporting as directed to a community corrections officer, remaining within prescribed geographical boundaries, and notifying the community corrections officer of any change in the offender's address or employment.

(12) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(13) A departure from the standards in RCW 9.94A.400(1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in subsections (2) and (3) of this section, and may be appealed by the defendant or the state as set forth in RCW 9.94A.210(2) through (6).

Sec. 5. Section 19, chapter 137, Laws of 1981 as amended by section 10, chapter 209, Laws of 1984 and RCW 9.94A.190 are each amended to read as follows:

(1) A sentence that includes a term or terms of confinement totaling more than one year shall be served in a facility or institution operated, or utilized under contract, by the state. Except as provided for in subsection (3) of this section, a sentence of not more than one year of confinement shall be served in a facility operated, licensed, or utilized under contract, by the county.

(2) If a county uses a state partial confinement facility for the partial confinement of a person sentenced to confinement for not more than one year, the county shall reimburse the state for the use of the facility as provided for in this subsection. The office of financial management shall set the rate of reimbursement based upon the average per diem cost per offender in the facility. The office of financial management shall determine to what extent, if any, reimbursement shall be reduced or eliminated because of funds provided by the legislature to the department of corrections for the purpose of covering the cost of county use of state partial confinement facilities. The office of financial management shall reestablish reimbursement rates each even-numbered year.

(3) A person who is sentenced for a felony to a term of not more than one year, and who is committed or returned to incarceration in a state facility on another felony conviction, either under the indeterminate sentencing laws, chapter 9.95 RCW, or under this chapter shall serve all terms of confinement, including a sentence of not more than one year, in a facility or institution operated, or utilized under contract, by the state, consistent with the provisions of RCW 9.94A.400.

Sec. 6. Section 2, chapter 115, Laws of 1983 as amended by section 16, chapter 209, Laws of 1984 and RCW 9.94A.310 are each amended to read as follows:

(1)

TABLE 1
Sentencing Grid

SERIOUSNESS SCORE	OFFENDER SCORE									
	0	1	2	3	4	5	6	7	8	9 or more
XIV	Life Sentence without Parole/Death Penalty									
XIII	23y4m 240- 320	24y4m 250- 333	25y4m 261- 347	26y4m 271- 361	27y4m 281- 374	28y4m 291- 388	30y4m 312- 416	32y10m 338- 450	36y 370- 493	40y 411- 548
XII	12y 123- 164	13y 134- 178	14y 144- 192	15y 154- 205	16y 165- 219	17y 175- 233	19y 195- 260	21y 216- 288	25y 257- 342	29y 298- 397
XI	6y 62- 82	6y9m 69- 92	7y6m 77- 102	8y3m 85- 113	9y 93- 123	9y9m 100- 133	12y6m 129- 171	13y6m 139- 185	15y6m 159- 212	17y6m 180- 240
X	5y 51- 68	5y6m 57- 75	6y 62- 82	6y6m 67- 89	7y 72- 96	7y6m 77- 102	9y6m 98- 130	10y6m 108- 144	12y6m 129- 171	14y6m 149- 198
IX	3y 31- 41	3y6m 36- 48	4y 41- 54	4y6m 46- 61	5y 51- 68	5y6m 57- 75	7y6m 77- 102	8y6m 87- 116	10y6m 108- 144	12y6m 129- 171
VIII	2y 21- 27	2y6m 26- 34	3y 31- 41	3y6m 36- 48	4y 41- 54	4y6m 46- 61	6y6m 67- 89	7y6m 77- 102	8y6m 87- 116	10y6m 108- 144
VII	18m 15- 20	2y 21- 27	2y6m 26- 34	3y 31- 41	3y6m 36- 48	4y 41- 54	5y6m 57- 75	6y6m 67- 89	7y6m 77- 102	8y6m 87- 116
VI	13m 12+- 14	18m 15- 20	2y 21- 27	2y6m 26- 34	3y 31- 41	3y6m 36- 48	4y6m 46- 61	5y6m 57- 75	6y6m 67- 89	7y6m 77- 102
V	9m 6- 12	13m 12+- 14	15m 13- 17	18m 15- 20	2y2m 22- 29	3y2m 33- 43	4y 41- 54	5y 51- 68	6y 62- 82	7y 72- 96
IV	6m 3- 9	9m 6- 12	13m 12+- 14	15m 13- 17	18m 15- 20	2y2m 22- 29	3y2m 33- 43	4y2m 43- 57	5y2m 53- 70	6y2m 63- 84
III	2m 1- 3	5m 3- 8	8m 4- 12	11m 9- 12	14m 12+- 16	20m 17- 22	2y2m 22- 29	3y2m 33- 43	4y2m 43- 57	5y 51- 68
II	0-90 Days	4m 2- 6	6m 3- 9	8m 4- 12	13m 12+- 14	16m 14- 18	20m 17- 22	2y2m 22- 29	3y2m 33- 43	4y2m 43- 57
I	0-60 Days	0-90 Days	3m 2- 5	4m 2- 6	5m 3- 8	8m 4- 12	13m 12+- 14	16m 14- 18	20m 17- 22	2y2m 22- 29

NOTE: Numbers in the first horizontal row of each seriousness category represent sentencing midpoints in years(y) and months(m). Numbers in the second and third rows represent presumptive sentencing ranges in months, or in days if so designated. 12+ equals one year and one day.

(2) For persons convicted of the anticipatory offenses of criminal attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the presumptive sentence is determined by locating the

sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by 75 percent.

(3) The following additional times shall be added to the presumptive sentence if the offender or an accomplice was armed with a deadly weapon as defined in this chapter and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an accomplice was armed with a deadly weapon and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection, the following times shall be added to the presumptive range determined under subsection (2) of this section:

- (a) 24 months ((f) for Rape 1 (RCW 9A.44.040), Robbery 1 (RCW 9A.56.200), or Kidnapping 1((g)) (RCW 9A.40.020))
- (b) 18 months ((f) for Burglary 1((g)) (RCW 9A.52.020))
- (c) 12 months ((f) for Assault 2 (RCW 9A.36.020), Escape 1 (RCW 9A.76.110), Kidnapping 2 (RCW 9A.40.030), Burglary 2 of a building other than a dwelling (RCW 9A.52.030), (~~Delivery or Possession of a controlled substance with intent to deliver~~)) or any drug offense
- Sec. 7, Section 3, chapter 115, Laws of 1983 as amended by section 17, chapter 209, Laws of 1984 and RCW 9.94A.320 are each amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

XIV	Aggravated Murder 1 (RCW 10.95.020)
XIII	Murder 1 (RCW 9A.32.030)
XII	Murder 2 (RCW 9A.32.050)
XI	Assault 1 (RCW 9A.36.010)
X	Kidnapping 1 (RCW 9A.40.020)
	Rape 1 (RCW 9A.44.040)
	Damaging building, etc., by explosion with threat to human being (RCW 70.74.280(1))
	<u>Robbery of a controlled substance (section 19 of this 1985 act)</u>
	Over 18 and deliver heroin or narcotic from Schedule I or II to someone under 18 and 3 years junior (RCW 69.50.406)
	<u>Leading Organized Crime (RCW 9A.82.060)</u>
IX	Robbery 1 (RCW 9A.56.200)
	Manslaughter 1 (RCW 9A.32.060)
	Statutory Rape 1 (RCW 9A.44.070)
	(Employing, using, or permitting minor to engage in sexually explicit conduct for commercial use (RCW 9.68A.020)))
	Explosive devices prohibited (RCW 70.74.180)
	Endangering life and property by explosives with threat to human being (RCW 70.74.270)
	Over 18 and deliver narcotic from Schedule III, IV, or V or a nonnarcotic from Schedule I-V to someone under 18 and 3 years junior (RCW 69.50.406)
	<u>Sexual Exploitation, Under 16 (RCW 9.68A.040(2)(a))</u>
VIII	Arson 1 (RCW 9A.48.020)
	Rape 2 (RCW 9A.44.050)
	Promoting Prostitution 1 (RCW 9A.88.070)
	Selling heroin for profit (RCW 69.50.410)
VII	Burglary 1 (RCW 9A.52.020)
	Vehicular Homicide (RCW 46.61.520)
	Introducing Contraband 1 (RCW 9A.76.140)
	Statutory Rape 2 (RCW 9A.44.080)
	Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
	(Sending, bringing into the state, possessing, publishing, printing, etc., obscene matter involving minor engaged in sexually explicit conduct (RCW 9.68A.030)))
	<u>Sexual Exploitation, Under 18 (RCW 9.68A.040(2)(b))</u>
	<u>Dealing in depictions of minor engaged in sexually explicit conduct (RCW 9.68A.050)</u>
	<u>Sending, bringing into state depictions of minor engaged in sexually explicit conduct (RCW 9.68A.060)</u>
VI	Bribery (RCW 9A.68.010)
	Manslaughter 2 (RCW 9A.32.070)
	Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
	Damaging building, etc., by explosion with no threat to human being (RCW 70.74.280(2))
	Endangering life and property by explosives with no threat to human being (RCW 70.74.270)
	Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))
	Incest 1 (RCW 9A.64.020(1))

- Selling for profit (controlled or counterfeit) any controlled substance (except heroin) (RCW 69.50.410)
- Manufacture, deliver, or possess with intent to deliver heroin or narcotics from Schedule I or II (RCW 69.50.401(a)(1)(i))
- V Rape 3 (RCW 9A.44.060)
- Kidnapping 2 (RCW 9A.40.030)
- Extortion 1 (RCW 9A.56.120)
- Incest 2 (RCW 9A.64.020(2))
- Perjury 1 (RCW 9A.72.020)
- Extortionate Extension of Credit (RCW 9A.82.020)
- Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
- Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
- Knowingly Trafficking in Stolen Property (RCW 9A.82.050(2))
- Rendering Criminal Assistance 1 (RCW 9A.76.070)
- IV Robbery 2 (RCW 9A.56.210)
- Assault 2 (RCW 9A.36.020)
- Escape 1 (RCW 9A.76.110)
- Arson 2 (RCW 9A.48.030)
- Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
- Malicious Harassment (RCW 9A.36.080)
- Wilful Failure to Return from Furlough (RCW 72.66.060)
- Hit and Run -- Injury Accident (RCW 46.52.020(4))
- Vehicular Assault (RCW 46.61.522)
- Manufacture, deliver, or possess with intent to deliver narcotics from Schedule III, IV, or V or nonnarcotics from Schedule I-V (except marijuana) (RCW 69.50.401(a)(1)(ii) through (iv))
- Recklessly Trafficking in Stolen Property (RCW 9A.82.050(1))
- Influencing Outcome of Sporting Event (RCW 9A.82.070)
- Use of Proceeds of Racketeering or Collection of Unlawful Debt (RCW 9A.82.080 (1) and (2))
- III Statutory Rape 3 (RCW 9A.44.090)
- Extortion 2 (RCW 9A.56.130)
- Unlawful Imprisonment (RCW 9A.40.040)
- Assault 3 (RCW 9A.36.030)
- Unlawful possession of firearm or pistol by felon (RCW 9.41.040)
- Promoting Prostitution 2 (RCW 9A.88.080)
- Introducing Contraband 2 (RCW 9A.76.150)
- ~~((Communicating))~~ Communication with a Minor for Immoral Purposes (RCW ~~((9A.44.110))~~ 9.68A.090)
- Patronizing a Juvenile Prostitute (RCW 9.68A.100)
- Escape 2 (RCW 9A.76.120)
- Perjury 2 (RCW 9A.72.030)
- Intimidating a Public Servant (RCW 9A.76.180)
- Tampering with a Witness (RCW 9A.72.120)
- Manufacture, deliver, or possess with intent to deliver marijuana (RCW 69.50.401(a)(1)(ii))
- II Malicious Mischief 1 (RCW 9A.48.070)
- Possession of Stolen Property 1 (RCW 9A.56.150)
- Theft 1 (RCW 9A.56.030)
- Theft of Livestock (RCW 9A.56.080)
- ~~((Welfare Fraud (RCW 74.08.331))~~
- Burglary 2 (RCW 9A.52.030)
- Possession of controlled substance that is either heroin or narcotics from Schedule I or II (RCW 69.50.401(d))
- Create, deliver, or possess a counterfeit controlled substance (RCW 69.50.401(b))
- Computer Trespass 1 (RCW 9A.52.110)
- I Theft 2 (RCW 9A.56.040)
- Possession of Stolen Property 2 (RCW 9A.56.160)
- Forgery (RCW 9A.60.020)
- ~~((Auto-Theft (Taking and Riding))~~ Taking Motor Vehicle Without Permission (RCW 9A.56.070)
- Vehicle Prowl 1 (RCW 9A.52.095)
- ~~((Eluding))~~ Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
- Malicious Mischief 2 (RCW 9A.48.080)
- Reckless Burning 1 (RCW 9A.48.040)
- Unlawful Issuance of ~~((Bank))~~ Checks or Drafts (RCW 9A.56.060)
- False Verification for Welfare (RCW 74.08.055)
- Forged prescription for legend drug (RCW 69.41.020)

Forged prescription for controlled substance (RCW 69.50.403)

Possess controlled substance that is a narcotic from Schedule III, IV, or V or non-narcotic from Schedule I-V (RCW 69.50.401(d))

Sec. 8, Section 4, chapter 115, Laws of 1983 as amended by section 18, chapter 209, Laws of 1984 and RCW 9.94A.330 are each amended to read as follows:

TABLE 3
OFFENDER SCORE MATRIX
Prior Adult Convictions

(Score prior convictions for felony anticipatory crimes (attempts, criminal solicitations, and criminal conspiracies) the same as for the completed crime.)

Current Offenses	Serious Violent	Burglary 1	Other Violent	Vehicular Homicide	Escape
Serious Violent	3	2	2	2	1
Burglary 1	2	2	2	2	1
Other Violent	2	2	2	2	1
((Vehicular Homicide	0	0	0	2	0))
Felony Traffic	1	1	1	2	1
Escape	0	0	0	0	1
Burglary 2	1	2	1	1	1
Other Non-Violent	1	1	1	1	1
Drug	1	1	1	1	1
Current Offenses	Burglary 2	Other Felony Traffic	Serious Traffic	Other Non-Violent	Drug
Serious Violent	1	1	0	1	1
Burglary 1	2	1	0	1	1
Other Violent	1	1	0	1	1
((Vehicular Homicide	0	1	1	0	0))
Felony Traffic	1	1	1	1	0
Escape	0	0	0	0	0
Burglary 2	2	1	0	1	1
Other Non-Violent	1	1	0	1	1
Drug	1	1	0	1	2

Prior Juvenile Convictions

(Score prior convictions for felony anticipatory crimes (attempts, criminal solicitations, and criminal conspiracies) the same as for the completed crime.)

Current Offenses	Serious Violent	Burglary 1	Other Violent	Vehicular Homicide	Escape
Serious Violent	3	2	2	2	1/2
Burglary 1	2	2	2	2	1/2
Other Violent	2	2	2	2	1/2
((Vehicular Homicide	0	0	0	2	0))
Felony Traffic	1/2	1/2	1/2	2	1/2
Escape	0	0	0	0	1/2
Burglary 2	1/2	2	1/2	1/2	1/2
Other Non-Violent	1/2	1/2	1/2	1/2	1/2
Drug	1/2	1/2	1/2	1/2	1/2
Current Offenses	Burglary 2	Other Felony Traffic	Serious Traffic	Other Non-Violent	Drug
Serious Violent	1/2	1/2	0	1/2	1/2
Burglary 1	1	1/2	0	1/2	1/2
Other Violent	1/2	1/2	0	1/2	1/2
((Vehicular Homicide	0	0	0	1/2	1/2))

Current Offenses	Burglary 2	Other Felony Traffic	Serious Traffic	Other Non- Violent	Drug
Homicide	0	1/2	1/2	0	0))
Felony Traffic	1/2	1/2	1/2	1/2	1/2
Escape	0	0	0	0	0
Burglary 2	1	1/2	0	1/2	1/2
Other Non-Violent	1/2	1/2	0	1/2	1/2
Drug	1/2	1/2	0	1/2	1

((Definitions: Serious Violent: Murder 1, Murder 2, Assault 1, Kidnapping 1, Rape 1

Escape: Escape 1, Escape 2, Willful Failure to Return From Work Release or Furlough

Serious Traffic: Driving While Intoxicated, Actual Physical Control, Reckless Driving, Hit and Run

Felony Traffic: Felony Hit and Run, Vehicular Assault, Attempting to Elope a Police Officer

Drug: All felony violations of chapter 69.50 RCW except possession of a controlled substance))

Sec. 9. Section 7, chapter 115, Laws of 1983 as amended by section 19, chapter 209, Laws of 1984 and RCW 9.94A.360 are each amended to read as follows:

The offender score is measured on the horizontal axis of the sentencing grid. The offender score rules ((are)), partially summarized in Table 3, RCW 9.94A.330, are as follows:

The offender score is ((computed in the following way:)) the sum of points accrued under subsections (1) through (13) of this section rounded down to the nearest whole number.

(1) A prior conviction is a conviction which exists before the date of sentencing for the offense for which the offender score is being computed. Convictions entered or sentenced on the same date as the conviction for which the offender score is being computed shall be deemed 'other current offenses' within the meaning of RCW 9.94A.400.

(2) Except as provided in subsection (12) of this section, class A prior felony convictions shall always be included in the offender score. Class B prior felony convictions shall not be included in the offender score if the offender has spent ten years in the community and has not been convicted of any felonies since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence. Class C prior felony convictions shall not be included in the offender score if the offender has spent five years in the community and has not been convicted of any felonies since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence. Serious traffic convictions shall not be included in the offender score if the offender spent five years in the community and has not been convicted of any serious traffic or felony traffic offense since the last date of release from confinement (including full-time residential treatment) pursuant to a felony or serious traffic conviction, if any, or entry of judgment and sentence. This subsection applies to both adult and juvenile prior convictions. Out-of-state convictions for offenses shall be classified according to the comparable offense definitions and sentences provided by Washington law.

(3) Include juvenile felony convictions only if the offender was 15 or older at the time the juvenile offense was committed and the offender was less than 23 at the time the offense for which he or she is being sentenced was committed.

((2)) (4) Score prior convictions for felony anticipatory offenses (attempts, criminal solicitations, and criminal conspiracies) the same as if they were convictions for completed offenses.

(5) In the case of multiple prior convictions, for the purpose of computing the offender score, count all convictions separately, except:

(a) Prior adult offenses which were found, under RCW 9.94A.400(1)(a), to encompass the same criminal conduct, shall be counted as one offense, the offense that yields the highest offender score;

(b) Juvenile prior convictions entered or sentenced on the same date shall count as one offense, the offense that yields the highest offender score; and

(c) In the case of multiple prior convictions for offenses committed prior to July 1, 1985, for the purpose of computing the offender score, count all adult convictions served concurrently as one offense, and count all juvenile convictions entered on the same date as one offense. The conviction for the offense that yields the highest offender score is used.

(6) If the present conviction is for a nonviolent offense and not covered by subsection (11), (12), or (13) of this section, count one point for each adult prior felony conviction and one point for each juvenile prior violent felony conviction and 1/2 point for each juvenile prior nonviolent felony conviction.

(7) If the present conviction is for a violent offense and not covered in subsection (8), (9), (10), or (11) of this section, count two points for each prior adult and juvenile violent felony

conviction, one point for each prior adult nonviolent felony conviction, and 1/2 point for each prior juvenile nonviolent felony conviction.

(8) If the present conviction is for Murder 1 or 2, Assault 1, Kidnaping 1, or Rape 1, count three points for prior adult and juvenile convictions for crimes in these categories, two points for each prior adult and juvenile violent conviction (not already counted), one point for each prior adult nonviolent felony conviction, and 1/2 point for each prior juvenile nonviolent felony conviction.

((9)) (9) If the present conviction is for Burglary 1, count prior(s) convictions as in subsection ((5)) (7) of this section; however count two points for each prior adult Burglary 2 conviction, and one point for each prior juvenile Burglary 2 conviction.

((10)) (10) If the present conviction is for ~~((Vehicular Homicide, only)) a felony traffic offense count ((the following crimes as part of the offender score:)) two points for each adult or juvenile prior conviction for Vehicular Homicide~~((Vehicular Assault, Felony Hit and Run (RCW 46.52.020(4)), Hit and Run (RCW 46.52.020(5)), Driving While Intoxicated (RCW 46.61.502), Actual Physical Control (RCW 46.61.504), Reckless Driving (RCW 46.61.500), Attempting to Elude a Police Officer (RCW 46.61.500)~~; Count two points for each adult or juvenile Vehicular Homicide conviction, one point for each other adult felony traffic or serious traffic conviction, and 1/2 point for each other juvenile felony traffic or serious traffic conviction.~~

(5) If the present conviction is for a violent offense and not covered in subsections (2), (3), (4), or (8) of this section, count two points for each prior adult and juvenile violent felony conviction, one point for each prior adult nonviolent felony conviction, and 1/2 point for each prior juvenile nonviolent felony conviction); count one point for each adult, and 1/2 point for each juvenile, prior conviction for each other felony offense or serious traffic offense.

((11)) (11) If the present conviction is for a drug offense count two points for each adult prior felony drug offense conviction and one point for each juvenile drug offense. All other adult and juvenile felonies are scored as in subsection (7) of this section if the current drug offense is violent, or as in subsection (6) of this section if the current drug offense is nonviolent.

(12) If the present conviction is for escape (Escape 1, RCW 9A.76.110; Escape 2, RCW 9A.76.120; Willful Failure to Return from Furlough, RCW 72.66.060; and Willful Failure to Return from Work Release, RCW 72.65.070), count only prior escape convictions in the offender score. Count adult prior escape convictions as one point and juvenile prior escape convictions as 1/2 point.

((13)) (13) If the present conviction is for Burglary 2, count priors as in subsection ((9)) (6) of this section; however, count two points for each adult and juvenile prior Burglary 1 conviction, two points for each adult prior Burglary 2 conviction, and one point for each juvenile prior Burglary 2 conviction.

((14)) If the present conviction is for a violation of chapter 69.50 RCW, except for possession of a controlled substance (RCW 69.50.401(d)), count two points for each adult prior felony drug conviction (chapter 69.50 RCW, except RCW 69.50.401(d)), and one point for each juvenile drug conviction. All other adult and juvenile felonies are scored as in subsection (5) of this section if the current drug conviction is violent, or as in subsection (9) of this section if the current drug conviction is nonviolent.

(9) If the present conviction is for a nonviolent offense and not covered by subsection (6), (7), or (8) of this section, count one point for each prior adult felony conviction and one point for each prior juvenile violent felony conviction and 1/2 point for each prior juvenile nonviolent felony.

(10) For all offender scores, the fractional totals shall be rounded down to the nearest whole number.

(11) In the case of multiple prior convictions for the purpose of computing the offender score, count all adult convictions served concurrently as one offense, and count all juvenile convictions entered on the same date as one offense. The conviction for the offense that yields the highest offender score is used.

(12) Class A prior felony convictions are always included in the offender score. Class B prior felony convictions are not included if the offender has spent ten years in the community and has not been convicted of any felonies since the last date of release from confinement pursuant to a felony conviction (including full-time residential treatment), if any, or entry of judgment and sentence. Class C prior felony convictions and serious traffic convictions as defined in RCW 9.94A.330 are not included if the offender has spent five years in the community and has not been convicted of any felonies since the last date of release from confinement pursuant to a felony conviction (including full-time residential treatment), if any, or entry of judgment and sentence. This subsection applies to both adult and juvenile prior convictions.

The designation of out-of-state convictions shall be covered by the offense definitions and sentences provided by Washington law.

The offender score is the sum of points accrued under subsections (1) through (12) of this section.)

Sec. 10. Section 8, chapter 115, Laws of 1983 as amended by section 20, chapter 209, Laws of 1984 and RCW 9.94A.370 are each amended to read as follows:

(1) The intersection of the column defined by the offender score and the row defined by the offense seriousness score determines the presumptive sentencing range (see RCW 9.94A.310, (Table 1)). The additional time for deadly weapon findings shall be added to the entire presumptive sentence range. The court may impose any sentence within the range that it deems appropriate. All presumptive sentence ranges are expressed in terms of total confinement.

(2) In determining any sentence, the trial court may ~~((use))~~ rely on no more information than is admitted by the plea agreement, ~~((and))~~ or admitted ~~((to or))~~, acknowledged, or proved in a trial or at the time of sentencing. Acknowledgement includes not objecting to information stated in the presentence reports. Where the defendant disputes material facts, the court must either not consider the fact or grant an evidentiary hearing on the point. The ~~((real))~~ facts shall be deemed ~~((proven))~~ proved at the ~~((evidentiary))~~ hearing by a preponderance of the evidence. ~~((Real))~~ Facts that establish the elements of ~~((a higher crime))~~ a more serious crime~~(:)~~ or additional crimes ~~((cannot))~~ may not be used to go outside the presumptive sentence range except upon stipulation or when specifically provided for in RCW 9.94A.390.

Sec. 11. Section 10, chapter 115, Laws of 1983 as amended by section 24, chapter 209, Laws of 1984 and RCW 9.94A.390 are each amended to read as follows:

If the sentencing court finds that an exceptional sentence outside the standard range should be imposed in accordance with RCW 9.94A.120(2), the sentence is subject to review only as provided for in RCW 9.94A.210(4).

The following are illustrative factors which the court may consider in the exercise of its discretion to impose an exceptional sentence~~(:)~~. The following are illustrative only and are not intended to be exclusive reasons for exceptional sentences.

(1) Mitigating Circumstances

~~((1))~~ (a) To a significant degree, the victim was an initiator, willing participant, aggressor, or provoker of the incident.

~~((2))~~ (b) Before detection, the defendant compensated, or made a good faith effort to compensate, the victim of the criminal conduct for any damage or injury sustained.

~~((3))~~ (c) The defendant committed the crime under duress, coercion, threat, or compulsion insufficient to constitute a complete defense but which significantly affected his or her conduct.

~~((4))~~ (d) The defendant, with no apparent predisposition to do so, was induced by others to participate in the crime.

~~((5))~~ (e) The defendant's capacity to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of the law, was significantly impaired (voluntary use of drugs or alcohol is excluded).

~~((6))~~ (f) The offense was principally accomplished by another person and the defendant manifested extreme caution or sincere concern for the safety or well-being of the victim.

~~((7))~~ (g) The operation of the multiple offense policy of RCW 9.94A.400 results in a presumptive sentence that is clearly excessive in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(2) Aggravating Circumstances

~~((1))~~ (a) The defendant's conduct during the commission of the current offense manifested deliberate cruelty to the victim.

~~((2))~~ (b) The defendant knew or should have known that the victim of the current offense was particularly vulnerable or incapable of resistance due to extreme youth, advanced age, disability, or ill health.

~~((3))~~ (c) The current offense was a major economic offense or series of offenses, so identified by a consideration of any of the following factors:

~~((a))~~ (i) The current offense involved multiple victims or multiple incidents per victim;

~~((b))~~ (ii) The current offense involved attempted or actual monetary loss substantially greater than typical for the offense;

~~((c))~~ (iii) The current offense involved a high degree of sophistication or planning or occurred over a lengthy period of time;

~~((d))~~ (iv) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.

~~((4))~~ (d) The current offense was a major violation of the Uniform Controlled Substances Act, chapter 69.50 RCW (VUCSA), related to trafficking in controlled substances, which was more onerous than the typical offense of its statutory definition: The presence of ANY of the following may identify ~~((an))~~ a current offense as a major VUCSA:

~~((a))~~ (i) The current offense involved at least three separate transactions in which controlled substances were sold, transferred, or possessed with intent to do so; or

~~((b))~~ (ii) The current offense involved an attempted or actual sale or transfer of controlled substances in quantities substantially larger than for personal use; or

~~((c))~~ (iii) The current offense involved the manufacture of controlled substances for use by other parties; or

~~((d))~~ The offender possessed a firearm during the commission of the offense; or

~~((e))~~ (iv) The circumstances of the current offense reveal the offender to have occupied a high position in the drug distribution hierarchy; or

((ff)) (v) The current offense involved a high degree of sophistication or planning or occurred over a lengthy period of time or involved a broad geographic area of disbursement; or

((g)) (vi) The offender used his or her position or status to facilitate the commission of the current offense, including positions of trust, confidence or fiduciary responsibility (e.g., pharmacist, physician, or other medical professional); or

((h)) (e) The operation of the multiple offense policy of RCW 9.94A.400 results in a presumptive sentence that is clearly too lenient in light of the purpose of this chapter, as expressed in RCW ~~(9.94A.400)~~ 9.94A.010.

~~(The above considerations are illustrative only and are not intended to be exclusive reasons for exceptional sentences.)~~

Sec. 12. Section 11, chapter 115, Laws of 1983 as amended by section 25, chapter 209, Laws of 1984 and RCW 9.94A.400 are each amended to read as follows:

(1) (a) Except as provided in (b) of this subsection, whenever a person is ~~((convicted of))~~ to be sentenced for two or more current offenses, the sentence range for each current offense shall be determined by using all other current and prior convictions as ~~((criminal history. All sentences so determined shall be served concurrently. Separate crimes))~~ if they were prior convictions for the purposes of the offender score. PROVIDED, HOWEVER, That all current offenses encompassing the same criminal conduct shall be counted as if they were one crime in determining ((criminal history) the offender score. Sentences imposed under this subsection shall be served concurrently. Consecutive sentences may only be imposed under the exceptional sentence provisions of RCW 9.94A.120 and 9.94A.390(2)(e) or any other provision of RCW 9.94A.390.

(b) Whenever a person is convicted of three or more serious violent offenses, as defined in RCW 9.94A.330, arising from separate and distinct criminal conduct, the sentence range for the offense with the highest seriousness level under RCW 9.94A.320 shall be determined using the offender's ~~((prior convictions as))~~ criminal history in the offender score and the sentence range for other serious violent offenses shall be determined by using ~~((a criminal history))~~ an offender score of zero. The sentence range for any remaining offenses shall be determined according to (a) of this subsection. All sentences imposed under (b) of this subsection shall be served consecutively to each other and concurrently with sentences imposed under (a) of this subsection.

(2) Whenever a person while under sentence of felony commits another felony and is sentenced to another term of imprisonment, the latter term shall not begin until expiration of all prior terms.

(3) Subject to subsections (1) and (2) of this section, whenever a person is sentenced for a felony that was committed while the person was not under sentence of a felony, the sentence shall run ~~((consecutively))~~ concurrently with any felony ((sentences previously) sentence which has been imposed by any court in this or another state or by a federal court((:)) subsequent to the commission of the crime being sentenced unless the court pronouncing the ((subsequent) current sentence expressly orders that they be served ((concurrently)) consecutively.

(4) Whenever any person granted probation under RCW 9.95.210 or 9.92.060, or both, has the probationary sentence revoked and a prison sentence imposed, ~~((this))~~ that sentence shall run consecutively to any sentence imposed pursuant to this chapter, unless the court pronouncing the subsequent sentence expressly orders that they be served concurrently.

(5) However, in the case of consecutive sentences, all periods of total confinement shall be served before any partial confinement, community service, community supervision, or any other requirement or conditions of any of the sentences.

Sec. 13. Section 15, chapter 115, Laws of 1983 and RCW 9.94A.440 are each amended to read as follows:

(1) Decision not to prosecute.

STANDARD: A Prosecuting Attorney may decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve no public purpose, would defeat the underlying purpose of the law in question or would result in decreased respect for the law.

GUIDELINE/COMMENTARY:

Examples

The following are examples of reasons not to prosecute which could satisfy the standard.

(a) Contrary to Legislative Intent - It may be proper to decline to charge where the application of criminal sanctions would be clearly contrary to the intent of the legislature in enacting the particular statute.

(b) Antiquated Statute - It may be proper to decline to charge where the statute in question is antiquated in that:

(i) It has not been enforced for many years; and

(ii) Most members of society act as if it were no longer in existence; and

(iii) It serves no deterrent or protective purpose in today's society; and

(iv) The statute has not been recently reconsidered by the legislature.

This reason is not to be construed as the basis for declining cases because the law in question is unpopular or because it is difficult to enforce.

(c) De Minimus Violation - It may be proper to decline to charge where the violation of law is only technical or insubstantial and where no public interest or deterrent purpose would be served by prosecution.

(d) Confinement on Other Charges - It may be proper to decline to charge because the accused has been sentenced on another charge to a lengthy period of confinement; and

(i) Conviction of the new offense would not merit any additional direct or collateral punishment;

(ii) The new offense is either a misdemeanor or a felony which is not particularly aggravated; and

(iii) Conviction of the new offense would not serve any significant deterrent purpose.

(e) Pending Conviction on Another Charge - It may be proper to decline to charge because the accused is facing a pending prosecution in the same or another county; and

(i) Conviction of the new offense would not merit any additional direct or collateral punishment;

(ii) Conviction in the pending prosecution is imminent;

(iii) The new offense is either a misdemeanor or a felony which is not particularly aggravated; and

(iv) Conviction of the new offense would not serve any significant deterrent purpose.

(f) High Disproportionate Cost of Prosecution - It may be proper to decline to charge where the cost of locating or transporting, or the burden on, prosecution witnesses is highly disproportionate to the importance of prosecuting the offense in question. This reason should be limited to minor cases and should not be relied upon in serious cases.

(g) Improper Motives of Complainant - It may be proper to decline charges because the motives of the complainant are improper and prosecution would serve no public purpose, would defeat the underlying purpose of the law in question or would result in decreased respect for the law.

(h) Immunity - It may be proper to decline to charge where immunity is to be given to an accused in order to prosecute another where the accused's information or testimony will reasonably lead to the conviction of others who are responsible for more serious criminal conduct or who represent a greater danger to the public interest.

(i) Victim Request - It may be proper to decline to charge because the victim requests that no criminal charges be filed and the case involves the following crimes or situations:

(i) Assault cases where the victim has suffered little or no injury;

(ii) Crimes against property, not involving violence, where no major loss was suffered;

(iii) Where doing so would not jeopardize the safety of society.

Care should be taken to insure that the victim's request is freely made and is not the product of threats or pressure by the accused.

The presence of these factors may also justify the decision to dismiss a prosecution which has been commenced.

Notification

The prosecutor is encouraged to notify the victim, when practical, and the law enforcement personnel, of the decision not to prosecute.

(2) Decision to prosecute.

STANDARD:

Crimes against persons will be filed if sufficient admissible evidence exists, which, when considered with the most plausible, reasonably foreseeable defense that could be raised under the evidence, would justify conviction by a reasonable and objective fact-finder.

Crimes against property/other crimes will be filed if the admissible evidence is of such convincing force as to make it probable that a reasonable and objective fact-finder would convict after hearing all the admissible evidence and the most plausible defense that could be raised.

See table (††) below for the crimes within these categories.

((TABLE 13))

CATEGORIZATION OF CRIMES FOR PROSECUTING STANDARDS

CRIMES AGAINST PERSONS

Aggravated Murder

1st Degree Murder

2nd Degree Murder

1st Degree Kidnaping

1st Degree Assault

1st Degree Rape

1st Degree Robbery

1st Degree Statutory Rape

1st Degree Arson

2nd Degree Kidnaping

2nd Degree Assault

2nd Degree Rape

2nd Degree Robbery

1st Degree Burglary
 1st Degree Manslaughter
 2nd Degree Manslaughter
 1st Degree Extortion
 Indecent Liberties
 2nd Degree Statutory Rape
 Incest
 (~~Negligent~~) Vehicular Homicide
 Vehicular Assault
 3rd Degree Rape
 3rd Degree Statutory Rape
 2nd Degree Extortion
 1st Degree Promoting Prostitution
 Intimidating a Juror
 Communication with a Minor
 Intimidating a Witness
 Intimidating a Public Servant
 Bomb Threat (if against person)
 3rd Degree Assault
 Unlawful Imprisonment
 Promoting a Suicide Attempt
 Riot (if against person)
 CRIMES AGAINST PROPERTY/OTHER CRIMES
 2nd Degree Arson
 1st Degree Escape
 2nd Degree Burglary
 1st Degree Theft
 1st Degree Perjury
 1st Degree Introducing Contraband
 1st Degree Possession of Stolen Property
 Bribery
 Bribing a Witness
 Bribe received by a Witness
 Bomb Threat (if against property)
 1st Degree Malicious Mischief
 2nd Degree Theft
 2nd Degree Escape
 2nd Degree Introducing Contraband
 2nd Degree Possession of Stolen Property
 2nd Degree Malicious Mischief
 1st Degree Reckless Burning
 Taking a Motor Vehicle without Authorization
 Forgery
 (~~Welfare Fraud~~)
 2nd Degree Perjury
 2nd Degree Promoting Prostitution
 Tampering with a Witness
 Trading in Public Office
 Trading in Special Influence
 Receiving/Granting Unlawful Compensation
 Bigamy
 Eluding a Pursuing Police Vehicle
 Wilful Failure to Return from Furlough
 Riot (if against property)
 Thefts of Livestock
 ALL OTHER UNCLASSIFIED FELONIES
 Selection of Charges/Degree of Charge

(1) The prosecutor should file charges which adequately describe the nature of defendant's conduct. Other offenses may be charged only if they are necessary to ensure that the charges:

- (a) Will significantly enhance the strength of the state's case at trial; or
 - (b) Will result in restitution to all victims.
- (2) The prosecutor should not overcharge to obtain a guilty plea. Overcharging includes:
- (a) Charging a higher degree;
 - (b) Charging additional counts.

This standard is intended to direct prosecutors to charge those crimes which demonstrate the nature and seriousness of a defendant's criminal conduct, but to decline to charge crimes

which are not necessary to such an indication. Crimes which do not merge as a matter of law, but which arise from the same course of conduct, do not all have to be charged.

GUIDELINES/COMMENTARY:

Police Investigation

A prosecuting attorney is dependent upon law enforcement agencies to conduct the necessary factual investigation which must precede the decision to prosecute. The prosecuting attorney shall ensure that a thorough factual investigation has been conducted before a decision to prosecute is made. In ordinary circumstances the investigation should include the following:

- (1) The interviewing of all material witnesses, together with the obtaining of written statements whenever possible;
- (2) The completion of necessary laboratory tests; and
- (3) The obtaining, in accordance with constitutional requirements, of the suspect's version of the events.

If the initial investigation is incomplete, a prosecuting attorney should insist upon further investigation before a decision to prosecute is made, and specify what the investigation needs to include.

Exceptions

In certain situations, a prosecuting attorney may authorize filing of a criminal complaint before the investigation is complete if:

- (1) Probable cause exists to believe the suspect is guilty; and
- (2) The suspect presents a danger to the community or is likely to flee if not apprehended;

or

- (3) The arrest of the suspect is necessary to complete the investigation of the crime.

In the event that the exception to the standard is applied, the prosecuting attorney shall obtain a commitment from the law enforcement agency involved to complete the investigation in a timely manner. If the subsequent investigation does not produce sufficient evidence to meet the normal charging standard, the complaint should be dismissed.

Investigation Techniques

The prosecutor should be fully advised of the investigatory techniques that were used in the case investigation including:

- (1) Polygraph testing;
- (2) Hypnosis;
- (3) Electronic surveillance;
- (4) Use of informants.

Pre-Filing Discussions with Defendant

Discussions with the defendant or his/her representative regarding the selection or disposition of charges may occur prior to the filing of charges, and potential agreements can be reached.

Sec. 14. Section 7, chapter 14, Laws of 1975 1st ex. sess. as amended by section 4, chapter 244, Laws of 1979 ex. sess. and RCW 9A.44.070 are each amended to read as follows:

(1) A person over thirteen years of age is guilty of statutory rape in the first degree when the person engages in sexual intercourse with another person who is less than eleven years old.

(2) Statutory rape in the first degree is a class A felony. No person convicted of statutory rape in the first degree shall be granted a deferred or suspended sentence except ~~((for the purpose of commitment to an inpatient treatment facility))~~ under RCW 9.94A.120(7).

Sec. 15. Section 14, chapter 17, Laws of 1984 and RCW 10.98.140 are each amended to read as follows:

(1) The section, the department, and the corrections standards board shall be the primary sources of information for criminal justice forecasting. The information maintained by these agencies shall be complete, accurate, and sufficiently timely to support state criminal justice forecasting.

(2) The sentencing guidelines commission shall keep records on all sentences above or below the standard range defined by chapter 9.94A RCW. As a minimum, the records shall include the name of the offender, the crimes for which the offender was sentenced, the name and county of the sentencing judge, and the deviation from the standard range. Such records shall be made available to public officials upon request.

Sec. 16. Section 3, chapter 104, Laws of 1967 as last amended by section 64, chapter 136, Laws of 1981 and RCW 71.06.091 are each amended to read as follows:

A sexual psychopath committed pursuant to RCW 71.06.060 shall be retained by the superintendent of the institution involved until in the superintendent's opinion he is safe to be at large, or until he has received the maximum benefit of treatment, or is not amenable to treatment, but the superintendent is unable to render an opinion that he is safe to be at large. Thereupon, the superintendent of the institution involved shall so inform whatever court committed the sexual psychopath. ~~((The court then may order such further examination and investigation of such person as seems necessary, and may at its discretion, summon such person before it for further hearing, together with any witnesses whose testimony may be pertinent.~~

and together with any relevant documents and other evidence. On the basis of such reports, investigation, and possible hearing, the court shall determine whether the person before it shall be released unconditionally from custody as a sexual psychopath, released conditionally, returned to the custody of the institution as a sexual psychopath, or transferred to the department of corrections to serve the original sentence imposed upon him. The power of the court to grant conditional release for any such person before it shall be the same as its power to grant, amend and revoke probation as provided by chapter 9.95 RCW.)) The court may release such person only if release is the recommendation of the superintendent. The court shall commit the person to the department of corrections to serve the original sentence imposed upon him if any recommendation or opinion other than release is received from the superintendent. When the sexual psychopath has entered upon the conditional release, the ((state board of prison terms and paroles)) department of corrections shall supervise such person pursuant to the terms and conditions of the conditional release, as set by the court: PROVIDED, That the superintendent of the institution involved shall never release the sexual psychopath from custody without a court release as herein set forth.

Sec. 17. Section 9A.84.030, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.84.030 are each amended to read as follows:

(1) A person is guilty of disorderly conduct if he:

(a) Uses abusive language and thereby intentionally creates a risk of assault; or

(b) Intentionally disrupts any lawful assembly or meeting of persons without lawful authority; ((or))

(c) Intentionally obstructs vehicular or pedestrian traffic without lawful authority; or

(d) Solicits in a retail establishment or other public place any compensation, gratuity, or reward for his or her benefit without providing service, product, or other benefit in return.

(2) Disorderly conduct is a misdemeanor.

Sec. 18. Section 9A.56.010, chapter 260, Laws of 1975 1st ex. sess. as last amended by section 6, chapter 273, Laws of 1984 and RCW 9A.56.010 are each amended to read as follows:

The following definitions are applicable in this chapter unless the context otherwise requires:

(1) 'Appropriate lost or misdelivered property or services' means obtaining or exerting control over the property or services of another which the actor knows to have been lost or mislaid, or to have been delivered under a mistake as to identity of the recipient or as to the nature or amount of the property;

(2) 'By color or aid of deception' means that the deception operated to bring about the obtaining of the property or services; it is not necessary that deception be the sole means of obtaining the property or services;

(3) 'Credit card' means any instrument or device, whether incomplete, revoked, or expired, whether known as a credit card, credit plate, charge plate, courtesy card, or by any other name, issued with or without fee for the use of the cardholder in obtaining money, goods, services, or anything else of value, including satisfaction of a debt or the payment of a check drawn by a cardholder, either on credit or in consideration of an undertaking or guarantee by the issuer;

(4) 'Deception' occurs when an actor knowingly:

(a) Creates or confirms another's false impression which the actor knows to be false; or

(b) Fails to correct another's impression which the actor previously has created or confirmed; or

(c) Prevents another from acquiring information material to the disposition of the property involved; or

(d) Transfers or encumbers property without disclosing a lien, adverse claim, or other legal impediment to the enjoyment of the property, whether that impediment is or is not valid, or is or is not a matter of official record; or

(e) Promises performance which the actor does not intend to perform or knows will not be performed.

(5) 'Deprive' in addition to its common meaning means to make unauthorized use or an unauthorized copy of records, information, data, trade secrets, or computer programs;

(6) 'Obtain control over' in addition to its common meaning, means:

(a) In relation to property, to bring about a transfer or purported transfer to the obtainer or another of a legally recognized interest in the property; or

(b) In relation to labor or service, to secure performance thereof for the benefits of the obtainer or another;

(7) 'Wrongfully obtains' or 'exerts unauthorized control' means:

(a) To take the property or services of another; or

(b) Having any property or services in one's possession, custody or control as bailee, factor, pledgee, servant, attorney, partner, agent, employee, trustee, executor, administrator, guardian, or officer of any person, estate, association, partnership, or corporation, or as a public officer, or person authorized by agreement or competent authority to take or hold such possession, custody, or control, to secrete, withhold, or appropriate the same to his or her own

unauthorized use or to the use of any person other than the true owner or person entitled thereto;

(8) 'Owner' means a person, other than the actor, who has possession of or any other interest in the property or services involved, and without whose consent the actor has no authority to exert control over the property or services;

(9) 'Receive' includes, but is not limited to, acquiring title, possession, control, or a security interest, or any other interest in the property;

(10) 'Services' includes, but is not limited to, labor, professional services, transportation services, electronic computer services, the supplying of hotel accommodations, restaurant services, entertainment, the supplying of equipment for use, and the supplying of commodities of a public utility nature such as gas, electricity, steam, and water;

(11) 'Stolen' means obtained by theft, robbery, or extortion;

(12) Value. (a) 'Value' means the market value of the property or services at the time and in the approximate area of the criminal act.

(b) Whether or not they have been issued or delivered, written instruments, except those having a readily ascertained market value, shall be evaluated as follows:

(i) The value of an instrument constituting an evidence of debt, such as a check, draft, or promissory note, shall be deemed the amount due or collectible thereon or thereby, that figure ordinarily being the face amount of the indebtedness less any portion thereof which has been satisfied;

(ii) The value of a ticket or equivalent instrument which evidences a right to receive transportation, entertainment, or other service shall be deemed the price stated thereon, if any; and if no price is stated thereon, the value shall be deemed the price of such ticket or equivalent instrument which the issuer charged the general public;

(iii) The value of any other instrument that creates, releases, discharges, or otherwise affects any valuable legal right, privilege, or obligation shall be deemed the greatest amount of economic loss which the owner of the instrument might reasonably suffer by virtue of the loss of the instrument.

(c) Whenever any series of transactions which constitute theft, would, when considered separately, constitute theft in the third degree because of value, and said series of transactions are a part of a common scheme or plan, then the transactions may be aggregated in one count and the sum of the value of all said transactions shall be the value considered in determining the degree of theft involved.

(d) Whenever any person is charged with possessing stolen property and such person has unlawfully in his possession at the same time the stolen property of more than one person, then the stolen property possessed may be aggregated in one count and the sum of the value of all said stolen property shall be the value considered in determining the degree of theft involved.

(e) Property or services having value that cannot be ascertained pursuant to the standards set forth above shall be deemed to be of a value not exceeding two hundred and fifty dollars.

NEW SECTION, Sec. 19. A new section is added to chapter 9A.56 RCW to read as follows:

(1) A person is guilty of robbery of controlled substances if the person commits robbery of any material or compound containing any quantity of a controlled substance under chapter 69.50 RCW belonging to or in the care, custody, control, or possession of a person registered with the board of pharmacy under RCW 69.50.302 or 69.50.303 and in the commission of the robbery or immediate flight therefrom, the person:

(a) Is armed with a deadly weapon; or

(b) Displays what appears to be a firearm or other deadly weapon; or

(c) Inflicts bodily injury.

(2) Robbery of controlled substances is a class A felony.

NEW SECTION, Sec. 20. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 115, Laws of 1983 and RCW 9.94A.300; and

(2) Section 12, chapter 115, Laws of 1983, section 26, chapter 209, Laws of 1984 and RCW 9.94A.410.

NEW SECTION, Sec. 21. 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. 22. 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 July 1, 1985."

On page 1, line 4 of the title, after "9A.44.070," insert "9A.56.010, 9A.84.030, and 10.98.140."

On page 1, line 4 of the title, after "13.50.050;" insert "adding a new section to chapter 9A.56 RCW;"

On page 1, line 4 of the title, strike ", and 13.50.050" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Locke, the House refused to concur in the Senate amendments to Engrossed Second Substitute House Bill No. 348 and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

April 15, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 480 with the following amendments:

On page 1, after line 11, insert the following:

*Sec. 2. Section 12, chapter 61, Laws of 1975-'76 2nd ex. sess. and RCW 82.29A.120 are each amended to read as follows:

After computation of the taxes imposed pursuant to RCW 82.29A.030 and 82.29A.040 there shall be allowed the following credits in determining the tax payable:

(1) (~~With respect to a leasehold interest arising out of any lease or agreement, the terms of which were binding on the lessee prior to July 1, 1970, where such lease or agreement has not been renegotiated since that date, and excluding from such credit (a) any leasehold interest arising out of any lease of property covered by the provisions of RCW 28B.20.394 and (b) any lease or agreement including options to renew which extends beyond January 1, 1985, as follows:~~

~~With respect to taxes due in calendar year 1976, a credit equal to eighty percent of the tax otherwise due:~~

~~With respect to taxes due in calendar year 1977, a credit equal to sixty percent of the tax otherwise due:~~

~~With respect to taxes due in calendar year 1978, a credit equal to forty percent of the tax otherwise due:~~

~~With respect to taxes due in calendar year 1979, a credit equal to twenty percent of the tax otherwise due))~~ With respect to a leasehold interest other than a product lease, executed with an effective date of April 1, 1985, or thereafter, or a leasehold interest in respect to which the department of revenue under the authority of RCW 82.29A.020 does adjust the contract rent base used for computing the tax provided for in RCW 82.29A.030, there shall be allowed a credit against the tax as otherwise computed equal to the amount, if any, that such tax exceeds an amount equal to sixty percent of the market value of the property leased as determined by the county assessor multiplied by the property tax rate that would apply to such leased property if it were privately owned.

(2) ~~With respect to a product lease, a credit of thirty-three percent of the tax otherwise due.~~

NEW SECTION. Sec. 3. 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 1 of the title, after "improvements;" strike the remainder of the title and insert "amending RCW 82.29A.160 and 82.29A.120; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

POINT OF ORDER

Mr. Appelwick: "I would ask the Speaker to rule on the scope and object of the Senate amendments to House Bill 480."

SPEAKER'S RULING

The Speaker: "Representative Appelwick, the Speaker has examined the Senate amendments and the original bill. House Bill 480 is entitled 'An Act Relating to the taxation of improvements...' The Senate amendment establishes a credit against the leasehold excise tax based on the market value of the property. This amendment deals with matters other than taxation of improvements to leased property. The Speaker would find your point is well taken. The Senate amendment is outside the scope and object. The bill is rereferred to the original committee, Committee on Ways & Means."

SENATE AMENDMENTS TO HOUSE BILL

April 17, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1182 with the following amendments:

On page 1, line 20 strike subsection (2) in its entirety and insert:

"(2) Every school bus operated by a school district or a private school of this state, shall be equipped with a lap type safety belt assembly which meets standards set forth in federal motor vehicle safety standard 208 for each permanent passenger seating position."

On page 1, line 25 after "occupied," insert "This section does not apply to a vehicle being operated in a parade for which a permit has been granted by the local authority having jurisdiction."

On page 2, line 4, strike all of the language down to and including the period on line 6 and insert:

"(5) From the effective date of this act to July 1, 1986, a person violating this section shall be issued a written warning of the violation."

On page 2, line 6 after "After" and before "1" strike "January" and insert "July"

On page 2, line 35 after "1988," insert the following new section:

"**NEW SECTION.** Sec. 5. Sections 1 through 3 of this act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, in accordance with Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof."

On page 2, after line 35, insert the following:

"Sec. 4. Section 2, chapter 215, Laws of 1983 and RCW 46.61.687 are each amended to read as follows:

(1) After December 31, 1983, the parent or legal guardian of a child less than five years old, when the parent or legal guardian is operating anywhere in the state his or her own motor vehicle registered under chapter 46.16 RCW, other than a motorcycle, in which the child is a passenger, shall have the child properly secured in a manner approved by the state commission on equipment. Even though a separate child passenger restraint device is considered the ideal method of protection, a properly adjusted and fastened, federally approved seat belt is deemed sufficient to meet the requirements of this section for children one through four years of age. This section does not apply to a vehicle being operated in a parade for which a permit has been granted by the local authority having jurisdiction.

(2) During the period from January 1, 1984, to July 1, 1984, a person violating subsection (1) of this section may be issued a written warning of the violation. After July 1, 1984, a person violating subsection (1) of this section may be issued a notice of traffic infraction under chapter 46.63 RCW. If the person to whom the notice was issued presents proof of acquisition of an approved child passenger restraint system within seven days to the jurisdiction issuing the notice, the jurisdiction shall dismiss the notice of traffic infraction. If the person fails to present proof of acquisition within the time required, he or she is subject to a penalty assessment of not less than thirty dollars.

(3) Failure to comply with the requirements of this section shall not constitute negligence by a parent or legal guardian; nor shall failure to use a child restraint system be admissible as evidence of negligence in any civil action."

In line 1 of the title, after "restraints," insert "amending RCW 46.61.687;"

In the committee amendment, after "**NEW SECTION.**" strike "Sec. 4. This" and insert "Sec. 5. Sections 1 through 3 of this"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Appelwick, the House refused to concur in the Senate amendments to Engrossed Substitute House Bill No. 1182 and asked the Senate to recede therefrom.

The Speaker declared the House to be at ease until 6:30 p.m.

EVENING SESSION

The House was called to order at 6:30 p.m. by the Speaker. Representative Isaacson appeared at the bar of the House.

INTERIM COMMITTEE ASSIGNMENT

The Speaker announced the following appointments to the Organized Crime Advisory Board: Representatives Dellwo, Niemi, Schmidt and West.

REPORT OF STANDING COMMITTEE

April 21, 1985

ESSB 3656

Prime Sponsor, Committee on Ways & Means: Adopting the 1985-87 biennial operating appropriations act. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified 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 for salaries, wages, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 1985, and ending June 30, 1987, except as otherwise provided, out of the several funds of the state hereinafter named.

(2) Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(a) 'Fiscal year 1986' or 'FY 1986' means the fiscal year ending June 30, 1986.

(b) 'Fiscal year 1987' or 'FY 1987' means the fiscal year ending June 30, 1987.

(c) 'Provided solely' means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose which is unnecessary to fulfill the specified purpose shall revert.

(d) 'Revert' means the amount shall return to an unappropriated status.

(3) Transfers between appropriations are not permitted unless specifically authorized in this act.

(4) Fifty percent of amounts designated for fiscal year 1986 and remaining unexpended and not lawfully obligated at the end of the fiscal year shall revert. The balance of such amounts may be expended during fiscal year 1987.

**PART I
GENERAL GOVERNMENT**

NEW SECTION. Sec. 101. FOR THE HOUSE OF REPRESENTATIVES

	FY 1986	FY 1987
General Fund Appropriation	\$ 14,252,000	15,572,000
Total Appropriation	\$29,824,000	

The appropriations in this section are subject to the following conditions and limitations: \$475,000 or the portion thereof that is determined necessary by the house of representatives shall be allocated for, but not limited to, providing furnishings and equipment for office renovations.

NEW SECTION. Sec. 102. FOR THE SENATE

	FY 1986	FY 1987
General Fund Appropriation	\$ 11,092,000	13,561,000
Total Appropriation	\$24,653,000	

NEW SECTION. Sec. 103. FOR THE LEGISLATIVE BUDGET COMMITTEE

	FY 1986	FY 1987
General Fund Appropriation	\$ 723,000	723,000
Total Appropriation	\$1,446,000	

NEW SECTION. Sec. 104. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

	FY 1986	FY 1987
General Fund Appropriation	\$ 913,000	912,000
Total Appropriation	\$1,825,000	

NEW SECTION. Sec. 105. FOR THE OFFICE OF THE STATE ACTUARY

	FY 1986	FY 1987
General Fund Appropriation	\$ 268,000	238,000
Total Appropriation	\$506,000	

NEW SECTION. Sec. 106. FOR THE STATUTE LAW COMMITTEE

	FY 1986	FY 1987
General Fund Appropriation	\$ 3,265,000	3,264,000
Total Appropriation	\$6,529,000	

NEW SECTION. Sec. 107. FOR THE SUPREME COURT

	FY 1986	FY 1987
General Fund Appropriation	\$ 4,662,000	4,662,000
Total Appropriation	\$9,324,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,750,000 of the fiscal year 1986 appropriation and \$1,750,000 of the fiscal year 1987 appropriation are provided solely for the indigent appeals program.

(2) Each justice of the supreme court shall receive an annual salary of sixty-six thousand dollars during the 1985-87 fiscal biennium.

NEW SECTION. Sec. 108. FOR THE LAW LIBRARY

	FY 1986	FY 1987
General Fund Appropriation	\$ 1,163,000	1,163,000
Total Appropriation	\$2,326,000	

NEW SECTION. Sec. 109. FOR THE COURT OF APPEALS

FY 1986	FY 1987
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General Fund Appropriation	\$	5,439,000	5,439,000
Total Appropriation		\$10,878,000	

The appropriations in this section are subject to the following conditions and limitations: Each judge of the court of appeals shall receive an annual salary of sixty-three thousand dollars during the 1985-87 fiscal biennium.

NEW SECTION, Sec. 110. FOR THE ADMINISTRATOR FOR THE COURTS

		FY 1986	FY 1987
General Fund Appropriation	\$	11,395,000	11,444,000
General Fund—Public Safety and Education			
Account Appropriation	\$	6,919,000	6,919,000
Total Appropriation		\$36,677,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,700,000 of the fiscal year 1986 and \$1,700,000 of the fiscal year 1987 general fund—state appropriation are provided solely for the continuation of the alternatives to street crime programs in Pierce, Snohomish, Clark, King, Spokane and Yakima counties.

(2) \$122,000 of the fiscal year 1986 and \$121,000 of the fiscal year 1987 general fund—state appropriation are provided solely for community diversion programs.

(3) \$50,000 of the general fund appropriation for fiscal year 1987 is provided solely for the additional costs associated with the newly created superior court judges positions in accordance with Substitute Senate Bill No. 3165. If SSB 3165 is not enacted by July 1, 1985, the amount in this subsection shall revert. The amount provided in this subsection shall only be allocated to counties that have adopted a program of mandatory arbitration for all civil claims of \$15,000 or less. In addition, if legislation closing the judicial retirement system to judges first appointed or elected after October 1, 1985, is not enacted before July 1, 1985, the amount provided in this subsection shall revert.

(4) \$250,000 of the general fund appropriation is provided solely for allocation to the superior court of Thurston county to relieve the impact of litigation involving the state of Washington.

(5) Each judge of the superior court shall receive an annual salary of sixty thousand dollars during the 1985-87 fiscal biennium.

NEW SECTION, Sec. 111. FOR THE JUDICIAL QUALIFICATIONS COMMISSION

		FY 1986	FY 1987
General Fund Appropriation	\$	127,000	127,000
Total Appropriation		\$254,000	

NEW SECTION, Sec. 112. FOR THE OFFICE OF THE GOVERNOR

		FY 1986	FY 1987
General Fund Appropriation	\$	2,492,000	2,343,000
Total Appropriation		\$4,835,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$355,000 is provided solely for extradition expenses to carry out the provisions of RCW 10.34.030, providing for the return of fugitives by the governor, including prior claims, and for extradition-related legal services as determined by the attorney general.

(2) \$79,000 of the fiscal year 1986 appropriation and \$79,000 of the fiscal year 1987 appropriation are provided solely for mansion maintenance.

(3) \$50,000 of the fiscal year 1986 appropriation and \$50,000 of the fiscal year 1987 appropriation are provided solely for special counsel for major excise tax litigation.

(4) \$10,000 of the fiscal year 1986 appropriation is provided solely for the painting and framing of the official portrait of Governor John Spellman to be permanently displayed in the reception room of the executive office upon delivery.

NEW SECTION, Sec. 113. FOR THE LIEUTENANT GOVERNOR

		FY 1986	FY 1987
General Fund Appropriation	\$	142,000	135,000
Total Appropriation		\$277,000	

NEW SECTION, Sec. 114. FOR THE SECRETARY OF STATE

		FY 1986	FY 1987
General Fund Appropriation	\$	3,243,000	2,413,000
General Fund—Archives and Records Management			
Account Appropriation—State	\$	871,000	834,000
General Fund—Archives and Records Management			
Account Appropriation—Federal	\$	47,000	
Total Appropriation		\$7,408,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,040,000 of the fiscal year 1986 general fund—state appropriation are provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(2) \$641,000 for fiscal year 1986 and \$883,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

NEW SECTION, Sec. 115. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS

	FY 1986	FY 1987
General Fund Appropriation \$	69,000	69,000
Total Appropriation	\$138,000	

NEW SECTION, Sec. 116. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS

	FY 1986	FY 1987
General Fund Appropriation \$	87,000	87,000
Total Appropriation	\$174,000	

NEW SECTION, Sec. 117. FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

	FY 1986	FY 1987
General Fund Appropriation \$	67,000	67,000
Total Appropriation	\$134,000	

NEW SECTION, Sec. 118. FOR THE STATE TREASURER

	FY 1986	FY 1987
Motor Vehicle Fund Appropriation \$	22,000	22,000
State Treasurer's Service Fund Appropriation \$	3,703,000	3,703,000
Total Appropriation	\$7,450,000	

NEW SECTION, Sec. 119. FOR THE STATE AUDITOR

	FY 1986	FY 1987
General Fund Appropriation \$	394,000	394,000
Motor Vehicle Fund Appropriation \$	175,000	175,000
Municipal Revolving Fund Appropriation \$	6,588,000	6,588,000
Auditing Services Revolving Fund Appropriation \$	3,793,000	3,793,000
Total Appropriation	\$21,900,000	

The appropriations in this section are subject to the following conditions and limitations: The director of financial management shall approve sufficient payments to the state auditor in all cases of necessity under RCW 43.09.418, including but not limited to cases of suspected malfeasance, misfeasance, or fraud, notwithstanding the level of auditing activity supported by the appropriation in this section.

NEW SECTION, Sec. 120. FOR THE ATTORNEY GENERAL

	FY 1986	FY 1987
General Fund Appropriation \$	2,350,000	2,350,000
Legal Services Revolving Fund Appropriation \$	14,694,000	14,694,000
Total Appropriation	\$34,088,000	

The appropriations in this section are subject to the following conditions and limitations:

- (1) A maximum of \$170,000 for fiscal year 1986 and \$170,000 for fiscal year 1987 are provided solely for the criminal litigation unit.
- (2) The attorney general's office shall produce a comprehensive consumer catalog that provides in-depth information in a form accessible to schools, other organizations, and interested citizens by August 1, 1985.

NEW SECTION, Sec. 121. FOR THE OFFICE OF FINANCIAL MANAGEMENT

	FY 1986	FY 1987
General Fund Appropriation \$	7,028,000	6,950,000
General Fund—Federal Appropriation \$	36,000	36,000
Local Jail Improvement and Construction Account— State Appropriation \$	21,232,000	11,905,000
Medical Aid Fund Appropriation \$	50,000	50,000
Total Appropriation	\$47,287,000	

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$8,300 of the general fund appropriation is provided solely for payment of claims against the state of \$500 or less, under RCW 4.92.040.
- (2) The general fund—federal appropriation and the local jail improvement and construction account appropriation are provided solely for the oversight of local jail construction.
- (3) \$89,000 of the fiscal year 1986 and \$89,000 of the fiscal year 1987 general fund—state appropriation is provided solely for jail inspections.
- (4) \$195,000 of the fiscal year 1986 and \$169,000 of the fiscal year 1987 general fund appropriation are provided solely for health care cost containment activities as provided in chapter --- (SHB 1077 or SSB 4242), Laws of 1985. If neither bill is enacted by July 1, 1985, the amounts provided in this subsection shall revert.
- (5) \$69,000 of the fiscal year 1986 and \$38,000 of the fiscal year 1987 general fund appropriation are provided solely for jail population forecast activities as provided in chapter --- (SB 3596), Laws of 1985. If SB 3596 is not enacted by July 1, 1985, the amounts provided in this subsection shall revert.

NEW SECTION, Sec. 122. FOR THE STATE INVESTMENT BOARD

	FY 1986	FY 1987
General Fund—State Investment Board Expense		
Account Appropriation	\$ 735,000	735,000
Total Appropriation	\$1,470,000	

NEW SECTION, Sec. 123. FOR THE DEPARTMENT OF PERSONNEL

	FY 1986	FY 1987
Department of Personnel Service Fund Appropriation ..	\$ 5,576,000	5,202,000
State Employees' Insurance Fund Appropriation	863,000	863,000
Total Appropriation	\$12,504,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$646,000 for fiscal year 1986 and \$359,000 for fiscal year 1987 of the department of personnel service fund appropriation are provided solely to:

(a) Review the Willis methodology for any potential gender bias and make any necessary adjustments;

(b) Update job class specifications for all job classes with incumbents that have not been reviewed for the past five years and eliminate any potential gender bias;

(c) Evaluate job class specifications in subsection (1)(b) of this section which have not previously been evaluated and update existing evaluations; and

(d) Develop a new benchmark and indexing structure which reflects the evaluated worth of the job classes and eliminates any potential gender bias.

(2) The department of personnel shall coordinate activities required under subsection (1) of this section with the higher education personnel board. Joint interim reports covering the progress made to date by the department of personnel and the higher education personnel board shall be submitted to the legislature prior to January 1, 1986, and July 1, 1986. All evaluations and job class specification updates shall be completed prior to January 1, 1987. A joint final report shall be submitted to the legislature by January 1, 1987.

(3) The department of personnel and the higher education personnel board shall hire an independent consultant with expertise in developing and evaluating public employee job classification systems and implementing comparable worth to assist with and review the work undertaken in subsections (1) (a), (b), and (d) of this section. The selection of the independent consultant shall be made after consulting with the state government committee of the house of representatives and the governmental operations committee of the senate. Prior to January 1, 1986, and July 1, 1986, the independent consultant shall submit to the legislature separate assessments of the progress made to date under subsection (1) of this section. The independent consultant shall submit a separate final report prior to January 1, 1987.

NEW SECTION, Sec. 124. FOR THE PERSONNEL APPEALS BOARD

	FY 1986	FY 1987
Department of Personnel Service Fund Appropriation ..	\$ 358,000	358,000
Total Appropriation	\$716,000	

NEW SECTION, Sec. 125. FOR THE DATA PROCESSING AUTHORITY

	FY 1986	FY 1987
Data Processing Revolving Fund Appropriation	\$ 508,000	508,000
Total Appropriation	\$1,016,000	

NEW SECTION, Sec. 126. FOR THE WASHINGTON STATE LOTTERY

	FY 1986	FY 1987
Lottery Administrative Account Appropriation	\$ 7,231,000	7,231,000
Total Appropriation	\$14,462,000	

The appropriations in this section are subject to the following conditions and limitations: If Substitute Senate Bill No. 3684 is not enacted by July 1, 1985, the appropriations in this section shall lapse.

NEW SECTION, Sec. 127. FOR THE DEPARTMENT OF REVENUE

	FY 1986	FY 1987
General Fund Appropriation	\$ 30,552,000	29,305,000
General Fund—Hazardous Waste Control and Elimination Account Appropriation	54,000	54,000
General Fund—Timber Tax Distribution Account Appropriation	1,469,000	1,469,000
Total Appropriation	\$62,903,000	

NEW SECTION, Sec. 128. FOR THE BOARD OF TAX APPEALS

	FY 1986	FY 1987
General Fund Appropriation	\$ 543,000	543,000
Total Appropriation	\$1,086,000	

NEW SECTION, Sec. 129. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 5,633,000	5,577,000
General Fund Appropriation—Private/Local	30,000	30,000
General Fund—Motor Transport Account Appropriation	3,450,000	3,060,000

General Administration Facilities and Services Revolving Fund Appropriation	\$	9,188,000	8,948,000
Total Appropriation		\$35,916,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The community college districts shall transfer to the motor transport account \$8,373 from the general local fund and \$34,469 from the local motor pool fund. These transfers shall be made in accordance with schedules provided by the office of financial management.

(2) Charges made by the department for the facilities and services revolving fund and the central stores revolving fund during the 1985-87 biennium, other than charges for telecommunications and utilities, shall not exceed one hundred three percent of the charges made for those funds during the fiscal year ending June 30, 1985.

(3) \$109,425 of the fiscal year 1986 and \$109,425 of the fiscal year 1987 general fund appropriation are provided solely to fully implement Senate Bill No. 3569. If SB 3569 is not enacted by July 1, 1985, the amounts provided in this subsection shall lapse.

(4) \$2,000,000 of the fiscal year 1986 and \$2,000,000 of the fiscal year 1987 appropriation are provided solely for the purchase of liability insurance.

(5) \$99,000 of the fiscal year 1986 and \$97,000 of the fiscal year 1987 appropriation are provided solely for the operation of the risk management office.

NEW SECTION. Sec. 130. FOR THE INSURANCE COMMISSIONER

Insurance Commissioner's Regulatory Account Appropriation		FY 1986	FY 1987
	\$	4,332,000	4,332,000
Total Appropriation		\$8,664,000	

The appropriations in this section are subject to the following conditions and limitations: If Senate Bill No. 3657 is not enacted by July 1, 1985, the appropriation in this section shall be made from the general fund.

NEW SECTION. Sec. 131. FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation	\$	FY 1986	FY 1987
		488,000	488,000
Total Appropriation		\$976,000	

NEW SECTION. Sec. 132. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS

Department of Retirement Systems Expense Fund Appropriation	\$	FY 1986	FY 1987
		6,704,000	6,704,000
Total Appropriation		\$13,408,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The employer rate for all employers for the retirement system governed by chapter 41.40 RCW shall be set for the 1985-1987 biennium by the director consistent with the appropriations made in this act for state agencies and shall include the administrative expense for the biennium.

(2) The employer contributions for the retirement system governed by chapter 41.32 RCW shall be set for the 1985-1987 biennium by the director as follows:

(a) For the period July and August 1985, the system shall receive the amount appropriated in section 704(1) of this act for this purpose.

(b) For the period September 1985 through August 1986, the superintendent of public instruction shall transfer to the department all moneys allocated to the superintendent for the certificated employees of the school and educational service districts for retirement purposes by this act for this period.

(c) For the period September 1985 through August 1986, all employers of members of the teachers' retirement system, other than those covered in subsection (2)(b) of this section, shall pay an employer rate set consistent with the appropriations made to the employers covered by subsection (2)(b) of this section and which shall include the administrative expense for this period.

(d) For the period September 1986 through June 1987, all employers shall pay a rate set consistent with this act and which shall include the administrative expense for this period.

(3) A separate rate for each of the retirement systems governed by chapters 2.10 and 2.12 RCW shall be set for the 1985-1987 biennium by the director consistent with this act and which shall include administrative expense. The rate shall be paid by the administrator for the courts based on the compensation paid to judges who are members of these respective systems. The rates set under this subsection shall be in lieu of the state contributions required by RCW 2.10.090(2) and 2.12.060.

NEW SECTION. Sec. 133. FOR THE MUNICIPAL RESEARCH COUNCIL

General Fund Appropriation	\$	FY 1986	FY 1987
		867,000	923,000
Total Appropriation		\$1,790,000	

NEW SECTION. Sec. 134. FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation	\$	FY 1986	FY 1987
		140,000	140,000

General Fund—Certified Public Accountant Examination Account Appropriation	\$	204,000	204,000
Total Appropriation		\$688,000	
<u>NEW SECTION, Sec. 135. FOR THE BOXING COMMISSION</u>			

General Fund Appropriation	\$	FY 1986 43,000	FY 1987 43,000
Total Appropriation		\$86,000	
<u>NEW SECTION, Sec. 136. FOR THE CEMETERY BOARD</u>			

General Fund—Cemetery Account Appropriation	\$	FY 1986 59,000	FY 1987 59,000
Total Appropriation		\$118,000	
<u>NEW SECTION, Sec. 137. FOR THE HORSE RACING COMMISSION</u>			

Horse Racing Commission Fund Appropriation	\$	FY 1986 1,867,000	FY 1987 1,867,000
Total Appropriation		\$3,734,000	

The appropriation in this section is subject to the following conditions and limitations: If there are more than three hundred ninety-three racing days during fiscal year 1986 or more than three hundred ninety-three racing days during fiscal year 1987, the governor is authorized to allocate such additional moneys from the horse racing commission fund as may be required.

NEW SECTION, Sec. 138. FOR THE LIQUOR CONTROL BOARD—THE ADMINISTRATION PROGRAM AND THE LICENSING AND ENFORCEMENT PROGRAM

Liquor Revolving Fund Appropriation	\$	FY 1986 8,365,000	FY 1987 8,365,000
Total Appropriation		\$16,730,000	

NEW SECTION, Sec. 139. FOR THE LIQUOR CONTROL BOARD—THE MERCHANDISING PROGRAM

Liquor Revolving Fund Appropriation	\$	FY 1986 34,221,000	FY 1987 34,221,000
Total Appropriation		\$68,442,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The liquor control board shall maintain a minimum productivity of 43,821 bottles sold adjusted to retail per full time equivalent staff year. As used in this section, 'bottles sold adjusted to retail' has the same meaning and shall be calculated in the same manner as in the board's budget request for the fiscal biennium ending June 30, 1987. Except as provided in subsection (2) of this section, the board shall not permit a productivity less than that specified in this section for any reason, including but not limited to the sale of lottery tickets or decreases in the demand for liquor.

(2) If bottles sold adjusted to retail declines during a fiscal year, only 50% of the decline in bottles sold shall be recognized in calculating compliance with the minimum productivity requirement in subsection (1) of this section.

(3) The liquor control board is authorized to relocate stores during the fiscal biennium ending June 30, 1987, if necessary to conduct business in the most efficient and economical manner possible.

(4) The liquor control board is prohibited from opening any new retail sales outlets or to convert agencies to retail sales outlets during the fiscal biennium ending June 30, 1987.

(5) The liquor control board shall distribute and offer for sale lottery tickets for the Washington state lottery during the fiscal biennium ending June 30, 1987.

NEW SECTION, Sec. 140. FOR THE PHARMACY BOARD

General Fund Appropriation	\$	FY 1986 584,000	FY 1987 584,000
General Fund—Health Professions Account Appropriation	\$	198,000	198,000
Total Appropriation		\$1,564,000	

NEW SECTION, Sec. 141. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Public Service Revolving Fund Appropriation—		FY 1986	FY 1987
State	\$	10,481,000	10,420,000
Public Service Revolving Fund Appropriation—			
Federal	\$	213,000	213,000
Grade Crossing Protective Fund Appropriation	\$	97,000	97,000
Total Appropriation		\$21,521,000	

The appropriations in this section are subject to the following conditions and limitations: \$1,061,000 for fiscal year 1986 and \$1,000,000 for fiscal year 1987 from the public service revolving fund—state appropriation are provided solely for the purpose of funding implementation of Substitute Senate Bill No. 3305. If SSB 3305 is not enacted before July 1, 1985, the amounts provided in this subsection shall revert.

NEW SECTION, Sec. 142. FOR THE BOARD FOR VOLUNTEER FIREMEN

	FY 1986	FY 1987
Volunteer Firemen's Relief and Pension Fund Approp- riation	\$ 94,000	94,000
Total Appropriation	\$188,000	

NEW SECTION, Sec. 143. FOR THE DEPARTMENT OF EMERGENCY MANAGEMENT

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 518,000	0
General Fund Appropriation—Federal	\$ 2,715,000	0
Total Appropriation	\$3,233,000	

The appropriations in this section are subject to the following conditions and limitations: The appropriations are for expenditure by the department of emergency management in fiscal year 1986. At the end of this period, the unexpended balance of the appropriations in this section shall be transferred to the military department.

NEW SECTION, Sec. 144. FOR THE MILITARY DEPARTMENT

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 3,531,000	3,839,000
General Fund Appropriation—Federal	\$ 1,042,000	3,757,000
Total Appropriation	\$12,169,000	

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$308,000 of the fiscal year 1987 general fund—state appropriation and \$2,715,000 of the general fund—federal appropriation are provided solely for the performance of all powers and duties previously performed by the department of emergency management.
- (2) \$15,000 of the fiscal year 1986 and \$15,000 of the fiscal year 1987 general fund—state appropriation is provided solely for the support of the office of the director of employer support.

NEW SECTION, Sec. 145. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 793,000	793,000
Total Appropriation	\$1,586,000	

NEW SECTION, Sec. 146. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

	FY 1986	FY 1987
Administrative Hearings Revolving Fund Appropria- tion	\$ 3,798,000	3,798,000
Total Appropriation	\$7,596,000	

NEW SECTION, Sec. 147. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

	FY 1986	FY 1987
General Fund Appropriation	\$ 763,000	726,000
Total Appropriation	\$1,489,000	

**PART II
HUMAN SERVICES**

NEW SECTION, Sec. 201. FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

(a) \$12,686,000 is appropriated from the general fund for fiscal year 1986 and \$12,655,000 is appropriated from the general fund for fiscal year 1987 to provide community supervision services as defined in chapter 9.94A RCW. The department shall develop workload standards for meeting the requirements of chapter 9.94A RCW and shall report to the legislature such workload standards and actual results on June 30, 1986, and annually thereafter.

(i) Community corrections employees specializing in drug and alcohol services are prohibited from providing such services in counties served by the treatment alternatives to street crime programs.

(ii) No state funds are provided in this act to supervise nonviolent offenders on parole who have been evaluated by the board of prison terms and paroles and deemed appropriate for release from the department of corrections and who fall under the jurisdiction of the law prior to the implementation of chapter 9.94A RCW.

(b) \$11,309,000 is appropriated from the general fund for fiscal year 1986 and \$11,309,000 is appropriated from the general fund for fiscal year 1987 to operate and/or contract with non-profit corporations for work training release for convicted felons.

(i) Funds under this subsection (1)(b) may be spent for a health care position at the Geiger work release facility.

(ii) The department shall not reduce funding in support of work release facilities by a percentage amount that is greater than any percentage reduction applied to the overall agency budget.

(c) \$1,062,000 is appropriated from the general fund for fiscal year 1986 and \$1,059,000 is appropriated from the general fund for fiscal year 1987 for support of the office of the director of community services. The director of community services shall monitor community corrections services provided and/or contracted for by other governmental jurisdictions in the state. The state director shall document such nonstate community corrections services as of July 1, 1985.

for the purpose of establishing a basis upon which to evaluate current services, to assess any local program changes, and to identify emerging program needs.

(d) \$100,000 is appropriated from the general fund for fiscal year 1986 and \$100,000 is appropriated from the general fund for fiscal year 1987 for a program to notify victims and witnesses of any parole, work release placement, furlough, or unescorted leave of absence from a state correctional facility of any inmate convicted of a violent offense.

(2) INSTITUTIONAL SERVICES

	FY 1986	FY 1987
General Fund Appropriation	\$ 126,321,000	117,516,000
Total Appropriation	\$243,837,000	

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$6,170,000 of the fiscal year 1986 appropriation and \$7,305,000 of the fiscal year 1987 appropriation are provided solely for operating the Clallam Bay corrections center.

(b) The superintendents of each correctional institution, as defined in RCW 72.65.010, shall establish community-based volunteer alcohol and drug rehabilitation programs in their respective correctional institution. The superintendents shall encourage groups conducting such programs outside the institutions to participate in such programs inside the institution. An employee at each correctional institution shall be designated to coordinate the programs mandated in this subsection.

(c) \$620,000 of the fiscal year 1986 appropriation and \$620,000 of the fiscal year 1987 appropriation are provided solely for contracting with counties for the use of county jail beds for state inmates.

(d) \$200,000 is provided solely for Snohomish county pursuant to Snohomish county v. State of Washington to cover local impact costs of the Twin Rivers corrections center.

(3) ADMINISTRATION AND PROGRAM SUPPORT

	FY 1986	FY 1987
General Fund Appropriation	\$ 8,981,000	8,393,000
General Fund—Institutional		
Impact Account Appropriation	\$ 150,000	150,000
Total Appropriation	\$17,674,000	

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$400,000 of the general fund appropriation is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(b) The department shall report to the house and senate ways and means committees on January 1, 1986, and January 1, 1987, regarding its progress toward employing more minorities and women in top level management positions.

(4) INSTITUTIONAL INDUSTRIES

	FY 1986	FY 1987
General Fund Appropriation	\$ 1,987,000	1,385,000
Total Appropriation	\$3,372,000	

NEW SECTION. Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) Appropriations made by this act to the department of social and health services shall be initially allotted as required by this act. Except as specifically provided in this act, subsequent allotment modifications shall not include transfers of moneys between sections of this act, nor shall allotment modifications permit moneys which are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that will require expenditure of state general fund moneys except as expressly authorized in this act, unless the services were provided on March 1, 1985. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act and, in the case of unanticipated unrestricted federal moneys, as long as an equal amount of appropriated state general fund moneys are reverted. Unrestricted federal moneys shall be used, to the maximum extent permitted under federal law, to replace state general fund moneys appropriated under this act for the fiscal year ending June 30, 1986. As used in this subsection, 'unrestricted federal moneys' includes block grants and other funds that federal law does not require to be spent on explicitly defined projects or matched on a formula basis by state funds.

NEW SECTION. Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—CHILDREN AND FAMILY SERVICES PROGRAM

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 61,778,000	59,487,000
General Fund Appropriation—Federal	\$ 24,398,000	26,084,000
Total Appropriation	\$171,747,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,230,000 for fiscal year 1986 and \$3,231,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for increases in child protective services field staff.

- (2) \$450,000 for fiscal year 1986 and \$450,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to expand the homebuilders program.
- (3) \$4,688,000 for fiscal year 1986, of which \$4,289,000 is from the general fund—state appropriation, and \$4,559,000 for fiscal year 1987, of which \$4,178,000 is from the general fund—state appropriation, are provided solely to increase the safety and quality of care in children's group homes, including the conversion of up to 183 beds for use in intensive residential treatment of severely disturbed youth at a monthly rate of \$2,100 per occupied bed. The department shall develop and implement written standards as to which children may be placed in residential treatment, clearly distinguishing the residential treatment population from the remaining group care population. As used in this subsection, 'residential treatment' includes permanent planning for child placement, counseling of natural parents when appropriate, and recruiting, training, and counseling of adoptive or foster parents when appropriate.
- (4) \$1,058,000 for fiscal year 1986, of which \$957,226 is from the general fund—state appropriation, and \$1,058,000 for fiscal year 1987, of which \$957,000 is from the general fund—state appropriation, are provided solely to increase vendor rates for family foster care.
- (5) \$50,000 for fiscal year 1986 and \$50,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to increase private agency service fees in connection with foster care placements.
- (6) \$85,000 for fiscal year 1986 and \$85,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to increase vendor rates for family interim care homes.
- (7) \$204,000 for fiscal year 1986 and \$314,000 for fiscal year 1987 from the general fund—state appropriation are provided solely for increases in children's group home monitoring staff, including an additional 6.5 full time equivalent staff in fiscal year 1986 and 10 full time equivalent staff in fiscal year 1987. The department shall develop a client outcome monitoring system as part of a specific plan for performance-based contracts whereby a portion of vendor payments for group care and residential treatment is contingent on vendor attainment of client outcome standards to be developed by the department. The plan shall be transmitted to the ways and means committees of the senate and house of representatives and the legislative budget committee by July 1, 1986, and scheduled for implementation on July 1, 1987, pending legislative review.
- (8) \$455,000 of the general fund—state appropriation for fiscal year 1986 is provided solely for contracted services to 'street kids.' For purposes of this subsection, 'street kids' are children between the ages of eight and seventeen who do not receive care, shelter, or supervision from parents or other responsible adults, who are not placed in residential settings by the department, and who are living in a dangerous urban environment. Services may include street outreach, advocacy, counseling, and foster care. Not more than 150 'street kids' may receive services supported under this subsection from any single center at any one time. All programs receiving funds under this subsection shall provide cultural- and language-sensitive services to minority 'street kids.'
- (9) A maximum of \$8,572,000 for fiscal year 1986, of which \$5,307,000 is from the general fund—state appropriation, and \$8,572,000 for fiscal year 1987, of which \$1,859,000 is from the general fund—state appropriation, may be spent for day care services. Of this amount, a maximum of \$2,200,000 for fiscal year 1986 and \$2,200,000 for fiscal year 1987 may be spent for the seasonal day care program. The department shall revise the parent participation day care program to ensure that funds provided for the program for each fiscal year are sufficient to sustain the program throughout that fiscal year. The department shall further limit eligibility for the participation day care program to children in single-parent households or households in which the unemployed parent is incapacitated. The department may establish by rule a 20% local matching requirement for the receipt of seasonal day care funds.
- (10) \$125,000 for fiscal year 1986 and \$125,000 for fiscal year 1987 are provided solely to expand services in the therapeutic day care program beyond current levels.
- (11) The appropriations in this section shall be initially allotted as follows:
- (a) \$1,445,000 of the general fund—state appropriation for the victims of domestic violence program.
- (b) \$55,152,000, of which \$46,624,000 is from the general fund—state appropriation, for foster care payments.
- (c) \$17,393,000, of which \$9,139,000 is from the general fund—state appropriation, for day care payments.
- (d) \$6,723,000, of which \$4,905,000 is from the general fund—state appropriation, for adoption support services.
- (e) \$4,618,000, of which \$3,029,000 is from the general fund—state appropriation, for family reconciliation services.
- (f) \$10,609,000, of which \$10,304,000 is from the general fund—state appropriation, for interim care services.
- (g) \$24,082,000, of which \$15,806,000 is from the general fund—state appropriation, for child protective services.

(h) \$31,484,000, of which \$16,350,000 is from the general fund—state appropriation, for other direct social services.

(i) \$232,000 of the general fund—state appropriation for special projects.

(j) \$16,012,000, of which \$10,627,000 is from the general fund—state appropriation, for program support.

(k) \$4,597,000, of which \$3,404,000 is from the general fund—state appropriation, for direct social services cost pool.

**NEW SECTION, Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
JUVENILE REHABILITATION PROGRAM**

(1) COMMUNITY SERVICES

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 13,422,000	13,422,000
General Fund Appropriation—Federal	\$ 39,000	39,000
Total Appropriation	\$26,922,000	

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The department shall develop a specific plan for performance-based contracts whereby a portion of vendor payments for private group care and other community residential placements is contingent on vendor attainment of client outcome standards to be developed by the department. The plan shall be transmitted to the ways and means committees of the senate and house of representatives and the legislative budget committee by July 1, 1986, and scheduled for implementation on July 1, 1987, pending legislative review.

(b) \$2,630,000 for fiscal year 1986 and \$2,481,000 for fiscal year 1987 from the general fund—state appropriation are provided solely for Woodinville, Sunrise, Oakridge, Canyon View, Parke Creek, Twin Rivers, and Ridgeview state group homes. The total number of youths in residential status at these state group homes shall average at least 100 per month. Residential status includes youths in actual residence, those on leave up to 14 days, and those in the process of being transferred or paroled. If the average number of youths in residential status falls below 100 per month, the general fund—state appropriation in this section shall be reduced by \$2,067 per month for every unfilled bed below 100.

(2) INSTITUTIONAL SERVICES

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 21,660,000	21,509,000
General Fund Appropriation—Federal	\$ 445,000	445,000
Total Appropriation	\$44,059,000	

The appropriations in this subsection are subject to the following conditions and limitations:

The department shall review and evaluate the number of beds necessary to ensure the prudent management of juvenile offenders in the juvenile rehabilitation system prior to closing any cottages at the Green Hill school. Such analysis shall be presented to the ways and means committees of the senate and house of representatives on June 1, 1986.

(3) PROGRAM SUPPORT

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 1,495,000	1,495,000
Total Appropriation	\$2,990,000	

NEW SECTION, Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 47,990,000	47,990,000
General Fund Appropriation—Federal	\$ 17,594,000	17,594,000
General Fund Appropriation—Local	\$ 355,000	355,000
Total Appropriation	\$131,878,000	

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$240,000 for fiscal year 1986 and \$240,000 for fiscal year 1987 from the general fund—state are provided solely for continuation of the community psychiatric training program at the University of Washington.

(b) \$309,000 for fiscal year 1986 and \$309,000 for fiscal year 1987 from the general fund—federal appropriation are provided solely for the continuation of the minority mental health program.

(c) \$554,000 for fiscal year 1986, of which \$495,000 is from the general fund—state appropriation and \$986,000 for fiscal year 1987, of which \$867,000 is from the general fund—state appropriation are provided solely for the Kitsap resources consolidated residential treatment center's alternative project. Of the \$554,000 for fiscal year 1986, \$61,000 of the general fund—state appropriation is provided solely for initial program costs associated with implementation. The state reimbursement rate shall not exceed \$180 per client day and treatment for individual clients shall not exceed 180 days. All eligible involuntary treatment referrals in Kitsap county shall be made to the project. No involuntary treatment referrals of Kitsap county

residents may be made to Western State Hospital unless the referral is approved by a screening committee appointed by the legislative budget committee to determine when an individual can no longer benefit from community care. The maximum reimbursement rate to Kitsap county private hospitals shall not exceed the current diagnostic-related group medicaid rate. Kitsap resources consolidated shall provide quarterly reports to the senate and house committees on ways and means describing the numbers and characteristics of clients served and resulting diversions from private hospitals and Western State Hospital. In addition, the department shall present an annual report to the same legislative committees beginning January 1, 1987, indicating progress made toward meeting the long-term residential bed needs of Kitsap County.

(d) \$38,000 for fiscal year 1986 and \$38,000 for fiscal year 1987 from the general fund—state appropriation are provided solely for an allocation to a nonprofit agency advocating for the mentally ill for the purposes of technical assistance to state agencies, educational programs, outreach and family support, self-help support groups, and patient advocacy.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	FY 1986	FY 1987
General Fund Appropriation—Federal	\$	64,668,000	64,617,000
Total Appropriation		3,093,000	3,092,000
		\$129,285,000	

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	FY 1986	FY 1987
General Fund Appropriation—Federal	\$	1,366,000	1,366,000
Total Appropriation		734,000	734,000
		\$4,200,000	

(4) SPECIAL PROJECTS

General Fund Appropriation—Federal	\$	FY 1986	FY 1987
Total Appropriation		111,000	111,000
		\$222,000	

NEW SECTION, Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	FY 1986	FY 1987
General Fund Appropriation—Federal	\$	28,094,000	27,605,000
Total Appropriation		24,675,000	24,569,000
		\$104,943,000	

The appropriations in this subsection are subject to the following conditions and limitations: The appropriations in this subsection shall be initially allotted as follows:

(a) \$10,827,000, of which \$6,858,000 is from the general fund—state appropriation, for fiscal year 1986 and \$10,635,000, of which \$6,859,000 is from the general fund—state appropriation, for fiscal year 1987 for group homes to serve a maximum contracted bed level of 936 monthly clients.

(b) \$12,633,000 of the fiscal year 1986 appropriation, of which \$5,145,000 is from the general fund—state appropriation, and \$12,633,000 of the fiscal year 1987 appropriation, of which \$5,145,000 is from the general fund—state appropriation, for county services.

(c) \$4,728,000 of the fiscal year 1986 appropriation, of which \$3,621,000 is from the general fund—state appropriation, and \$4,729,000 of the fiscal year 1987 appropriation, of which \$3,621,000 is from the general fund—state appropriation, for field services.

(d) \$3,149,000 of the fiscal year 1986 appropriation, of which \$1,847,000 is from the general fund—state appropriation, for home aid to serve an average monthly caseload of 1,255 and \$2,745,000 of the fiscal year 1987 appropriation, of which \$1,443,000 is from the general fund—state appropriation, for home aid to serve an average monthly caseload of 1,380 clients.

(e) \$13,995,000 of the fiscal year 1986 appropriation, of which \$7,061,000 is from the general fund—state appropriation, and \$13,995,000 of the fiscal year 1987 appropriation, of which \$7,062,000 is from the general fund—state appropriation, for Title XIX residential services to serve an average monthly caseload of 767 clients.

(f) \$7,437,000 of the fiscal year 1986 appropriation, of which \$3,561,000 is from the general fund—state appropriation, for the alternative living and tenant support programs, including an alternative living program to serve an average monthly caseload of 310 clients. The tenant support program shall not exceed an average monthly contracted caseload of 708 clients during fiscal year 1986.

(g) \$7,437,000 of the fiscal year 1987 appropriation, of which \$3,477,000 is from the general fund—state appropriation, for the alternative living and tenant support programs, including an alternative living program to serve an average monthly contracted caseload of 340 clients. The tenant support program shall not exceed the contracted level of 708 clients during fiscal year 1987.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	52,396,000	52,292,000
General Fund Appropriation—Federal	\$	36,714,000	36,714,000
Total Appropriation		\$178,116,000	

The appropriations in this subsection are subject to the following conditions and limitations: The appropriations in this subsection shall initially be allotted as follows:

(a) \$22,186,000, of which \$13,651,000 is from the general fund—state appropriation, and 790 full time equivalent staff years for fiscal year 1986 for the Fircrest school to operate at an annual average daily population of 496 and \$22,186,000, of which \$13,651,000 is from the general fund—state appropriation, and 790 full time equivalent staff years for fiscal year 1987 for the Fircrest school to operate at an annual average daily population of 496.

(b) \$10,274,000, of which \$5,832,000 is from the general fund—state appropriation, and 370.4 full time equivalent staff years for fiscal year 1986 for the Interlake school to operate at an annual average daily population of 240 and \$10,170,000, of which \$5,729,000 is from the general fund—state appropriation, and 370.4 full time equivalent staff years for fiscal year 1987 for the Interlake school to operate at an annual average daily population of 240.

(c) \$24,635,000, of which \$12,702,000 is from the general fund—state appropriation, and 895.0 full time equivalent staff years for fiscal year 1986 for the Rainier school to operate at an annual average daily population of 570 and \$24,635,000, of which \$12,701,000 is from the general fund—state appropriation, and 895.0 full time equivalent staff years for fiscal year 1987 for the Rainier school to operate at an annual average daily population of 570.

(d) \$15,477,000, of which \$7,958,000 is from the general fund—state appropriation, and 567.0 full time equivalent staff years for fiscal year 1986 for the Lakeland Village school to operate at an annual average daily population of 340 and \$15,478,000, of which \$7,958,000 is from the general fund—state appropriation, and 567.0 full time equivalent staff years for fiscal year 1987 for the Lakeland Village school to operate at an annual average daily population of 340.

(e) \$6,894,000, of which \$3,930,000 is from the general fund—state appropriation, and 248.6 full time equivalent staff years for fiscal year 1986 for the Yakima Valley school to operate at an annual average daily population of 150 and \$6,895,000, of which \$3,930,000 is from the general fund—state appropriation, and 248.6 full time equivalent staff years for fiscal year 1987 for the Yakima Valley school to operate at an annual average daily population of 150.

(f) \$2,566,000, of which \$1,306,000 is from the general fund—state appropriation, and 100.0 full time equivalent staff years for fiscal year 1986 for the Frances Haddon Morgan children's center to operate at an annual average daily population of 54 and \$2,567,000, of which \$1,307,000 is from the general fund—state appropriation, and 100.0 full time equivalent staff years for fiscal year 1987 for the Frances Haddon Morgan children's center to operate at an annual average daily population of 54.

(g) \$2,463,000 of the general fund—state appropriation and 74.9 full time equivalent staff years for fiscal year 1986 for the School for the Blind to operate at an annual average daily population of 68 and \$2,463,000 of the general fund—state appropriation and 74.9 full time equivalent staff years for fiscal year 1987 for the School for the Blind to operate at an annual average daily population of 68.

(h) \$4,613,000, of which \$4,553,000 is from the general fund—state appropriation, and 121.9 full time equivalent staff years for fiscal year 1986 for the School for the Deaf to operate at an annual average daily population of 216 and \$4,613,000, of which \$4,554,000 is from the general fund—state appropriation, and 121.9 full time equivalent staff years for fiscal year 1987 for the School for the Deaf to operate at an annual average daily population of 216.

(3) PROGRAM SUPPORT

		FY 1986	FY 1987
General Fund Appropriation—State	\$	2,002,000	2,002,000
General Fund Appropriation—Federal	\$	509,000	509,000
Total Appropriation		\$5,022,000	

(4) SPECIAL PROJECTS

		FY 1986	FY 1987
General Fund Appropriation—State	\$	53,000	54,000
General Fund Appropriation—Federal	\$	606,000	586,000
Total Appropriation		\$1,299,000	

**NEW SECTION, Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
LONG-TERM CARE SERVICES**

		FY 1986	FY 1987
General Fund Appropriation—State	\$	133,543,000	128,620,000
General Fund Appropriation—Federal	\$	121,369,000	129,064,000
Total Appropriation		\$512,596,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall provide an integrated system of long-term care services which will allow for the most efficient, equitable, and appropriate use of available resources. The department shall endeavor to provide these services in the least restrictive and most cost-effective manner appropriate for individual clients.

(2) \$186,762,000 for fiscal year 1986, of which \$94,025,000 is from the general fund—state appropriation, and \$190,174,000 for fiscal year 1987, of which \$95,625,000 is from the general fund—state appropriation, are provided for nursing home services.

(a) If Substitute Senate Bill No. 3390 is not enacted before July 1, 1985, \$2,500,000 of the fiscal year 1986 general fund—state appropriation and \$2,500,000 of the fiscal year 1987 general fund—state appropriation shall be provided solely for full-scope audits under chapter 74.46 RCW as interpreted by the state auditor.

(b) Rates shall be increased for inflation under RCW 74.46.495 by 3% on July 1, 1985.

(c) \$65,000 for fiscal year 1986 and \$65,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for prospective rate increases for installation of sprinkler systems in facilities not meeting federal and state fire safety requirements.

(d) The general fund—state appropriation in this section shall be increased by \$3,000,000 and the general fund—federal appropriation shall be increased by \$3,000,000 if the federal government determines the state's property reimbursement system for nursing homes is in compliance with federal law.

(3) \$61,059,000 for fiscal year 1986, of which \$35,728,000 is from the general fund—state appropriation, and \$60,504,000 for fiscal year 1987, of which \$29,252,000 is from the general fund—state appropriation, are provided solely for community-based long-term care services including congregate care, adult family home care, chore services, home health care, respite care, nutrition services, transportation services, and case management services.

(a) \$7,249,000 for fiscal year 1986 and \$7,249,000 for fiscal year 1987 of the general fund—state appropriation shall be initially allotted for implementation of the senior citizens services act. At least 7% of the amount allotted for the senior citizens services act in each fiscal year shall be used for programs that utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the chore services program.

(b) \$31,558,000, of which \$12,434,000 is from the general fund—state appropriation, shall be initially allotted for chore services to persons eligible for such services at no cost pursuant to RCW 74.08.541. \$17,190,000, of which \$9,560,000 is from the general fund—state appropriation, shall be initially allotted for chore services to persons eligible for such services under the participation scale required by RCW 74.08.541.

(c) The department shall revise eligibility and cost-sharing criteria and/or establish waiting lists for the chore services program to ensure that funds provided for the program for each fiscal year are sufficient to sustain the program throughout that fiscal year, consistent with statute.

**NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
INCOME ASSISTANCE PROGRAM**

		FY 1986	FY 1987
General Fund Appropriation—State	\$	203,588,000	212,510,000
General Fund Appropriation—Federal	\$	159,518,000	176,149,000
Total Appropriation		\$751,765,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall continue the aid to families with dependent children program for two-parent families through June 30, 1987.

(2) Not later than October 1, 1985, the department shall adopt by rule and implement medical criteria for general assistance eligibility to ensure that eligibility decisions are consistent with statutory requirements and are based on clear, objective medical information.

(a) The process implementing such medical criteria shall involve consideration of opinions of the treating or consulting physicians or health care professionals regarding incapacity. Any eligibility decision which rejects uncontradicted medical opinion must set forth clear and convincing reasons for doing so.

(b) Recipients of general assistance who remain otherwise eligible shall not have their benefits terminated absent a clear showing of material improvement in their medical or mental condition or specific error in the prior determination that found the recipient eligible by reason of incapacitation.

(3) It is the continuing intention of the legislature that payment levels in the aid to families with dependent children, general assistance, and refugee assistance programs contain an energy allowance to offset the high and rising costs of energy and that such allowance be excluded from consideration as income for the purpose of determining eligibility and benefit levels of the food stamp program to the maximum extent such exclusion is authorized under federal law and RCW 74.08.046. To this end, up to \$100,000,000 is so designated for exemptions of the following amounts:

Family size:	1	2	3	4	5	6	7	8	or more
Exemption:	\$30	39	46	56	63	72	84	92	

**NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
COMMUNITY SOCIAL SERVICES PROGRAM**

		FY 1986	FY 1987
General Fund Appropriation—State	\$	17,776,000	17,777,000
General Fund Appropriation—Federal	\$	7,051,000	7,051,000

General Fund Appropriation—Local	\$	81,000	81,000
Total Appropriation		\$49,817,000	

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$1,017,000 for fiscal year 1986 and \$1,017,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to increase recovery house vendor rates.
- (2) \$500,000 for fiscal year 1986 and \$500,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for residential youth substance abuse programs.
- (3) The department shall ensure that grants to counties for alcohol and drug services are distributed to providers of such services on an equitable basis. Consideration shall be given to the percentage of indigent clients served by each provider and the resources available to such provider from other than public funds.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE PROGRAM

		FY 1986	FY 1987
General Fund Appropriation—State	\$	212,849,000	220,925,000
General Fund Appropriation—Federal	\$	145,630,000	151,206,000
Total Appropriation		\$730,610,000	

The appropriations in this section are subject to the following conditions and limitations:

- (1) The department shall provide payment for chiropractic services under RCW 74.09.035 and 74.09.520.
- (2) The department, within the funds appropriated in this section, shall provide family planning services under the limited casualty program for the medically needy.
- (3) The legislature finds that rising hospital costs continue to be a matter of serious concern to the public and to the state government. The department shall continue to pay for inpatient hospital services principally on the basis of diagnosis-related groups. The department shall continue in force rateable reductions not less than those imposed in 1984 on hospital payments under the medical care services program and the limited casualty program for the medically indigent.

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM

		FY 1986	FY 1987
General Fund Appropriation—State	\$	21,255,000	21,228,000
General Fund Appropriation—Federal	\$	32,871,000	32,871,000
General Fund Appropriation—Local	\$	4,130,000	4,101,000

General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)— Appropriation	\$	22,444,000	22,444,000
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General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27); chap- ter 258, Laws of 1979 ex. sess. (chapter 43.99D RCW); and chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Reappropriation	\$	28,908,000	
Total Appropriation		\$190,252,000	

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$90,000 for fiscal year 1986 and \$90,000 for fiscal year 1987 of the general fund—local appropriation are provided solely for monitoring and implementation of health and sanitation standards for agricultural labor camps under chapter 248-63 WAC, as adopted by the state board of health in 1984. In health jurisdictions where there is no agreement with the local health officer for local enforcement of the standards, the department shall enforce the standards and charge fees under RCW 43.20A.670 in amounts sufficient to cover its enforcement costs.
- (2) Emergency medical training costs incurred by licensed emergency medical services providers shall be reimbursed one hundred percent from state funds.
- (3) If either Engrossed Substitute Senate Bill No. 3799 or Engrossed Second Substitute House Bill No. 3 changing the funding mechanism for certain radiation control activities is enacted before July 1, 1985, \$684,000 of the general fund—state appropriation shall revert. If neither bill is enacted before July 1, 1985, \$1,406,000 of the general fund—local appropriation shall revert.

(4) \$1,000,000 for fiscal year 1986 and \$1,000,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for grants in aid to public and private non-profit community health centers serving populations that lack access to affordable health care. Grants awarded under this subsection shall be used by the centers to provide primary health care services to persons who have no health care coverage. No center may receive funding under this subsection if it fails or refuses to provide medically necessary care on the basis of

any patient's inability to pay or lack of coverage. Grants shall not be awarded to cover periods exceeding twelve months. The department may audit the books and records of community health centers to assure compliance with the purposes of this subsection. In awarding grants, the secretary shall attempt to provide an equitable distribution of funds based on need throughout the state, including rural areas.

**NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
VOCATIONAL REHABILITATION PROGRAM**

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 6,316,000	6,181,000
General Fund Appropriation—Federal	\$ 14,647,000	13,637,000
Total Appropriation	\$40,781,000	

**NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 31,668,000	31,507,000
General Fund Appropriation—Federal	\$ 19,571,000	19,468,000
General Fund—Institutional Impact Account Approp- riation	\$ 37,000	38,000
Total Appropriation	\$102,289,000	

The appropriations in this section are subject to the following conditions and limitations: The department of social and health services shall transfer from its various programs up to \$1,600,000 from the general fund—state appropriations from the operating programs to the administration and support services program for travel, goods and services, and equipment for the biennium ending June 30, 1987, and revise initial allotments accordingly.

**NEW SECTION. Sec. 214. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
COMMUNITY SERVICES ADMINISTRATION PROGRAM**

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 61,080,000	62,127,000
General Fund Appropriation—Federal	\$ 67,321,000	65,079,000
General Fund Appropriation—Local	\$ 366,000	366,000
Total Appropriation	\$256,339,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$175,000 for fiscal year 1986 and \$175,000 for fiscal year 1987 from the general fund—state appropriation are provided solely for additional financial service staff to assist general assistance clients in establishing eligibility for supplemental security income benefits. The assistance shall include provision to the client or the appropriate social security office any documentation of the client's disability and, if appropriate, referral to legal counsel with expertise in social security law.

(2) The department shall develop and submit to the federal department of health and human services a work incentive demonstration project proposal to allow administration of the work incentive program to be solely borne by the department of social and health services. Before implementation of the proposal, but not later than December 1, 1985, the department shall report to the ways and means and social and health services committees of the senate and house of representatives. The report shall advise the legislature regarding effects of the proposal on (a) the administration of the work incentive program, (b) the receipt of federal funds for the program, and (c) expected client outcomes under the proposal.

**NEW SECTION. Sec. 215. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
REVENUE COLLECTIONS PROGRAM**

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 7,046,000	7,047,000
General Fund Appropriation—Federal	\$ 13,986,000	13,986,000
Total Appropriation	\$42,065,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The department of social and health services shall study and make recommendations to the legislature regarding a comprehensive and equitable plan for determining financial responsibility of clients who are eligible for department-provided services. A committee shall be established to oversee the study, to be composed of representatives of the department, the affected population, the public, and other branches of government, including both caucuses of both houses of the legislature. The secretary of social and health services, or the secretary's designee, shall serve as chairperson of the committee. The study shall consider the legal, ethical, financial, managerial, and pragmatic consequences of the imposition of financial responsibility on utilizers of services provided by the department. The study specifically shall address, but is not limited to:

(a) The level of financial responsibility assessed under existing statutes and policy for utilization of various department services by clients and their responsible relatives;

(b) The effect of financial responsibility on discouraging the utilization of the necessary services provided by the department; and

(c) An equitable method of assessing the amount of financial responsibility.

The study findings shall be submitted to the appropriate committees of the house of representatives and the senate no later than November 1, 1986, along with recommendations for legislative action.

(2) In serving custodial parents not on public assistance who apply for support enforcement services, the department shall, to the maximum extent permitted by federal and state law, give priority to cases in which the custodial parent is at risk of becoming eligible for aid to families with dependent children.

NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS

	FY 1986	
General Fund Appropriation—State	\$	105,000,000
General Fund Appropriation—Federal	\$	56,000,000
General Fund Appropriation—Local	\$	1,000,000
Total Appropriation	\$	162,000,000

The appropriations in this section are subject to the following conditions and limitations: These general fund reappropriations are for services and supplies not in excess of the unexpended balances of the 1983-1985 appropriations for such purposes.

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 5,771,000	5,511,000
General Fund Appropriation—Federal	\$ 70,571,000	70,511,000
General Fund—Building Code Council Account		
Appropriation	\$ 19,000	105,000
Total Appropriation	\$152,488,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) If Second Substitute House Bill No. 738 is enacted prior to July 1, 1985, \$250,000 in fiscal year 1986 and \$250,000 in fiscal year 1987 of the general fund—state appropriation for local development and housing is provided solely for its implementation. If the bill is not enacted, these funds may be used for other local development and housing activities.

(2) A maximum of \$100,000 for fiscal year 1986 and \$100,000 for fiscal year 1987 of the general fund—state appropriation may be spent to assist in mitigating the impact of the proposed navy home port at Everett, Washington.

(3) \$1,000,000 for fiscal year 1986 and \$1,000,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for grants in aid to public or private nonprofit organizations operating shelters for homeless persons. Grants awarded under this subsection shall be used to provide temporary emergency shelter, including either direct shelter services or vouchers to pay for low-cost commercial accommodations, to persons and families who are without housing and lack funds to purchase lodging. Grantee organizations shall give priority in the use of grant funds to shelter for families and children. Grants shall be in addition to any federal or other funding available to grantee organizations, and shall be awarded in amounts not exceeding the amount of local government and private funds that an organization receives in the grant year. Grants shall not be awarded to cover periods exceeding twelve months. The department may audit the books and records of grantee organizations to assure compliance with the purposes of this subsection. In awarding grants, the director shall attempt to provide an equitable distribution of funds based on need throughout the state, including rural areas.

(4) \$500,000 for fiscal year 1986 and \$500,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for grants in aid to private nonprofit organizations operating food banks which distribute food without charge to persons unable to purchase enough food for their subsistence, and to private nonprofit organizations operating food distribution systems that furnish donated or purchased food to food banks. Grants awarded under this subsection shall be in addition to any federal or other funding available to grantee organizations, and shall be awarded in amounts not exceeding the amount of local government and private funds that an organization receives in the grant year. Sixty percent of the funds under this subsection shall be provided to food banks and forty percent to food distribution organizations. Grants shall not be awarded to cover periods exceeding twelve months. The department may audit the books and records of grantee organizations to assure compliance with the purposes of this subsection. In awarding grants, the director shall attempt to provide an equitable distribution of funds based on need throughout the state, including rural areas.

(5) \$50,000 for fiscal year 1986 and \$50,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for administration of grants in aid to emergency shelter and food programs under subsections (3) and (4) of this section.

(6) \$120,000 of the fiscal year 1986 general fund—state appropriation is provided solely to implement ESSB 3261. Beginning in fiscal year 1987, the state building code council shall be funded by the building code council account established in ESSB 3261. After the building code council's 1987 budget is established, any moneys in the account not needed for that purpose shall be used to repay the state general fund for the amount provided in this subsection.

(7) \$48,000 of the fiscal year 1986 general fund—state appropriation, \$60,000 from the general fund—federal appropriation, and \$124,000 from the building code council account

are provided solely to enable the state building code council to carry out its duties under Substitute House Bill No. 1114. \$96,000 of the general fund appropriation shall be repaid from the building code council account no later than June 30, 1989. \$60,000 of the federal or local funds are for energy code costs relating to Substitute House Bill No. 1114.

(8) \$51,000 is provided solely for preschool planning related to Engrossed Second Substitute House Bill No. 1078.

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF VETERANS AFFAIRS

		FY 1986	FY 1987
General Fund Appropriation—State	\$	8,456,000	8,365,000
General Fund Appropriation—Federal	\$	1,669,000	1,669,000
General Fund Appropriation—Local	\$	2,402,000	2,369,000
Total Appropriation		\$24,929,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$202,000 for fiscal year 1986 and \$202,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for assistance to veterans of the Viet Nam conflict, including counseling on delayed stress syndrome and other services appropriate to assist such veterans in overcoming employment barriers and readjusting to civilian life.

(2) The department shall contract with the University of Washington's health policy analysis program to assess the potential for medicare certification and reimbursement in the state's veterans' homes. \$10,000 for fiscal year 1986 and \$10,000 for fiscal year 1987 of the general fund—state appropriation is provided solely for the purposes described in this subsection.

NEW SECTION. Sec. 219. FOR THE HUMAN RIGHTS COMMISSION

		FY 1986	FY 1987
General Fund Appropriation—State	\$	1,476,000	1,476,000
General Fund Appropriation—Federal	\$	556,000	556,000
Total Appropriation		\$4,064,000	

NEW SECTION. Sec. 220. FOR THE DEATH INVESTIGATION COUNCIL

		FY 1986	FY 1987
General Fund—Death Investigations Account			
Appropriation	\$	3,000	2,000
Total Appropriation		\$5,000	

NEW SECTION. Sec. 221. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

		FY 1986	FY 1987
General Fund—Public Safety and Education			
Account Appropriation	\$	67,000	67,000
Accident Fund Appropriation	\$	1,530,000	1,530,000
Medical Aid Fund Appropriation	\$	1,530,000	1,530,000
Total Appropriation		\$6,254,000	

NEW SECTION. Sec. 222. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

		FY 1986	FY 1987
General Fund—Death Investigations Account			
Appropriation	\$	15,000	15,000
General Fund—Public Safety and Education			
Account Appropriation	\$	3,459,000	3,459,000
Total Appropriation		\$6,948,000	

The appropriations in this section are subject to the following conditions and limitations: \$40,000 for fiscal year 1986 and \$40,000 for fiscal year 1987 of the public safety and education account appropriation are provided solely for public defender training. The Washington defender association shall submit a report to the ways and means committees of the senate and house of representatives by June 30, 1987, describing the programs offered and public defender participation in the training programs.

NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

		FY 1986	FY 1987
General Fund Appropriation	\$	4,014,000	3,795,000
General Fund—Public Safety and Education			
Account Appropriation	\$	3,952,000	3,954,000
Accident Fund Appropriation	\$	35,481,000	34,916,000
Electrical License Fund Appropriation	\$	3,642,000	3,651,000
Medical Aid Fund Appropriation	\$	34,530,000	33,868,000
Plumbing Certificate Fund Appropriation	\$	218,000	218,000
Pressure Systems Safety Fund Appropriation	\$	524,000	531,000
Worker and Community Right to Know Fund Appropriation	\$	540,000	961,000
Total Appropriation		\$164,795,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall establish an information system review committee which shall include representatives of the department of labor and industries, the office of financial management, and other appropriate persons. The review committee shall provide executive level

oversight and control over the data processing and management information systems used by the department. It shall monitor on a quarterly basis the work plans and progress reports of the department's information systems, including the medical information and payment system.

(2) \$160,000 of the general fund appropriation is provided solely as a loan for the hazardous substances information and education program. At the close of the 1985-87 biennium, the state treasurer shall transfer \$160,000 from the worker and community right to know fund to the general fund. If House Bill No. 865 is not enacted before July 1, 1985, the general fund amount provided in this subsection shall revert and the transfer from the worker and community right to know fund shall not occur.

NEW SECTION, Sec. 224. FOR THE BOARD OF PRISON TERMS AND PAROLES

	FY 1986	FY 1987
General Fund Appropriation	\$ 1,338,000	1,225,000
Total Appropriation	\$2,563,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The board shall carry out all primary functions detailed in its 1985-87 agency biennial budget submittal document. The office of financial management shall monitor the performance of the board in carrying out its stated primary functions. On June 30, 1986, the board, in conjunction with the office of financial management, shall report to the ways and means committees of the senate and house of representatives on the board's accomplishments relative to carrying out its primary functions.

(2) The board shall evaluate nonviolent parolees currently on parole who were sentenced under the law prior to the implementation of the sentencing reform act. The evaluation shall determine whether such parolees are appropriate for release and, if found to be safe to be at large, shall be released.

NEW SECTION, Sec. 225. FOR THE HOSPITAL COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 849,000	791,000
General Fund—Hospital Commission Account Appropriation	\$ 633,000	633,000
Total Appropriation	\$2,906,000	

The appropriations in this section are subject to the following conditions and limitations: \$50,000 for fiscal year 1986 and \$50,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for attorney general support. The attorney general shall assign at least one assistant attorney general to work with the commission on a full-time basis, and shall provide additional support if necessary in connection with any litigation arising from chapter 288, Laws of 1984.

NEW SECTION, Sec. 226. FOR THE EMPLOYMENT SECURITY DEPARTMENT

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 2,726,000	2,605,000
General Fund Appropriation—Federal	\$ 71,827,000	75,308,000
General Fund Appropriation—Local	\$ 3,867,000	3,869,000
Administrative Contingency Fund Appropriation—Federal	\$ 3,204,000	2,640,000
Unemployment Compensation Administration Fund Appropriation	\$ 52,696,000	51,900,000
Total Appropriation	\$275,532,000	

The appropriations in this section are subject to the following conditions and limitations: \$500,000 for fiscal year 1986 and \$500,000 for fiscal year 1987 from the general fund—state appropriation are provided solely for contracting with other agencies for the Washington conservation corps. None of these funds may be spent by the employment security department for administration.

NEW SECTION, Sec. 227. FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 1,106,000	1,104,000
General Fund Appropriation—Federal	\$ 1,908,000	1,903,000
Total Appropriation	\$6,021,000	

The appropriations in this section are subject to the following conditions and limitations: The department of services for the blind shall report to the legislature, no later than January 1, 1986, on its efforts to meet the needs of deaf-blind persons, particularly in the areas of improving access to existing services and coordination with other agencies. This report shall be written in conjunction with the divisions of vocational rehabilitation and developmental disabilities of the department of social and health services.

NEW SECTION, Sec. 228. FOR THE SENTENCING GUIDELINES COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 318,000	276,000
Total Appropriation	\$596,000	

PART III
NATURAL RESOURCES

NEW SECTION, Sec. 301. FOR THE STATE ENERGY OFFICE

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 696,000	655,000
General Fund Appropriation—Federal	\$ 7,281,000	6,697,000
General Fund Appropriation—Geothermal Account/Federal	\$ 42,000	44,000
Total Appropriation	\$15,974,000	

NEW SECTION, Sec. 302. FOR THE DEPARTMENT OF ECOLOGY

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 20,363,000	20,368,000
General Fund Appropriation—Federal	\$ 10,164,000	10,072,000
General Fund Appropriation—Private/Local	\$ 64,000	64,000
General Fund—Hazardous Waste Control and Elimination Account Appropriation	\$ 1,153,000	1,153,000
General Fund—Flood Control Account Appropria- tion	\$ 2,000,000	2,000,000
General Fund—Special Grass Seed Burning Account Appropriation	\$ 35,000	35,000
General Fund—Reclamation Revolving Account Appropriation	\$ 561,000	561,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$ 311,000	319,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess: Reappropriation ..	\$ 3,000,000	3,572,000
Water Project Revolving Account Subtotal	\$ 3,311,000	3,891,000
General Fund—Litter Control Account Appropria- tion	\$ 2,353,000	2,361,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$ 363,000	366,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26): Reappropriation ...	\$ 20,000,000	26,287,000
Referendum 26 Subtotal	\$ 20,363,000	26,653,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$ 39,376,000	39,408,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39): Reappropriation	\$ 100,000,000	97,400,000
Referendum 39 Subtotal	\$ 139,376,000	136,808,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities	\$ 3,354,000	3,385,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation	\$ 18,000,000	18,043,000
Water Supply Subtotal	\$ 21,370,000	21,428,000
Stream Gaging Basic Data Fund Appropriation	\$ 100,000	100,000
Total Appropriation	\$446,707,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) On or before October 1, 1985, the department of ecology shall file with the committees on ways and means of the senate and house of representatives and the office of financial management a master compilation by project type of those projects proposed for funding during the 1985-87 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each bond proceed account. The department shall submit updates for the master compilation to the committees on ways and means and the office of financial management at six-month intervals during the 1985-87 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means

and the office of financial management thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees and the office of financial management of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities. If the department does not comply fully and in a timely manner with the several compilations, updates, and modification reports required by this subsection, the director of financial management is authorized to place in reserve the second year funds allotted to the department until such time as the documents are produced and distributed as directed by this subsection.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) The department shall provide, not later than December 1, 1985, recommendations to the legislature for funding the department's hazardous waste regulatory and remedial action programs.

(6) \$15,896,000 of the general fund—state appropriation is provided solely for the hazardous waste remedial action program.

(7) \$200,000 of the general fund—state appropriation is provided solely as a loan for the hazardous substances information and education program. At the close of the 1985-87 biennium, the state treasurer shall transfer \$200,000 from the worker and community right to know fund to the general fund. If House Bill No. 865 is not enacted before July 1, 1985, the general fund amount provided in this subsection shall revert and the transfer from the worker and community right to know fund shall not occur.

(8) \$354,000 of the general fund—state appropriation is provided solely for the department to develop a state hazardous waste management plan, including criteria for the siting of hazardous waste management facilities.

(9) Sufficient funding for waste water facilities is contingent on the enactment of House Bill No. 811, House Bill No. 1081, Senate Bill No. 3703, or Senate Bill No. 3827.

(10) \$300,000 of the general fund—state appropriation is provided solely for the department to implement the shellfish protection program established by Senate Bill No. 3173.

(11) The department shall not move into any office space not occupied by the department as of April 21, 1985, without the prior approval of the legislative budget committee.

NEW SECTION. Sec. 303. FOR THE PUGET SOUND WATER QUALITY AUTHORITY

	FY 1986	FY 1987
General Fund Appropriation	\$ 1,300,000	1,400,000
Total Appropriation	\$2,700,000	

The appropriation in this section is contingent on the enactment of Engrossed Second Substitute Senate Bill No. 3828.

NEW SECTION. Sec. 304. FOR THE ENVIRONMENTAL HEARINGS OFFICE

	FY 1986	FY 1987
General Fund Appropriation	\$ 388,000	388,000
Total Appropriation	\$776,000	

NEW SECTION. Sec. 305. FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL

	FY 1986	FY 1987
General Fund Appropriation—Private/Local	\$ 1,188,000	1,185,000
Total Appropriation	\$2,373,000	

NEW SECTION. Sec. 306. FOR THE STATE PARKS AND RECREATION COMMISSION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 17,262,000	16,571,000
General Fund Appropriation—Federal	\$ 330,000	330,000
General Fund Appropriation—Private/Local	\$ 326,000	326,000
General Fund—Trust Land Purchase Account Appropriation	\$ 4,234,000	3,613,000

General Fund—Winter Recreation Parking Account Appropriation	\$	155,000	155,000
General Fund—Snowmobile Account Appropriation	\$	327,000	327,000
General Fund—Outdoor Recreation Account Appropriation	\$	86,000	74,000
Motor Vehicle Fund Appropriation	\$	450,000	450,000
Total Appropriation		\$45,016,000	

NEW SECTION, Sec. 307. FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

		FY 1986	FY 1987
General Fund Appropriation—State	\$	185,000	182,000
General Fund Appropriation—Federal	\$	307,000	307,000
Total Appropriation		\$981,000	

NEW SECTION, Sec. 308. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

		FY 1986	FY 1987
General Fund—Outdoor Recreation Account Appropriation—State	\$	6,556,000	7,345,000
General Fund—Outdoor Recreation Account Appropriation—Federal	\$	2,767,000	3,026,000
Total Appropriation		\$19,694,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$54,000 of the outdoor recreation account—state appropriation shall be used by the committee to update and expand the outdoor recreation guide required by RCW 43.99.142.

(2) A maximum of \$120,000 of the outdoor recreation account—state appropriation shall be used by the committee for grants to update the current off-road vehicle (ORV) plan as required by RCW 46.09.250.

NEW SECTION, Sec. 309. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

		FY 1986	FY 1987
General Fund Appropriation	\$	10,339,000	10,315,000
Motor Vehicle Fund Appropriation	\$	251,000	251,000
Total Appropriation		\$21,156,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$175,000 of the general fund appropriation is provided solely for the Washington state economic development board. If House Bill No. 627 is not enacted before July 1, 1985, the amount provided in this subsection shall revert.

(2)(a) At least \$2,600,000 of the general fund—state appropriation shall be spent for continuation of the Washington high technology center at the University of Washington.

(b) At least \$200,000 of the general fund—state appropriation shall be spent for the University of Washington center for international trade in forest products.

(c) At least \$200,000 of the general fund—state appropriation shall be expended for the IMPACT center at Washington State University.

NEW SECTION, Sec. 310. FOR THE DEPARTMENT OF FISHERIES

		FY 1986	FY 1987
General Fund Appropriation—State	\$	21,218,000	21,203,000
General Fund Appropriation—Federal	\$	5,505,000	5,510,000
General Fund Appropriation—Private/Local	\$	1,397,000	1,398,000
General Fund—Aquatic Lands Enhancement Account Appropriation	\$	146,000	168,000
Total Appropriation		\$56,545,000	

The appropriations in this section are subject to the following conditions and limitations: \$1,000,000 of the general fund—state appropriation is provided solely for the Washington conservation corps.

NEW SECTION, Sec. 311. FOR THE DEPARTMENT OF GAME

		FY 1986	FY 1987
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	124,000	123,000
General Fund—Aquatic Lands Enhancement Account Appropriation	\$	158,000	158,000
General Fund—Public Safety and Education Account Appropriation	\$	252,000	197,000
Game Fund Appropriation—State	\$	20,054,000	19,585,000
Game Fund Appropriation—Federal	\$	5,717,000	5,678,000
Game Fund Appropriation—Private/Local	\$	647,000	644,000
Game Fund—Special Wildlife Account Appropriation	\$	147,000	147,000
Total Appropriation		\$53,631,000	

NEW SECTION, Sec. 312. FOR THE STATE CONVENTION AND TRADE CENTER

	FY 1986	FY 1987
General Fund—State Convention and Trade Center		
Account Appropriation	\$ 2,270,000	2,643,000
Total Appropriation	\$4,913,000	

NEW SECTION, Sec. 313. FOR THE DEPARTMENT OF NATURAL RESOURCES

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 13,001,000	12,277,000
General Fund Appropriation—Federal	\$ 129,000	129,000
General Fund Appropriation—Local	\$ 18,000	18,000
General Fund—ORV (Off-Road Vehicle) Account		
Appropriation	\$ 1,531,000	1,448,000
General Fund—Geothermal Account Appropriation		
—Federal	\$ 8,000	8,000
General Fund—Forest Development Account Appropriation	\$ 6,761,000	6,562,000
General Fund—Survey and Maps Account Appropriation	\$ 364,000	364,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation	\$ 756,000	756,000
General Fund—Resource Management Cost		
Account Appropriation	\$ 24,975,000	24,471,000
Total Appropriation	\$93,576,000	

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$482,000 of the general fund—state appropriation for fiscal year 1986 shall be used solely for the department of natural resources to move from the public lands building and vacate the house office building.
- (2) \$200,000 of the general fund—state appropriation is provided solely for administration of the forest practices act.

NEW SECTION, Sec. 314. FOR THE DEPARTMENT OF AGRICULTURE

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 6,145,000	6,069,000
General Fund Appropriation—Federal	\$ 388,000	347,000
General Fund—Feed and Fertilizer Account Appropriation	\$ 10,000	7,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$ 215,000	216,000
Commercial Feed Fund Appropriation	\$ 240,000	238,000
Seed Fund Appropriation	\$ 489,000	489,000
Nursery Inspection Fund Appropriation	\$ 313,000	313,000
Total Appropriation	\$15,479,000	

The appropriations in this section are subject to the following conditions and limitations: \$125,000 for fiscal year 1986 and \$125,000 for fiscal year 1987 from the general fund—state appropriation are provided solely for the purchase of materials or biological control agents for controlling or eradicating noxious weeds and shall be distributed by the director of the department to those activated county noxious weed control boards and active weed districts that employ administrative personnel to supervise a weed control program and that have a budget from other than state sources of at least twenty-five thousand dollars annually. The moneys provided under this paragraph shall be allocated to such boards and districts based on the severity of the noxious weed control problems.

NEW SECTION, Sec. 315. FOR THE CONSERVATION COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 182,000	182,000
Total Appropriation	\$364,000	

NEW SECTION, Sec. 316. FOR THE WASHINGTON CENTENNIAL COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 740,000	740,000
General Fund—State Centennial Commission		
Account Appropriation	\$ 111,000	111,000
Total Appropriation	\$1,702,000	

The appropriations in this section are subject to the following conditions and limitations: \$20,000 of the general fund—state appropriation is provided solely for implementation of House Bill No. 622.

NEW SECTION, Sec. 317. FOR THE WORLD FAIR COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 3,384,000	504,000
Total Appropriation	\$3,888,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Not more than \$354,000 shall be used for commission administration and oversight in fiscal year 1986.

(2) \$247,000 is provided for operation of the state of Washington exhibit at EXPO '86 in fiscal year 1986.

(3) \$2,783,000 is provided for the development and construction of the state of Washington exhibit at EXPO '86 in fiscal year 1986.

PART IV
TRANSPORTATION

NEW SECTION, Sec. 401. FOR THE STATE PATROL

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 6,376,000	6,376,000
General Fund Appropriation—Federal	70,000	70,000
General Fund Appropriation—Private/Local	532,000	532,000
General Fund—Death Investigations Account Appropriation	\$ 12,000	12,000
Total Appropriation	\$13,980,000	

NEW SECTION, Sec. 402. FOR THE DEPARTMENT OF LICENSING

	FY 1986	FY 1987
General Fund Appropriation	\$ 5,240,000	5,240,000
General Fund—Architects' License Account Approp- riation	\$ 232,000	232,000
General Fund—Medical Disciplinary Account Appropriation	\$ 440,000	440,000
General Fund—Health Professions Account Approp- riation	\$ 2,555,000	2,555,000
General Fund—Professional Engineers' Account Appropriation	\$ 368,000	368,000
General Fund—Real Estate Commission Account Appropriation	\$ 2,770,000	2,770,000
Total Appropriation	\$23,210,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) All costs for the U.C.C. file conversion shall be paid for out of fees.

(2) All fees directed to the medical disciplinary account shall be expended for the purposes of that account.

NEW SECTION, Sec. 403. FOR THE MARINE EMPLOYEES' COMMISSION

	FY 1986	FY 1987
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation	\$ 137,000	137,000
Total Appropriation	\$274,000	

The appropriations in this section are subject to the following conditions and limitations: The commission shall contract for \$50,000 a year with the public employees' relations commission for secretarial support and mediation services.

PART V
EDUCATION

NEW SECTION, Sec. 501. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE ADMINISTRATION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 9,409,000	9,409,000
General Fund Appropriation—Federal	3,706,000	3,706,000
General Fund—Public Safety and Education Account Appropriation	\$ 232,000	232,000
Total Appropriation	\$26,694,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—public safety and education account appropriation may be expended solely for administration of the traffic safety education program, including in-service training related to instruction in the risks of driving while under the influence of alcohol and other drugs.

(2) \$66,000 of the general fund—state appropriation is provided for compensation of members of the state board of education pursuant to RCW 43.03.240.

(3) \$58,000 of the general fund—state appropriation is provided solely for teacher exchange activities between the province of Sichuan, China, and the state of Washington. Such funds may be used to offset living expenses and travel costs for not more than three Chinese and three American exchange teachers per year.

(4) A maximum of \$350,000 of the general fund—state appropriation may be expended for the implementation of Second Substitute House Bill No. 141, achievement test/10th grade.

(5) \$1,700,000 of the general fund—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 174, teacher's assistance program.

(6) \$362,000 of the general fund—state appropriation is provided solely for implementation of House Bill No. 849, teacher evaluation.

(7) \$500,000 of the general fund—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1056, school based management.

(8) \$1,000,000 of the general fund—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1065, school inservice program.

NEW SECTION, Sec. 502. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation \$ 9,568,000

The appropriation in this section is subject to the following conditions and limitations: The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

NEW SECTION, Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT (BASIC EDUCATION)

General Fund Appropriation \$ 3,461,993,000

The appropriation in this section is subject to the following conditions and limitations:

(1) As a condition to the allocation of funds to school districts appropriated pursuant to this section, the superintendent shall require school districts to ensure that, during the respective school year, the district has complied with all rules adopted by the superintendent of public instruction to implement RCW 28A.58.095. For any violation of such rules, the superintendent shall withhold an amount equal to the level of the violation when applied to the district's respective basic education allocation, unless or until such time as the school district comes into compliance with the rules.

(2) \$317,285,000 is provided solely for the remaining months of the 1984-85 school year.

(3) Allocations for certificated salaries for the 1985-86 and 1986-87 school years shall be calculated by multiplying each district's average basic education certificated salary allocation defined in section 504 of this act by the district's formula-generated certificated staff units determined as follows:

(a) One certificated staff unit for each twenty average annual full time equivalent kindergarten, elementary, and secondary students, excluding handicapped full time equivalent enrollment as calculated according to the procedures in the allocation model established in section 506 of this act and excluding full time equivalent enrollment otherwise recognized for certificated staff unit allocations in subsection (3) (b) through (d) of this section: PROVIDED, That those school districts with a minimum enrollment of 250 full time equivalent students and whose full time equivalent student enrollment count in a given enrollment month exceeds the first of the month full time equivalent enrollment count by 5% shall be entitled to an additional state allocation of 110% of the pro rata share that such enrollment would have generated had such additional full time equivalent students been included in the normal enrollment count for that particular month.

(b) One certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction: PROVIDED, That in skills centers, the ratio shall be one certificated staff unit for each average annual sixteen and sixty-seven one-hundredths full time equivalent students enrolled in an approved vocational education program.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, certificated staff units shall be determined as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollments above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated staff unit;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated unit.

(d) A district that operates no more than two high schools with enrollments of not more than three hundred average annual full time equivalent students shall be allocated certificated staff units for enrollment in each such high school as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(e) In addition to those staffing ratios specified by RCW 28A.41.140, school districts with an enrollment of at least 100 annual average full time equivalent students in grades kindergarten through third grade shall receive during the 1986-87 school year a certificated unit allocation in addition to that provided in subsection (3)(a) of this section, at a rate of one certificated staff unit per 1,000 annual average full time equivalent students enrolled in grades kindergarten through third grade. Certificated staff allocated by this subsection are provided as an enrichment to that program of basic education required by the Washington state Constitution and are not part of the program of basic education which the state must fund under Article IX of the state Constitution.

(4) Allocations for classified salaries for the 1985-86 and 1986-87 school years shall be calculated by multiplying each district's average basic education classified salary allocation as defined in section 504 of this act by the district's formula-generated classified staff units determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit.

(5) Fringe benefit allocations shall be calculated at a rate of 20.03 percent in the 1985-86 school year and 20.08 percent in the 1986-87 school year of certificated salary allocations provided pursuant to subsection (3) of this section, and a rate of 16.86 percent in the 1985-86 school year and 16.91 percent in the 1986-87 school year of classified salary allocations provided pursuant to subsection (4) of this section.

(6) Insurance benefit allocations for the 1985-86 and 1986-87 school years shall be calculated at a rate of \$167 per month for the number of certificated staff units determined in subsection (3) of this section and for the number of classified staff units determined in subsection (4) of this section multiplied by 1.152.

(7)(a) For nonemployee related costs with each certificated staff unit determined under subsection (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$5,614 per staff unit in the 1985-86 school year and a maximum of \$5,833 per staff unit in the 1986-87 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (3)(b) of this section, there shall be provided a maximum of \$10,698 per staff unit in the 1985-86 school year and a maximum of \$11,115 per staff unit in the 1986-87 school year.

(8) Allocations for costs of substitutes for classroom teachers shall be provided at a rate of \$268 per full time equivalent basic education classroom teacher during the 1985-86 and 1986-87 school years.

(9) The superintendent shall distribute a maximum of \$3,010,000 outside the basic education formula during fiscal years 1986 and 1987 as follows:

(a) For fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW, a maximum of \$320,000 may be expended in fiscal year 1986 and a maximum of \$342,000 in fiscal year 1987.

(b) For summer vocational programs at skills centers, not more than \$999,000 shall be expended in fiscal year 1986 and not more than \$1,077,000 in fiscal year 1987.

(c) For school district emergencies, a maximum of \$136,000 may be expended in fiscal year 1986 and a maximum of \$136,000 may be expended in fiscal 1987.

NEW SECTION. Sec. 504. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SCHOOL DISTRICT EMPLOYEE COMPENSATION

(1) For the purposes of sections 503 and this section, the following conditions and limitations apply:

(a) 'LEAP Document 7' means the computer tabulation of 1984-85 derived base salaries for basic education certified staff and 1984-85 average salaries for basic education classified staff, as developed by the legislative evaluation and accountability program committee on April 11, 1985, at 10:36 hours.

(b) Each district's average basic education certificated salary allocation shall be the district's certificated derived base salary shown on LEAP Document 7, multiplied by the districts prior year staff mix factor calculated using LEAP Document 1.

(c) Each district's average basic education classified salary allocation for both the 1985-86 and 1986-87 school years shall be the district's classified derived base salary multiplied by the district's prior year classified increment mix factor, as specified in this section. For the 1985-86 school year, the classified derived base salary for each district shall be the average classified

salary specified for each district in LEAP Document 7 divided by the 1984-85 classified increment mix factor for each district calculated according to the formula used by the superintendent of public instruction in the 1984-85 school year. By December 1, 1985, the superintendent of public instruction shall provide to the legislative evaluation and accountability program committee the appropriate data with which to modify LEAP Document 7 to reflect the classified derived base salary for use in the 1986-87 school year.

(2) For the purposes of RCW 28A.58.095 and section 503(1) of this act, the following conditions and limitations apply:

(a) The maximum average percentage salary increase in school district programs other than the basic education program shall not exceed the percentage increase authorized for the district's basic education program.

(b) Insurance benefits are limited by this act to an average monthly rate of \$167 per full time equivalent certificated employee and to an average monthly rate of \$167 per classified unit. Classified units shall be calculated on the basis of 1,440 hours of work per year, with no individual employee counted for more than one unit. In accordance with RCW 28A.58.095, this subsection relates to insurance benefit increases granted in either the 1985-86 or 1986-87 school year which would raise the rate per full time equivalent unit to over \$167 per month.

(c) Increments granted by school districts to certificated staff shall constitute salary increase in the year in which the increments are given by a district to the extent only that the aggregate of increments granted by a district exceeds the aggregate of increments pursuant to LEAP Document 1.

(d) Seniority increments granted by a school district pursuant to the district's salary schedule for classified employees shall constitute salary increase in the year in which the increments are given to the extent only that the aggregate of the increments granted by the district exceeds the amount of the district's increments calculated using the formula adopted by the superintendent of public instruction for the classified increment mix factor.

NEW SECTION. Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—PART-TIME CLASSIFIED EMPLOYEE INSURANCE BENEFITS

General Fund Appropriation	\$	4,381,000
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The appropriation in this section is subject to the following conditions and limitations: A maximum of \$4,381,000 may be allocated during the months of July and August 1985 for insurance benefits for part-time classified employees as specified in section 503(8) of Engrossed Substitute House Bill No. 386 for such benefits for the time period from September 1, 1984, through June 30, 1985.

NEW SECTION. Sec. 506. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED EDUCATION PROGRAMS

General Fund Appropriation—State	\$	355,371,000
General Fund Appropriation—Federal	\$	30,153,000
Total Appropriation	\$	385,524,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$32,235,000 of the general fund—state appropriation is provided solely for the remaining months of the 1984-85 school year.

(2) The superintendent of public instruction shall distribute state funds for the 1985-86 and 1986-87 school years in accordance with a district's actual handicapped enrollments and the allocation model established in LEAP Document 8 as developed by the legislative evaluation and accountability program committee on April 18, 1985, at 9:21 hours.

(3) A maximum of \$250,840 may be expended from the general fund—state appropriation to fund three teachers and one aide at Children's Orthopedic Hospital and Medical Center. This amount is in lieu of money provided through home and hospital allocation and the handicapped program.

NEW SECTION. Sec. 507. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	20,982,000
General Fund Appropriation—Federal	\$	6,663,000
Total Appropriation	\$	27,645,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$10,449,000 of the general fund—state appropriation may be expended for the 1985-86 school year, distributed as follows:

(a) A maximum of \$4,745,000 is provided for programs in state institutions for the handicapped or emotionally disturbed distributed at a maximum average rate of \$9,927 per full time equivalent student.

(b) A maximum of \$3,203,000 is provided for programs in state institutions for delinquent youth distributed at a maximum average rate of \$5,550 per full time equivalent student.

(c) A maximum of \$275,844 is provided for programs in state group homes for delinquent youth distributed at a maximum average rate of \$3,448 per full time equivalent student.

(d) A maximum of \$532,000 is provided for juvenile parole learning center programs distributed at a maximum average rate of \$1,326 per full time equivalent student, excluding funds provided through the basic education formula established in section 503 of this act.

(e) A maximum of \$1,695,000 is provided for programs in county detention centers distributed at a maximum average rate of \$3,851 per full time equivalent student.

(2) Allocations for the 1986-87 school year shall be based on a total school year allocation of \$10,089,000, to be distributed as follows:

(a) A maximum of \$4,465,000 is provided for programs in state institutions for the handicapped or emotionally disturbed distributed at a maximum average rate of \$9,967 per full time equivalent student.

(b) A maximum of \$3,116,000 is provided for programs in state institutions for delinquent youth distributed at a maximum average rate of \$5,555 per full time equivalent student.

(c) A maximum of \$276,000 is provided for programs in state group homes for delinquent youth distributed at a maximum average rate of \$3,456 per full time equivalent student.

(d) A maximum of \$533,000 is provided for juvenile parole learning center programs distributed at a maximum average rate of \$1,319 per full time equivalent student, excluding funds provided through the basic education formula established in section 503 of this act.

(e) A maximum of \$1,698,000 is provided for programs in county detention centers distributed at a maximum average rate of \$3,859 per full time equivalent student.

NEW SECTION. Sec. 508. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund Appropriation \$ 9,342,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$760,000 is provided solely for the remaining months of the 1984-85 school year.

(2) The superintendent shall distribute funds for the 1985-86 and 1986-87 school year at a maximum rate of \$410 per eligible student.

NEW SECTION. Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR REMEDIATION ASSISTANCE

General Fund Appropriation \$ 24,733,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$2,644,000 is provided solely for the remaining months of the 1984-85 school year.

(2) Funding for school district remediation programs serving grades two through nine shall be distributed during the 1985-86 and 1986-87 school year at a maximum rate of \$337 per unit as calculated pursuant to this subsection. The number of units for each school district shall be the sum of: (a) The number of students enrolled in grades two through six in the district multiplied by the percentage of students taking the fourth grade basic skills test in the previous year who scored in the lowest quartile as compared to national norms, and then reduced to the extent that the number of students ages seven through eleven in the district who are identified as specific learning disabled and served through programs established pursuant to chapter 28A.13 RCW exceeds four percent of the district full time equivalent enrollment in grades two through six; and (b) the number of students enrolled in grades seven through nine in the district multiplied by the percentage of students taking the eighth grade basic skills test in the previous year who scored in the lowest quartile as compared to national norms, and then reduced to the extent that the number of students ages twelve through fourteen in the district who are identified as specific learning disabled and served through programs established pursuant to chapter 28A.13 RCW exceeds four percent of the district full time equivalent enrollment in grades seven through nine.

NEW SECTION. Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund Appropriation \$ 4,918,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$408,000 is provided solely for distribution to school districts for the remaining months of the 1984-85 school year.

(2) A maximum of \$2,326,000 is provided for programs for highly capable students during the 1985-86 school year at a maximum rate of \$326 per student for up to one percent of each district's 1985-86 full time equivalent enrollment.

(3) A maximum of \$2,391,000 is provided for programs for highly capable students during the 1986-87 school year at a maximum rate of \$330 per student for up to one percent of each district's 1986-87 full time equivalent enrollment.

(4) A maximum of \$271,000 is provided to contract for an approved gifted program to be conducted at Fort Worden state park.

NEW SECTION. Sec. 511. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE ENUMERATED PURPOSES

General Fund Appropriation—Federal \$ 108,324,000

(1) Education Consolidation and Improvement Act \$ 105,360,000

(2) Education of Indian Children \$ 335,000

(3) Adult Basic Education \$ 2,629,000

NEW SECTION. Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES

General Fund Appropriation \$ 63,312,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Funding for 1984-85 summer vocational programs shall be distributed at a rate of \$2,648 per student for 1,022 full time equivalent students.

(2) Funding for vocational programs during the 1985-86 school year shall be distributed at a rate of \$2,779 per student for 10,233 regular and 1,022 summer school full time equivalent students.

(3) Funding for vocational programs during the 1986-87 school year shall be distributed at a rate of \$2,820 per student for 10,233 regular students and 1,022 summer school full time equivalent students.

(4) A maximum of \$779,000 may be expended for adult basic education programs.

NEW SECTION, Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation \$ 2,332,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Not more than \$1,166,000 of this appropriation shall be expended during fiscal year 1986.

(2) The appropriation in this section is intended to provide an average state support level of no more than \$750 per student for fiscal year 1986 and \$750 per student for fiscal year 1987.

NEW SECTION, Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund Appropriation \$ 208,894,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$92,238,000 may be distributed for pupil transportation operating costs in the 1985-86 school year.

(2) A maximum of \$755,000 may be expended for regional transportation coordinators.

(3) A maximum of \$56,000 may be expended for bus driver training.

NEW SECTION, Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund Appropriation—State \$ 6,000,000

General Fund Appropriation—Federal \$ 69,584,000

Total Appropriation \$ 75,584,000

NEW SECTION, Sec. 516. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRAFFIC SAFETY EDUCATION PROGRAMS

General Fund—Public Safety

and Education Account Appropriation \$ 15,123,000

The appropriation in this section is subject to the following conditions and limitations: Not more than \$549,000 may be expended for regional traffic safety education coordinators.

NEW SECTION, Sec. 517. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL AND PILOT PROGRAMS

General Fund Appropriation \$ 4,126,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$2,017,000 is provided for operation by the educational service districts of regional computer demonstration centers and computer information centers.

(2) A maximum of \$831,000 is provided for teacher training in drug and alcohol abuse education and prevention in grades K through 12.

(3) A maximum of \$623,000 is provided for programs to encourage potential high school drop-outs to remain in school.

(4) A maximum of \$575,000 is provided for a contract with the Pacific Science Center for educational programs serving public schools.

(5) A maximum of \$80,000 is provided for a contract with the Cispus learning center for environmental education programs.

NEW SECTION, Sec. 518. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL DISTRICT SUPPORT

General Fund Appropriation \$ 255,000

The appropriation in this section is subject to the following conditions and limitations: These funds shall be expended for teacher in-service training in math, science, and computer technology.

NEW SECTION, Sec. 519. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR ENCUMBRANCES OF FEDERAL GRANTS

General Fund Appropriation—Federal \$ 24,085,000

PART VI

HIGHER EDUCATION

NEW SECTION, Sec. 601. HIGHER EDUCATION

The appropriations in sections 602 through 609 of this act are subject to the following conditions and limitations:

(1) No funds may be used for the inauguration or operation of new degree programs until the program has been reviewed and favorably recommended by the council for postsecondary education or its successor agency. All new degree program costs shall be funded

through the elimination or reduction of an existing academic program or programs. The programs to be initiated and the accompanying eliminations or reductions shall be identified in a report prepared by the institutions and submitted to the legislative ways and means committees each October.

(2) State funding for low-demand programs shall cease as of August 1, 1986, unless recommended for continuation by the council for postsecondary education or its successor agency and approved by the office of financial management. 'Low-demand programs' means programs with less than ten baccalaureate degrees, five masters degrees, or three doctorate degrees awarded in the three years preceding July 1, 1985.

(3) The expenditure per student requirements in sections 602 through 608 of this act may be reduced by two percent if the director of financial management certifies, on or before the tenth day of the last regular instructional period of the fiscal biennium, that the failure to meet the minimum support per student is attributable to financial circumstances beyond the control of the institution. The director's rationale for granting the waiver shall be transmitted to the legislative ways and means committees within ten days of notification to the institution.

(4) No state funds may be used for the direct or indirect support of intercollegiate athletics other than specifically allowed for that purpose in this act. It is the intent of the legislature that no state funds will be spent on intercollegiate athletics after December 31, 1989.

(5) Off-campus courses that are intended to provide graduate educational opportunities for employed adults shall be offered on a partially or completely self-sustaining basis to the greatest extent feasible.

(6) Institutions may establish summer school as a self-supporting program through an interagency agreement with the office of financial management. There shall be no loss in state general fund revenues, based on enrollment levels established by the office of financial management, as a result of such agreements.

(7) Moneys appropriated in this act shall not be spent for salary schedule increments for longevity or professional advancement for community college faculty or exempt staff.

(8) A report, including relevant descriptive data, on the progress of the institutions of higher education in meeting the objectives of affirmative action and state policies on women and minority businesses in the hiring of personnel at the management level shall be prepared and submitted by the first day of each October for the review of the council for postsecondary education. The council shall submit a report on the information and degree of compliance with such standards to the legislative ways and means committees each November 1.

NEW SECTION, Sec. 602. HIGHER EDUCATION—INSTITUTIONAL LOAN FUND TRANSFERS

For the purpose of assisting the various institutions of higher education in meeting emergency financial problems, the institutions of higher education are directed to transfer the following amounts from the institutional loan fund established in RCW 28B.15.820 to their respective local general funds:

University of Washington	\$	2,492,000
Washington State University	\$	1,090,000
Eastern Washington University	\$	760,000
Central Washington University	\$	334,000
The Evergreen State College	\$	174,000
Western Washington University	\$	452,000
State board for community college education	\$	1,944,000

The transfer authority shall be in effect only for the fiscal biennium beginning July 1, 1985, and ending June 30, 1987.

NEW SECTION, Sec. 603. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

	FY 1986	FY 1987
General Fund Appropriation	\$ 235,423,000	235,513,000
Total Appropriation	\$470,936,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$129,622,000 from the fiscal year 1986 general fund appropriation and \$129,400,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$1,566 per regular session full time equivalent student shall be spent from the state general fund in the instruction program. A maximum of \$160,000 may be spent on activities related to federated learning centers.

(2) \$1,920,000 from the fiscal year 1986 general fund appropriation and \$1,920,000 from the fiscal year 1987 general fund appropriation are provided solely for the operation of the state board office.

(3) \$558,000 is provided solely to enhance the instructional program for the enrollments assumed in the calculation of the minimum expenditure per student average in subsection (1) of this section.

(4) The office of financial management shall initially allot for the following:

(a) Equipment	\$9,849,000
(b) Plant operations and maintenance	\$61,424,000

(5) A maximum of \$648,000 may be spent for intercollegiate sports purposes.

NEW SECTION, Sec. 604. FOR THE UNIVERSITY OF WASHINGTON

	FY 1986	FY 1987
General Fund Appropriation	\$ 218,331,000	218,521,000
Medical Aid Fund Appropriation	\$ 1,059,000	1,059,000
Accident Fund Appropriation	\$ 1,059,000	1,059,000
General Fund—Death Investigations Account Appropriation	\$ 335,000	379,000
Total Appropriation	\$441,802,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$128,136,000 from the fiscal year 1986 general fund appropriation and \$127,755,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$4,406 per regular session full time equivalent student shall be spent from the state general fund in the instruction program. A maximum of \$40,000 may be spent on activities related to federated learning centers.

(2) \$1,800,000 is provided solely to enhance the instructional program for the enrollments assumed in the calculation of the minimum expenditure per student average in subsection (1) of this section.

(3) The office of financial management shall initially allot for the following:

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| (a) Equipment | \$6,489,000 |
| (b) Plant operations and maintenance | \$48,148,000 |

(4) Salary increases, other than normal increments, for the faculty of the University of Washington, effective March 1, 1986, may be granted solely to reduce critical market disparities in teaching disciplines. For the purposes of this subsection, 'faculty' means only those individuals holding faculty appointments in the instruction, research, public service, primary support, and sponsored research programs, including medical residents. The university shall report to the office of financial management its plans for granting salary increases under this section, including but not limited to data on increases to specific disciplines by professorial rank by November 30, 1985. The office of financial management shall report to the ways and means committees of the senate and house of representatives regarding the specific criteria the university will use to measure market disparities in teaching disciplines and to allocate salary increases to reduce such disparities. The report shall be made before any salary increases are granted from this appropriation, but not later than January 1, 1986.

(5) A maximum of \$800,000 may be spent for costs of initiating in underserved urban areas those undergraduate extension programs that are intended to become self-supporting. Full time enrollments resulting from expenditures under this subsection are not subject to the conditions of subsection (1) of this section.

NEW SECTION. Sec. 605. FOR WASHINGTON STATE UNIVERSITY

	FY 1986	FY 1987
General Fund Appropriation	\$ 123,373,000	123,374,000
Total Appropriation	\$246,747,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$54,383,000 from the fiscal year 1986 general fund appropriation and \$54,940,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$3,504 per regular session full time equivalent student shall be spent from the state general fund in the instruction program.

(2) A maximum of \$23,573,000 may be spent for agricultural research subprogram 021 during the biennium and a maximum of \$16,505,000 may be spent for the cooperative extension subprogram 032 during the biennium.

(3) \$857,000 is provided to enhance the instructional program for the enrollments assumed in the calculation of the minimum expenditure per student average in subsection (1) of this section.

(4) The office of financial management shall initially allot for the following:

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| (a) Equipment | \$2,521,000 |
| (b) Plant operations and maintenance | \$33,092,000 |

(5) A maximum of \$170,000 may be spent for continued funding of the endrin replacement project.

(6) The college of agriculture and home economics shall establish a plan for agricultural research projects and programs. The plan shall be developed in consultation with representatives of the state's agricultural industry. The plan shall identify the amount of funds allocated to or proposed to be allocated to the research projects and programs, by subject area, during each of fiscal years 1984, 1985, 1986, and 1987 and shall establish an order of priority for funding the various types and subject areas of agricultural research. The order of priority and funding shall reflect the current and future needs of Washington state agriculture and the process to coordinate with research of other land grant universities. The dean of the college shall submit the plan to the office of financial management and to the ways and means committees of the house of representatives and senate by January 1, 1986. The submittal of the plan is a condition for the allocation of state research funds for use by the college after January 1, 1986.

(7) Salary increases, other than normal increments, for the faculty of Washington State University, effective March 1, 1986, shall be granted solely to reduce critical market disparities in

teaching disciplines. For the purposes of this subsection, 'faculty' means only those individuals holding faculty appointments in the instruction, research, public service, primary support, and sponsored research programs, including medical residents. The university shall report to the office of financial management its plans for granting salary increases under this section, including but not limited to data on increases to specific disciplines by professorial rank by November 30, 1985. The office of financial management shall report to the ways and means committees of the senate and house of representatives regarding the specific criteria the university will use to measure market disparities in teaching disciplines and to allocate salary increases to reduce such disparities. The report shall be made before any salary increases are granted from this appropriation, but not later than January 1, 1986.

(8) No more than \$7,500 per full time equivalent enrollment averaged for the biennium shall be spent at the southwest joint center for education on the total cost of providing education programs as authorized by the legislature.

(9) A maximum of \$1,165,000 may be spent on intercollegiate sports activities.

NEW SECTION, Sec. 606. FOR EASTERN WASHINGTON UNIVERSITY

	FY 1986	FY 1987
General Fund Appropriation	\$ 34,199,000	34,199,000
Total Appropriation	\$68,398,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$16,992,000 from the fiscal year 1986 general fund appropriation and \$16,890,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$2,531 per regular session full time equivalent student shall be spent from the state general fund in the instruction program. Of the amounts provided in this subsection, a maximum of \$111,000 may be spent for departmental research fellowships, limited to no more than three months per award.

(2) \$267,000 is provided solely to enhance the instructional program for the enrollments assumed in the calculation of the minimum expenditure per student average in subsection (1) of this section.

(3) The office of financial management shall initially allot for the following:

- (a) Equipment \$719,000
- (b) Plant operations and maintenance \$13,072,000

(4) A maximum of \$514,000 may be spent on intercollegiate sports activities.

NEW SECTION, Sec. 607. FOR CENTRAL WASHINGTON UNIVERSITY

	FY 1986	FY 1987
General Fund Appropriation	\$ 30,638,000	30,639,000
Total Appropriation	\$61,277,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$15,846,000 from the fiscal year 1986 general fund appropriation and \$15,782,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$2,699 per regular session full time equivalent student shall be spent from the state general fund in the instruction program. Of the amounts provided in this subsection, a maximum of \$167,000 may be spent for departmental research fellowships, limited to no more than three months per award. A maximum of \$40,000 may be spent on federated learning centers.

(2) \$272,000 is provided solely to enhance the instructional program for the enrollments assumed in the calculation of the minimum expenditure per student average in subsection (1) of this section.

(3) The office of financial management shall initially allot for the following:

- (a) Equipment \$658,000
- (b) Plant operations and maintenance \$9,848,000

(4) A maximum of \$441,000 may be spent on intercollegiate sports activities.

NEW SECTION, Sec. 608. FOR THE EVERGREEN STATE COLLEGE

	FY 1986	FY 1987
General Fund Appropriation	\$ 16,332,000	16,332,000
Total Appropriation	\$32,664,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,412,000 from the fiscal year 1986 general fund appropriation and \$6,316,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$2,727 per regular session full time equivalent student shall be spent from the state general fund in the instruction program. Of the amounts provided in this subsection, a maximum of \$194,000 may be spent for departmental research fellowships, limited to no more than three months per award.

(2) \$20,000 is provided solely for fiscal year 1986 from the general fund appropriation for the Washington state institute for public policy to complete the Washington state minorities incarceration study using the staff of the University of Washington. \$15,000 of this amount is provided solely for increasing the number of sample counties in the study. \$5,000, or the amount equal to the unexpended balance of the 1983-85 appropriation for this purpose, is

provided solely for continuation of the original study. The expanded study shall be presented to the legislature by November 1, 1985.

(3) \$355,000 is provided solely to enhance the instructional program for the enrollments assumed in the calculation of the minimum expenditure per student average in subsection (1) of this section.

(4) A maximum of \$40,000 from the general fund—state appropriation may be spent for matching funds as provided in this subsection. The Washington state center for the improvement of the quality of undergraduate instruction shall include The Evergreen State College, as a participant with other higher education institutions desiring to participate, in instructional program innovation through the establishment of federated learning centers. State funds shall be matched with cash matching funds to the greatest extent possible:

- (5) The office of financial management shall initially allot for the following:
 - (a) Equipment \$590,000
 - (b) Plant operations and maintenance \$6,184,000

(6) A maximum of \$178,000 may be spent on intercollegiate sports activities.

(7) A maximum of \$469,000 may be spent for enrollments in underserved urban areas. Full time equivalent enrollments resulting from expenditures under this subsection are not subject to the conditions of subsection (1) of this section.

NEW SECTION, Sec. 609. FOR WESTERN WASHINGTON UNIVERSITY

	FY 1986	FY 1987
General Fund Appropriation	\$ 37,707,000	38,008,000
Total Appropriation	\$75,715,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$22,195,000 from the fiscal year 1986 general fund appropriation and \$22,058,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$2,744 per regular session full time equivalent student shall be spent from the state general fund in the instruction program. Of the amounts provided in this subsection, a maximum of \$287,000 may be spent for departmental research fellowships, limited to no more than three months per award. A maximum of \$40,000 may be spent on federated learning centers.

(2) \$529,000 is provided solely to enhance the instructional program for the enrollments assumed in the calculation of the minimum expenditure per student average in subsection (1) of this section.

(3) The office of financial management shall initially allot for the following:

- (a) Equipment \$1,620,000
- (b) Plant operations and maintenance \$9,752,000

(4) A maximum of \$395,000 may be spent on intercollegiate sports activities.

NEW SECTION, Sec. 610. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 18,117,000	18,118,000
General Fund Appropriation—Federal	\$ 1,817,000	1,817,000
State Educational Grant Appropriation	\$ 20,000	20,000
Total Appropriation	\$39,909,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$16,824,000 from the fiscal year 1986 general fund—state appropriation and \$16,824,000 from the fiscal year 1987 general fund—state appropriation are provided solely for student financial aid, including administrative costs. The council's first priority shall be to provide financial assistance to the core of students with extremely high unmet need. The council shall adopt a definition for this group of students and provide financial aid for all such students at a standard to be established by the council. No other group of students may be provided assistance until students with extremely high unmet need are provided assistance within the means of the council. To the greatest extent possible, the council shall emphasize work study and other self-help programs in its financial assistance programs.

(2) The council shall take all necessary management precautions to ensure that financial aid awards to individuals and institutions do not exceed the amounts provided in subsection (1) of this section. Any over-commitment of funds shall be paid directly from the funds provided for the coordination and policy analysis program until those funds are exhausted.

NEW SECTION, Sec. 611. FOR THE COMMISSION FOR VOCATIONAL EDUCATION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 3,513,000	2,763,000
General Fund Appropriation—Federal	\$ 11,280,000	11,280,000
General Fund—Fire Service Training Account		
Appropriation	\$ 250,000	250,000
Total Appropriation	\$29,336,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) No state funds may be used by the advisory council for vocational education.

(2) \$750,000 of the general fund—state appropriation is provided solely for services and supplies in the job skills program initiated but not completed during the 1983-85 biennium.

(3) If Substitute Senate Bill No. 3442 is not enacted by July 1, 1985, the fire service training account appropriations in this section shall revert.

NEW SECTION, Sec. 612. FOR THE HIGHER EDUCATION PERSONNEL BOARD

	FY 1986	FY 1987
Higher Education Personnel Board Service Fund		
Appropriation	\$ 1,119,000	1,002,000
Total Appropriation	\$2,121,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$373,000 for fiscal year 1986 and \$255,000 for fiscal year 1987 are provided solely to:

(a) Review the Willis methodology for any potential gender bias and make any necessary adjustments;

(b) Update job class specifications for all job classes with incumbents that have not been reviewed for the past five years and eliminate any potential gender bias;

(c) Evaluate job class specifications in subsection (1)(b) of this section which have not previously been evaluated and update existing evaluations; and

(d) Develop a new benchmark and indexing structure which reflects the evaluated worth of the job classes and eliminates any potential gender bias.

(2) The board shall coordinate activities required under subsection (1) of this section with the department of personnel. Joint interim reports covering the progress made to date by the department of personnel and the higher education personnel board shall be submitted to the legislature prior to January 1, 1986, and July 1, 1986. All evaluations and job class specification updates shall be completed prior to January 1, 1987. A joint final report shall be submitted to the legislature by January 1, 1987.

(3) The higher education personnel board and the department of personnel shall hire an independent consultant with expertise in developing and evaluating public employee job classification systems and implementing comparable worth to assist with and review the work undertaken in subsections (1) (a), (b), and (d) of this section. The selection of the independent consultant shall be made after consulting with the state government committee of the house of representatives and the governmental operations committee of the senate. Prior to January 1, 1986, and July 1, 1986, the independent consultant shall submit to the legislature separate assessments of the progress made to date under subsection (1) of this section. The independent consultant shall submit a separate final report prior to January 1, 1987.

NEW SECTION, Sec. 613. FOR THE STATE LIBRARY

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 4,227,000	4,227,000
General Fund Appropriation—Federal	1,188,000	1,188,000
General Fund Appropriation—Private/Local	50,000	50,000
Washington Library Network Computer System		
Revolving Fund Appropriation—Private/Local	\$ 6,281,000	6,281,000
Total Appropriation	\$23,492,000	

NEW SECTION, Sec. 614. FOR THE WASHINGTON STATE ARTS COMMISSION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 1,549,000	1,514,000
General Fund Appropriation—Federal	469,000	469,000
Total Appropriation	\$4,001,000	

The appropriations in this section are subject to the following conditions and limitations: \$150,000 of the general fund—state appropriation may be expended for works of art in the rotunda area of the legislative building to assist in the recognition of the 1989 Centennial. The works of art shall depict the early history of the state of Washington and its natural resources, agriculture, economy, and industry.

NEW SECTION, Sec. 615. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

	FY 1986	FY 1987
General Fund Appropriation	\$ 315,000	314,000
Total Appropriation	\$629,000	

NEW SECTION, Sec. 616. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

	FY 1986	FY 1987
General Fund Appropriation	\$ 313,000	313,000
Total Appropriation	\$626,000	

NEW SECTION, Sec. 617. FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

	FY 1986	FY 1987
General Fund Appropriation	\$ 281,000	281,000
General Fund—State Capitol Historical Association		
Museum Account Appropriation	\$ 56,000	56,000
Total Appropriation	\$674,000	

PART VII

SPECIAL APPROPRIATIONS

NEW SECTION, Sec. 701. FOR THE GOVERNOR—EMERGENCY FUND

General Fund Appropriation—State	\$	1,700,000
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The appropriation in this section is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

NEW SECTION. Sec. 702. FOR THE GOVERNOR—COMPARABLE WORTH

		FY 1986	FY 1987
General Fund Appropriation	\$	14,083,000	14,083,000
Special Fund Salary Increase			
Revolving Fund Appropriation	\$	7,507,000	7,507,000
Total Appropriation		\$43,179,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for comparable worth salary increases pursuant to RCW 28B.16.116 and 41.06.155.

(2) As used in this section, 'actual average comparable worth line' for a salary survey benchmark means an amount equal to \$938.72 plus the product of \$3.28 multiplied by the points assigned to the benchmark by the Willis point factor job evaluation system. The actual average comparable worth line shall be rounded to the amount in the nearest step that is a midpoint in a salary range, and shall be based on January 1, 1985, salaries.

(3) Salary increases granted to employees below the actual average comparable worth line shall be based on the internal indexing system used by the department of personnel and the higher education personnel board as of the effective date of this act.

(4) Each employee in a job classification tied to a salary survey benchmark that is below the actual average comparable worth line shall receive a salary increase, according to the number of comparable worth ranges the benchmark is below the actual average comparable worth line, as provided in the following table:

Number of ranges	Salary increase
10 or more	3 ranges
8 or 9	1 and one-half ranges
6 or 7	one-half range
1 through 5	one-quarter range

(5) One-half of each salary increase granted under this section shall take effect July 1, 1985. The remainder of each salary increase granted under this section shall take effect July 1, 1986.

(6) To facilitate payment of salary increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

NEW SECTION. Sec. 703. FOR INSURANCE BENEFITS

(1) The monthly contributions for insurance benefits shall not exceed \$167 per eligible employee. During fiscal year 1986, each state agency shall pay \$156 per month per eligible employee and revert \$11 per month per eligible employee. During fiscal year 1986, the state employees' insurance board shall contribute \$11 per month per eligible employee from its reserves. During fiscal year 1987, each state agency shall pay \$167 per month per eligible employee. Payments under this section shall be based on full time equivalent staff positions eligible for insurance benefits.

(2) Any returns of funds to the state employees' insurance board resulting from favorable claims experienced during the 1985-87 biennium shall be held in reserve within the state employees insurance fund until appropriated by the legislature.

(3) Funds provided under this section, including funds resulting from dividends or refunds, shall not be used to increase employee insurance benefits over the level of services provided on June 30, 1984. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of this act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date upon which coverage is extended.

NEW SECTION. Sec. 704. FOR THE GOVERNOR—RETIREMENT CONTRIBUTIONS

		FY 1986	FY 1987
General Fund Appropriation—State	\$	124,700,000	66,500,000
Special Fund Retirement Contribution Revolving Fund			
Appropriation	\$	15,750,000	12,850,000
Total Appropriation		\$219,800,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The governor shall transfer \$33,000,000 of the general fund—state appropriation to the department of retirement systems during July and August 1985 solely for payment to the teachers' retirement system.

(2) The governor shall allocate the following amounts to the following agencies solely for payment of employer contributions to the teachers' retirement system:

(a) To the superintendent of public instruction for school and educational service district employer contributions for certificated staff during the 1985-86 school year, \$78,000,000 from

the general fund—state appropriation and \$2,900,000 from the special fund retirement contribution revolving fund appropriation. These amounts shall be credited to school and educational service districts for nonstate-supported certificated staff and for unfunded liability for state-supported and nonstate-supported certificated staff.

(b) To the superintendent of public instruction for school and educational service district employer contributions for state-supported certificated staff for contributions during the 1986-87 school year, \$53,000,000 from the general fund—state appropriation. This amount shall be distributed to school and educational service districts solely for unfunded liability.

(c) To the office of the superintendent of public instruction, department of social and health services, community colleges, and four-year colleges and universities, for employer contributions from the general fund—state appropriation, \$2,500,000 for fiscal year 1986 and \$2,300,000 for fiscal year 1987. These amounts are solely for state-funded full time equivalent employees for unfunded liability.

(3) The governor shall allocate to state agencies from the general fund—state appropriation \$9,500,000 for fiscal year 1986 and \$9,500,000 for fiscal year 1987, and from the special fund retirement contribution revolving fund appropriation \$12,850,000 for fiscal year 1986 and \$12,850,000 for fiscal year 1987. The allocations in this section shall be used solely for payment of employer contributions to the public employees' retirement system for unfunded liability.

(4) The governor shall allocate to the administrator for the courts \$1,700,000 from the general fund—state appropriation for fiscal year 1986 and \$1,700,000 for fiscal year 1987 solely for payment of employer contributions to the judicial retirement system for unfunded liability.

(5) The fiscal year 1986 appropriations for unfunded liability shall be transferred to the appropriate retirement fund within the department of retirement systems on a quarterly basis. The fiscal year 1987 appropriations for unfunded liability shall be transferred to the appropriate retirement fund within the department of retirement systems on a quarterly basis.

NEW SECTION, Sec. 705. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT CONTRIBUTIONS

	FY 1986	FY 1987
General Fund Appropriation	\$ 202,700,000	202,700,000
Total Appropriation	\$405,400,000	

The appropriations in this section are limited to the following conditions and limitations:

(1) \$88,700,000 of the fiscal year 1986 appropriation and \$88,700,000 of the fiscal year 1987 appropriation are provided solely for payment for unfunded liability of the law enforcement officers' and fire fighters' retirement system.

(2) The fiscal year 1986 appropriation for unfunded liability shall be transferred to the department of retirement systems on a quarterly basis. The fiscal year 1987 appropriation for unfunded liability shall be transferred to the department of retirement systems on a quarterly basis.

NEW SECTION, Sec. 706. FOR THE STATE TREASURER—TRANSFERS

General Fund Appropriation: For transfer to the General Fund—		
Institutional Impact Account	\$	350,000
General Fund Appropriation: For transfer to the Energy Account—		
Nonappropriated, for interest earned in prior biennia	\$	164,733
General Fund Appropriation: For transfer to the General Fund—		
Flood Control Assistance Account pursuant to RCW 86.26.007	\$	4,000,000
General Fund—Forest Development Account Appropriation: For		
transfer to the General Fund—Resource Management Cost		
Account to the extent funds are available as determined by the		
department of natural resources. The department shall provide		
the state treasurer with a schedule of such transfers	\$	11,908,000
Motor Vehicle Fund—Highway Stabilization Account Appropria-		
tion: For transfer to the Motor Vehicle Fund—State	\$	25,000,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims		
Revolving Fund for claims paid on behalf of the department of		
transportation and the Washington state patrol during the period		
July 1, 1985, through June 30, 1987	\$	11,250,000
State Treasurer's Service Fund Appropriation: For transfer to the		
general fund on or before July 20, 1987, an amount up to \$9,853,000		
in excess of the cash requirements in the State Treasurer's Service		
Fund for fiscal year 1988, for credit to the fiscal year in which		
earned	\$	9,853,000
General Fund—Charitable, Educational, Penal and Reformatory		
Institutions Account Appropriations: For transfer to the General		
Fund—Resource Management Cost Account to the extent that		
funds are available as determined by the department of natural		
resources. The department shall provide the state treasurer with		
a schedule of such transfers	\$	600,000

NEW SECTION, Sec. 707. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—TRANSFERS

General Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	14,000
Motor Vehicle Fund—State Patrol Highway Account Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	72,000
Teachers' Retirement Fund Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	327,000
NEW SECTION, Sec. 708. FOR BELATED CLAIMS		
(1) There is appropriated to the office of financial management for payment of supplies and services furnished in previous biennia, from the General Fund	\$	1,145,000
(2) 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 act to June 30, 1987, except as otherwise noted.		
To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:		
General Fund—Criminal Justice Training Account	\$	4,094
General fund—Institutional Impact Account	\$	30,593
General Fund—Architects' License Account	\$	1,277
General Fund—Cemetery Account	\$	10
General Fund—Trust Land Purchase Account	\$	73
General Fund—Archives and Records Management Account	\$	5,987
General Fund—Judiciary Education Account	\$	249
General Fund—State Timber Tax Reserve Account	\$	169
General Fund—Health Professions Account	\$	110
General Fund—Professional Engineers' Account	\$	218
General Fund—Real Estate Commission Account	\$	19,933
General Fund—State Investment Board Expense Account	\$	5,732
General Fund—Capitol Building Construction Account	\$	30,618
General Fund—Motor Transport Account	\$	10,539
General Fund—State Capitol Historical Association Museum Account	\$	67
General Fund—Resource Management Cost Account	\$	31,248
General Fund—Litter Control Account	\$	2,767
General Fund—Traffic Safety Education Account	\$	292
General Fund—Salmon Enhancement Construction Account	\$	5,982
General Fund—State Building Account	\$	10,680
General Fund—L.I.R. Water Supply Facilities Account	\$	359
General Fund—State Social and Health Services Construction Account	\$	60,813
General Fund—Fisheries Capital Projects Account	\$	1,760
Grade Crossing Protective Fund	\$	1,772
State Patrol Highway Account	\$	47,224
Fertilizer, Agriculture, Mineral and Lime Fund	\$	131
Commercial Feed Fund	\$	296
Seed Fund	\$	2,863
Electrical License Fund	\$	1,943
State Game Fund	\$	41,881
Highway Safety Fund	\$	8,351
Motor Vehicle Fund	\$	21,502
Public Service Revolving Fund	\$	21,945
Horse Racing Commission Fund	\$	1,516
State Treasurer's Service Fund	\$	6,831
Legal Services Revolving Fund	\$	3,818
General Administration Facilities and Services Revolving Fund	\$	996
Department of Personnel Service Fund	\$	8,604

State Employees' Insurance Fund	\$	3,355
Data Processing Revolving Fund	\$	860
State Auditing Services Revolving Fund	\$	338
Liquor Revolving Fund	\$	18,665
Department of Retirement Systems Expense Fund	\$	1,456
Accident Fund	\$	15,683
Medical Aid Fund	\$	15,720
Washington Library Network		
Computer System Revolving Fund	\$	9,647

NEW SECTION, Sec. 709. FOR SUNDRY CLAIMS

The following sums, or so much thereof as are necessary, are appropriated from the general fund, unless otherwise indicated, for the payment of court judgments and for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of financial management, except as otherwise provided, as follows:

- (1) In settlement of all claims for expenses in Fox v. State, Superior Court for King County, Judgment No. 83-2-16479-6, pursuant to RCW 9.01.200, including interest
- (2) In settlement of all claims for expenses in State v. Christian, Superior Court for King County, Judgment No. 59720, pursuant to RCW 9.01.200, including interest
- (3) In settlement of all claims for expenses in State v. Thew, District Court for Spokane County, Judgment No. 8314016, pursuant to RCW 9.01.200, including interest
- (4) In settlement of all claims for expenses in State v. Thacker, Superior Court for Kitsap County, Judgment No. C-3363, pursuant to RCW 9.01.200, including interest
- (5) In settlement of all claims for expenses in State v. Brusseau, Superior Court for Spokane County, Judgment No. 8410532, pursuant to RCW 9.01.200, including interest
- (6) In settlement of all claims for expenses in Niederer v. Powers, Superior Court for King County, Judgment No. 82-5-50674-6, pursuant to RCW 9.01.200
- (7) In settlement of all claims for expenses in Carrillo v. State, Superior Court for King County, Judgment No. 84-2-10706-5, pursuant to RCW 9.01.200, including interest
- (8) In settlement of all claims for expenses in Lindsey v. Murphy Brothers Construction, Inc., Superior Court for Ferry County, Judgment No. 7081, pursuant to RCW 9.01.200, including interest
- (9) In settlement of all claims for expenses in Keith v. Cain, Superior Court for King County, Judgment No. 83-2-00358-0, pursuant to RCW 9.01.200
- (10) Department of Social and Health Services: (a) Payment for medical insurance premiums for the month of July 1976 due the Health Care Financing Administration
- (b) Payment of judgment in Washington Natural Gas Co. v. State, Superior Court for King County, Judgment No. 80-2-04165-7, including interest
- (c) In settlement of all claims of the parties in Boyce, et al. v. DSHS, Superior Court for Thurston County, Judgment No. 80-2-00309-4, including interest
- (d) Payment of judgment in United Nursing Homes v. State, Superior Court for Thurston County, Judgment No. 80-2-01170-4, including interest: PROVIDED, That to the extent that federal financial participation is available, the department of social and health services shall apply such funds before using this appropriation
- (e) In settlement of all claims of the parties in Washington Federation of State Employees v. State, Superior Court for Thurston County, Cause No. 80-2-00966-1
- (11) Irwin & Associates, Payment of judgment in Irwin v. State, Superior Court for King County, Judgment No. 84-2-18326-8, including interest
- (12) Michael R. Boesflug, In settlement of all claims in State v. State Credit Assoc., Inc., Superior Court for King County, Judgment No. 848-936 including interest
- (13) In settlement of all claims of the parties in Burman v. State, Superior Court for King County, Cause No. 82-2-09155-3: PROVIDED,

	That payment shall be made from the Public Safety and Education Account, under the control of the court, and any remaining balance be returned to the state	\$	1,200,000.00
(14)	William J. Rush, Payment of judgment in State v. American Antenna Corp., Superior Court for Pierce County, Judgment No. 82-2-01064-8	\$	80,000.00
(15)	Ray A. Bonderman, Payment for loss of personal property while under protection of the department of fisheries	\$	889.80
(16)	Compensation to the following for all pending claims of damage to crops by game: PROVIDED, That payment shall be made from the Game Fund:		
	(a) Ray Beller	\$	4,086.03
	(b) Barry J. Wheeler	\$	2,150.72
	(c) Robert M. Smith	\$	600.05
	(d) Richard E. Rubenser	\$	22,107.05
	(e) John Frank Thelen	\$	4,885.00
	(f) Lewis B. Cox	\$	4,224.50
	(g) Frank Saitta	\$	3,320.00
	(h) David K. Billingsley	\$	1,441.80
	(i) Patrick A. Wolf	\$	5,928.00
	(j) Dean C. Farrens	\$	2,524.50
(17)	Office of the Attorney General, payment of judgments for costs (United States Court of Appeals, Third Circuit, Judgment dated May 23, 1983, in appeal Nos. 81-2341/50; United States District Court, Eastern District of Pennsylvania, Judgment dated August 9, 1983 in M.D.L. No. 323; and United States Court of Appeals, Third Circuit, Judgment dated September 6, 1984 in appeal No. 83-1742), including interest, pursuant to Agreement Re Satisfaction of Judgments which, upon payment of that amount as a result of authorization from the current session, will fully and completely discharge the state from any and all further claims under the judgments	\$	34,035.86
(18)	Anthony Schwab, Payment of judgment in State v. Schwab, Supreme Court No. 50756-2, including interest	\$	2,298.45

NEW SECTION. Sec. 710. FOR THE STATE TREASURER—STATE REVENUES FOR

DISTRIBUTION

	General Fund Appropriation for fire insurance premiums tax distribution	\$	4,337,900
	General Fund Appropriation for public utility district excise tax distribution	\$	21,932,000
	General Fund Appropriation for prosecuting attorneys' salaries	\$	1,708,071
	General Fund Appropriation for motor vehicle excise tax distribution	\$	43,415,000
	General Fund Appropriation for local mass transit assistance	\$	136,800,000
	General Fund Appropriation for camper and travel trailer excise tax distribution	\$	1,263,292
	General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution	\$	22,073
	Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	\$	18,778,000
	Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$	269,336,034
	Liquor Revolving Fund Appropriation for liquor profits distribution	\$	44,000,000
	General Fund—Timber Tax Distribution Account Appropriation for distribution to 'Timber' counties	\$	37,760,000
	General Fund—Municipal Sales and Use Tax Equalization Account Appropriation	\$	23,378,000
	General Fund—County Sales and Use Tax Equalization Account Appropriation	\$	7,858,000
	General Fund—Death Investigations Account Appropriation for distribution to counties for public funded autopsies	\$	200,000
	Total Appropriation	\$	610,788,370

NEW SECTION. Sec. 711. FOR THE STATE TREASURER—FEDERAL REVENUES FOR

DISTRIBUTION

	Forest Reserve Fund Appropriation for forest reserve fund distribution	\$	25,164,000
	General Fund Appropriation for federal flood control funds distribution	\$	30,000
	General Fund Appropriation for federal grazing fees distribution	\$	50,000
	General Fund—Geothermal Account Appropriation	\$	117,260

General Fund Appropriation for distribution to counties in conformance with Public Law 97-99	\$	837,896
Total Appropriation	\$	26,199,156
NEW SECTION, Sec. 712. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, INCLUDING ONGOING BOND REGISTRATION AND TRANSFER CHARGES		
Fisheries Bond Redemption Fund 1977 Appropriation	\$	3,476,774
Salmon Enhancement Bond Redemption Fund 1977 Appropriation	\$	4,666,130
Higher Education Refunding Bond Redemption Fund 1977 Appropriation	\$	8,746,565
Fire Service Training Center Bond Retirement Fund 1977 Appropriation	\$	1,626,243
Highway Bond Retirement Fund Appropriation	\$	138,861,113
Indian Cultural Center Construction Bond Redemption Fund 1976 Appropriation	\$	234,600
Higher Education Bond Redemption Fund 1977 Appropriation	\$	15,087,751
Ferry Bond Retirement Fund 1977 Appropriation	\$	29,142,170
Emergency Water Projects Bond Retirement Fund 1977 Appropriation	\$	2,594,770
General Administration Building Bond Redemption Fund Appropriation	\$	29,425
Public School Building Bond Redemption Fund 1965 Appropriation	\$	2,470,955
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation	\$	3,215,565
Spokane River Toll Bridge Account Appropriation	\$	886,400
Higher Education Bond Retirement Fund 1979 Appropriation	\$	32,531,592
State General Obligation Bond Retirement Fund 1979 Appropriation	\$	208,589,280
Fisheries Bond Redemption Fund 1976 Appropriation	\$	766,136
State Building Bond Redemption Fund 1967 Appropriation	\$	652,100
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation	\$	16,067,247
Common School Building Bond Redemption Fund 1967 Appropriation	\$	6,876,110
Outdoor Recreation Bond Redemption Fund 1967 Appropriation	\$	6,276,470
Water Pollution Control Facilities Bond Redemption Fund 1967 Appropriation	\$	4,015,067
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation	\$	10,240,447
State Building and Parking Bond Redemption Fund 1969 Appropriation	\$	2,456,880
Waste Disposal Facilities Bond Redemption Fund Appropriation	\$	98,604,041
Water Supply Facilities Bond Redemption Fund Appropriation	\$	11,974,758
Social and Health Services Facilities 1972 Bond Redemption Fund Appropriation	\$	3,734,611
Recreation Improvements Bond Redemption Fund Appropriation	\$	5,990,090
Community College Capital Improvement Bond Redemption Fund 1972 Appropriation	\$	7,508,345
State Building Authority Bond Redemption Fund Appropriation	\$	9,562,105
Office-Laboratory Facilities Bond Redemption Fund Appropriation	\$	276,830
University of Washington Hospital Bond Retirement Fund 1975 Appropriation	\$	1,165,915
Washington State University Bond Redemption Fund 1977 Appropriation	\$	559,295
Higher Education Bond Redemption Fund 1975 Appropriation	\$	2,173,165
State Building Bond Redemption Fund 1973 Appropriation	\$	3,824,535
State Building Bond Retirement Fund 1975 Appropriation	\$	1,358,440
State Higher Education Bond Redemption Fund 1973 Appropriation	\$	4,374,678
Social and Health Services Bond Redemption Fund 1976 Appropriation	\$	9,480,564
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation	\$	375,371
Community College Refunding Bond Retirement Fund 1974 Appropriation	\$	9,457,123
State Higher Education Bond Redemption Fund 1974 Appropriation	\$	1,201,300
State Facilities Renewal Bond Retirement Fund Appropriation	\$	6,356,000
Total Appropriation	\$	677,486,956

NEW SECTION, Sec. 713. Notwithstanding the provisions of chapter 82, Laws of 1973 1st ex. sess., the house of representatives, the senate, and the permanent statutory committees shall pay expenses quarterly to the department of general administration facilities and services revolving fund for services rendered by the department for operations, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1985.

NEW SECTION. Sec. 714. Whenever allocations are made from the governor's emergency fund appropriation to an agency which is financed in whole or in part by other than general fund moneys, the director of financial management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance the agency. No appropriation shall be necessary to effect such repayment.

NEW SECTION. Sec. 715. In addition to the amounts appropriated in this act for revenue for distribution, bond retirement and interest including ongoing bond registration and transfer charges, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

NEW SECTION. Sec. 716. In addition to such other appropriations as are made by this act, there is hereby appropriated to the state finance committee from legally available bond proceeds in the respective construction or building funds and accounts such amounts as are necessary to pay the expenses incurred in the issuance and sale of the subject bonds.

NEW SECTION. Sec. 717. Amounts received by an agency as reimbursements pursuant to RCW 39.34.130 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of financial management, which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services, and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

NEW SECTION. Sec. 718. The appropriations of moneys and the designation of funds and accounts by this and other acts of the 1985 legislature shall be construed in a manner consistent with legislation enacted by the 1985 legislature to conform state funds and accounts with generally accepted accounting principles.

NEW SECTION. Sec. 719. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 244, Laws of 1984, section 9, chapter 6, Laws of 1985 and RCW 43.63A.200;

(2) Section 2, chapter 244, Laws of 1984, section 42, chapter 57, Laws of 1985 and RCW 43.79.450; and

(3) Section 3, chapter 244, Laws of 1984 and RCW 43.79.452.

NEW SECTION. Sec. 720. 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. 721. 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.

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On page 1, line 1 of the title, after "budget;" strike the remainder of the title and insert "making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1985, and ending June 30, 1987; repealing RCW 43.63A-.200, 43.79.450, and 43.79.452; and declaring an emergency."

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, J. King, Locke, Madsen, Niemi, Rust, Sayan, Smitherman and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives G. Nelson, Sanders, Silver and B. Williams.

Voting nay: Representatives Hastings, Holland, Long, G. Nelson, Sanders, Silver, L. Smith, Taylor, Tilly, Vander Stoep and B. Williams.

MOTION

On motion of Mr. J. King, the rules were suspended, and Engrossed Substitute Senate Bill No. 3656 was advanced to second reading and placed at the top of the second reading calendar.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3656, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Adopting the 1985-87 biennial operating appropriations act.

The bill was read the second time.

Mr. Braddock moved adoption of the committee amendment.

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 2, beginning on line 1 strike all of subsection (4) and insert a new subsection as follows:

"(4) The office of financial management shall biennialize all appropriations in this act that are made on a fiscal year basis. Such appropriations shall be revised by allotment so that agencies will not require a supplemental budget."

Representatives Tilly and S. Wilson spoke in favor of the amendment to the amendment.

Mr. Tilly spoke again in favor of the amendment.

POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Vander Stoep.

Mr. Vander Stoep: "Representative Tilly, this seems to be the first of a series of amendments. I'm wondering what the total dollar amount of savings would be?"

Mr. Tilly: "There are a number of amendments. They have taken a lot of work by staff and members on our side of the aisle. We did a calculation this afternoon and we feel that the reductions that we are going to make by tightening up on hiring, freezing, travel, personal service contracts and some of the social programs will provide an additional \$275 million that could be spent in a better priority for our children."

Mr. Taylor spoke in favor of the amendment to the committee amendment, and Mr. Grimm opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 2 of the committee amendment, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Smith C - 1.

Ms. Thomas moved adoption of the following amendments to the committee amendment:

On page 2, line 9 strike all numbers after "\$" and insert "14,014,500 15,334,500"

On page 10, line 10 of the amendment strike all numbers after "\$" and insert "29,349,000"

On page 2, after line 10 strike all material through "renovations." on line 15.

Representatives Thomas, Braddock and Doty spoke in favor of the amendments to the committee amendment, and they were adopted.

On motion of Mr. Braddock, the following amendment to the committee amendment was adopted:

On page 4, line 17 after "have" strike all material down through "less" on line 18 and insert "implemented a program of mandatory arbitration to the full extent authorized by law."

Ms. Silver moved adoption of the following amendments to the committee amendment:

On page 4, line 34 strike all numbers following "\$" and insert "2,442,000 2,293,000"

On page 4, line 35 strike all numbers following "\$" and insert "4,735,000"

On page 5, after line 2 insert:

(1) None of the five additional employees in the governor's office shall receive an annual salary of more than \$50,000."

Re-number the remaining subsections consecutively.

Ms. Silver spoke in favor of the amendments to the committee amendment, and Mr. Grimm opposed them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Silver to pages 4 and 5 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Smith C - 1.

Ms. L. Smith moved adoption of the following amendment to the committee amendment:

On page 8 after line 1 insert:

"(1) The Office of Financial Management shall prepare enforceable contracts which shall cause the chief executive officer of any state agency to be personally liable for expenditures by their agency over the amounts appropriated herein. No funds shall be released to any agency until its chief executive officer has signed the contract provided for herein."

Representatives L. Smith, B. Williams and Schoon spoke in favor of the amendment to the amendment, and Mr. Braddock spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative L. Smith to page 8 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Tanner, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Smith C - 1.

Mr. B. Williams moved adoption of the following amendment to the committee amendment:

On page 8, after line 20 insert a new subsection to read as follows:

"(6) The office of financial management shall take such action as is necessary to limit the following general fund-state funded objects of expenditure to no more than the amount expended during the 1983-85 biennium plus an inflation factor of seven percent: Personal services contracts; goods and services; travel; and furnishing and equipment. The office shall reduce the general fund-state allotments to agencies to produce a savings of no less than \$150

million to reach this goal. These funds shall be placed in a reserve status subject to appropriation by the legislature."

Mr. B. Williams spoke in favor of the amendment to the committee amendment, and Mr. Grimm opposed it.

Mr. B. Williams spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to page 8 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Valle, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Smith C - 1.

Mr. G. Nelson moved adoption of the following amendment by Representatives G. Nelson, Long and K. Wilson to the committee amendment:

On page 8, after line 20 add a new subsection as follows:

"(6) \$4,500,000 of the dedicated funding source, or so much thereof as is necessary, is provided solely to cities and counties according to Substitute Senate Bill 3764 for DWI and other serious traffic offense investigations, prosecution and court costs."

Representatives G. Nelson, Long and K. Wilson spoke in favor of the amendment to the committee amendment, and Representative Hine spoke against it.

Mr. G. Nelson spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson and others to page 8 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fisch, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley - 48.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, Zellinsky, and Mr. Speaker - 49.

Excused: Representative Smith C - 1.

POINT OF PERSONAL PRIVILEGE

Mr. Brooks: "Mr. Speaker, the clock on the wall says 10:15. I've been observing this procedure of the budget crunch since I had heard about the crunch and as a freshman, I am totally unsuited and I am more than confused. As a citizen legislator, I am appalled that this body would consider a \$9 billion budget in the middle of the night. As a physician, I recognize that physiologically we are not worth much at this time of day----"

The Speaker: "Representative Brooks, what is your point of personal privilege? Apparently, as a freshman, you also do not understand the point of personal privilege. Have your motives been impugned?"

Mr. Brooks: "I read the book before I did this and it said that if the health of the body is concerned that it is of paramount importance to the House. It is on that

basis that I am rising to speak. I don't know that you remember that we have had one heart attack in this building this last week. Last year there were two people had one, one from the Senate and one from this body, and two years ago there was another one. I think it is completely unreasonable, morally and medically, and it is unacceptable that we keep on at this time."

MOTION

Mr. Barrett moved that the House adjourn.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House adjourn and the motion was lost by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Waik, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Smith C - 1.

POINT OF ORDER

Mr. Taylor: "The rules state that we adjourn at 10:00 o'clock. We have not suspended those rules and I once again move to adjourn."

SPEAKER'S RULING

The Speaker: "Your motion if out of order because you made a statement before you made the motion."

MOTION

Mr. Appelwick moved that Rule 14(D) be suspended.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to suspend Rule 14(D) and the motion was carried by the following vote: Yeas, 55; nays, 42; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sanders, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Waik, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 42.

Excused: Representative Smith C - 1.

Mr. B. Williams moved adoption of the following amendment by Representatives B. Williams, Thomas and Van Luven to the committee amendment:

On page 8, after line 20 insert a new section as follows: "NEW SECTION, Sec. 122. (1) The office of financial management shall adopt rules and regulations limiting the allowable number of state employees among the various state agencies to the number employed by, or allotted to the agency as of January 31, 1986, whichever is lower. The agencies shall reduce their level of employment as necessary to meet the January 31, 1986 level. No agency may hire any new employees beyond the January 31, 1986 level or the level in effect as of the effective date of this act, whichever is lower, without receiving authorization from the office of financial management. Such authorization shall only be granted when the office of financial

management determines that emergency conditions exist which require the hiring of additional state employees. Such additional employment may not last longer than the emergency conditions.

(2) Each agency headed by a state elected official shall also adopt rules and regulations limiting the allowable number of state employees as provided in subsection (1) of this section.

(3) The office of financial management shall reduce agency general fund-state allotments to produce a savings of no less than \$180 million.

(4) The office of financial management shall, in concert with other agencies administering employees suggestion systems, establish a system that has as its goal a savings of at least \$50 million general fund-state during the 1985-87 biennium.

(5) There is hereby appropriated \$5 million in general fund-state funds to be used solely for the employee suggestion authorized in subsection (3).*

Renumber the following sections consecutively.

Representatives B. Williams, Van Luven and Holland spoke in favor of the amendment to the committee amendment, and Mr. Braddock opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams and others to page 8 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Smith C - 1.

Mr. Padden moved adoption of the following amendment:

On page 8 following line 20 insert:

"(6) Notwithstanding any other provision of this act the office of financial management shall not allocate any moneys for the purpose of doing studies regarding comparable worth or for the purpose of implementing in whole or in part a comparable worth program. Without intending to limit the restriction above, the provision of section 123, section 612 and section 702 of this act insofar as they apply to comparable worth are hereby declared null and void."

Mr. Padden spoke in favor of the amendment to the committee amendment, and Mr. Braddock opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Padden to page 8 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 25; nays, 72; excused, 1.

Voting yea: Representatives Barnes, Barrett, Betzoff, Bond, Chandler, Dobbs, Doty, Fuhrman, Hastings, Isaacson, Lewis, May, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, van Dyke, Van Luven, West, Williams B, Williams J, Wilson S - 25.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 72.

Excused: Representative Smith C - 1.

Mr. Padden moved adoption of the following amendment by Representatives Padden and Bond to the committee amendment:

On page 8 after line 20 insert:

"(6) The office of financial management shall study the cost effectiveness of The Evergreen State College as it compares to the cost of educating under-graduate students at other public colleges and universities of the state. The office shall report its findings to the House and Senate ways and means committees by December 20, 1985."

Representatives Padden and Bond spoke in favor of the amendment to the committee amendment, and Ms. Unsoeld spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Padden and Bond to page 8 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 20; nays, 76; absent, 1; excused, 1.

Voting yea: Representatives Ballard, Barnes, Barrett, Bond, Brooks, Chandler, Doty, Fuhrman, Hastings, Lundquist, Nealey, Padden, Patrick, Schmidt, Smith L, Tilly, van Dyke, West, Williams J, Zellinsky - 20.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Dobbs, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 76.

Absent: Representative Isaacson - 1.

Excused: Representative Smith C - 1.

On motion of Ms. Belcher, the following amendments by Representatives Belcher, Hine, Grimm and Brough to the committee amendment were adopted:

On page 8, line 29 strike "5,576,000 5,202,000" and insert "4,975,000 4,858,000"

On page 8, line 32 strike "12,504,000" and insert "11,559,000"

On page 8, after line 34 strike everything through and including "1987." on page 9, line 35 and insert:

"\$60,000 is provided solely for the evaluation of job class specifications for the implementation of comparable worth. The department of personnel shall coordinate this activity with the higher education personnel board and shall submit joint interim reports to the legislature covering the progress made to date on the evaluations prior to January 1, 1986 and July 1, 1986. A joint final report shall be submitted to the legislature by January 1, 1987."

Mr. Fisch moved adoption of the following amendments to the committee amendment:

On page 14, line 23 after "Appropriation \$" strike "34,221,000" and "34,221,000" and insert "34,947,000" and "34,848,000"

On page 14, line 24 after "Appropriation \$" strike "68,442,000" and insert "69,795,000"

On page 14, line 28 after "productivity of" strike "43.821" and insert "40.030"

Representatives Fisch and Barrett spoke in favor of the amendments to the amendment, and Representatives Grimm, Lux and Van Luven spoke against them.

Mr. Fisch spoke again in favor of the amendments, and Representatives Zellinsky and Sanders opposed them.

Mr. Fisch closed debate, speaking again in favor of the amendments to the committee amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Fisch to page 14 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 16; nays, 81; excused, 1.

Voting yea: Representatives Addison, Allen, Barrett, Baugher, Fisch, Jacobsen, King R, Lewis, Patrick, Silver, Taylor, Tilly, Walker, West, Williams B, Williams J - 16.

Voting nay: Representatives Appelwick, Armstrong, Ballard, Barnes, Basich, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings,

Haugen, Hine, Holland, Isaacson, King J, King P, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Wang, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 81.

Excused: Representative Smith C - 1.

Mr. Fisch moved adoption of the following amendment to the committee amendment:

On page 15, line 3 after "(2)" strike all language through "section" on page 15, line 6 and insert "\$588,000 of this appropriation, or the lottery commission received by the board on sales of lottery tickets in the liquor stores, whichever is less, is provided to the board to employ store clerks in addition to those permitted under the minimum productivity standard in subsection (1) of this section"

Mr. Fisch spoke in favor of the amendment, and Mr. Grimm spoke against it.

The amendment to the committee amendment was not adopted.

Mr. Grimm moved adoption of the following amendments to the committee amendment:

On page 15, line 27 strike "10,481,000 10,420,000" and insert "11,011,000 10,950,000"

On page 15, line 32 strike "21,521,000" and insert "22,581,000"

On page 15, line 34 after "limitations:" insert "(1)"

On page 16, after line 4 insert:

"(2) \$391,000 for fiscal year 1986 and \$391,000 for fiscal year 1987 from the public service revolving fund appropriation are provided solely for costs of the attorney general associated with representation of the public before the commission, including but not limited to the costs of special attorneys general, expert witnesses, technical assistants, and consultants.

(3) \$139,000 for fiscal year 1986 and \$139,000 for fiscal year 1987 from the public service revolving fund--state appropriation are provided solely for the purpose of funding the joint select committee on telecommunications in accordance with House Concurrent Resolution No. 7. If HCR 7 is not enacted by July 1, 1985, this amount shall lapse."

Mr. Grimm spoke in favor of the amendments to the committee amendment.

POINT OF INQUIRY

Mr. Grimm yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Grimm, we have not had a chance to discuss this amendment in our caucus. Is this actually in the current level of funding or is this going to give us increased personnel and new programs?"

Mr. Grimm: "The answer is no. There is no increase in personnel. The answer to your first question is yes. It is simply a carry-forth of the current level of operation."

The amendments were adopted.

On motion of Mr. Braddock, the following amendment to the committee amendment was adopted:

On page 18, line 28 after "facilities" insert "collectively or individually"

Mr. Sanders moved adoption of the following amendment to the committee amendment:

On page 19, line 16 after "(a)" strike everything through "and" on line 16.

Mr. Sanders spoke in favor of the amendment to the amendment, and Mr. Braddock opposed it.

POINT OF INQUIRY

Mr. Sanders yielded to question by Mr. Van Luven.

Mr. Van Luven: "Representative Sanders, I haven't had a chance to talk to you on this amendment and I'm kind of surprised. I don't know if I care if it's February or April that this prison opens up. Are you telling me that if we wait until July, a few months later, that we can save \$6.1 million?"

Mr. Sanders: "Yes, that's what is in the budget for FY 86 for that construction work."

Mr. Van Luven spoke in favor of the amendment to the amendment.

The amendment to the committee amendment was not adopted.

Mr. B. Williams moved adoption of the following amendment to the committee amendment:

On page 21, after line 7 insert the following:

"(3) The department is prohibited from conducting policy research or formulating long range or strategic plans, unless specifically directed by statute.

(4) The department shall implement its plan to reorganize administration and support services and report the results, including resulting savings, to the ways and means committees of the Senate and House of Representatives no later than December 31, 1985."

Representatives B. Williams, Padden, Lundquist, Thomas and Van Luven spoke in favor of the amendment to the amendment, and Mr. Braddock opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to page 21 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Smith C - 1.

MOTION

Mr. Taylor moved that the House adjourn.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House adjourn and the motion failed by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Winsley - 43.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, West, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Smith C - 1.

Ms. Belcher moved adoption of the following amendments by Representatives Belcher, Unsoeld, Allen and Leonard to the committee amendment:

On page 21, line 11 strike "61,778,000 59,487,000" and insert "62,294,000 60,003,000"

On page 21, line 13 strike "171,747,000" and insert "172,779,000"

On page 23, after line 19 insert a new section as follows:

"(11) \$516,000 for fiscal year 1986 and \$516,000 for fiscal year 1987 from the general fund-state appropriation are provided solely to increase child day care monitoring staff."

Reumber the remaining subsections consecutively.

On page 23, line 36 strike "31,484,000 of which \$16,350,000" and insert "32,516,000 of which \$17,382,000"

Representatives Belcher and Lewis spoke in favor of the amendments to the amendment, and Mr. Braddock opposed them.

The amendments to the committee amendment were not adopted.

Ms. Belcher moved adoption of the following amendments by Representatives Belcher and Cole to the committee amendment:

On page 21, line 11 strike "61,778,000 59,487,000" and insert "61,828,000 59,537,000"

On page 21, line 13 strike "171,747,000" and insert "171,847,000"

On page 23, after line 19 insert a new subsection as follows:

"(11) \$175,000 for fiscal year 1986 and \$175,000 for fiscal year 1987 from the general fund-state appropriation are provided solely for the sexual assault victims program."

Renumber the remaining subsections consecutively.

On page 24, line 4 strike "16,012,000 of which \$10,627,000" and insert "16,112,000 of which \$10,727,000"

Representatives Belcher, B. Williams and Brough spoke in favor of the amendments to the amendment, and Mr. Braddock opposed them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Belcher and Cole to page 21, page 23 and page 24 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were adopted by the following vote: Yeas, 80; nays, 17; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Brekke, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith L, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 80.

Voting nay: Representatives Basich, Baugher, Braddock, Bristow, Ebersole, Grimm, Hargrove, King J, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Vekich, Walk, and Mr. Speaker - 17.

Excused: Representative Smith C - 1.

The Clerk read the following amendments by Representatives Allen and Addison to the committee amendment:

On page 21, line 11 strike "61,778,000" and "59,487,000" and insert "61,828,000" and "59,987,000"

On page 21, line 13 strike "171,747,000" and insert "171,847,000"

On page 24, after line 7 insert:

"(1) \$100,000 from the general fund-state appropriation for the victims of sexual assault program in addition to the amount provided above for this program."

With the consent of the House, Ms. Allen withdrew the amendments to the committee amendment.

Mr. Braddock moved adoption of the following amendment to the committee amendment:

On page 23, line 30 strike "4,618,000 of which \$3,029,000" and insert "4,318,000, of which \$2,729,000"

Mr. Braddock spoke in favor of the amendment to the committee amendment, and Mr. Barrett opposed it.

Mr. Braddock spoke again in favor of the amendment, and it was adopted.

Ms. Unsoeld moved adoption of the following amendments by Representatives Unsoeld, Jacobsen, Madsen, K. Wilson, Dellwo, Brekke, Belcher and Allen to the committee amendment:

On page 25, line 3 strike "21,660,000" and "21,509,000" and insert "22,172,000" and "22,021,000"

On page 25, line 5 strike "44,059,000" and insert "45,083,000"

Representatives Unsoeld, Lewis, Allen, B. Williams and Lundquist spoke in favor of the amendments to the amendment, and Representatives Braddock and Smitherman opposed them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Unsoeld and others to page 25 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Baugher, Belcher, Betzoff, Brekke, Brooks, Brough, Chandler, Dellwo, Hankins, Hastings, Holland, Isaacson, Jacobsen, King R, Lewis, Long, Lundquist, Lux, Madsen, May, Miller, Nealey, Nelson D, Nelson G, Patrick, Prince, Rayburn, Rust, Sanders, Schoon, Silver, Smith L, Taylor, Thomas, Unsoeld, Vander Stoep, Wang, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Ballard, Basich, Bond, Braddock, Bristol, Cole, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, Kremen, Leonard, Locke, McMullen, Niemi, Nutley, O'Brien, Padden, Peery, Sayan, Schmidt, Scott, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Valle, van Dyke, Van Luven, Vekich, Waik, Walker, West, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Smith C - 1.

Mr. Sanders moved adoption of the following amendments by Representatives Sanders, Thomas, Schoon, Van Luven, May and Lundquist to the committee amendment:

On page 27, line 11 strike "28,094,000" and "27,605,000" and insert "29,238,000" and "28,749,000"

On page 27, line 12 strike "24,675,000" and "24,569,000" and insert "25,483,000" and "25,377,000"

On page 27, line 13 strike "104,943,000" and insert "108,847,000"

On page 28, after line 19 insert the following:

"(h) \$1,952,000 for fiscal year 1986 of which \$1,144,000 is from the general fund-state appropriation and \$1,952,000 for fiscal year 1987 of which \$1,144,000 is from the general fund-state appropriation, is provided solely to increase compensation for staff providing treatment and training in division contracted community residential and training programs. Contracts with vendors shall specify the amount of payments to be used solely for this purpose."

Representatives Sanders, May, Van Luven, Taylor and Lundquist spoke in favor of the amendments, and Representative Braddock opposed them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Sanders and others to pages 27 and 28 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 47; nays, 50; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fisch, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 47.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristol, Cole, Crane, Day, Dellwo, Ebersole, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Waik, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 50.

Excused: Representative Smith C - 1.

Ms. Allen moved adoption of the following amendment to the committee amendment:

On page 27, following line 16 insert:

"(a) \$56,000 for fiscal year 1986 and \$56,000 for fiscal year 1987 of the general fund-state appropriation are provided solely for the dental education in care of the disabled graduate training program with the University of Washington."

Reletter the remaining subsections consecutively.

Representatives Allen and Jacobsen spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Addison moved adoption of the following amendment by Representatives Addison, Van Luven and Sanders to the committee amendment:

On page 27, line 21 following "clients," insert "The limitation contained herein shall not apply to eight group home beds in West Seattle; eight group home beds in downtown Seattle; and eight group home beds in Bellevue, that have received commitments for federal funds."

Representatives Addison, Sanders and Valle spoke in favor of the amendment, and Mr. Grimm opposed it.

Mr. Addison spoke again in favor of the amendment to the committee amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Addison and others to page 27 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 47; nays, 50; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Crane, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Valle, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 47.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 50.

Excused: Representative Smith C - 1.

MOTION FOR RECONSIDERATION

Mr. Barrett, having voted on the prevailing side, moved that the House reconsider the vote by which the amendments by Representative Belcher and others to page 21, line 11; page 21, line 13; page 23, line 19 and page 23, line 36 to the committee amendment were not adopted.

Mr. Barrett spoke in favor of the motion and Mr. Braddock spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the amendments to monitor child day care facilities to the committee amendment were not adopted, and the motion failed by the following vote: Yeas, 47; nays, 50; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Brooks, Brough, Chandler, Dellwo, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Taylor, Thomas, Tilly, Unsoeld, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 47.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Braddock, Brekke, Bristow, Cole, Crane, Day, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Todd, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 50.

Excused: Representative Smith C - 1.

Mr. Brooks moved adoption of the following amendment by Representatives Brooks, May, Schoon and Nealey to the committee amendment:

On page 32, line 11 insert a new subsection as follows:

"(4) \$545,000 for fiscal year 1986 of the general fund-state appropriation is provided solely to continue the three respite care demonstration projects created under chapter 158, Laws of 1984 until June 30, 1986."

Mr. Brooks spoke in favor of the amendment to the amendment, and Mr. Braddock opposed it.

POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. B. Williams.

Mr. B. Williams: "Representative Braddock, are there funds in the budget for respite care? If so, how many projects statewide?"

Mr. Braddock: "As I stated earlier, there are no earmarked funds for respite care. Respite care is in the section in long-term care and it is worded to be included as a component. That section contains for the biennium more than \$120 million. I think out of \$120 million the department can very easily find \$500,000 or more for respite care. I will be working with them to see that they do that and it will become a part of that \$120 million biennial budget."

Representatives B. Williams and Van Luven spoke in favor of the amendment to the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Brooks and others to page 32 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fisch, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 46.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 51.

Excused: Representative Smith C - 1.

Ms. Doty moved adoption of the following amendment to the committee amendment:

On page 32, line 20 after "shall" strike the remainder of the subsection and insert "provide the aid to families with dependent children program for two-parent families during the months of November through April in fiscal year 1986 and the months of November through April in fiscal year 1987. The office of financial management shall place the savings from this program in a reserve allotment subject to appropriation by the legislature."

Representatives Doty, B. Williams and Padden spoke in favor of the amendment to the amendment, and Representatives Braddock and Grimm opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Doty to page 32 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 39; nays, 57; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smith L, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 39.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 57.

Absent: Representative van Dyke - 1.

Excused: Representative Smith C - 1.

Mr. van Dyke moved adoption of the following amendment to the committee amendment:

On page 34 following line 6 insert:

"(1) Nothing in this section shall be construed to permit the granting of medical care services where the purpose of such services is to obtain an abortion, induced miscarriage, or induced premature birth, except where such procedure is necessary for the preservation of the life of the woman seeking such treatment, or except an induced premature birth intended to produce a live, viable child and such procedure is necessary for the health of the mother or her unborn child, and except for victims of rape reported within thirty days of such incident to a federal, state, or county law enforcement agency or the department of social and health services, and except for victims of incest when a report is made to a federal, state, or county law enforcement agency or the department of social and health services"

Renumber the remaining sections consecutively.

POINT OF ORDER

Mr. J. King: "Mr. Speaker, I would ask you to rule on scope and object of this amendment."

SPEAKER'S RULING

The Speaker: "Engrossed Substitute Senate Bill 3656 is an omnibus appropriations act. Budget provisos deal with limitations on the expenditure of funds appropriated in the budget act or with direction to agencies on the administration of budgeted funds. The amendment does not refer to the expenditure of funds appropriated in the budget. Rather, it appears to establish a statutory rule within the budget. This is beyond the scope of a budget act. Your point is well taken, Representative King."

Mr. G. Nelson moved adoption of the following amendment by Representatives G. Nelson, Lewis and Long to the committee amendment:

On page 34, line 16 after "groups." strike all material through "indigent." on line 19.

Representatives G. Nelson, Lewis and Long spoke in favor of the amendment to the amendment, and Representatives Braddock and Grimm opposed it.

Mr. G. Nelson spoke again in favor of the amendment to the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson and others to page 34 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 42; nays, 55; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith L, Taylor, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 42.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Dobbs, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sanders, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Thomas, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 55.

Excused: Representative Smith C - 1.

Mr. D. Nelson moved adoption of the following amendments by Representatives D. Nelson and Sutherland to the committee amendment:

On page 34, line 23 after "\$" strike "21,255,000 21,228,000" and insert "21,355,000 21,328,000"

On page 35, line 7 after "\$" strike "190,252,000" and insert "190,452,000"

On page 35, line 25 after "\$" strike "684,000" and insert "884,000"

Mr. D. Nelson spoke in favor of the amendments to the committee amendment, and Mr. Grimm spoke against them.

Mr. D. Nelson spoke again in favor of the amendments.

The amendments were not adopted.

Mr. Armstrong moved adoption of the following amendments to the committee amendment:

On page 32, line 15 strike "203,588,000" and "212,510,000" and insert "202,671,000" and "211,593,000"

On page 32, line 16 strike "159,518,000" and "176,149,000" and insert "158,606,000" and "175,232,000"

On page 32, line 17 strike "751,765,000" and insert "748,102,000"

On page 37, line 25 strike "7,046,000" and "7,047,000" and insert "7,963,000" and "7,964,000"

On page 37, line 26 strike "13,986,000" and "13,986,000" and insert "14,905,000" and "14,905,000"

On page 37, line 27 strike "42,065,000" and insert "45,737,000"

Representatives Armstrong and Braddock spoke in favor of the amendments to the committee amendment, and they were adopted.

Mr. Taylor moved adoption of the following amendments by Representatives Taylor and Silver to the committee amendment:

On page 27, line 11 strike "28,094,000" and "27,605,000" and insert "28,139,000" and "27,650,000"

On page 27, line 13 strike "104,943,000" and insert "105,033,000"

On page 27, after line 16 insert the following subsection:

"(a) \$45,000 of the general fund-state appropriation for fiscal year 1986, and \$45,000 of the general fund-state appropriation for fiscal year 1987 are provided solely for operating costs associated with the Spokane Deaf Service Center."

Renumber the remaining subsections consecutively.

Representatives Taylor and Silver spoke in favor of the amendments to the committee amendment and Representative Braddock opposed them.

POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Taylor.

Mr. Taylor: "Representative Braddock, having said that it is not necessary to earmark the funds, is it your intent as one of the drafters on the other side of the aisle, that the money should be allocated in the budget to the deaf center program in Spokane?"

Mr. Braddock: "It is my understanding that this is a program that has not been supported by this kind of revenue from the state. If it is in need of a subsidy from the state, they should apply through the normal channels, the DSHS channels, and be prioritized along with everyone else. I know that the members from the Spokane area take great pride in their influence in the legislature and they convinced the people in their area that they are good legislators and work hard for their constituents, but I think this is not the proper avenue to bring this through rather than going through the normal prioritization process in the Department of Social and Health Services."

Mr. Taylor again spoke in favor of the amendments.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Taylor and Silver to page 27 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Day, Dellwo, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Vander Sloep, Walker, West, Williams B, Wilson S, Winsley - 46.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Cole, Crane, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Wang, Williams J, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 51.

Excused: Representative Smith C - 1.

Mr. Fuhrman moved adoption of the following amendment to the committee amendment:

On page 37, following line 21 insert:

"(3) The department shall develop a program to supplement the community work and training program for recipients of food stamps established under RCW 74.04.477. The supplemental program shall provide that the program be extended to an additional four counties, two east and two west of the Cascade mountains and shall serve a minimum of three hundred recipients each year. The supplemental program shall be run under the same terms and conditions as set forth in RCW 74.04.477 and the regulations thereunder."

Representatives Fuhrman, Addison and Long spoke in favor of the amendment to the committee amendment, and Representative Braddock opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Fuhrman to page 37 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was adopted by the following vote: Yeas, 62; nays, 35; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Brekke, Bristow, Brooks, Brough, Chandler, Crane, Day, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Kremen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Valle, van Dyke, Van Loven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky - 62.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Cole, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hine, Jacobsen, King J, King P, King R, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Rust, Sayan, Scott, Tanner, Unsoeld, Vekich, Walk, Wang, and Mr. Speaker - 35.

Excused: Representative Smith C - 1.

Mr. Addison moved adoption of the following amendment to the committee amendment:

On page 37, following line 21 insert:

"(3) The department shall develop a program to supplement the community work and training program for recipients of aid to families with dependent children established under RCW 74.04.473. The supplemental program shall provide for community work and training services to a minimum of four hundred recipients this biennium, under the same terms and conditions as set forth in RCW 74.04.473 and the regulations thereunder."

Representatives Addison and Braddock spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Peery moved adoption of the following amendments to the committee amendment:

On page 39, line 3 strike "\$771,000" and insert "\$921,000"

On page 39, line 7 strike "\$152,488,000" and insert "\$152,638,000"

Representatives Perry and L. Smith spoke in favor of the amendments to the committee amendment, and Representatives Braddock and West opposed them.

The amendments to the amendment were not adopted.

On motion of Mr. Braddock, the following amendments to the committee amendment were adopted:

On page 39, line 4 strike "\$70,571,000" and insert "\$70,511,000"

On page 39, line 6 strike "\$19,000" and insert "\$84,000" and strike "\$105,000" and insert "\$120,000"

On page 39, line 7 strike "\$152,488,000" and insert "\$152,408,000"

On page 40, beginning on line 25 strike all of subsections (6) and (7) and insert:

"(6) \$120,000 of which \$96,000 is from the general fund-state appropriation for fiscal year 1986 and \$120,000 from the general fund building code council account for fiscal year 1987 is provided solely to implement ESSB 3261. The general fund-state appropriation shall be paid back to the state general fund from the building code council account by June 30, 1989.

(7) \$60,000 from the general fund building code council account for fiscal year 1986 is provided solely to implement the provisions of SHB 1114. The funds generated from the surcharge on building permits established by SHB 1114 shall be deposited in the general fund-

state building code council account. If federal funds are available for the purposes of SHB 1114, the amount provided in this subsection shall be reduced by the amount of federal funds available."

Mr. Dobbs moved adoption of the following amendment by Representatives Dobbs, Vander Stoep and B. Williams to the committee amendment:

On page 41, after line 6 insert:

"\$77,000 is provided solely for the Main Street program."

Representatives Dobbs and B. Williams spoke in favor of the amendment to the amendment, and Mr. Grimm opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Dobbs and others to page 41 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yeas: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fisch, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L. Taylor, Thomas, Tilly, Unsoeld, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 46.

Voting nays: Representatives Appelwick, Armstrong, Basich, Baugher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lundquist, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 51.

Excused: Representative Smith C - 1.

Mr. McMullen moved adoption of the following amendment by Representatives McMullen, Patrick and R. King to the committee amendment:

On page 42, beginning on line 3 of the amendment, strike all material down to and including line 10 and insert the following:

"NEW SECTION, Sec. 221. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

	FY 1986	FY 1987
General Fund—Public Safety and Education		
Account Appropriation	\$ 67,000	67,000
Accident Fund Appropriation	\$ 1,899,000	1,854,000
Medical Aid Fund Appropriation	\$ 1,899,000	1,854,000
Total Appropriation	\$7,640,000	

The appropriations in this section are subject to the following conditions and limitations: \$153,000 for fiscal year 1986 and \$153,000 for fiscal year 1987 of the accident fund appropriation, and \$153,000 for fiscal year 1986 and \$153,000 for fiscal year 1987 of the medical aid fund appropriation, are provided solely for a mediation program and the publication and indexing of board decisions, as provided in Substitute Senate Bill No. 4190. If the bill is not enacted by July 1, 1985, this appropriation shall lapse."

Representatives McMullen and Patrick spoke in favor of the amendment to the committee amendment, and it was adopted.

Ms. Thomas moved adoption of the following amendments to the committee amendment:

On page 42, line 17 strike all the numbers after "\$" and insert "3,718,000 3,718,000"

On page 42, line 18 strike all the numbers after "\$" and insert "7,466,000"

On page 42, line 20 after "limitations:" insert "(1)"

On page 42, after line 26 insert a new paragraph to read as follows:

"(2) \$259,000 for fiscal year 1986 and \$259,000 for fiscal year 1987 of the public safety and education account appropriation are provided solely to the basic Correctional Officer's Academy class to extend the program from two weeks to four weeks."

Ms. Thomas spoke in favor of the amendments to the committee amendment, and Mr. Braddock opposed them.

The amendments were not adopted.

Mr. McMullen moved adoption of the following amendment to the committee amendment:

On page 42, line 18 after "\$6,948,000" strike all material through "programs." on page 42, line 26.

Mr. McMullen spoke in favor of the amendment to the amendment, and Representatives Appelwick and Armstrong opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative McMullen to page 42 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was adopted by the following vote: Yeas, 86; nays, 11; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, King P. King R. Kremen, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Appelwick, Armstrong, Crane, Hine, Jacobsen, King J, Leonard, Locke, Nelson D, Niemi, Sommers - 11.

Excused: Representative Smith C - 1.

Mr. S. Wilson moved adoption of the following amendments by Representatives S. Wilson and Haugen to the committee amendment:

On page 44, strike all numbers appearing on lines 13, 14 and 15 and insert:

On line 13 "518,000 508,000"

On line 14 "2,715,000" 2,715,000"

On line 15 "6,456,000"

On page 44 strike lines 16 through 20.

On page 44, strike all numbers appearing on lines 23, 24 and 25 and insert:

On line 23 "3,531,000 3,531,000"

On line 24 "1,042,000 1,042,000"

On line 25 "9,146,000"

On page 44 strike all of lines 28 through 32.

Re-number the remaining sections consecutively.

Mr. S. Wilson spoke in favor of the amendments to the committee amendment, and Mr. Grimm spoke against them.

The amendments to the committee amendment were not adopted.

On motion of Mr. Todd, the following amendments by Representatives Todd, Grimm, D. Nelson, Isaacson and Long to the committee amendment were adopted:

On page 46, after line 8 insert the following:

"General Fund Appropriation — State Building Code

Council Account \$345,000 345,000"

On page 46, line 9 strike "15,974,000" and insert "16,664,000"

On page 46, after line 9 insert the following:

"The general fund-state building code council account appropriation is provided solely for an in situ testing program by the University of Washington college of architecture and department of mechanical engineering, of annual thermal transmittance of individual construction components and conservation measures proposed for new residential construction by the Pacific Northwest Electric Power Planning and Conservation Council. This appropriation is limited to the amount of revenues in the state building code council account."

On motion of Mr. Grimm, the following amendments to the committee amendment were adopted:

On page 46, line 5 strike "696,000 655,000" and insert "818,000 777,000"

On page 46, line 9 strike "15,974,000" and insert "16,218,000"

On page 46, after line 9 insert the following:

"The appropriations in this section are subject to the following conditions and limitations: \$122,000 in each fiscal year is provided solely for the state building energy management program. The office of financial management shall revert savings in state agency budgets resulting from this program."

Mr. Sutherland moved adoption of the following amendment to the committee amendment:

On page 46, after line 9 insert the following:

"NEW SECTION. Sec. 302. FOR THE COLUMBIA RIVER GORGE COMMISSION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 52,000	52,000
General Fund Appropriation—Private/Local	\$ 41,000	41,000
Total Appropriation	\$186,000*	

Renumber the remaining sections consecutively.

Mr. Sutherland spoke in favor of the amendment to the amendment, and Mr. Braddock opposed it.

The amendment was not adopted.

Mr. Sanders moved adoption of the following amendments to the committee amendment:

On page 46, line 12 strike "20,363,000 20,368,000" and insert "17,132,000 17,132,000"

On page 48, line 3 strike "446,707,000" and insert "441,476,000"

On page 49, line 22 following "(6)" strike "15,896,000" and insert "13,896,000"

Mr. Sanders spoke in favor of the amendments to the committee amendment, and Ms. Rust opposed them.

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

Mr. Sanders spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Sanders to pages 46, 48 and 49 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 32; nays, 65; excused, 1.

Voting yea: Representatives Ballard, Barnes, Barrett, Betzozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Isaacson, Lewis, Lundquist, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schoon, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Williams B, Williams J - 32.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, West, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 65.

Excused: Representative Smith C - 1.

Mr. S. Wilson moved adoption of the following amendment to the committee amendment:

On page 48, following line 5 insert:

"(1) The department shall allocate and distribute litter control account funds in accordance with the provisions of RCW 70.93.194. Twenty percent of the moneys expended under the provisions of RCW 70.93.194(1) shall be expended on litter removal from county and city roads or facilities."

Renumber the remaining subsections consecutively.

Representatives S. Wilson and Van Luven spoke in favor of the amendment to the amendment, and Mr. Bristow opposed it.

The amendment to the amendment was not adopted.

On motion of Mr. Smitherman, the following amendment to the committee amendment was adopted:

On page 50, after line 3 after "(10)" strike all material through "3173" on line 5 and insert "For the purpose of implementing the requirements of a shellfish protection program, including a pilot program for the prevention of nonpoint source pollution of important shellfish resource areas, the Department of Ecology shall expend up to a maximum of \$300,000 for:

(1) The development of regulations designating priority shellfish protection resource areas;

(2) Contracts with local governments and conservation districts to develop plans, educational programs, and other activities to cleanup and protect shellfish resource areas; and

(3) Washington Conservation Corps activities and other programs to assist land owners in eliminating animal waste related pollution."

Ms. Silver moved adoption of the following amendments by Representatives Silver, Nealey and Prince to the committee amendment:

On page 52, line 13 strike "200,000" and insert "800,000"

On page 52, line 16 strike "200,000" and insert "800,000"

Representatives Silver and Nealey spoke in favor of the amendments to the committee amendment, and Mr. McMullen opposed them.

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

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Silver and others to page 52 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, Madsen, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 43.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Smith C - 1.

Mr. Schoon moved adoption of the following amendment to the committee amendment:

On page 52, after line 18 insert the following:

"(d) At least \$677,440 of the general fund-state appropriation shall be expended for the office of small business."

Representatives Schoon and B. Williams spoke in favor of the amendment to the amendment, and Mr. McMullen spoke against it.

Mr. Schoon spoke again in favor of the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Schoon to page 52 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 43.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Smith C - 1.

Ms. Miller moved adoption of the following amendment by Representatives Miller, R. King, Van Luven and Betzoff to the committee amendment:

On page 52, following line 18 insert:

"(d) At least \$2,500,000 of the funds appropriated herein shall be used solely for the purpose of hi-tech programs in the states' community college system."

Representatives Miller, R. King and Allen spoke in favor of the amendment to the amendment, and Mr. McMullen opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Miller and others to page 52 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was adopted by the following vote: Yeas, 60; nays, 37; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Bond, Brooks, Brough, Chandler, Cole, Crane, Dellwo, Dobbs, Doty, Fisch, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, King P, King R, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Nutley, Padden, Patrick, Peery, Prince, Rust, Sanders, Schmidt, Schoon, Scott, Silver, Smith L, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 60.

Voting nay: Representatives Appelwick, Armstrong, Baugher, Braddock, Brekke, Bristow, Day, Ebersole, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, O'Brien, Rayburn, Sayan, Smitherman, Sommers, Sutherland, Tanner, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 37.

Excused: Representative Smith C - 1.

Mr. Schoon moved adoption of the following amendment to the committee amendment:

On page 52, after line 18 insert the following:

"(d) \$200,000 of the general fund-state appropriation shall be spent for vocational training for unemployed displaced persons as defined in SHB 1207.

(e) \$338,000 of the general fund-state appropriation shall be spent for the high technology advisory board.

(f) \$700,000 of the general fund-state appropriation shall be spent for the high technology network completion."

Mr. Schoon spoke in favor of the amendment to the amendment, and Mr. McMullen opposed it.

The amendment was not adopted.

On motion of Mr. Sutherland, the following amendment to the committee amendment was adopted:

On page 52, line 29 after "limitations:" insert "(1)"

On page 52, line 31 after "corps" insert "; and

(2) \$404,000 of the general fund-state appropriation or so much thereof as may be necessary shall be expended on developing long-term regional salmon fishery resource policy statements, a detailed salmon enhancement plan with proposed enhancement projects, and identifying the full production capacity of the salmon hatcheries."

Mr. G. Nelson moved adoption of the following amendments to the committee amendment:

On page 56, line 5 strike the numbers following "\$" and insert "6,386,000 6,386,000"

On page 56, line 11 strike the numbers following "\$" and insert "14,000,000"

On page 56, following line 11 insert the following:

"The appropriations in this section are subject to the following conditions and limitations: Not less than \$195,000 of the funds appropriated herein shall be for the use of the organized crime intelligence unit."

Representatives G. Nelson and Taylor spoke in favor of the amendments to the amendment, and Mr. Braddock opposed them.

POINT OF PARLIAMENTARY INQUIRY

Mr. Vander Stoep: "Mr. Speaker, is House Rule 29 still in effect?"

The Speaker (Mr. O'Brien presiding): "Yes."

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative G. Nelson to page 56 of the committee amendment to Engrossed Substitute Senate Bill

No. 3656, and the amendments were not adopted by the following vote: Yeas, 43; nays, 54; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Valle, van Dyke, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 43.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 54.

Excused: Representative Smith C - 1.

Ms. Valle moved adoption of the following amendment by Representatives Valle, Leonard and Brekke to the committee amendment:

On page 56, after line 31 of the amendment, insert the following:

"(3) The department shall report to the legislature by January 1, 1986, on the implementation of Engrossed Substitute House Bill No. 470, if enacted. The general fund appropriation in this section includes funds for the purposes of preparing this report."

Representatives Valle and L. Smith spoke in favor of the amendment to the amendment, and Mr. Braddock spoke against it.

The amendment to the amendment was not adopted.

Mr. G. Nelson moved adoption of the following amendment to the committee amendment:

On page 57, starting on line 3 strike all material through "services." on page 57, line 6.

Representatives G. Nelson and Grimm spoke in favor of the amendment to the amendment, and it was adopted.

Ms. L. Smith moved adoption of the following amendments to the committee amendment:

On page 53, line 20 strike "13,001,000" and "12,277,000" and insert "13,501,000" and "12,777,000"

On page 54, line 1 strike "93,576,000" and insert "94,576,000"

On page 54, after line 9 insert:

"(3) \$1,000,000 is provided from the state general funds for the emergency forest fire suppression program."

Representatives L. Smith, Lundquist and Taylor spoke in favor of the amendments to the amendment, and Representatives Braddock and Lux opposed them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative L. Smith to pages 53 and 54 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Unsoeld, van Dyke, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Valle, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Smith C - 1.

Mr. Chandler moved adoption of the following amendments to the committee amendment:

On page 53, line 20 strike "13,001,000" and insert "13,209,000"

On page 54, line 1 strike "93,576,000" and insert "93,784,000"

On page 54, after line 9 insert a new subsection as follows:

"(3) \$208,000 of the general fund-state appropriation is provided solely for use on the Milwaukee Road right-of-way."

Representatives Chandler, Nealey, Padden and Tilly spoke in favor of the amendments to the amendment, and Mr. Braddock opposed them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Chandler to pages 53 and 54 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 38; nays, 59; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Taylor, Thomas, Tilly, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 38.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 59.

Excused: Representative Smith C - 1.

Mr. Lundquist moved adoption of the following amendments by Representatives Lundquist, Winsley, Fuhrman and Schoon to the committee amendment:

On page 53, line 20 strike all numbers after "\$" and insert "13,094,000 12,370,000"

On page 54, line 1 strike "93,576,000" and insert "93,762,000"

On page 54, after line 9 insert a new subsection as follows:

(3) \$93,000 of the general fund-state appropriation for the fiscal year 1986 and \$93,000 of the general fund-state appropriation for the fiscal year 1987 shall be used solely for the Fund-Shift-Honor Camps Program."

Mr. Lundquist spoke in favor of the amendments to the amendment, and Mr. Braddock opposed them.

Mr. Lundquist spoke again in favor of the amendments to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Lundquist and others to pages 53 and 54 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fisch, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Smith C - 1.

Mr. Lundquist moved adoption of the following amendments by Representatives Lundquist, Schoon and Winsley to the committee amendment:

On page 53, line 20 strike all the numbers after "\$" and insert "13,551,000 12,827,000"

On page 54, line 1 strike "93,576,000" and insert "94,676,000"

On page 54, after line 9 insert a new subsection to read as follows:

"(3) \$550,000 of the general fund-state appropriation for fiscal year 1986 and \$550,000 of the general fund-state appropriation for fiscal year 1987 shall be used solely for the Washington Conservation Corps."

Mr. Lundquist spoke in favor of the amendments to the committee amendment, and Mr. McMullen opposed them.

Mr. Lundquist spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Lundquist and others to pages 53 and 54 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Brooks, Brough, Chandler, Crane, Dobbs, Doty, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Unsoeld, van Dyke, Vander Sloep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Braddock, Brekke, Bristow, Cole, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Valle, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Smith C - 1.

Ms. Schmidt moved adoption of the following amendments by Representatives Schmidt and Zellinsky to the committee amendment:

On page 53, line 20 strike "13,001,000" and insert "13,124,000"

On page 54, line 1 strike "93,576,000" and insert "93,699,000"

On page 54, after line 9 insert a new subsection as follows:

"(3) \$123,000 of the general fund-state appropriation for fiscal year 1986 shall be used solely for defense of land ownership claims with Indian tribes."

Representatives Schmidt and Zellinsky spoke in favor of the amendments to the amendment, and Representatives Vekich and Braddock opposed them.

Ms. Schmidt spoke again in favor of the amendments.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Schmidt and Zellinsky to pages 53 and 54 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 42; nays, 55; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Taylor, Thomas, Tilly, van Dyke, Vander Sloep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 42.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 55.

Excused: Representative Smith C - 1.

On motion of Mr. Braddock, the following amendment to the committee amendment was adopted:

On page 59, after line 5 add a new subsection as follows:

"(9) \$10,000, or so much thereof as is necessary, of the general fund-state appropriation is provided solely for implementation of section 2 of HB 999, authorizing a data base report on educational clinics."

The Speaker resumed the Chair.

Ms. Brough moved adoption of the following amendments to the committee amendment:

On page 64, beginning on line 15 after "(b)" strike all matter through and including "unit." on line 17 and insert:

"No school district may expend more than an average monthly rate of \$167 per full time equivalent certificated employee and \$167 per classified unit for insurance benefits."

On page 64, line 20 after "unit." strike everything through and including "month." on line 23.

Ms. Brough spoke in favor of the amendments to the amendment, and Mr. Appelwick opposed them.

The amendments were not adopted.

Mr. Vander Stoep moved adoption of the following amendment by Representatives Vander Stoep, Doty, Holland, Winsley, Brooks, Hankins, Brough, Dobbs, Patrick, van Dyke, May, Allen, Barrett, Addison, Tilly, Walker, Thomas, Lundquist, L. Smith, B. Williams, Miller, Schmidt, Barnes, Hastings, Schoon, Silver and Ballard to the committee amendment:

On page 58, beginning on line 1, strike all material down to and including line 31 on page 70 and insert the following:

PART V
EDUCATION

NEW SECTION. Sec. 501. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE ADMINISTRATION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 9,696,000	9,697,000
General Fund Appropriation—Federal	\$ 3,706,000	3,706,000
General Fund—Public Safety and Education Account Appropriation	\$ 232,000	232,000
Total Appropriation	\$27,269,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—public safety and education account appropriation may be expended solely for administration of the traffic safety education program, including in-service training related to instruction in the risks of driving while under the influence of alcohol and other drugs.

(2) \$66,000 of the general fund—state appropriation is provided for compensation of members of the state board of education pursuant to RCW 43.03.240.

(3) \$58,000 of the general fund—state appropriation is provided solely for teacher exchange activities between the province of Sichuan, China, and the state of Washington. Such funds may be used to offset living expenses and travel costs for not more than three Chinese and three American exchange teachers per year.

(4) A maximum of \$350,000 of the general fund—state appropriation may be expended for the implementation of Second Substitute House Bill No. 141, achievement test/10th grade.

(5) \$1,700,000 of the general fund—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 174, teacher's assistance program.

(6) \$362,000 of the general fund—state appropriation is provided solely for implementation of House Bill No. 849, teacher evaluation.

(7) \$500,000 of the general fund—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1056, school based management.

(8) \$1,000,000 of the general fund—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1065, school inservice program.

(9) \$500,000 of the general fund—state appropriation is provided solely to implement Engrossed Substitute Senate Bill No. 3235, educational excellence.

(10) \$75,000, or so much thereof as is necessary, of the general fund—state appropriation is provided solely for implementation of Substitute House Bill No. 805, teachers/potential child abuse training.

NEW SECTION. Sec. 502. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation	\$	9,568,000
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The appropriation in this section is subject to the following conditions and limitations: The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

NEW SECTION. Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT (BASIC EDUCATION)

General Fund Appropriation	\$	3,477,986,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) As a condition to the allocation of funds to school districts appropriated pursuant to this section, the superintendent shall require school districts to ensure that, during the respective school year, the district has complied with all rules adopted by the superintendent of public instruction to implement RCW 28A.58.095. For any violation of such rules, the superintendent shall withhold an amount equal to the level of the violation when applied to the district's respective basic education allocation, unless or until such time as the school district comes into compliance with the rules.

(2) \$317,285,000 is provided solely for the remaining months of the 1984-85 school year.

(3) Allocations for certificated salaries for the 1985-86 and 1986-87 school years shall be calculated by multiplying each district's average basic education certificated salary allocation

defined in section 505 of this act by the district's formula-generated certificated staff units determined as follows:

(a) One certificated staff unit for each twenty average annual full time equivalent kindergarten, elementary, and secondary students, excluding handicapped full time equivalent enrollment as calculated according to the procedures in the allocation model established in section 508 of this act and excluding full time equivalent enrollment otherwise recognized for certificated staff unit allocations in subsection (3) (b) through (d) of this section: PROVIDED, That those school districts with a minimum enrollment of 250 full time equivalent students and whose full time equivalent student enrollment count in a given enrollment month exceeds the first of the month full time equivalent enrollment count by 5% shall be entitled to an additional state allocation of 110% of the pro rata share that such enrollment would have generated had such additional full time equivalent students been included in the normal enrollment count for that particular month.

(b) During the 1986-87 school year, one certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction, and for the 1986-87 school year one certificated staff unit for each average annual seventeen and one-half full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction: PROVIDED, That in skills centers, the ratio shall be one certificated staff unit for each average annual sixteen and sixty-seven one-hundredths full time equivalent students enrolled in an approved vocational education program.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, certificated staff units shall be determined as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollments above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated staff unit;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated unit.

(d) A district that operates no more than two high schools with enrollments of not more than three hundred average annual full time equivalent students shall be allocated certificated staff units for enrollment in each such high school as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(e) In addition to those staffing ratios specified by RCW 28A.41.140, school districts with an enrollment of at least 100 annual average full time equivalent students in grades kindergarten through twelfth grade shall receive during the 1986-87 school year a certificated unit allocation in addition to that provided in subsection (3)(a) of this section, at a rate of one certificated staff unit per 1,000 annual average full time equivalent students enrolled in grades kindergarten through twelfth grade. Certificated staff allocated by this subsection are provided as an enrichment to that program of basic education required by the Washington state Constitution and are not part of the program of basic education which the state must fund under Article IX of the state Constitution.

(4) Allocations for classified salaries for the 1985-86 and 1986-87 school years shall be calculated by multiplying each district's average basic education classified salary allocation as defined in section 504 of this act by the district's formula-generated classified staff units determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit.

(5) Fringe benefit allocations shall be calculated at a rate of 20.03 percent in the 1985-86 school year and 20.08 percent in the 1986-87 school year of certificated salary allocations provided pursuant to subsection (3) of this section, and a rate of 16.86 percent in the 1985-86 school year and 16.91 percent in the 1986-87 school year of classified salary allocations provided pursuant to subsection (4) of this section.

(6) Insurance benefit allocations for the 1985-86 and 1986-87 school years shall be calculated at a rate of \$167 per month for the number of certificated staff units determined in subsection (3) of this section and for the number of classified staff units determined in subsection (4) of this section multiplied by 1.152.

(7)(a) For nonemployee related costs with each certificated staff unit determined under subsection (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$5,614 per staff unit in the 1985-86 school year and a maximum of \$5,833 per staff unit in the 1986-87 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (3)(b) of this section, there shall be provided a maximum of \$10,698 per staff unit in the 1985-86 school year and a maximum of \$11,115 per staff unit in the 1986-87 school year.

(8) Allocations for costs of substitutes for classroom teachers shall be provided at a rate of \$268 per full time equivalent basic education classroom teacher during the 1985-86 and 1986-87 school years.

(9) The superintendent shall distribute a maximum of \$3,010,000 outside the basic education formula during fiscal years 1986 and 1987 as follows:

(a) For fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW, a maximum of \$320,000 may be expended in fiscal year 1986 and a maximum of \$342,000 in fiscal year 1987.

(b) For summer vocational programs at skills centers, not more than \$999,000 shall be expended in fiscal year 1986 and not more than \$1,077,000 in fiscal year 1987.

(c) For school district emergencies, a maximum of \$136,000 may be expended in fiscal year 1986 and a maximum of \$136,000 may be expended in fiscal year 1987.

NEW SECTION. Sec. 504. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—CERTIFICATED SALARY INCREASE

General Fund Appropriation \$ 42,796,000

The appropriation in this section is subject to the following conditions and limitations: The superintendent shall allocate the funds appropriated by this section to implement a five percent salary increase effective September 1, 1986, applied to the LEAP Document 7 certificated derived base salary of each district for the basic education program. The superintendent shall allocate salary increases for school district state funded certificated staff in programs other than basic education in the same manner as the basic education program. Not less than fifty percent of the funds allocated to a school district by this section shall be expended to increase salaries of teachers, particularly beginning teachers, paid less than \$18,000 per year and for salary increases for math and science teachers.

NEW SECTION. Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SCHOOL DISTRICT EMPLOYEE COMPENSATION

(1) For the purposes of sections 503 and this section, the following conditions and limitations apply:

(a) 'LEAP Document 7' means the computer tabulation of 1984-85 derived base salaries for basic education certified staff and 1984-85 average salaries for basic education classified staff, as developed by the legislative evaluation and accountability program committee on April 11, 1985, at 10:36 hours.

(b) Each district's average basic education certificated salary allocation shall be the district's certificated derived base salary shown on LEAP Document 7, multiplied by the districts prior year staff mix factor calculated using LEAP Document 1.

(c) Each district's average basic education classified salary allocation for both the 1985-86 and 1986-87 school years shall be the district's classified derived base salary multiplied by the district's prior year classified increment mix factor, as specified in this section. For the 1985-86 school year, the classified derived base salary for each district shall be the average classified salary specified for each district in LEAP Document 7 divided by the 1984-85 classified increment mix factor for each district calculated according to the formula used by the superintendent of public instruction in the 1984-85 school year. By December 1, 1985, the superintendent of public instruction shall provide to the legislative evaluation and accountability program committee the appropriate data with which to modify LEAP Document 7 to reflect the classified derived base salary for use in the 1986-87 school year.

(2) For the purposes of RCW 28A.58.095 and section 503(1) of this act, the following conditions and limitations apply:

(a) The maximum average percentage salary increase in school district programs other than the basic education program shall not exceed the percentage increase authorized for the district's basic education program.

(b) Insurance benefits are limited by this act to an average monthly rate of \$167 per full time equivalent certificated employee and to an average monthly rate of \$167 per classified unit. Classified units shall be calculated on the basis of 1,440 hours of work per year, with no individual employee counted for more than one unit. In accordance with RCW 28A.58.095, this subsection relates to insurance benefit increases granted in either the 1985-86 or 1986-87 school year which would raise the rate per full time equivalent unit to over \$167 per month.

(c) Increments granted by school districts to certificated staff shall constitute salary increase in the year in which the increments are given by a district to the extent only that the aggregate of increments granted by a district exceeds the aggregate of increments pursuant to LEAP Document 1.

(d) Seniority increments granted by a school district pursuant to the district's salary schedule for classified employees shall constitute salary increase in the year in which the increments are given to the extent only that the aggregate of the increments granted by the district exceeds the amount of the district's increments calculated using the formula adopted by the superintendent of public instruction for the classified increment mix factor.

NEW SECTION, Sec. 506. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR CERTIFICATED DERIVED BASE SALARY EQUALIZATION

General Fund Appropriation—State \$ 19,400,000

The appropriation in this section is subject to the following conditions and limitations:

(1) School districts with a certificated derived base salary of less than \$16,673 as shown on LEAP Document 7 for the 1984-85 school year shall be authorized during the 1985-86 school year to increase their certificated derived base salary to \$16,673.

(2) The superintendent of public instruction shall modify LEAP Document 7 to reflect increases granted by school districts as authorized by subsection (1) of this section for school years 1985-86 and 1986-87.

NEW SECTION, Sec. 507. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—PART-TIME CLASSIFIED EMPLOYEE INSURANCE BENEFITS

General Fund Appropriation \$ 4,381,000

The appropriation in this section is subject to the following conditions and limitations: A maximum of \$4,381,000 may be allocated during the months of July and August 1985 for insurance benefits for part-time classified employees as specified in section 503(8) of Engrossed Substitute House Bill No. 386 for such benefits for the time period from September 1, 1984, through June 30, 1985.

NEW SECTION, Sec. 508. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED EDUCATION PROGRAMS

General Fund Appropriation—State \$ 355,371,000

General Fund Appropriation—Federal \$ 30,153,000

Total Appropriation \$ 385,524,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$32,235,000 of the general fund—state appropriation is provided solely for the remaining months of the 1984-85 school year.

(2) The superintendent of public instruction shall distribute state funds for the 1985-86 and 1986-87 school years in accordance with a district's actual handicapped enrollments and the allocation model established in LEAP Document 8 as developed by the legislative evaluation and accountability program committee on April 18, 1985, at 9:21 hours.

(3) A maximum of \$250,840 may be expended from the general fund—state appropriation to fund three teachers and one aide at Children's Orthopedic Hospital and Medical Center. This amount is in lieu of money provided through home and hospital allocation and the handicapped program.

NEW SECTION, Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State \$ 20,982,000

General Fund Appropriation—Federal \$ 6,663,000

Total Appropriation \$ 27,645,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$10,449,000 of the general fund—state appropriation may be expended for the 1985-86 school year, distributed as follows:

(a) A maximum of \$4,745,000 is provided for programs in state institutions for the handicapped or emotionally disturbed distributed at a maximum average rate of \$9,927 per full time equivalent student.

(b) A maximum of \$3,203,000 is provided for programs in state institutions for delinquent youth distributed at a maximum average rate of \$5,550 per full time equivalent student.

(c) A maximum of \$275,844 is provided for programs in state group homes for delinquent youth distributed at a maximum average rate of \$3,448 per full time equivalent student.

(d) A maximum of \$532,000 is provided for juvenile parole learning center programs distributed at a maximum average rate of \$1,326 per full time equivalent student, excluding funds provided through the basic education formula established in section 503 of this act.

(e) A maximum of \$1,695,000 is provided for programs in county detention centers distributed at a maximum average rate of \$3,851 per full time equivalent student.

(2) Allocations for the 1986-87 school year shall be based on a total school year allocation of \$10,089,000, to be distributed as follows:

(a) A maximum of \$4,465,000 is provided for programs in state institutions for the handicapped or emotionally disturbed distributed at a maximum average rate of \$9,967 per full time equivalent student.

(b) A maximum of \$3,116,000 is provided for programs in state institutions for delinquent youth distributed at a maximum average rate of \$5,555 per full time equivalent student.

(c) A maximum of \$276,000 is provided for programs in state group homes for delinquent youth distributed at a maximum average rate of \$3,456 per full time equivalent student.

(d) A maximum of \$533,000 is provided for juvenile parole learning center programs distributed at a maximum average rate of \$1,319 per full time equivalent student, excluding funds provided through the basic education formula established in section 503 of this act.

(e) A maximum of \$1,698,000 is provided for programs in county detention centers distributed at a maximum average rate of \$3,859 per full time equivalent student.

NEW SECTION. Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund Appropriation \$ 9,342,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$760,000 is provided solely for the remaining months of the 1984-85 school year.

(2) The superintendent shall distribute funds for the 1985-86 and 1986-87 school year at a maximum rate of \$410 per eligible student.

NEW SECTION. Sec. 511. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR REMEDIATION ASSISTANCE

General Fund Appropriation \$ 24,733,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$2,644,000 is provided solely for the remaining months of the 1984-85 school year.

(2) Funding for school district remediation programs serving grades two through nine shall be distributed during the 1985-86 and 1986-87 school year at a maximum rate of \$337 per unit as calculated pursuant to this subsection. The number of units for each school district shall be the sum of: (a) The number of students enrolled in grades two through six in the district multiplied by the percentage of students taking the fourth grade basic skills test in the previous year who scored in the lowest quartile as compared to national norms, and then reduced to the extent that the number of students ages seven through eleven in the district who are identified as specific learning disabled and served through programs established pursuant to chapter 28A.13 RCW exceeds four percent of the district full time equivalent enrollment in grades two through six; and (b) the number of students enrolled in grades seven through nine in the district multiplied by the percentage of students taking the eighth grade basic skills test in the previous year who scored in the lowest quartile as compared to national norms, and then reduced to the extent that the number of students ages twelve through fourteen in the district who are identified as specific learning disabled and served through programs established pursuant to chapter 28A.13 RCW exceeds four percent of the district full time equivalent enrollment in grades seven through nine.

NEW SECTION. Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund Appropriation \$ 4,918,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$408,000 is provided solely for distribution to school districts for the remaining months of the 1984-85 school year.

(2) A maximum of \$2,326,000 is provided for programs for highly capable students during the 1985-86 school year at a maximum rate of \$326 per student for up to one percent of each district's 1985-86 full time equivalent enrollment.

(3) A maximum of \$2,391,000 is provided for programs for highly capable students during the 1986-87 school year at a maximum rate of \$330 per student for up to one percent of each district's 1986-87 full time equivalent enrollment.

(4) A maximum of \$271,000 is provided to contract for an approved gifted program to be conducted at Fort Worden state park.

NEW SECTION. Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE ENUMERATED PURPOSES

General Fund Appropriation—Federal \$ 108,324,000

(1) Education Consolidation and Improvement Act \$ 105,360,000

(2) Education of Indian Children \$ 335,000

(3) Adult Basic Education \$ 2,629,000

NEW SECTION. Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES

General Fund Appropriation \$ 63,312,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Funding for 1984-85 summer vocational programs shall be distributed at a rate of \$2,648 per student for 1,022 full time equivalent students.

(2) Funding for vocational programs during the 1985-86 school year shall be distributed at a rate of \$2,779 per student for 10,233 regular and 1,022 summer school full time equivalent students.

(3) Funding for vocational programs during the 1986-87 school year shall be distributed at a rate of \$2,820 per student for 10,233 regular students and 1,022 summer school full time equivalent students.

(4) A maximum of \$779,000 may be expended for adult basic education programs.

NEW SECTION. Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation \$ 2,332,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Not more than \$1,166,000 of this appropriation shall be expended during fiscal year 1986.

(2) The appropriation in this section is intended to provide an average state support level of no more than \$750 per student for fiscal year 1986 and \$750 per student for fiscal year 1987.

NEW SECTION. Sec. 516. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund Appropriation \$ 208,894,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$92,238,000 may be distributed for pupil transportation operating costs in the 1985-86 school year.

(2) A maximum of \$755,000 may be expended for regional transportation coordinators.

(3) A maximum of \$56,000 may be expended for bus driver training.

NEW SECTION. Sec. 517. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund Appropriation—State \$ 6,000,000

General Fund Appropriation—Federal \$ 69,584,000

Total Appropriation \$ 75,584,000

NEW SECTION. Sec. 518. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRAFFIC SAFETY EDUCATION PROGRAMS

General Fund—Public Safety and Education Account Appropriation \$ 15,123,000

The appropriation in this section is subject to the following conditions and limitations: Not more than \$549,000 may be expended for regional traffic safety education coordinators.

NEW SECTION. Sec. 519. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL AND PILOT PROGRAMS

General Fund Appropriation \$ 4,126,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$2,017,000 is provided for operation by the educational service districts of regional computer demonstration centers and computer information centers.

(2) A maximum of \$831,000 is provided for teacher training in drug and alcohol abuse education and prevention in grades K through 12.

(3) A maximum of \$623,000 is provided for programs to encourage potential high school drop-outs to remain in school.

(4) A maximum of \$575,000 is provided for a contract with the Pacific Science Center for educational programs serving public schools.

(5) A maximum of \$80,000 is provided for a contract with the Cispus learning center for environmental education programs.

NEW SECTION. Sec. 520. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL DISTRICT SUPPORT

General Fund Appropriation \$ 255,000

The appropriation in this section is subject to the following conditions and limitations: These funds shall be expended for teacher in-service training in math, science, and computer technology.

NEW SECTION. Sec. 521. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR ENCUMBRANCES OF FEDERAL GRANTS

General Fund Appropriation—Federal \$ 24,085,000*

Mr. Vander Sloep spoke in favor of the amendment to the committee amendment, and Mr. Appelwick spoke against it.

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

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Vander Stoep and others to page 58 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 41; nays, 56; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Brooks, Brough, Chandler, Dobbs, Doty, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Padden, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 56.

Excused: Representative Smith C - 1.

On motion of Mr. Jacobsen, the following amendment was adopted:
On page 71, under section 601 strike subsection (2).

Mr. D. Nelson moved adoption of the following amendments by Representatives D. Nelson, Jacobsen and Prince to the committee amendment:

On page 73, line 21 strike section 602 and renumber the remaining sections consecutively.

On page 74, line 5 strike "\$235,423,000" and "235,513,000" and insert "\$236,395,000" and "236,485,000"

On page 74, line 6 strike "\$470,936,000" and insert "\$472,880,000"

On page 74, line 31 strike "\$218,331,000" and "218,521,000" and insert "\$219,577,000" and "219,767,000"

On page 75, line 1 strike "441,802,000" and insert "443,048,000"

On page 76, line 6 strike "\$123,373,000" and "123,374,000" and insert "\$123,918,000" and "123,919,000"

On page 76, line 7 strike "\$246,747,000" and insert "\$247,292,000"

On page 77, line 35 strike "\$34,199,000" and "34,199,000" and insert "\$34,579,000" and "34,579,000"

On page 77, line 36 strike "\$68,398,000" and insert "\$69,158,000"

On page 78, line 22 strike "\$30,638,000" and "30,639,000" and insert "\$30,805,000" and "30,806,000"

On page 78, line 23 strike "\$61,277,000" and insert "\$61,611,000"

On page 79, line 11 strike "\$16,322,000" and "16,332,000" and insert "\$16,409,000" and "16,419,000"

On page 79, line 12 strike "\$32,664,000" and insert "\$32,838,000"

On page 80, line 21 strike "\$37,707,000" and "38,008,000" and insert "\$37,933,000" and "38,234,000"

On page 80, line 22 strike "\$75,715,000" and insert "\$76,167,000"

Representatives D. Nelson, Prince and Allen spoke in favor of the amendments to the committee amendment, and Mr. Grimm opposed them.

Mr. D. Nelson spoke again in favor of the amendments.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative D. Nelson and others to pages 73, 74, 75, 76, 77, 78, 79 and 80 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 44; nays, 51; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barrett, Betzoff, Brough, Chandler, Cole, Crane, Doty, Fisch, Hankins, Hastings, Holland, Isaacson, Jacobsen, King R, Leonard, Lewis, Long, Lux, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Patrick, Prince, Sanders, Schoon, Silver, Smith L, Taylor, Thomas, Unsoeld, van Dyke, Vander Stoep, Walker, Williams B, Wilson S, Wineberry, Winsley - 44.

Voting nay: Representatives Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Brooks, Day, Dellwo, Dobbs, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, Kremen, Locke, Lundquist, Madsen,

Niemi, Nutley, O'Brien, Padden, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Valle, Van Luven, Vekich, Walk, Wang, Williams J, Wilson K, Zellinsky, and Mr. Speaker - 51.

Absent: Representatives Schmidt, West - 2.

Excused: Representative Smith C - 1.

STATEMENT FOR THE JOURNAL

On the amendments by Representative D. Nelson and others to ESSB 3656, I would like to change my vote from "Nay" to "Yea."

PETER T. BROOKS, 16th District.

The Clerk read the following amendment by Representatives Allen, Cole, Jacobsen, Long, Winsley, Miller, D. Nelson, Unsoeld and Ballard to the committee amendment:

On page 73, line 21 strike section 602 and renumber the remaining sections consecutively.

With the consent of the House Ms. Allen withdrew the amendment.

On motion of Mr. Grimm, the following amendments to the committee amendment were adopted:

On page 74, line 9 strike "129,622,000" and insert "129,731,000"

On page 74, line 10 strike "129,400,000" and insert "129,569,000"

On page 74, line 12 strike "1,566" and insert "1,568"

On page 75, line 4 strike "128,136,000" and insert "128,498,000"

On page 75, line 5 strike "127,755,000" and insert "128,311,000"

On page 75, line 7 strike "4,406" and insert "4,421"

On page 76, line 10 strike "54,383,000" and insert "54,530,000"

On page 76, line 11 strike "54,940,000" and insert "54,382,000"

On page 76, line 13 strike "3,504" and insert "3,475"

On page 78, line 3 strike "16,922,000" and insert "17,050,000"

On page 78, line 4 strike "16,890,000" and insert "16,975,000"

On page 78, line 6 strike "2,531" and insert "2,631"

On page 78, line 26 strike "15,846,000" and insert "15,910,000"

On page 78, line 27 strike "15,782,000" and insert "15,883,000"

On page 78, line 29 strike "2,699" and insert "2,717"

On page 79, line 15 strike "6,412,000" and insert "6,517,000"

On page 79, line 16 strike "6,316,000" and insert "6,497,000"

On page 79, line 18 strike "2,727" and insert "2,788"

On page 80, line 25 strike "22,195,000" and insert "22,272,000"

On page 80, line 26 strike "22,058,000" and insert "22,254,000"

On page 80, line 28 strike "2,744" and insert "2,761"

Mr. R. King moved adoption of the following amendments by Representatives R. King, Miller, Fisch and Allen to the committee amendment:

On page 74, line 5 strike "235,423,000" and "235,513,000" and insert "238,725,000" and "238,816,000"

On page 74, line 6 strike "470,936,000" and insert "477,541,000"

On page 74, line 9 strike "129,622,000" and insert "131,335,000"

On page 74, line 10 strike "129,400,000" and insert "131,107,000"

On page 74, line 12 strike "1,566" and insert "1,587"

Representatives R. King and Miller spoke in favor of the amendments, and Mr. Grimm opposed them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative R. King and others to page 74 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 48; nays, 48; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fisch, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, King R, Lewis, Long, Lundquist, Lux, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Walker, West, Williams B, Williams J, Wilson S, Winsley - 48.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, Kremen, Leonard, Locke, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld.

Valle, Vander Stoep, Vekich, Walk, Wang, Wilson K. Wineberry, Zellinsky, and Mr. Speaker - 48.

Absent: Representative King P - 1.

Excused: Representative Smith C - 1.

Ms. Doty moved adoption of the following amendments by Representatives Doty, Thomas, Walker, West and Dobbs to the committee amendment:

On page 74, line 5 strike "235,423,000" and "237,230,000" and insert "235,513,000" and "237,321,000"

On page 74, line 6 strike "470,936,000" and insert "474,551,000"

On page 74, line 9 strike "129,622,000" and insert "130,857,000"

On page 74, line 10 strike "129,400,000" and insert "130,636,000"

On page 74, line 12 strike "1,566" and insert "1,581"

Ms. Doty spoke in favor of the amendments to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Doty and others to page 74 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fisch, Hankins, Hastings, Holland, Isaacson, Jacobsen, King P, King R, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 48.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristol, Cole, Crane, Day, Dellwo, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 49.

Excused: Representative Smith C - 1.

POINT OF ORDER

Mr. Vander Stoep: "Mr. Speaker, unless I'm mistaken, Representative Paul King was checked in to vote and then suddenly disappeared off the board. I'm wondering if he was or was not present for the previous vote?"

SPEAKER'S RULING

The Speaker: "Apparently, when the Speaker looked out he was not within the bar of the House and so he didn't vote. He wouldn't want to do that."

Ms. Scott moved adoption of the following amendments by Representatives Scott, Cole and Basich to the committee amendment:

On page 79, line 5 strike "235,423,000" and "235,513,000" and insert "237,015,000" and "237,106,000"

On page 79, line 6 strike "470,936,000" and insert "474,121,000"

Representatives Scott and R. King spoke in favor of the amendments to the amendment, and they were adopted.

Ms. Silver moved adoption of the following amendments by Representatives Silver, Prince and Bond to the committee amendment:

On page 77, line 35 strike "34,199,000" and insert "35,412,000" and strike "34,199,000" and insert "35,412,000"

On page 77, line 36 strike "68,398,000" and insert "70,824,000"

On page 78, line 3 strike "16,992,000" and insert "18,996,000"

On page 78, line 4 strike "16,890,000" and insert "18,895,000"

On page 78, line 6 strike "2,531" and insert "2,830"

Representatives Silver and Taylor spoke in favor of the amendments to the amendment, and Mr. Braddock opposed them.

POINT OF INQUIRY

Mr. Braddock yielded to question by Mr. Jacobsen.

Mr. Jacobsen: "Representative Braddock, you said that this was part of a formula process. Could you explain to the body the formula process, where it is in the language of the budget and exactly how it is going to work?"

Mr. Braddock: "No, I could not explain that, but I do have a sheet of paper here with a number of columns of figures that will explain it and I will bring that right over to you."

Representatives Jacobsen and Prince spoke in favor of the amendments to the amendment, and Ms. Sommers opposed them.

Representatives Silver and Taylor spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Silver and others to pages 77 and 78 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betrozoff, Bond, Brooks, Brough, Chandler, Day, Dellwo, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Tilly, van Dyke, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 48.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Thomas, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 49.

Excused: Representative Smith C - 1.

Ms. Rayburn moved adoption of the following amendments by Representatives Rayburn, Baugher, Chandler and Lewis to the committee amendment:

On page 78, line 22 strike "30,638,000" and insert "30,794,000" and strike "30,639,000" and insert "30,795,000"

On page 78, line 23 strike "61,277,000" and insert "61,589,000"

Representatives Rayburn and Chandler spoke in favor of the amendments to the committee amendment, and Mr. Braddock opposed them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Rayburn and others to page 78 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Baugher, Betrozoff, Bond, Brooks, Chandler, Day, Dellwo, Dobbs, Doty, Hankins, Hastings, Holland, Isaacson, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Tilly, Unsoeld, van Dyke, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Thomas, Todd, Valle, Van Luven, Vekich, Walk, Wang, West, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Smith C - 1.

Mr. Kremen moved adoption of the following amendments by Representatives Kremen, Lundquist, McMullen and May to the committee amendment:

On page 80, line 21 strike "37,707,000" and "38,008,000" and insert "38,207,000" and "38,508,000"

On page 80, line 22 strike "75,715,000" and insert "76,715,000"

Representatives Kremen, May, Lundquist, Taylor and Miller spoke in favor of the amendments to the amendment, and Mr. Grimm opposed them.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Kremen and others to page 80 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 48; nays, 49; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Braddock, Brooks, Brough, Chandler, Dobbs, Doty, Fisch, Hankins, Hastings, Haugen, Holland, Isaacson, Jacobsen, Kremen, Leonard, Lewis, Long, Lundquist, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Taylor, Tilly, van Dyke, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 48.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hine, King J, King P, King R, Locke, Lux, Madsen, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Todd, Unsoeld, Vaile, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 49.

Excused: Representative Smith C - 1.

On motion of Ms. Sommers, the following amendment to the committee amendment was adopted:

On page 81, line 24 after "council." strike all language down to and including "council." on line 27.

Ms. Miller moved adoption of the following amendment by Representatives Miller and Lundquist to the committee amendment:

On page 82, after line 18 insert a new subsection to read as follows:

"(4) A maximum of \$2,980,390 is provided for the Fire Service Training program, of which \$1,288,801 is from the general fund-state appropriation, \$1,191,589 is from the general fund-federal appropriation, and \$500,000 is from the Fire Service Training Account appropriation."

Representatives Miller and Braddock spoke in favor of the amendment to the amendment, and it was adopted.

On motion of Ms. Belcher, the following amendments by Representatives Belcher, Hine, Niemi and Brough to the committee amendment were adopted:

On page 82, line 22 strike "1,119,000" and "1,002,000" and insert "776,000" and "757,000"

On page 82, line 23 strike "2,121,000" and insert "1,553,000"

On page 82, after line 25 strike everything through and including "1987." on page 83, line 24 and insert "40,000 is provided solely for the evaluation of job class specifications for the implementation of comparable worth. The higher education personnel board shall coordinate this activity with the department of personnel and shall submit joint interim reports to the legislature covering the progress made to date on the evaluations prior to January 1, 1986 and July 1, 1986. A joint final report shall be submitted to the legislature by January 1, 1987."

Mr. Vander Stoep moved adoption of the following amendment to the committee amendment:

On page 84, beginning on line 7 strike all language following "appropriations" through "industry" on line 11 and insert "contained herein shall not be allocated by the office of financial management but rather shall be held in reserve subject to appropriation."

Mr. Vander Stoep spoke in favor of the amendment to the amendment, and Mr. O'Brien opposed it.

The amendment was not adopted.

Mr. Braddock moved adoption of the following amendments to the committee amendment:

On page 85, line 10 strike "14,083,000" and "14,083,000" and insert "9,294,000" and "18,871,000"

On page 85, line 12 strike "7,507,000" and "7,507,000" and insert "4,955,000" and "10,059,000"

Mr. Braddock spoke in favor of the amendments to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Braddock to page 85 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendments were adopted by the following vote: Yeas, 70; nays, 27; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Ballard, Barnes, Barrett, Betzozoff, Bond, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hastings, Isaacson, Lewis, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Thomas, van Dyke, Van Luven, West, Williams B, Williams J, Wilson S - 27.

Excused: Representative Smith C - 1.

Ms. Belcher moved adoption of the following amendments by Representatives Belcher, Hine, Sayan and Brough to the committee amendment:

On page 85, line 16 after "(1)" insert "\$42,679,000 of"

On page 86, after line 12 insert:

"(7) \$350,000 of the general fund-state shall be used solely by the office of the governor to hire an independent consultant with expertise in developing and evaluating public employee job classification systems and implementing comparable worth. The selection of the independent consultant shall be made after consulting with the state government committee of the house of representatives and the governmental operations committee of the senate. The consultant shall:

(a) Review the Willis methodology for any potential gender bias and make any necessary adjustments;

(b) Update job class specifications for all job classes with incumbents that have not been reviewed for the past five years and eliminate any potential gender bias; and

(c) Develop a new benchmark and indexing structure which reflects the evaluated worth of the job classes and eliminates any potential gender bias.

(8) The department of personnel and higher education personnel board shall provide any assistance needed by the consultant to perform the activities in subsection (7). Both the state personnel board and higher education personnel board must submit joint reports to the legislature on the progress to date in implementing the consultant's recommendations no later than January 1, 1986 and July 1, 1986. On January 1, 1987 both boards shall submit a final report to the legislature.

(9) \$150,000 of the general fund-state appropriation shall be used solely for the office of the governor to allocate to agencies who provide technical assistance to the consultant hired under subsection (7)."

Representatives Belcher and Sayan spoke in favor of the amendments to the committee amendment, and Mr. Padden opposed them.

The amendments were adopted.

On motion of Mr. Braddock, the following amendment to the committee amendment was adopted:

On page 85, line 19 after "to" strike "\$938.72" and insert "\$983.72"

On motion of Ms. Belcher, the following amendment by Representatives Belcher, Hine and Brough to the committee amendment was adopted:

On page 86, line 7 after "1986," insert "The salary increases for employees in ranges 1 through 5 shall not be implemented until their job classifications have been updated under subsection (7) of this section and their jobs have been reevaluated for comparable worth by the department of personnel or higher education personnel board."

On motion of Ms. Belcher, the following amendment by Representatives Belcher and Unsoeld to the committee amendment was adopted:

On page 86, line 30 strike "1984" and insert "1985"

Mr. Tilly moved adoption of the following amendment to the committee amendment:

On page 88, after line 35 of the amendment insert the following:

"NEW SECTION, Sec. 706. FOR THE OFFICE OF FINANCIAL MANAGEMENT
 General Fund—State Appropriation \$ 6,100,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for repayment of the amounts transferred from funds and accounts under sections 505 through 509, chapter ... (SHB 314), Laws of 1985. The office of financial management shall make full repayment under this section before October 1, 1985."

Re-number the sections consecutively.

Representatives Tilly and B. Williams spoke in favor of the amendment to the committee amendment, and Mr. Braddock opposed it.

Mr. Tilly spoke again in favor of the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 88 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Smith C - 1.

Mr. van Dyke moved adoption of the following amendment by Representatives van Dyke, Dobbs, Hastings, Lundquist, Schoon, May and Bond to the committee amendment:

On page 101, after line 14 of the amendment insert the following:

***NEW SECTION, Sec. 719.** (1) General fund--state appropriations and supplemental appropriations shall not exceed ninety-eight percent of the sum of estimated general fund--state revenues for the biennium and the unencumbered balance for the previous biennium, unless each act making an appropriation in excess of that limit is approved by a favorable vote of sixty percent of the members elected to each house of the legislature. Appropriations from the emergency account under subsection (2) of this section are exempt from this subsection.

(2) After the close of each biennium, the state treasurer shall transfer the general fund--state ending balance for that biennium, other than amounts reappropriated for the next biennium, into the fiscal emergency account hereby created in the state treasury, except that the state treasurer shall not make transfers under this subsection if the balance in the emergency account is more than eight percent of estimated general fund--state revenues for the biennium in which the transfer would be made. Moneys in the fiscal emergency account may be spent only by appropriation approved by a favorable vote of sixty percent of the legislature for one or more of the following purposes:

(a) To decrease the unfunded liability of a state retirement system;

(b) To reduce taxes;

(c) For capital outlays or construction; or

(d) In the event of an emergency, to protect the health, safety, or welfare of the people of the state.

(3) As used in this section:

(a) 'Estimated general fund--state revenues' means an amount expressly designated in a law as the estimate of general fund--state revenues for the biennium.

(b) 'General fund--state ending balance' means the estimated balance of general fund--state revenues remaining at the end of a fiscal biennium, as certified by the office of financial management or successor agency within sixty days after the close of the biennium.

(c) 'Unencumbered balance' means an amount expressly designated in a law as the unencumbered balance for a biennium, except that moneys in the fiscal emergency account shall never be considered part of an unencumbered balance."

Remember the sections consecutively.

Representatives van Dyke and Padden spoke in favor of the amendment to the amendment, and Mr. Braddock spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative van Dyke and others to page 101 of the committee amendment to Engrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 44; nays, 53; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt,

Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Excused: Representative Smith C - 1.

The Speaker stated the question before the House to be adoption of the committee amendment as amended.

Mr. B. Williams spoke against the committee amendment as amended, and Mr. Braddock spoke in favor of it.

The committee amendment as amended was adopted.

On motion of Mr. Braddock, the committee amendment to the title of the bill was adopted.

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

Representative Grimm spoke in favor of passage of the bill, and Representatives Tilly, Walker and May opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3656 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 46; nays, 51; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Braddock, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisher, Gallagher, Hargrove, Haugen, Hine, King J, King P, Kremen, Leonard, Locke, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Valle, Vekich, Walk, Wang, West, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 46.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Brekke, Brooks, Brough, Chandler, Dobbs, Doly, Fisch, Fuhrman, Grimm, Hankins, Hastings, Holland, Isaacson, Jacobsen, King R, Lewis, Long, Lundquist, Lux, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Unsoeld, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S - 51.

Excused: Representative Smith C - 1.

Engrossed Substitute Senate Bill No. 3656 as amended by the House, having failed to receive the constitutional majority, was declared lost.

Mr. J. King 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 Bond, Isaacson and C. Smith.

On motion of Mr. Appelwick, the absent members were excused and the House proceeded with business under the Call of the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION FOR RECONSIDERATION

Mr. R. King, having voted on the prevailing side, moved that the rules be suspended to allow the House to immediately reconsider the vote by which Engrossed Substitute Senate Bill No. 3656 as amended by the House failed to pass the House.

The motion to suspend the rules was carried.

Mr. R. King, having voted on the prevailing side, moved that the House immediately reconsider the vote by which Engrossed Substitute Senate Bill No. 3656 as amended by the House failed to pass the House.

The motion was carried.

ROLL CALL

The Clerk called the roll on the reconsideration of final passage of Engrossed Substitute Senate Bill No. 3656 as amended by the House, and the bill passed the House by the following vote: Yeas, 51; nays, 44; excused, 3.

Voting yea: Representatives Addison, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Allen, Ballard, Barnes, Barrett, Betrozoff, Brække, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 44.

Excused: Representatives Bond, Isaacson, Smith C - 3.

Engrossed Substitute Senate Bill No. 3656 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. J. King, Engrossed Substitute Senate Bill No. 3656 as amended by the House was ordered immediately transmitted to the Senate.

On motion of Mr. Appelwick, the House dispensed with further business under the Call of the House.

MOTION

On motion of Mr. J. King, the House adjourned until 1:30 p.m., Tuesday, April 23, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

ONE HUNDREDTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, April 23, 1985.

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 Representative C. Smith, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Andrea Norquist and Lawrence Suter. Prayer was offered by Rabbi Solomon Maimon, Sephardic Bikur Holim Congregation of Seattle.

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

MESSAGE FROM THE GOVERNOR

To the Honorable,
The House of Representatives
State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on April 22, 1985, Governor Gardner approved the following House Bills, entitled:

HOUSE BILL NO. 27: Relating to code cities;

HOUSE BILL NO. 34: Relating to water heaters in multiple-unit residences;

SUBSTITUTE HOUSE BILL NO. 50: Relating to supplemental security income applicants' attorneys' fees;

SUBSTITUTE HOUSE BILL NO. 53: Relating to the center for voluntary action;

SUBSTITUTE HOUSE BILL NO. 163: Relating to drivers' licensure;

HOUSE BILL NO. 175: Relating to career executive program;

HOUSE BILL NO. 183: Relating to excise taxes;

SUBSTITUTE HOUSE BILL NO. 189: Relating to property tax levies by fire protection districts;

SUBSTITUTE HOUSE BILL NO. 220: Relating to employee incentives;

SUBSTITUTE HOUSE BILL NO. 253: Relating to annexation by code cities;

SUBSTITUTE HOUSE BILL NO. 321: Relating to county road funds;

SUBSTITUTE HOUSE BILL NO. 389: Relating to the business enterprise program;

HOUSE BILL NO. 399: Relating to motor vehicle business licenses;

SUBSTITUTE HOUSE BILL NO. 403: Relating to water and sewer districts;

HOUSE BILL NO. 434: Relating to licensing of dental faculty;

SUBSTITUTE HOUSE BILL NO. 444: Relating to the law enforcement officers' and fire fighters' retirement system;

SUBSTITUTE HOUSE BILL NO. 460: Relating to telephone solicitation;

SUBSTITUTE HOUSE BILL NO. 481: Relating to the department of licensing;

SUBSTITUTE HOUSE BILL NO. 482: Relating to health care assistants;

SUBSTITUTE HOUSE BILL NO. 596: Relating to aircraft noise abatement;

SUBSTITUTE HOUSE BILL NO. 602: Relating to surveys in divisions of land;

HOUSE BILL NO. 657: Relating to the law enforcement officers' and fire fighters' retirement system;

HOUSE BILL NO. 670: Relating to commercial salmon fishing licenses;

SUBSTITUTE HOUSE BILL NO. 731: Relating to horse breeding and marketing;

SUBSTITUTE HOUSE BILL NO. 746: Relating to child support.

Sincerely,
Terry Sebring, Counsel.

MESSAGES FROM THE SENATE

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3099, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The President has appointed Senator Johnson to replace Senator Kiskaddon as a conferee on SUBSTITUTE SENATE BILL NO. 3207.

Bill Gleason, Assistant Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3305, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3225, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3262, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3267, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3307, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 4129, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3069, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3085, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3116, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3125, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3179, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3249, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3283, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3314, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3325, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3386, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3442, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3776, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3854, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3882, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3951, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 4185, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 4189,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

APPOINTMENT OF CONFEREES

The Speaker announced the following Conference Committee appointments:

ENGROSSED HOUSE BILL NO. 327: Representatives Walk, Baugher, Prince;

ENGROSSED SUBSTITUTE HOUSE BILL NO. 461: Representatives McMullen, J.

King, Silver;

HOUSE BILL NO. 593: Representatives Armstrong, West, Hargrove;

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 627: Representatives

McMullen, Tanner, Thomas;

SUBSTITUTE HOUSE BILL NO. 805: Representatives Scott, Ebersole, Walker;

HOUSE BILL NO. 832: Representatives McMullen, Kremen, Schoon;

HOUSE BILL NO. 848: Representatives Locke, G. Nelson, K. Wilson;

ENGROSSED HOUSE BILL NO. 1001: Representatives Appelwick, Sommers.

Hastings;

ENGROSSED SUBSTITUTE SENATE BILL NO. 3012: Representatives Crane, Scott,

Van Luvan;

SUBSTITUTE SENATE BILL NO. 3029: Representatives Walk, Lux, Winsley;

SUBSTITUTE SENATE BILL NO. 3254: Representatives Crane, Scott, Patrick;

ENGROSSED SUBSTITUTE SENATE BILL NO. 3516: Representatives Walk, Peery,

L. Smith;

SUBSTITUTE SENATE BILL NO. 4424: Representatives Vekich, Baugher, Doty.

MESSAGE FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate has refused to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 103, and asks the House for a conference thereon. The President has appointed the following conferees: Senators Thompson, Guess, Granlund, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Haugen, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Joint Resolution No. 103.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Brough, Haugen and Baugher as conferees on Engrossed Substitute Senate Joint Resolution No. 103.

MESSAGE FROM THE SENATE

April 17, 1985

Mr. Speaker:

The Senate has refused to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 3184, and asks the House for a conference thereon. The President has appointed the following conferees: Senators Thompson, Zimmerman, Rinehart, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Belcher, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 3184.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Belcher, Peery and Hankins as conferees on Substitute Senate Bill No. 3184.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate has refused to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 3310, and asks the House for a conference thereon. The President has appointed the following conferees: Senators Talmadge, McCaslin, Thompson, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Fisher, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 3310.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Fisher, Leonard and Miller as conferees on Substitute Senate Bill No. 3310.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate has refused to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3367, and asks the House for a conference thereon. The President has appointed the following conferees: Senators Talmadge, Pullen, Halsan, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Fisher, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 3367.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Fisher, Fisch and Barnes as conferees on Engrossed Substitute Senate Bill No. 3367.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate has refused to concur in the House amendments to SENATE BILL NO. 3812, and asks the House for a conference thereon. The President has appointed the following conferees: Senators Kreidler, Bluechel and Talmadge, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Rust, the House granted the request of the Senate for a conference on Senate Bill No. 3812.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Hine, Rust and G. Nelson as conferees on Senate Bill No. 3812.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate has refused to concur in the House amendment to SENATE BILL NO. 4142, and asks the House for a conference thereon. The President has appointed the following conferees: Senators Gaspard, Barr and Bender, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Ebersole, the House granted the request of the Senate for a conference on Senate Bill No. 4142.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Ebersole, Wang and Holland as conferees on Senate Bill No. 4142.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate has refused to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 4241, and asks the House for a conference thereon. The President has appointed the following conferees: Senators Wojahn, Sellar, McDermott, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Niemi, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 4241.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Niemi, Braddock and B. Williams as conferees on Substitute Senate Bill No. 4241.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MESSAGE FROM THE SENATE

April 22, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 124,
HOUSE BILL NO. 168,
SUBSTITUTE HOUSE BILL NO. 204,
SUBSTITUTE HOUSE BILL NO. 493,
HOUSE BILL NO. 610,
HOUSE BILL NO. 787,
HOUSE JOINT RESOLUTION NO. 42,
SUBSTITUTE SENATE BILL NO. 3027,
SENATE BILL NO. 3236,
SENATE BILL NO. 3427,
SENATE BILL NO. 3612,
SENATE BILL NO. 3625,
SENATE BILL NO. 4115.

SENATE BILL NO. 4288,
 SENATE JOINT MEMORIAL NO. 102,
 SENATE JOINT MEMORIAL NO. 119,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3027,
 SENATE BILL NO. 3236,
 SENATE BILL NO. 3427,
 SENATE BILL NO. 3612,
 SENATE BILL NO. 3625,
 SENATE BILL NO. 4115,
 SENATE BILL NO. 4288,
 SENATE JOINT MEMORIAL NO. 102,
 SENATE JOINT MEMORIAL NO. 119.

MESSAGES FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 190, and the President has appointed as Senate Conferees: Senators Moore, Cantu, Bender.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED HOUSE BILL NO. 327, and the President has appointed as Senate Conferees: Senators Peterson, Bluechel, Vognild.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 461, and the President has appointed as Senate Conferees: Senators Bottiger, Vognild, Lee.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 627, and the President has appointed as Senate Conferees: Senators Warnke, Pullen, Vognild.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 804, and the President has appointed as Senate Conferees: Senators Kreidler, McDonald, Vognild.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 805, and the President has appointed as Senate Conferees: Senators Gaspard, Craswell, Bender.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on HOUSE BILL NO. 832, and the President has appointed as Senate Conferees: Senators Williams, Cantu, Wojahn.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED HOUSE BILL NO. 1001, and the President has appointed as Senate Conferees: Senators McDermott, Craswell, Rasmussen.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 3012, and the President has appointed as Senate Conferees: Senators Talmadge, Pullen, Halsan, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 3254, and the President has appointed as Senate Conferees: Senators Talmadge, Metcalf, Halsan, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has appointed the following members as conferees on SUBSTITUTE SENATE BILL NO. 3384: Senators Owen, Metcalf, Stratton, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 3516, and the President has appointed as Senate Conferees: Senators Gaspard, Craswell, Bauer, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 4424, and the President has appointed as Senate Conferees: Senators Hansen, Benitz, Goltz, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4196, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Warnke, Newhouse, Wojahn, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wang, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 4196.

APPOINTMENT OF CONFEREES

The Speaker appointed as conferees on Engrossed Substitute Senate Bill No. 4196: Representatives Wang, R. King and Patrick.

MESSAGES FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on SENATE BILL NO. 3167, and the President has appointed as Senate Conferees: Senators Talmadge, Newhouse, Halsan, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 20, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 3207, and the President has appointed as Senate Conferees: Senators Granlund, Kiskaddon, Bottiger, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SSB 4189 by Committee on Commerce & Labor (originally sponsored by Senators Newhouse, Deccio, Warnke, Vognild and Cantu; by Joint Select Committee on Workers' Compensation request)

Revising provisions relating to appellate jurisdiction in industrial insurance tax assessment actions.

Referred to Committee on Commerce & Labor.

SENATE AMENDMENTS TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 91 with the following amendments:

On page 2, line 14 after "That" strike all material down through "act" on line 17 and insert "if a public benefit rating system is adopted under section 3 of this 1985 act, the county legislative authority shall rate property applying for classification under RCW 84.34.020(1)(b) according to the public benefit rating system"

On page 2, line 20 after "shall" strike "be removed without penalty" and insert "not be removed from classification but may be rated according to the public benefit rating system"

On page 3, line 29 after "hearing" insert ": PROVIDED, That any county which has complied with the procedural requisites of this act, prior to the effective date of this act, need not repeat those procedures in order to adopt an open space plan pursuant to this act"

On page 4, line 7 after "adopted," insert "owners of"

On page 4, line 8 strike "with no current use then classified under this chapter that continue to qualify" and insert "then classified under this chapter"

On page 4, line 11 after "request" insert "of owner" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Zellinsky, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 91.

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. 91 as amended by the Senate.

Representatives Sutherland and Lundquist 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. 91 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 91 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

April 19, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 101 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 139, Laws of 1981 as amended by section 1, chapter 207, Laws of 1984 and RCW 9.46.020 are each amended to read as follows:

(1) 'Amusement game' means a game played for entertainment in which:

(a) The contestant actively participates;

(b) The outcome depends in a material degree upon the skill of the contestant;

(c) Only merchandise prizes are awarded;

(d) The outcome is not in the control of the operator;

(e) The wagers are placed, the winners are determined, and a distribution of prizes or property is made in the presence of all persons placing wagers at such game; and

(f) Said game is conducted or operated by any agricultural fair, person, association, or organization in such manner and at such locations as may be authorized by rules and regulations adopted by the commission pursuant to this chapter as now or hereafter amended.

Cake walks as commonly known and fish ponds as commonly known shall be treated as amusement games for all purposes under this chapter.

The legislature hereby authorizes the wagering on the outcome of the roll of dice or the flipping of or matching of coins on the premises of an establishment engaged in the business of selling food or beverages for consumption on the premises to determine which of the participants will pay for certain items of food or beverages served or sold by such establishment and therein consumed. Such establishments are hereby authorized to possess dice and dice cups on their premises, but only for use in such limited wagering. Persons engaged in such limited form of wagering shall not be subject to the criminal or civil penalties otherwise provided for in this chapter: PROVIDED, That minors shall be barred from engaging in the wagering activities allowed by this chapter.

(2) 'Bingo' means a game conducted only in the county within which the organization is principally located in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and in which no cards are sold except at the time and place of said game, when said game is conducted by a bona fide charitable or nonprofit organization which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and which does not conduct bingo in any location which is used for conducting bingo on more than three occasions per week, or if an agricultural fair authorized under chapters 15.76 and 36.37 RCW, which does not conduct bingo on more than twelve consecutive days in any calendar year, and except in the case of any agricultural fair as authorized under chapters 15.76 and 36.37 RCW, no person other than a bona fide member or an employee of said organization takes any part in the management or operation of said game, and no person who takes any part in the management or operation of said game takes any part in the management or operation of any game conducted by any other organization or any other branch of the same organization, unless approved by the commission, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game. For the purposes of this subsection the organization shall be deemed to be principally located in the county within which it has its primary business office. If the organization has no business office, the organization shall be deemed to be located in the county of principal residence of its chief executive officer: PROVIDED, That any organization which is conducting any licensed and established bingo game in any locale as of January 1, 1981 shall be exempt from the requirement that such game be conducted in the county in which the organization is principally located.

(3) 'Bona fide charitable or nonprofit organization' means: (a) any organization duly existing under the provisions of chapters 24.12, 24.20, or 24.28 RCW, any agricultural fair authorized under the provisions of chapters 15.76 or 36.37 RCW, or any nonprofit corporation duly existing under the provisions of chapter 24.03 RCW for charitable, benevolent, eleemosynary, educational, civic, patriotic, political, social, fraternal, athletic or agricultural purposes only, or any nonprofit organization, whether incorporated or otherwise, when found by the commission to be organized and operating for one or more of the aforesaid purposes only, all of which in the opinion of the commission have been organized and are operated primarily for purposes other than the operation of gambling activities authorized under this chapter; or (b) any corporation which has been incorporated under Title 36 U.S.C. and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same. Such an organization must have been organized and continuously operating for at least twelve calendar months immediately preceding making application for any license to operate a gambling activity, or the operation of any gambling activity authorized by this chapter for which no license is required. It must have not less than fifteen bona fide active members each with the right to an equal vote in the election of the officers, or board members, if any, who determine the policies of the organization in order to receive a gambling license. An organization must demonstrate to the commission that it has made significant progress toward the accomplishment of the purposes of the organization during the twelve consecutive month period preceding the date of application for a license or license renewal. 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.

Any person, association or organization which pays its employees, including members, compensation other than is reasonable therefor under the local prevailing wage scale shall be deemed paying compensation based in part or whole upon receipts relating to gambling activities authorized under this chapter and shall not be a bona fide charitable or nonprofit organization for the purposes of this chapter.

(4) 'Bookmaking' means accepting bets as a business, rather than in a casual or personal fashion, upon the outcome of future contingent events.

(5) 'Commercial stimulant'. An activity is operated as a commercial stimulant, for the purposes of this chapter, only when it is an incidental activity operated in connection with, and incidental to, an established business, with the primary purpose of increasing the volume of sales of food or drink for consumption on that business premises. The commission may by rule establish guidelines and criteria for applying this definition to its applicants and licensees for gambling activities authorized by this chapter as commercial stimulants.

(6) 'Commission' means the Washington state gambling commission created in RCW 9.46.040.

(7) 'Contest of chance' means any contest, game, gaming scheme, or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein.

(8) 'Fishing derby' means a fishing contest, with or without the payment or giving of an entry fee or other consideration by some or all of the contestants wherein prizes are awarded for the species, size, weight, or quality of fish caught in a bona fide fishing or recreational event.

(9) 'Gambling'. A person engages in gambling if he stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he or someone else will receive something of value in the event of a certain outcome. Gambling does not include fishing derbies as defined by this chapter, parimutuel betting as authorized by chapter 67.16 RCW, bona fide business transactions valid under the law of contracts, including, but not limited to, contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including, but not limited to, contracts of indemnity or guarantee and life, health or accident insurance. In addition, a contest of chance which is specifically excluded from the definition of lottery under subsection (14) of this section shall not constitute gambling.

(10) 'Gambling device' means: (a) Any device or mechanism the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as the result of the operation of an element of chance; (b) any device or mechanism which, when operated for a consideration, does not return the same value or thing of value for the same consideration upon each operation thereof; (c) any device, mechanism, furniture, fixture, construction or installation designed primarily for use in connection with professional gambling; and (d) any subassembly or essential part designed or intended for use in connection with any such device, mechanism, furniture, fixture, construction or installation. But in the

application of this definition, a pinball machine or similar mechanical amusement device which confers only an immediate and unrecorded right of replay on players thereof, which does not contain any mechanism which varies the chance of winning free games or the number of free games which may be won or a mechanism or a chule for dispensing coins or a facsimile thereof, and which prohibits multiple winnings depending upon the number of coins inserted and requires the playing of five balls individually upon the insertion of a nickel or dime, as the case may be, to complete any one operation thereof, shall not be deemed a gambling device: PROVIDED FURTHER, That owning, possessing, buying, selling, renting, leasing, financing, holding a security interest in, storing, repairing and transporting such pinball machines or similar mechanical amusement devices shall not be deemed engaging in professional gambling for the purposes of this chapter and shall not be a violation of this chapter: PROVIDED FURTHER, That any fee for the purchase or rental of any such pinball machines or similar amusement devices shall have no relation to the use to which such machines are put but be based only upon the market value of any such machine, regardless of the location of or type of premises where used, and any fee for the storing, repairing and transporting thereof shall have no relation to the use to which such machines are put, but be commensurate with the cost of labor and other expenses incurred in any such storing, repairing and transporting.

(1) 'Gambling information' means any wager made in the course of and any information intended to be used for professional gambling. In the application of this definition information as to wagers, betting odds and changes in betting odds shall be presumed to be intended for use in professional gambling: PROVIDED, HOWEVER, That this subsection shall not apply to newspapers of general circulation or commercial radio and television stations licensed by the federal communications commission.

(2) 'Gambling premises' means any building, room, enclosure, vehicle, vessel or other place used or intended to be used for professional gambling. In the application of this definition, any place where a gambling device is found, shall be presumed to be intended to be used for professional gambling.

(3) 'Gambling record' means any record, receipt, ticket, certificate, token, slip or notation given, made, used or intended to be used in connection with professional gambling.

(4) 'Lottery' means a scheme for the distribution of money or property by chance, among persons who have paid or agreed to pay a valuable consideration for the chance.

(For the purpose of this chapter, the following activities do not constitute 'valuable consideration' as an element of a lottery:

(a) Listening to or watching a television or radio program or subscribing to a cable television service;

(b) Filling out and returning a coupon or entry blank or facsimile which is received through the mail or published in a bona fide newspaper or magazine, or in a program sold in conjunction with and at a regularly scheduled sporting event, or the purchase of such a newspaper, magazine or program;

(c) Sending a coupon or entry blank by United States mail to a designated address in connection with a promotion conducted in this state;

(d) Visitation to any business establishment to obtain a coupon, or entry blank;

(e) Mere registration without purchase of goods or services;

(f) Expenditure of time, thought, attention and energy in perusing promotional material;

(g) Placing or answering a telephone call in a prescribed manner or otherwise making a prescribed response or answer;

(h) Furnishing the container of any product as packaged by the manufacturer, or a particular portion thereof but only if furnishing a plain piece of paper or card with the name of the manufacturer or product handwritten on it is acceptable in lieu thereof: PROVIDED, That where any drawing is held by or on behalf of in-state retail outlets in connection with business promotions authorized under subsections (d) and (e) hereof, no such in-state retail outlet may conduct more than one such drawing during each calendar year and the period of the drawing and its promotion shall not extend for more than seven consecutive days: PROVIDED FURTHER, That if the sponsoring organization has more than one outlet in the state such drawings must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate drawing in connection with the initial opening of any such outlet; or

(i) The payment of an admission fee to gain admission to any agricultural fair authorized under chapters 15-76 or 36-37 RCW where (i) the scheme is conducted for promotional or advertising purposes, not including the promotion or advertisement of the scheme itself; and (ii) the person or organization conducting the scheme receives no portion of the admission fee either directly or indirectly and receives no other money for conducting the scheme either directly or indirectly, other than what might be received indirectly as a result of the success of the promotional or advertising aspect of the scheme.

For purposes of this chapter, radio and television broadcasting is hereby declared to be preempted by applicable federal statutes and the rules applicable thereto by the federal communications commission. Broadcast programming, including advertising and promotion, that complies with said federal statutes and regulations is hereby authorized.))

(15) 'Member' and 'bona fide member'. As used in this chapter, member and bona fide member each mean a person accepted for membership in an organization eligible to be licensed by the commission under this chapter upon application, with such action being recorded in the official minutes of a regular meeting or who has held full and regular membership status in the organization for a period of not less than twelve consecutive months prior to participating in the management or operation of any gambling activity. Such membership must in no way be dependent upon, or in any way related to, the payment of consideration to participate in any gambling activity.

Member or bona fide member shall include only members of an organization's specific chapter or unit licensed by the commission or otherwise actively conducting the gambling activity: PROVIDED, That

(a) Members of chapters or local units of a state, regional or national organization may be considered members of the parent organization for the purpose of a gambling activity conducted by the parent organization, if the rules of the parent organization so permit:

(b) Members of a bona fide auxiliary to a principal organization may be considered members of the principal organization for the purpose of a gambling activity conducted by the principal organization. Members of the principal organization may also be considered members of its auxiliary for the purpose of a gambling activity conducted by the auxiliary; and

(c) Members of any chapter or local unit within the jurisdiction of the next higher level of the parent organization, and members of a bona fide auxiliary to that chapter or unit, may assist any other chapter or local unit of that same organization licensed by the commission in the conduct of gambling activities.

No person shall be a member of any organization if that person's primary purpose for membership is to become, or continue to be, a participant in, or an operator or manager of, any gambling activity or activities.

(16) 'Player' means a natural person who engages, on equal terms with the other participants, and solely as a contestant or bettor, in any form of gambling in which no person may receive or become entitled to receive any profit therefrom other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct or operation of a particular gambling activity. A natural person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor, and supplying cards or other equipment used therein. A person who engages in 'bookmaking' as defined in this section is not a 'player'.

(17) A person is engaged in 'professional gambling' when:

(a) Acting other than as a player or in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly engages in conduct which materially aids any other form of gambling activity; or

(b) Acting other than as a player, or in the manner set forth in RCW 9.46.030 as now or hereafter amended, he knowingly accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of gambling activity;

(c) He engages in bookmaking; or

(d) He conducts a lottery as defined in subsection (14) of this section.

Conduct under subparagraph (a), except as exempted under RCW 9.46.030 as now or hereafter amended, includes but is not limited to conduct directed toward the creation or establishment of the particular game, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement of any of its financial or recording phases, or toward any other phase of its operation. If a person having substantial proprietary or other authoritative control over any premises shall permit said premises to be used with the person's knowledge for the purpose of conducting gambling activity other than gambling activities as set forth in RCW 9.46.030 as now or hereafter amended, and acting other than as a player, and said person permits such to occur or continue or makes no effort to prevent its occurrence or continuation, he shall be considered as being engaged in professional gambling: PROVIDED, That the proprietor of a bowling establishment who awards prizes obtained from player contributions, to players successfully knocking down pins upon the contingency of identifiable pins being placed in a specified position or combination of positions, as designated by the posted rules of the bowling establishment, where the proprietor does not participate in the proceeds of the 'prize fund' shall not be construed to be engaging in 'professional gambling' within the meaning of this chapter: PROVIDED, FURTHER, That the books and records of the games shall be open to public inspection.

(18) 'Punch boards' and 'pull-tabs' shall be given their usual and ordinary meaning as of July 16, 1973, except that such definition may be revised by the commission pursuant to rules and regulations promulgated pursuant to this chapter.

(19) 'Raffle' means a game in which tickets bearing an individual number are sold for not more than one dollar each and in which a prize or prizes are awarded on the basis of a drawing from said tickets by the person or persons conducting the game, when said game is conducted by a bona fide charitable or nonprofit organization, no person other than a bona fide member of said organization takes any part in the management or operation of said game, and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game.

(20) 'Social card game' means a card game, including but not limited to the game commonly known as 'Mah Jongg', which constitutes gambling and contains each of the following characteristics:

(a) There are two or more participants and each of them are players; and

(b) A player's success at winning money or other thing of value by overcoming chance is in the long run largely determined by the skill of the player; and

(c) No organization, corporation or person collects or obtains or charges any percentage of or collects or obtains any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That this item (c) shall not preclude a player from collecting or obtaining his winnings; and

(d) No organization or corporation, or person collects or obtains any money or thing of value from, or charges or imposes any fee upon, any person which either enables him to play or results in or from his playing in excess of one dollar per half hour of playing time by that person collected in advance: PROVIDED, That a fee may also be charged for entry into a tournament for prizes, which fee shall not exceed twenty-five dollars, including all separate fees which might be paid by a player for various phases or events of the tournament: PROVIDED FURTHER, That this item (d) shall not apply to the membership fee in any bona fide charitable or nonprofit organization; and

(e) The type of card game is one specifically approved by the commission pursuant to RCW 9.46.070; and

(f) The extent of wagers, money or other thing of value which may be wagered or contributed by any player does not exceed the amount or value specified by the commission pursuant to RCW 9.46.070.

(21) 'Thing of value' means any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise, directly or indirectly, contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge.

(22) 'Whoever' and 'person' include natural persons, corporations and partnerships and associations of persons; and when any corporate officer, director or stockholder or any partner authorizes, participates in, or knowingly accepts benefits from any violation of this chapter committed by his corporation or partnership, he shall be punishable for such violation as if it had been directly committed by him.

(23) 'Fund raising event' means a fund raising event conducted during any seventy-two consecutive hours but exceeding twenty-four consecutive hours and not more than once in any calendar year or a fund raising event conducted not more than twice each calendar year for not more than twenty-four consecutive hours each time by a bona fide charitable or nonprofit organization as defined in subsection (3) of this section other than any agricultural fair referred to thereunder, upon authorization therefor by the commission, which the legislature hereby authorizes to issue a license therefor, with or without fee, permitting the following activities, or any of them, during such event: Bingo, amusement games, contests of chance, lotteries and raffles: PROVIDED, That (a) gross wagers and bets received by the organization less the amount of money paid by the organization as winnings and for the purchase cost of prizes given as winnings do not exceed ten thousand dollars during the total calendar days of such fund raising event in the calendar year; (b) such activities shall not include any mechanical gambling or lottery device activated by the insertion of a coin or by the insertion of any object purchased by any person taking a chance by gambling in respect to the device; (c) only bona fide members of the organization who are not paid for such service shall participate in the management or operation of the activities, and all income therefrom, after deducting the cost of prizes and other expenses, shall be devoted solely to the lawful purposes of the organization; and (d) such organization shall notify the appropriate local law enforcement agency of the time and place where such activities shall be conducted. The commission shall require an annual information report setting forth in detail the expenses incurred and the revenue received relative to the activities permitted.

Bona fide charitable or nonprofit organizations holding a license to conduct a fund raising event may (~~joint~~~~joint~~) join together to jointly conduct a fund raising event if:

(i) Approval to do so is received from the commission; and

(ii) The method of dividing the income and expenditures and the method of recording and handling of funds are disclosed to the commission in the application for approval of the joint fund raising event and are approved by the commission.

The gross wagers and bets received by the organizations less the amount of money paid by the organizations as winnings and for the purchase costs of prizes given as winnings may

not exceed ten thousand dollars during the total calendar days of such event. The net receipts each organization receives shall count against the organization's annual limit stated in this subsection.

A joint fund raising event shall count against only the lead organization or organizations receiving fifty percent or more of the net receipts for the purposes of the number of such events an organization may conduct each year.

The commission may issue a joint license for a joint fund raising event and charge a license fee for such license according to a schedule of fees adopted by the commission which reflects the added cost to the commission of licensing more than one licensee for the event.

Sec. 2. Section 2, chapter 139, Laws of 1981 as amended by section 1, chapter 70, Laws of 1984 and RCW 9.46.030 are each amended to read as follows:

(1) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct bingo games, raffles, amusement games, and fund raising events, and to utilize punch boards and pull-tabs and to allow their premises and facilities to be used by only members, their guests, and members of a chapter or unit organized under the same state, regional, or national charter or constitution, to play social card games authorized by the commission, when licensed, conducted or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(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 five thousand dollars; 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.

(3) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of such activities are hereby authorized to conduct bingo, raffles, and amusement games, without obtaining a license to do so from the commission but only when:

(a) Such activities are held in accordance with all other requirements of chapter 9.46 RCW as now or hereafter amended, other applicable laws, and rules of the commission; and

(b) Said activities are, alone or in any combination, conducted no more than twice each calendar year and over a period of no more than twelve consecutive days each time, notwithstanding the limitations of RCW 9.46.020(2) as now or hereafter amended: PROVIDED, That a raffle conducted under this subsection may be conducted for a period longer than twelve days; and

(c) Only bona fide members of that organization, who are not paid for such services, participate in the management or operation of the activities; and

(d) Gross revenues to the organization from all the activities together do not exceed five thousand dollars during any calendar year; and

(e) All revenue therefrom, after deducting the cost of prizes and other expenses of the activity, is devoted solely to the purposes for which the organization qualifies as a bona fide charitable or nonprofit organization; and

(f) The organization gives notice at least five days in advance of the conduct of any of the activities to the local police agency of the jurisdiction within which the activities are to be conducted of the organization's intent to conduct the activities, the location of the activities, and the date or dates they will be conducted; and

(g) The organization conducting the activities maintains records for a period of one year from the date of the event which accurately show at a minimum the gross revenue from each activity, details of the expenses of conducting the activities, and details of the uses to which the gross revenue therefrom is put.

(4) The legislature hereby authorizes any person, association or organization operating an established business primarily engaged in the selling of food or drink for consumption on the premises to conduct social card games and to utilize punch boards and pull-tabs as a commercial stimulant to such business when licensed and utilized or operated pursuant to the provisions of this chapter and rules and regulations adopted pursuant thereto.

(5) The legislature hereby authorizes any person to conduct or operate amusement games when licensed and operated pursuant to the provisions of this chapter and rules and regulations adopted by the commission at such locations as the commission may authorize.

(6) The legislature hereby authorizes any person, association, or organization to conduct sports pools without a license to do so from the commission but only when the outcome of which is dependent upon the score, or scores, of a certain athletic contest and which is conducted only in the following manner:

(a) A board or piece of paper is divided into one hundred equal squares, each of which constitutes a chance to win in the sports pool and each of which is offered directly to prospective contestants at one dollar or less; and

(b) The purchaser of each chance or square signs his or her name on the face of each square or chance he or she purchases; and

(c) At some time not later than prior to the start of the subject athletic contest the pool is closed and no further chances in the pool are sold; and

(d) After the pool is closed a prospective score is assigned by random drawing to each square; and

(e) All money paid by entrants to enter the pool less taxes is paid out as the prize or prizes to those persons holding squares assigned the winning score or scores from the subject athletic contest; and

(f) The sports pool board is available for inspection by any person purchasing a chance thereon, the commission, or by any law enforcement agency upon demand at all times prior to the payment of the prize; and

(g) The person or organization conducting the pool is conducting no other sports pool on the same athletic event; and

(h) The sports pool conforms to any rules and regulations of the commission applicable thereto.

(7) The legislature hereby authorizes bona fide charitable or nonprofit organizations to conduct, without the necessity of obtaining a permit or license to do so from the commission, golfing sweepstakes permitting wagers of money, and the same shall not constitute such gambling or lottery as otherwise in this chapter prohibited, or be subject to civil or criminal penalties thereunder, but this only when the outcome of such golfing sweepstakes is dependent upon the score, or scores, or the playing ability, or abilities, of a golfing contest between individual players or teams of such players, conducted in the following manner:

(a) Wagers are placed by buying tickets on any players in a golfing contest to 'win', 'place' or 'show' and those holding tickets on the three winners may receive a payoff similar to the system of betting identified as parimutuel, such moneys placed as wagers to be used primarily as winners proceeds, except moneys used to defray the expenses of such golfing sweepstakes or otherwise used to carry out the purposes of such organization; or

(b) Participants in any golfing contest(s) pay a like sum of money into a common fund on the basis of attaining a stated number of points ascertainable from the score of such participants, and those participants attaining such stated number of points share equally in the moneys in the common fund, without any percentage of such moneys going to the sponsoring organization; and

(c) Participation is limited to members of the sponsoring organization and their bona fide guests.

(8) The legislature hereby authorizes bowling establishments to conduct, without the necessity of obtaining a permit or license to do so, as a commercial stimulant, a bowling activity which permits bowlers to purchase tickets from the establishment for a predetermined and posted amount of money which tickets are then selected by the luck of the draw and the holder of the matching ticket so drawn has an opportunity to bowl a strike and if successful receives a predetermined and posted monetary prize: PROVIDED, That all sums collected by the establishment from the sale of tickets shall be returned to purchasers of tickets and no part of the proceeds shall inure to any person other than the participants winning in the game or a recognized charity. The tickets shall be sold, and accounted for, separately from all other sales of the establishment. The price of any single ticket shall not exceed one dollar. Accounting records shall be available for inspection during business hours by any person purchasing a chance thereon, by the commission or its representatives, or by any law enforcement agency.

(9) (a) The legislature hereby authorizes any bona fide charitable or nonprofit organization which is licensed pursuant to RCW 66.24.400, and its officers and employees, to allow the use of the premises, furnishings, and other facilities not gambling devices of such organization by members of the organization, and members of a chapter or unit organized under the same state, regional, or national charter or constitution, who engage as players in the following types of gambling activities only:

(i) Social card games as defined in RCW 9.46.020(20)(a), (b), (c), and (d); and

(ii) Social dice games, which shall be limited to contests of chance, the outcome of which are determined by one or more rolls of dice.

(b) Bona fide charitable or nonprofit organizations shall not be required to be licensed by the commission in order to allow use of their premises in accordance with this subsection; however, the following conditions must be met:

(i) No organization, corporation, or person shall collect or obtain or charge any percentage of or shall collect or obtain any portion of the money or thing of value wagered or won by any of the players: PROVIDED, That a player may collect his or her winnings; and

(ii) No organization, corporation, or person shall collect or obtain any money or thing of value from, or charge or impose any fee upon, any person which either enables him or her to play or results in or from his or her playing: PROVIDED, That this subparagraph (ii) shall not

preclude collection of a membership fee which is unrelated to participation in gambling activities authorized under this subsection.

(10)(a) The legislature hereby authorizes promotional contests of chance conducted in this state, or partially in this state, in which a person is required, in order to participate in the contest equally with other participants, to do only one or more of the following:

(i) Listen to or watch a television or radio program or subscribe to a cable television service;

(ii) Fill out and return a coupon or entry blank or facsimile which is received through the mail, or published in a bona fide newspaper or magazine, or in a program sold in conjunction with and at a regularly scheduled sporting event, or the purchase of such newspaper, magazine, or program;

(iii) Send a coupon or entry blank by United States mail to a designated address;

(iv) Visit a business establishment to obtain or deposit a coupon or entry blank;

(v) Merely register, without the purchase of goods or services;

(vi) Expend time, thought, attention, and energy in perusing promotional material;

(vii) Place or answer a telephone call in a prescribed manner or otherwise make a prescribed response, guess, or answer;

(viii) Furnish the container of a product as packaged by the manufacturer, or a particular portion thereof, but only if furnishing a plain piece of paper or card with the name of the manufacturer or product handwritten thereon is acceptable in lieu thereof; or

(ix) Pay an admission fee to gain admission to any bona fide exposition, fair, or show for the display or promotion of goods, wares, or services, or any agricultural fair authorized under chapter 15.76 or 36.37 RCW, if (A) the scheme is conducted for promotional or advertising purposes, not including the promotion or advertisement of the scheme itself; and (B) the person or organization conducting the scheme receives no portion of the admission fee either directly or indirectly and receives no other money for conducting the scheme either directly or indirectly, other than what might be received indirectly as a result of the success of the promotional or advertising aspect of the scheme.

(b) Notwithstanding any other provision of this subsection, where any contest of chance is conducted by or on behalf of in-state retail grocery outlets in connection with business promotions, no such in-state retail grocery outlet may conduct more than one such contest of chance during each calendar year and the period of the contest of chance and its promotion shall not extend for more than fourteen consecutive days: PROVIDED, That if the sponsoring organization has more than one outlet in the state, such contests of chance must be held in all such outlets at the same time except that a sponsoring organization with more than one outlet may conduct a separate contest of chance in connection with the initial opening of any such outlet: PROVIDED FURTHER, That such contests of chance may be conducted on an ongoing basis if the prizes awarded or accumulated to award do not exceed thirty dollars a day or five thousand dollars a year in the aggregate for all outlets of the sponsoring organizations. Nothing in this paragraph (b) applies to contests of chance conducted by or in connection with business promotions by manufacturers.

For purposes of this section, in-state retail grocery outlet includes any establishment or recognized grocery department thereof in which more than twenty percent of the gross receipts result from the sale of food items for off-premises preparation. These food items include such products as meat, poultry, fish, bread, cereals, vegetables, fruit, dairy products, coffee, tea, cocoa, carbonated and uncarbonated beverages, candy, condiments, spices, and canned goods, and like products; but not including prepared hot foods or hot food products ready for immediate consumption.

(c) For the purposes of this chapter, radio and television broadcasting is hereby declared to be preempted by applicable federal statutes and the applicable rules of the federal communications commission. Broadcast programming, including advertising for others and station promotion, that complies with federal statutes and regulations is hereby authorized.

(11) The penalties provided for professional gambling in this chapter shall not apply to the activities authorized by this section when conducted in compliance with the provisions of this chapter and in accordance with the rules and regulations of the commission.*
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Wang moved that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 101.

Representative Wang spoke in favor of the motion, and Representatives G. Nelson and J. Williams spoke against it.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 101, and the motion was carried by the following vote: Yeas, 50; nays, 46; absent, 1; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Barrett, Basich, Braddock, Brekke, Chandler, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Grimm, Hargrove, Haugen, Jacobsen, King J, King P, Kremen, Leonard, Lewis, Locke, Lundquist, Lux, Madsen, McMullen, Nelson D, Niemi, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Scott, Smith L, Sommers, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Baugher, Belcher, Betzoff, Bond, Bristow, Brooks, Brough, Dobbs, Doty, Fuhrman, Gallagher, Hankins, Hastings, Hine, Holland, Isaacson, King R, Long, May, Miller, Nealey, Nelson G, Nutley, Padden, Sanders, Schmidt, Schoon, Silver, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, van Dyke, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 46.

Absent: Representative Sayan - 1.

Excused: Representative Smith C - 1.

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. 101 as amended by the Senate.

Representatives Wang, Patrick and Armstrong spoke in favor of passage of the bill, and Representatives G. Nelson, J. Williams, Padden and D. Nelson opposed it.

Mr. Crane 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. 101 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 52; nays, 45; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barrett, Basich, Braddock, Brekke, Brough, Chandler, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Grimm, Hankins, Hargrove, Hine, Holland, Jacobsen, King J, King P, Kremen, Leonard, Lewis, Locke, Lux, Madsen, McMullen, Miller, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Scott, Silver, Smith L, Sommers, Todd, Valle, Van Luven, Vander Stoep, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Ballard, Barnes, Baugher, Belcher, Betzoff, Bond, Bristow, Brooks, Day, Dobbs, Doty, Fuhrman, Gallagher, Hastings, Haugen, Isaacson, King R, Long, Lundquist, May, Nealey, Nelson D, Nelson G, Padden, Sanders, Sayan, Schmidt, Schoon, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, van Dyke, Vekich, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 45.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 101 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, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 107 with the following amendments:

On page 2, after line 22 insert the following:

*NEW SECTION, Sec. 4. A new section is added to chapter 43.43 RCW to read as follows:

The chief of the Washington state patrol is directed to provide such security and protection for the supreme court, while in session, as in the opinion of the chief justice may be necessary therefor, upon the advice of the clerk of the court and the court bailiff.

The chief of the Washington state patrol is also directed to provide security and protection to members of the court and their families to the extent and in the manner the chief justice and the chief of the Washington state patrol deem adequate and appropriate."

On page 1, line 3 of the title after "9A.72 RCW;" insert "adding a new section to chapter 43.43 RCW;"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House do concur in the Senate amendments to House Bill No. 107. Representatives Armstrong and Crane spoke in favor of the motion, and Representatives West, Zellinsky and Padden opposed it.

The motion was lost.

The Speaker announced that the House had, by its action, refused to concur in the Senate amendments to House Bill No. 107 and asked the Senate to recede therefrom.

SENATE AMENDMENT TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 150 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The purpose of this chapter is to provide uniform and simplified procedures for the creation, elections, and operations of various special districts that provide diking, drainage, and flood control facilities and services. The legislature finds that it is in the public interest to clarify and standardize the laws relating to these special districts.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) 'Governing body' means the board of commissioners, board of supervisors, or board of directors of a special district.

(2) 'Owner of land' means the record owner of at least a majority ownership interest in a separate and legally created lot or parcel of land, as determined by the records of the county auditor, except that if the lot or parcel has been sold under a real estate contract, the vendee or grantee shall be deemed to be the owner of such land for purposes of authorizing voting rights. It is assumed, unless shown otherwise, that the name appearing as the owner of property on the property tax rolls is the current owner.

(3) 'Qualified voter of a special district' means a person who is either: (a) A natural person who is a voter under general state election laws, registered to vote in the state of Washington for a period of not less than sixty days before the election, and the owner of land located in the special district for a period of not less than sixty days before the election; or (b) a corporation or partnership that has owned land located in the special district for a period of not less than sixty days before the election. If land is owned as community property, both spouses may vote if otherwise qualified. If other multiple undivided interests exist in a lot or parcel, and no person owns a majority undivided interest, the owners of undivided interests at least equal to a majority interest may designate in writing which owner is eligible to vote. A corporation or partnership shall designate a natural person to exercise its voting powers. Except as provided in sections 21 and 22 of this act, no owner of land may cast more than one vote, or have more than one vote cast for it, in a special district election.

(4) 'Special district' means: (a) A diking district; (b) a drainage district; (c) a diking, drainage, and/or sewerage improvement district; (d) an intercounty diking and drainage district; (e) a consolidated diking district, drainage district, diking improvement district, and/or drainage improvement district; or (f) a flood control district.

(5) 'Special district general election' means the election of a special district regularly held on the second Tuesday of December in each odd-numbered year at which a member of the special district governing body is regularly elected.

NEW SECTION. Sec. 3. The establishment of a special district may be initiated by either petition of the owners of property located within the proposed special district, or by resolution of the county legislative authority or authorities within which the proposed special district is located.

A petition calling for the creation of a special district, which is signed by at least ten owners of land located within the proposed district, shall be filed with the county legislative authority within which a proposed special district, or the largest portion of a special district, is located. If the proposed special district is proposed to be located within more than one county, the county legislative authority receiving the petitions shall notify the other county legislative authorities of the proposal. The petition shall set forth in general terms: (1) The objects sought by the creation of the special district; (2) the projects proposed to be completed by the special district that will accomplish these objects; (3) the boundaries of the proposed special district, which may be stated in terms of sections, townships, and ranges; and (4) any other matters deemed material by the petitioners. The jurisdiction of the county legislative authority to proceed with consideration of the creation of the proposed special district shall not be affected by the form of the petition or allegations on the petition. The petition shall be accompanied by proof of land ownership that is sufficient in the opinion of the county legislative authority to

evidence the ownership of land by the petitioners within the proposed special district. A petition calling for the creation of a special district shall be accompanied by a bond of five thousand dollars to defray the costs incurred by the county, or counties, in considering the creation of the special district.

A resolution proposing the creation of a special district shall contain the same items as are required and permitted to be contained in a petition to create a special district.

NEW SECTION, Sec. 4. Upon the filing of a valid petition or upon the adoption of the resolution, the county legislative authority shall direct the county engineer to investigate the proposed boundaries of the special district and the feasibility of the projects located in the county as proposed in the petition or resolution. The engineer shall report to the county legislative authority within ninety days of such direction on the proposed boundaries of the special district within the county and feasibility of that portion of the proposed project. If the proposed special district is located in more than one county, the county legislative authority of each county shall direct its county engineer to investigate and report on the proposal within its boundaries.

NEW SECTION, Sec. 5. The county legislative authority shall schedule a public hearing on the proposed special district if the county engineer's report indicates that the proposed projects are feasible. If the engineers of each of the counties within which a proposed special district is located indicate that the proposed projects are feasible, the county legislative authorities shall schedule a joint public hearing on the proposed special district. The county legislative authority may, on its own initiative, schedule a public hearing on the proposed special district if the county engineer's report indicates that the proposed projects are not feasible. The county legislative authorities of counties within which a proposed special district is located may, on their own initiative, schedule a joint public hearing on the proposed special district if one or more of the county engineers' reports indicate that the proposed projects are not feasible.

Notice of the public hearing shall be published and posted as provided in section 13 of this act for notices of elections. Additional notice of the public hearing shall be published in the newspaper in general circulation within the proposed special district, which notice shall be purchased in the manner of a general advertisement, not to be included with legal advertisements or with classified advertisements. This additional notice shall be published at least twice, not more than twenty nor less than three days before public hearing. Additional notice shall be made as required in RCW 79.44.040.

The notice must contain the following: (1) The date, time, and place of the public hearing; (2) a statement that a particular special district is proposed to be created; (3) a general description of the proposed projects to be completed by the special district; (4) a general description of the proposed special district boundaries; and (5) a statement that all affected persons may appear and present their comments in favor of or against the creation of the proposed special district.

NEW SECTION, Sec. 6. The county legislative authority or authorities shall conduct the public hearing at the date, time, and place indicated in the notice. Public hearings may be continued to other dates, times, and places specified by the county legislative authority or authorities before the adjournment of the public hearing. Each county legislative authority may alter those portions of boundaries of the proposed special district that are located within the county, but if territory is added that was not described in the original proposed boundaries, an additional hearing on the proposal shall be held with notice being posted and published as provided in section 5 of this act.

After receiving the public testimony, the county legislative authority may cause an election to be held to authorize the creation of a special district if it finds:

- (1) That creation of the special district will be conducive to the public health, convenience and welfare;
- (2) That the creation of the special district will be of special benefit to a majority of the lands included within the special district; and
- (3) That the proposed improvements are feasible and economical, and that the benefits of these improvements exceed costs for the improvements.

If the proposed special district is located within two or more counties, the county legislative authorities may cause an election to be held to authorize the creation of the special district upon making the findings set forth in subsections (1) through (3) of this section.

The county legislative authority or authorities may also choose not to allow such an election to be held by either failing to act or finding that one or more of these factors are not met.

NEW SECTION, Sec. 7. The county legislative authority or authorities shall cause an election on the question of creating the special district to be held if findings as provided in section 6 of this act are made. The county legislative authority or authorities shall designate a time and date for such election, which shall be one of the special election dates provided for in RCW 29.13.020, together with the site or sites at which votes may be cast. The persons allowed to vote on the creation of a special district shall be those persons who, if the special district were created, would be qualified voters of the special district as described in section 2 of this act. The county auditor or auditors of the counties within which the proposed special district is located shall conduct the election and prepare a list of presumed eligible voters.

Notices for the election shall be published and posted as provided in section 6 of this act. The special district shall be created if the proposition to create the special district is approved by a simple majority vote of the voters voting on the proposition and the special district may assume operations whenever the initial members of the governing body are appointed as provided in section 8 of this act.

Any special district created after the effective date of this act may only have special assessments measured and imposed, and budgets adopted, as provided in sections 15 through 18 of this act.

If the special district is created, the county or counties may charge the special district for the costs incurred by the county engineer or engineers pursuant to section 4 of this act and the costs of the auditor or auditors related to the election to authorize the creation of the special district pursuant to this section. Such county actions shall be deemed to be special benefits of the property located within the special district that are paid through the imposition of special assessments.

NEW SECTION. Sec. 8. (1) Except as provided in section 10 of this act, each special district shall be governed by a three-member governing board. The term of office for each member of a special district governing body shall be six years and until his or her successor is elected and qualified. One member of the governing body shall be elected at the time of special district general elections in each odd-numbered year for a term of six years beginning as provided in RCW 29.04.170 for assumption of office by elected officials of cities.

(2) The terms of office of members of the governing bodies of special districts, who are holding office on the effective date of this act, shall be altered to provide staggered six-year terms as provided in this subsection. The member who on the effective date of this act has the longest term remaining shall have his or her term altered so that the position will be filled at the December, 1991, special district general election; the member with the second longest term remaining shall have his or her term altered so that the position will be filled at the December, 1989, special district general election; and the member with the third longest term of office shall have his or her term altered so that the position will be filled at the December, 1987, special district general election.

(3) The initial members of the governing body of a newly created special district shall be appointed by the legislative authority of the county within which the special district, or the largest portion of the special district, is located. These initial governing body members shall serve until their successors are elected and qualified at the next special district general election held at least ninety days after the special district is established. At that election the first elected members of the governing body shall be elected. No primary elections may be held. Any voter of a special district may become a candidate for such a position by filing written notice of this intention with the governing body of the special district at least thirty, but not more than sixty, days before a special district general election. The names of all candidates for such positions shall be listed alphabetically. At this first election, the candidate receiving the greatest number of votes shall have a six-year term, the candidate receiving the second greatest number of votes shall have a four-year term, and the candidate receiving the third greatest number of votes shall have a two-year term of office. The initially elected members of a governing body shall take office immediately when qualified as defined in RCW 29.01.135. Thereafter the candidate receiving the greatest number of votes shall be elected for a six-year term of office. Members of a governing body shall hold their office until their successors are elected and qualified, and assume office as provided in RCW 29.04.170.

(4) Whenever a vacancy occurs in the governing body of a special district, the legislative authority of the county within which the special district, or the largest portion of the special district, is located, shall appoint a district voter to serve the remaining term of office. A vacancy occurs upon the death, resignation, or incapacity of a governing body member or whenever the governing body member ceases being a qualified voter of the special district.

(5) An elected or appointed member of a special district governing body must be a qualified voter of the special district.

NEW SECTION. Sec. 9. Each member of a governing body of a special district, whether elected or appointed, shall enter into a bond, payable to the special district. The bond shall be in the sum of not less than one thousand dollars nor more than five thousand dollars, as determined by the county legislative authority of the county within which the special district, or the largest portion of the special district, is located. The bond shall be conditioned on the faithful performance of his or her duties as a member of the governing body of the special district and shall be filed with the county treasurer of the county within which the special district, or the largest portion of the special district, is located.

NEW SECTION. Sec. 10. (1) Whenever the governing body of a special district has more than three members, the governing body shall be reduced to three members as of January 1, 1986, by eliminating the positions of those district governing body members with the shortest remaining terms of office. The remaining three governing body members shall have staggered terms with the one having the shortest remaining term having his or her position filled at the 1987 special district general election, the one with the next shortest remaining term having his or her position filled at the 1989 special district general election, and the one with the longest

remaining term having his or her position filled at the 1991 special district general election. If any of these remaining three governing body members have identical remaining terms of office, the newly calculated remaining terms of these persons shall be determined by lot with the county auditor who assists the special district in its elections managing such lot procedure. The newly established terms shall be recorded by the county auditor.

(2) However, whenever five or more special districts have consolidated under chapter 85.36 RCW and the consolidated district has five members in its governing body on the effective date of this act, the consolidated district may adopt a resolution retaining a five-member governing body. At any time thereafter, such a district may adopt a resolution and reduce the size of the governing body to three members with the reduction occurring as provided in subsection (1) of this section, but the years of the effective dates shall be extended so that the reduction occurs at the next January 1st occurring after the date of the adoption of the resolution. Whenever a special district is so governed by a five-member governing body, two members shall be elected at each of two consecutive special district general elections, and one member shall be elected at the following special district general election, each to serve a six-year staggered term.

NEW SECTION, Sec. 11. General elections shall be held in each special district on the second Tuesday in December in each odd-numbered year. The auditor of the county within which a special district, or the largest portion of a special district, is located may provide for special elections whenever necessary.

NEW SECTION, Sec. 12. A list of presumed eligible voters shall be prepared and maintained by each special district. The list shall include the assessor's tax number for each lot or parcel in the district, the name or the names of the owners of such lots and parcels, the extent of the ownership interest of such persons, and if such persons are natural persons, whether they are known to be registered voters in the state of Washington. Whenever such a list is prepared, the district shall attempt to notify each owner of the requirements necessary to establish voting authority to vote. Whenever lots or parcels in the district are sold, the district shall attempt to notify the purchasers of the requirements necessary to establish voting authority. Each special district shall provide a copy of this list, and any revised list, to the auditor of the county within which all or the largest portion of the special district is located.

NEW SECTION, Sec. 13. The auditor of the county within which a special district, or the largest portion of a special district, is located shall assist such special district with its elections as provided in this section. The county auditor shall both publish and post notices for such elections. Notices shall be posted in at least four conspicuous public places within the special district at least two weeks before the election. Notices shall also be published in a newspaper of general circulation in the special district at least once not more than ten nor less than three days before the election. The notices shall describe the election, give its date and times to be held, and indicate the election site or sites in the special district where ballots may be cast. All costs of the county auditor incurred related to such elections shall be reimbursed by the special district. A special district may also contract with the county auditor to staff the voting site during the election or contract with the county auditor to conduct the election pursuant to RCW 29.36.120.

NEW SECTION, Sec. 14. The governing body of each special district shall appoint three voters of the special district, who may be members of the governing body, to act as election officials, unless the special district contracts with the county auditor to staff the election site. The election officials shall distribute a ballot or ballots to each voter of the special district who arrives at the voting place during the hours for the election on the day of the election and requests a ballot. Ballots shall also be provided to those persons arriving at the polling place during the hours for the election on the day of the election who present documents or evidence sufficient to establish their eligibility to vote. A person arriving at the polling place at such times who demands a ballot, but who fails to present documents or evidence which in the opinion of the election officials is sufficient to establish eligibility to vote, shall be given a ballot clearly marked as 'challenged' and shall be allowed to vote. Each challenged ballot shall be numbered consecutively and a list of such persons and their ballot numbers shall be made.

The governing body of each special district shall designate those hours from 7 a.m. to 8 p.m. during which the election shall be held: PROVIDED, That at least two consecutive hours must be designated. When the election is over, the election officials shall secure the ballots and transport the ballots to the county auditor's office by noon of the day following the election. The auditor may, at his or her discretion, station a deputy auditor or auditors at the election site who shall observe the election and transport the ballots to the auditor's office. The auditor shall count the ballots and certify the count of votes for and against each measure and for each candidate appearing on the ballot. A separate count shall be made of any challenged ballots. A challenged ballot shall be counted as a normal ballot if documents or evidence are supplied to the auditor before 4:00 p.m. on the day after the election that, in the opinion of the auditor, are sufficient to establish the person's eligibility to vote.

Additionally, voting by absentee ballot shall be allowed in every special district. A request for an absentee ballot may be made by an eligible voter by mail or in person to the

county auditor who supervises the special district elections. An absentee ballot shall be provided to each voter of a special district requesting such a ballot under this section. A person requesting such a ballot may present information establishing his or her eligibility to vote in such a special district. The auditor shall provide an absentee ballot to each person requesting an absentee ballot who is either included on the list of presumed eligible voters or who submits information which, in the auditor's opinion, establishes his or her eligibility to vote. The names of these persons so determined to be eligible to vote shall be added to the list of presumed eligible voters for the appropriate special district. The request for an absentee ballot must be made no more than forty-five days before the election. To be valid, absentee ballots must be postmarked on or before the day of the election and mailed to the county auditor.

NEW SECTION, Sec. 15. The process by which budgets are adopted, special assessments are measured and imposed, and assessment zones are established, as provided in sections 15 through 18 of this act, shall constitute an alternative optional method of financing special districts. A special district in existence prior to the effective date of this act may conform with sections 15 through 18 of this act when its governing body adopts a resolution indicating its intention to conform with such laws. Whenever such a resolution is adopted, or a new special district is created on or after the effective date of this act, sections 15 through 18 of this act shall be the exclusive method by which the special district measures and imposes special assessments and adopts its budget. The governing body of a special district that was created before the effective date of this act, and which operates under sections 15 through 18 of this act, may adopt a resolution removing the special district from operating under sections 15 through 18 of this act, and operate under alternative procedures available to the special district. A county may charge a special district for costs the county incurs in establishing a system or systems of assessment for the special district pursuant to sections 15 through 18 of this act.

NEW SECTION, Sec. 16. (1) Special district special assessments shall be imposed only on real property within the district that uses or will use the special district's facilities or receives or will receive special benefits from the special district's operations and facilities. Both privately owned and publicly owned real property, including real property owned by the state, is subject to these special assessments. Mobile homes located on real property within a special district shall be considered an improvement to the real property for purposes of imposing special assessments.

(2) Special assessments imposed upon real property, other than improvements, shall be a function of the dollar value of benefit or use per acre and the assessment zone in which the real property is located. Special assessments imposed upon an improvement shall be a function of the dollar value of benefit or use assigned to the type or class of improvements and the assessment zone in which the improvement is located.

(3) Assessment zones shall be established in which each zone reflects a different relative ratio of benefit or use that the real property within such a zone receives, or will receive, from the special district's operations and facilities. That real property receiving the greatest benefits, or which uses the special district's facilities to the greatest extent, shall be placed into class No. 1 and assigned a value of one hundred percent; that real property receiving the next greatest benefits, or which uses the special district's facilities to the next greatest extent, shall be placed into class No. 2 and assigned a lower percentage value; and so on, extending to the class of least benefits or use. That real property receiving no benefits or use shall be designated 'nonbenefit.' If all real property in the special district is found to have the same relative ratio of benefit or use, a single assessment zone may be established.

(4) Any one or more of the following criteria shall be used in measuring the manifest degrees or ratios of benefit or use: (a) Proximity to the special district's facilities; (b) height above or below dikes and levees; (c) easier accessibility; (d) facility of drainage; (e) minimization of flood or inundation damage; (f) actual flood protection; (g) use of the special district's facilities; and (h) any other criteria established by the county under section 17 of this act that measure manifest degrees of benefit or use from the special district's facilities and operations.

(5) Special assessments may be imposed to pay for the construction, repair, and maintenance of special district facilities and for special district operations. Administrative and operational costs of the special district shall be proportionally included in these special assessments.

NEW SECTION, Sec. 17. (1) The county within which each special district is located shall establish a system or systems of assessment for the special district as provided in this section. A differing system of assessment shall be established for different classes of facilities that a special district provides or will provide, including a separate system of assessment for diking and drainage facilities if both classes of facilities are provided. Whenever a special district is located in more than one county, the county within which the largest portion of the special district is located shall establish the system or systems of assessment for the entire special district. A system of assessment shall include assessment zones, the acreage included in each assessment zone, a dollar value of benefit or use per acre, and various classes or types of improvements together with a dollar value of benefit or use for an improvement included in each of the classes or types of improvements. The county shall establish which improvements shall be subject to special assessments and shall establish one or more types or classes of such improvements.

(2) The engineer of the county shall prepare a preliminary system or systems of assessment for each special district. Each system of assessment that is prepared for a special district shall be designed to generate a total of one thousand dollars in revenue for the special district.

The preliminary system or systems of assessment shall be filed with the county legislative authority. A public hearing on the preliminary system or systems of assessment shall be held by the county legislative authority. Notice of the public hearing shall be published in a newspaper, in general circulation in the special district, for two consecutive weeks with the final notice being published not less than fourteen, nor more than twenty-one days, before the public hearing. Notice shall also be mailed to each owner or reputed owner, as shown on the assessor's tax rolls, of each lot or parcel subject to such assessments. The mailed notice shall indicate the amount of assessment on the lot or parcel that, together with all other assessments in the system of assessment, would raise one thousand dollars. The mailed notice shall indicate that this assessment amount is not being imposed, but is a hypothetical assessment that, if combined with all other hypothetical assessments in the system of assessment, would generate one thousand dollars, and that this hypothetical assessment is proposed to be used to establish a system or systems of assessment for the special district. Where a special district currently is imposing special assessments and a property owner's property is subject to these special assessments, the mailed notice to this property owner also shall use the hypothetical special assessment in conjunction with the total special assessments imposed by the special district in that year to provide a comparison special assessment value to the property owner. This notice shall indicate that the comparison special assessment value is not being imposed, and should be considered for comparative purposes only. Where a special district is not currently imposing special assessments, the mailed notice may include, if deemed appropriate by the county engineer and if such figures are available, an estimated special assessment value for the property owner's property using this hypothetical special assessment in conjunction with special district-wide level of special assessments that possibly would be imposed in the following year. Where a county is imposing rates and charges for stormwater or surface water control facilities pursuant to chapters 36.89 or 36.94 RCW, the county shall credit such rates and charges with assessments imposed under this section by a special district to fund drainage facilities and the maintenance of drainage facilities.

(3) The county legislative authority shall hold a public hearing on the preliminary system or systems of assessment on the day specified in the notices. Persons objecting to the preliminary system or systems of assessment may present their objections at this public hearing, which may be continued if necessary. The county legislative authority shall adopt an ordinance finalizing the system or systems of assessment after making any changes that in its discretion are necessary. The county legislative authority shall have broad discretion in establishing systems of assessment. The decision of the county legislative authority shall be final, except for appeals. Any person objecting to the system or systems of assessment must appeal such decision to the superior court of the county within which all, or the largest portion, of the special district is located within twenty days of the adoption of the ordinance.

(4) The system or systems of assessment of each special district shall be reviewed by the county engineer and finalized by the county legislative authority at least once every four years. A system or systems of assessment shall be finalized on or before the first of September in the year that it is finalized. The legislative authority of a county that is responsible for establishing a system or systems of assessment for more than one special district may, at its option, stagger the initial finalization of such systems of assessment for different special districts over a period of up to four years. Assessments shall be collected in special districts pursuant to the district's previous system of assessment until the system or systems of assessment under this chapter is finalized under this section.

(5) New improvements shall be noted by the special district as they are made and shall be subject to special assessments in the year after the improvement is made.

(6) The county legislative authority, upon request by a special district, may authorize the special district to impose and collect emergency assessments pursuant to the special district's system or systems of assessment whenever the emergent protection of life or property is necessary.

NEW SECTION. Sec. 18. Budgets for each special district shall be adopted, and special assessments imposed, annually for the succeeding calendar year. On or before December 1st of each year, the governing body of the special district shall adopt a resolution approving a budget for the succeeding year and special assessments sufficient to finance the budget. A copy of the resolution and the budget shall be forwarded immediately to the county legislative authority of the county or counties within which the special district is located and to the treasurer of the county or counties in which the special district is located. Special assessments necessary to generate funds for this budget shall be imposed pursuant to the system or systems of assessment established by the county. Special assessments shall be collected by the county treasurer or treasurers within which the special district is located. Notice of the special assessments due may be included on the notice of property taxes due, may be included on a separate notice that is mailed with the notice of property taxes due, or may be sent separately from the notice of property taxes due. Special assessments shall be due at the same time property

taxes are due and shall constitute liens on the land or improvements upon which they are imposed. Delinquent special assessments shall be foreclosed in the same manner, and subject to the same time schedules, interest, and penalties as delinquent property taxes. County treasurers may impose a fee for collecting special assessments not to exceed one percent of the dollar value of special assessments collected.

NEW SECTION. Sec. 19. A special district may:

(1) Engage in flood control activities, and investigate, plan, construct, acquire, repair, maintain, and operate improvements, works, projects, and facilities necessary to prevent inundation or flooding from rivers, streams, tidal waters or other waters. Such facilities include dikes, levees, dams, banks, revetments, channels, canals, and other works, appliances, machinery, and equipment.

(2) Engage in drainage control, stormwater control, and surface water control activities, and investigate, plan, construct, acquire, repair, maintain, and operate improvements, works, projects, and facilities necessary to control and treat stormwater, surface water, and flood water. Such facilities include drains, ditches, canals, nonsanitary sewers, pumps, and other works, appliances, machinery, and equipment.

(3) Take actions necessary to protect life and property from inundation or flow of flood waters, stormwaters, or surface waters.

(4) Acquire, purchase, condemn by power of eminent domain pursuant to chapters 8.08 and 8.25 RCW, or lease, in its own name, necessary property, property rights, facilities, and equipment.

(5) Sell or exchange surplus property, property rights, facilities, and equipment.

(6) Accept funds and property by loan, grant, gift, or otherwise from the United States, the state of Washington, or any other public or private source.

(7) Hire staff, employees, or services, or use voluntary labor.

(8) Sue and be sued.

(9) Cooperate with or join the United States, the state of Washington, or any other public or private entity or person for district purposes.

(10) Enter into contracts.

(11) Exercise any of the usual powers of a corporation for public purposes.

NEW SECTION. Sec. 20. Sections 1 through 19 of this act shall constitute a new chapter in Title 85 RCW.

NEW SECTION. Sec. 21. A new section is added to chapter 85.05 RCW to read as follows:

Each qualified voter of a diking or drainage improvement district who owns more than ten acres of land within the district shall be entitled to one additional vote for each ten acres or major fraction thereof located within the district, up to a maximum total of twenty votes for any voter, or in the case of community property, a maximum total of ten votes per member of the marital community: PROVIDED, That this additional voting provision shall only apply in districts that were not in operation and did not have improvements as of May 14, 1925.

NEW SECTION. Sec. 22. A new section is added to chapter 86.09 RCW to read as follows:

Each qualified voter of a flood control district who owns more than ten acres of land within the district shall be entitled to one additional vote for each ten acres or major fraction thereof located within the district, up to a maximum total of twenty votes for any voter, or in the case of community property, a maximum total of ten votes per member of the marital community.

NEW SECTION. Sec. 23. A new section is added to chapter 85.08 RCW to read as follows:

The county engineer shall continue to act as a supervisor of a diking, drainage, or sewerage improvement district that is governed by a three-member board of supervisors until a replacement assumes office after being elected at the 1987 special district general election. At that election two supervisors shall be elected, with the person receiving the greatest number of votes being elected to a six-year term, and the person receiving the second greatest number of votes being elected to a four-year term. Thereafter, all supervisors shall be elected to six-year terms.

NEW SECTION. Sec. 24. A new section is added to chapter 85.05 RCW to read as follows:

Sections 15 through 18 of this act constitute a mutually exclusive alternative method by which diking districts in existence as of the effective date of this act may measure and impose special assessments and adopt budgets. Sections 16 through 18 of this act constitute the exclusive method by which diking districts created after the effective date of this act may measure and impose special assessments and adopt budgets.

NEW SECTION. Sec. 25. A new section is added to chapter 85.06 RCW to read as follows:

Sections 15 through 18 of this act constitute a mutually exclusive alternative method by which drainage districts in existence as of the effective date of this act may measure and impose special assessments and adopt budgets. Sections 16 through 18 of this act constitute the exclusive method by which drainage districts created after the effective date of this act may measure and impose special assessments and adopt budgets.

NEW SECTION. Sec. 26. A new section is added to chapter 85.08 RCW to read as follows:

Sections 15 through 18 of this act constitute a mutually exclusive alternative method by which diking, drainage, or sewerage improvement districts in existence as of the effective date of this act may measure and impose special assessments and adopt budgets. Sections 16

through 18 of this act constitute the exclusive method by which diking, drainage, or sewerage improvement districts created after the effective date of this act may measure and impose special assessments and adopt budgets.

NEW SECTION. Sec. 27. A new section is added to chapter 85.24 RCW to read as follows:

Sections 15 through 18 of this act constitute a mutually exclusive alternative method by which intercounty diking and drainage districts in existence as of the effective date of this act may measure and impose special assessments and adopt budgets. Sections 16 through 18 of this act constitute the exclusive method by which intercounty diking and drainage districts created after the effective date of this act may measure and impose special assessments and adopt budgets.

NEW SECTION. Sec. 28. A new section is added to chapter 85.36 RCW to read as follows:

Sections 15 through 18 of this act constitute a mutually exclusive alternative method by which consolidated diking districts, drainage districts, diking improvement districts, and/or drainage improvement districts in existence as of the effective date of this act may measure and impose special assessments and adopt budgets. Sections 16 through 18 of this act constitute the exclusive method by which consolidated diking districts, drainage districts, diking improvement districts, and/or drainage improvement districts created after the effective date of this act may measure and impose special assessments and adopt budgets.

NEW SECTION. Sec. 29. A new section is added to chapter 86.09 RCW to read as follows:

Sections 15 through 18 of this act constitute a mutually exclusive alternative method by which flood control districts in existence as of the effective date of this act may measure and impose special assessments and adopt budgets. Sections 16 through 18 of this act constitute the exclusive method by which flood control districts created after the effective date of this act may measure and impose special assessments and adopt budgets.

NEW SECTION. Sec. 30. A new section is added to chapter 85.08 RCW to read as follows:

Sewerage improvement districts may investigate, plan, construct, acquire, repair, maintain, and operate improvements, works, projects, and facilities to collect, treat, and dispose of sanitary, industrial, and other sewage. Such facilities include on-site and off-site sewerage facilities, including approved septic tanks or septic tank systems.

NEW SECTION. Sec. 31. A new section is added to chapter 85.05 RCW to read as follows:

Diking districts shall possess the authority and shall be created, district voting rights shall be determined, and district elections shall be held as provided in chapter 85.____ RCW (sections 1 through 19 of this act).

NEW SECTION. Sec. 32. A new section is added to chapter 85.06 RCW to read as follows:

Drainage districts shall possess the authority and shall be created, district voting rights shall be determined, and district elections shall be held as provided in chapter 85.____ RCW (sections 1 through 19 of this act).

NEW SECTION. Sec. 33. A new section is added to chapter 85.08 RCW to read as follows:

Diking, drainage, or sewerage improvement districts shall possess the authority and shall be created, district voting rights shall be determined, and district elections shall be held as provided in chapter 85.____ RCW (sections 1 through 19 of this act).

NEW SECTION. Sec. 34. A new section is added to chapter 85.24 RCW to read as follows:

Intercounty diking and drainage districts shall possess the authority and shall be created, district voting rights shall be determined, and district elections shall be held as provided in chapter 85.____ RCW (sections 1 through 19 of this act).

NEW SECTION. Sec. 35. A new section is added to chapter 85.36 RCW to read as follows:

Consolidated diking districts, drainage districts, diking improvement districts, and drainage improvement districts shall possess the authority and shall be created, district voting rights shall be determined, and district elections shall be held as provided in chapter 85.____ RCW (sections 1 through 19 of this act).

NEW SECTION. Sec. 36. A new section is added to chapter 86.09 RCW to read as follows:

Flood control districts shall possess the authority and shall be created, district voting rights shall be determined, and district elections shall be held as provided in chapter 85.____ RCW (sections 1 through 19 of this act).

Sec. 37. Section 8, chapter 117, Laws of 1895 as amended by section 5, chapter 146, Laws of 1921 and RCW 85.05.085 are each amended to read as follows:

~~((Said))~~ The board of dike commissioners shall consist of three elected commissioners. The initial commissioners shall be appointed, and the elected commissioners elected, as provided in chapter 85.____ RCW (sections 1 through 19 of this 1985 act). The board of dike commissioners ~~((hereinbefore provided for))~~ shall have the exclusive charge of the construction and maintenance of all dikes or dike systems which may be constructed within the ~~((said))~~ district, and shall be the executive officers thereof, with full power to bind ~~((said))~~ the district by their acts in the performance of their duties, as provided by law. ~~((In case of vacancy or vacancies occurring in said board by the death, failure to elect, failure to qualify, resignation or removal of one or more of the members thereof from said district, such vacancy or vacancies shall be filled at once from the freeholders and qualified electors of the county owning land in the district by the judge of the superior court of said county, and said appointee shall serve the unexpired term, or until the next general election or until a successor is elected and qualified:~~

PROVIDED, That in counties where there may be more than one superior judge, the judge eldest in age shall make such appointment:))

Sec. 38. Section 28, chapter 117, Laws of 1895 and RCW 85.05.280 are each amended to read as follows:

The board of commissioners of such district shall elect one of their number chairman and shall either elect one of their number, or appoint a voter of the district, as secretary, ~~((and)) who shall keep minutes of all ((their meetings, and)) the district's proceedings.~~ The board of commissioners may issue warrants of such district in payment of all claims of indebtedness against such district. Such warrants shall be in form and substance the same as county warrants, or as near the same as may be practicable, and shall draw the legal rate of interest from the date of their presentation to the treasurer for payment, as hereinafter provided, and shall be signed by the chairman and attested by the secretary of said board: PROVIDED, That no warrants shall be issued by said board of commissioners in payment of any indebtedness of such district for less than the face or par value.

Sec. 39. Section 41, chapter 117, Laws of 1895 as last amended by section 1, chapter 39, Laws of 1974 ex. sess. and RCW 85.05.410 are each amended to read as follows:

Members of the board of diking commissioners of any diking district in this state may receive as compensation the sum of ~~((eight)) up to twenty-five dollars ((per day))~~ for attendance at official meetings of the district and for each day or major part thereof for all necessary services actually performed in connection with their duties as commissioners, and shall receive the same compensation as other labor of a like character for all other necessary work or services performed in connection with their duties: PROVIDED, That such compensation shall not exceed ~~((one)) three thousand dollars in one calendar year, except when the commissioners declare an emergency.~~ Allowance of such compensation shall be established and approved ((and made)) at ((a)) regular meetings of ((said)) the board, and when a copy of the extracts of minutes of the board meeting relative thereto showing such approval is certified by the secretary of such board and filed with the county auditor, the allowance made shall be paid as are other claims against ~~((said)) the district.~~

Each commissioner is entitled to reimbursement for reasonable expenses actually incurred in connection with such business, including subsistence and lodging, while away from the commissioner's place of residence, and mileage for use of a privately owned vehicle in accordance with chapter 42.24 RCW.

Sec. 40. Section 3, chapter 43, Laws of 1913 and RCW 85.05.580 are each amended to read as follows:

The manner of conducting ~~((said)) the election~~ and the hours between the opening and closing of the polls and the officers of ~~((said)) the election~~ shall be the same as provided in ~~((the general diking law for the annual election of officers of diking districts, and in case a canvass of the votes cast at said election shall show)) chapter 85.-- RCW (sections 1 through 19 of this 1985 act).~~ If a majority of the votes cast in each of the districts seeking to consolidate to be in favor of consolidation, an order shall at once be ~~((entered upon the minutes of each of said districts by the commissioners thereof)) issued by the county legislative authority~~, showing the result of ~~((said)) the vote cast at ((said)) the election~~, and setting forth therein the name of such consolidated district ~~((--and a copy)).~~ Two copies of the ~~((minutes so entered duly certified by the commissioners of each of said districts)) order~~ shall be filed, one each with the auditor and treasurer of the county within which ~~((said)) the districts are located, ((and one with the clerk of the superior court of such county, to be entered and filed by the clerk of such court in the original proceedings establishing said districts:))~~ and a certified copy of such entry shall be transmitted to the secretary of state ~~((by the clerk of said court, and)).~~ Thereafter the territory embraced in ~~((said)) the districts so consolidated~~ shall be known and designated as 'Consolidated Diking District No. (here insert number) of (here insert name of county) County, Washington,' as provided in said order, and thereafter the ~~((said)) district~~ shall have the same powers and duties as other diking districts organized under the diking laws of the state of Washington.

Sec. 41. Section 8, chapter 115, Laws of 1895 as amended by section 3, chapter 86, Laws of 1913 and RCW 85.06.080 are each amended to read as follows:

~~((Said))~~ The board of drainage commissioners ~~((heretofore provided for:)) shall consist of three elected commissioners.~~ The initial commissioners shall be appointed, and the elected commissioners elected, as provided in chapter 85.-- RCW (sections 1 through 19 of this 1985 act). The board shall have exclusive charge of the construction and maintenance of all drainage systems which may be constructed by said district and shall be the executive officers thereof, with full power to bind said district by their acts in the performance of their duties as provided by law. ~~((In case of vacancy or vacancies occurring in said board by the death, failure to elect, failure to qualify, resignation or removal of one or more of the members thereof from said district such vacancy or vacancies shall be filled at once from the freeholders and qualified electors of said district by the judge of the superior court of said county, and said appointee shall serve the unexpired term or until the next general election: PROVIDED, That in counties where there may be more than one superior judge, the judge eldest in age shall make such appointment:))~~

Sec. 42. Section 25, chapter 115, Laws of 1895 and RCW 85.06.250 are each amended to read as follows:

The board of commissioners of such district shall elect one of their number chairman and shall either elect one of their number, or appoint a voter of the district, as secretary, ~~((and))~~ who shall keep minutes of all ~~((their))~~ the district's proceedings~~((and))~~. The board of commissioners may issue warrants of such district in payment of all claims of indebtedness against such district~~((such warrants))~~, which shall be in form and substance the same as county warrants, or as near the same as may be practicable, and shall draw the legal rate of interest from the date of their presentation to the treasurer for payment, as hereinafter provided, and shall be signed by the chairman and attested by the secretary of said board: PROVIDED, That no warrants shall be issued by said board of commissioners in payment of any indebtedness of such district for less than the face or par value.

Sec. 43. Section 38, chapter 115, Laws of 1895 as last amended by section 2, chapter 23, Laws of 1980 and RCW 85.06.380 are each amended to read as follows:

In performing their duties under the provisions of this title the board and members of the board of drainage commissioners shall receive as compensation up to twenty-five dollars for attendance at official meetings of the district and for each day or major part thereof for all necessary services actually performed~~((:))~~ in connection with their duties~~((including the attendance at meetings))~~ as commissioners: PROVIDED, That such services and compensation are allowed and approved at a regular meeting of the board. Upon the submission of a copy, certified by the secretary, of the extracts of the relevant minutes of the board showing such approval, to the county auditor, the same shall be paid as other claims against the district are paid. Each commissioner is entitled to reimbursement for reasonable expenses actually incurred in connection with such business, including his subsistence and lodging, while away from the commissioner's place of residence and mileage for use of a privately-owned vehicle in accordance with chapter 42.24 RCW.

Sec. 44. Section 19, chapter 176, Laws of 1913 as last amended by section 1, chapter 89, Laws of 1925 ex. sess. and RCW 85.08.290 are each amended to read as follows:

Upon the determination by the ~~((board of))~~ county ~~((commissioners))~~ legislative authority to proceed with the work of construction, ~~((said board))~~ the county legislative authority shall order an election to be held in some place within the district to be designated by the ~~((board; and shall appoint an election board to consist of one inspector and two judges, who shall qualify in like manner and receive like compensation as election officers at general elections. Notice of said election shall be given by the clerk of the board of county commissioners by publication once a week for two consecutive weeks in a newspaper to be designated by the board and of general circulation in the district, the last of which publications shall be not less than seven nor more than fourteen days prior to the date of said election, and such notice shall also be posted by the sheriff of the county not less than fourteen days prior to the date of said election, in three of the most public places in the district. That at all elections held within the diking district the polls shall be open from one o'clock p.m. until seven o'clock p.m. All electors of the state owning land in the district shall be entitled to vote at any election held within the district, and each elector owning more than ten acres of land within the district shall be entitled to one additional vote for each ten acres or major fraction thereof. PROVIDED, This amendment shall not apply to any districts already constructed and in operation.~~

At such election the officers may require any person offering to vote to take an oath that he is qualified to vote as in this act provided. An officer or agent of any corporation, organized under the laws of this state owning land in the district, duly authorized thereto in writing, may, upon filing with the election officers such written instrument of authority, cast a vote on behalf of such corporation.) county legislative authority, to determine if the proposed district shall be created as provided in chapter 85.-- RCW (sections 1 through 19 of this 1985 act).

Sec. 45. Section 20, chapter 176, Laws of 1913 as last amended by section 1, chapter 120, Laws of 1965 and RCW 85.08.300 are each amended to read as follows:

~~((At the election, two electors of the county owning land in the district shall be elected, who, with the district engineer, shall constitute the first))~~ The board of supervisors of the district~~((The supervisors))~~ shall consist of three elected supervisors. The initial supervisors shall be appointed, and the first elected supervisor elected, as provided in chapter 85.-- RCW (sections 1 through 19 of this 1985 act). The board of supervisors shall have charge of the construction and maintenance of the systems of improvements, subject to the limitations hereinafter set forth, and may employ a superintendent of construction and maintenance who may be one of the two elected supervisors. The ~~((elected))~~ supervisors may be employed upon the construction or maintenance, receiving the same compensation as other labor of like character. ~~((The engineer shall receive compensation for his services as supervisor in the maintenance of the system at the per diem rate allowed him for other work; and if he is a salaried officer the compensation shall be a charge against the district in favor of the engineer's office.~~

The term of office of each elected district supervisor shall be four years, and until his successor is elected and qualified except that the terms of those chosen at the first election in each district shall be as follows: The one receiving the highest number of votes shall serve for a

period ending four years after the first Monday of January of the first odd-numbered year following the election; and the one receiving the second highest number of votes shall serve for a period ending two years after the first Monday of January of the first odd-numbered year following the election. Elections after the first election in a district shall be held biennially on the fourth Tuesday of November in the even-numbered years, except that where the first election is in an odd-numbered year no election shall be held in the next even-numbered year. Terms of office shall begin on the first Monday of January next following the election, except that the terms of the supervisors elected at the first election shall begin immediately on their qualifying. Every duly elected supervisor shall qualify in the same manner as other county officers. A vacancy on the board shall be filled by a district elector appointed by the board of county commissioners.

Elections, except for the first election as provided in RCW 85.08.290, shall be conducted by the board of supervisors of such district, who shall prepare the ballot therefor. The expenses of the election shall be defrayed by the district, and the judges, clerks and inspectors of the election shall each receive not to exceed the sum of fifteen dollars per day for services so rendered. At least thirty days before the election the district supervisors shall post notice thereof in four public places in the district, and publish notice of the election at least once in a legal newspaper published in the district, or if none is published therein, then in a legal newspaper in the county in which the district is situated. Such notice shall contain the names of the two judges and one inspector of the election; who shall be electors of the district appointed by the supervisors. The supervisors may declare the entire district as one precinct and shall designate in the notice of election the number and places of voting. The supervisors shall meet on the day following the election and canvass the votes, declare the results, and issue the certificates of election.))

When a district contains not more than five hundred acres, or when a petition is presented to the ((board of)) county ((commissioners)) legislative authority signed by the owners of fifty percent of the acreage of the district praying for such action, the ((district)) county engineer shall act as the sole supervisor of the district; and in such case the allowance of all claims against the district shall be by the county ((commissioners)) legislative authority.

Sec. 46. Section 23, chapter 176, Laws of 1913 as last amended by section 23, chapter 156, Laws of 1981 and RCW 85.08.320 are each amended to read as follows:

The compensation of the ((board of supervisors.)) superintendent of construction, the board of appraisers hereinafter provided for, and any special engineer, attorney or agent employed by the ((county legislative authority)) district in connection with the improvement, the maximum wages to be paid, and the maximum price of materials to be used, shall be fixed by the ((county legislative authority)) district board of supervisors. The compensation for members of the board of supervisors shall be fixed by the county legislative authority. Each supervisor shall be entitled to reimbursement for reasonable expenses actually incurred in connection with business, including subsistence and lodging while away from the supervisor's place of residence and mileage for use of a privately owned vehicle in accordance with chapter 42.24 RCW. Each member of the county legislative authority, except in counties of the first class, shall receive pay at the rate of four dollars per day for the number of days he is engaged in the performance of any duty under this chapter, which sum shall be additional to his salary in case he receive an annual salary; and none of the statutory provisions limiting the number of days that a member of the county legislative authority shall draw pay for or limiting the number of sessions for attendance upon which he shall be entitled to mileage shall apply to any proceedings under this chapter. All officers and members of boards performing duties under this chapter shall receive in addition to their fees or salaries their actual necessary expenses incurred in the performance of their duties hereinafter. All costs of construction or maintenance done under the direction of the board of supervisors shall be paid upon vouchers or payrolls verified by two of the said supervisors. All costs of construction and all other expenses, fees and charges on account of such improvement shall be paid by warrants drawn by the county auditor upon the county treasurer upon the proper fund, and shall draw interest at a rate determined by the county legislative authority until paid or called by the county treasurer as warrants of the county are called.

If at the hearing provided for in RCW 85.08.160 the county legislative authority shall determine that bonds shall be issued to pay the costs of the improvement or warrants sold to procure funds with which to pay such cost, as therein provided, temporary warrants may be issued for any part or all of such costs, expenses, fees, and charges, and shall be paid in cash upon the issuance and sale of such bonds, or shall be exchanged for an equal amount par value of such bonds. All such temporary warrants shall recite that they are temporary warrants and that they draw interest until called to be paid in cash or to be exchanged for bonds. All warrants issued under the provisions of this chapter and sold by the county legislative authority, or issued to any contractor and by him sold or hypothecated for a valuable consideration, shall be claims and liens against the fund against which they are drawn, prior and superior to any right, lien or claim of any surety upon any bond or bonds given to secure the performance of the contract or to secure the payment of persons who have performed work thereon, furnished materials therefor or provisions and supplies for the carrying on of the work.

Sec. 47. Section 4, chapter 130, Laws of 1917 and RCW 85.08.610 are each amended to read as follows:

Until the ~~((expiration of the terms of the elected supervisors having the shortest term to serve in each of the districts so consolidated, the two elected))~~ first special district general election after the consolidation of the districts, the supervisors of each district~~((together with the county engineer.))~~ shall form the board of supervisors of such consolidated district.

At the ~~((annual))~~ special district general election following the entry of the order of consolidation, ~~((one supervisor shall be elected in the consolidated district and shall serve for two years and until his successor is elected and qualified, and together with the supervisor of each district included in the consolidation whose term of office has not expired and the county engineer, shall constitute the board of supervisors of the consolidated district until the next annual election.~~

At the next annual election and at each succeeding annual election, one supervisor shall be elected in the consolidated district for a term of two years)) all supervisors shall have their positions filled. The person receiving the greatest number of votes for supervisor shall have a six-year term, the person receiving the second greatest number of votes for supervisor shall have a four-year term, and the person receiving the third greatest number of votes shall have a two-year term.

Sec. 48. Section 3, chapter 131, Laws of 1917 and RCW 85.20.030 are each amended to read as follows:

Whenever a petition is presented as provided in RCW 85.20.020, the ~~((clerk of the board of county commissioners shall give notice of an election to be held on a day, and at a place within the district, to be fixed in such notice, at which the electors of the district shall vote for or against the reorganization of the district so petitioning as a drainage or a diking improvement district))~~ county legislative authority shall order an election to be held to determine if the district shall be reorganized. The county legislative authority shall specify the election date which may or may not be at the normal special district general election. Notice of the election shall be posted and published, and the election shall be conducted, as for any special district election. The notice shall state the number of the district so petitioning to reorganize, the place where and the time when the election is to be held~~((; and shall require the voters to cast ballots which shall contain the words 'Reorganization, Yes', or 'Reorganization, No'. Such notice shall be posted for at least twenty days prior to the date fixed for the election in four of the public places in the district, and if the board of county commissioners shall so direct, shall be published once a week for four successive weeks in some newspaper published in the county, the last publication of which shall be not less than ten days prior to the day fixed for such election))~~. The auditor shall certify the results of the election to the county legislative authority. If the proposition to reorganize the district is approved by a simple majority vote of the voters voting on the proposition, the district shall be reorganized as either a diking improvement district or drainage improvement district upon the county legislative authority ordering the reorganization. The district shall be liable to the county for its costs incurred for the election.

Sec. 49. Section 5, chapter 131, Laws of 1917 and RCW 85.20.050 are each amended to read as follows:

~~((Upon the entry of the order provided for in RCW 85.20.040, such reorganized district shall be known as a drainage or a diking improvement district of the same number as borne by it as a diking or a drainage district, and))~~ The board of commissioners of ((such)) the drainage or diking district shall~~((together with the county engineer.))~~ constitute the board of supervisors of the reorganized district ((until the second Tuesday of December following such reorganization, when an election shall be held as provided for annual elections in drainage improvement districts, at which two supervisors shall be elected, who shall serve for the terms and whose successors shall be elected in the manner provided for the first board of supervisors in drainage improvement districts)). From the entry of ((said)) an order under RCW 85.20.030 reorganizing the district, such reorganized district, and its board of supervisors ((herein provided for)), shall have all the rights and powers of and be subject to all laws applicable to a diking or drainage improvement district, and such district so reorganized shall be dissolved without any further proceedings therefor. Notwithstanding such dissolution and reorganization, none of the outstanding bonds, warrants or other indebtedness of the district, shall be affected thereby; and all lands liable to be assessed to pay any of such bonds, warrants or other indebtedness shall remain liable to the same extent as if such reorganization had not been made, and any and all assessments theretofore levied or made against any such lands shall be and remain unimpaired and shall be collected in the same manner as if no such reorganization had been had. The ((board of county commissioners)) legislative authority of the county in which such reorganized district is situated shall have all the powers possessed at the time of the reorganization by the board of commissioners of such district to levy, assess, and cause to be collected any and all assessments or charges against any of the lands within such district that may be necessary or required to provide funds for the payment of all the bonds, warrants and other indebtedness thereof.

Sec. 50. Section 3, chapter 182, Laws of 1933 and RCW 85.22.030 are each amended to read as follows:

Whenever a petition is presented as provided in RCW 85.22.020, the ~~((clerk of the board of county commissioners shall give notice of an election to be held on a day, and at a place within the district, to be fixed in such notice, at which the electors of the district shall vote for or against the reorganization of the district so petitioning as a drainage and irrigation improvement district or diking, drainage and irrigation improvement district))~~ county legislative authority shall order an election to be held to determine if the district shall be reorganized. The county legislative authority shall specify the election date which may or may not be the same as the regular special district general election. Notice of the election shall be posted and published, and the election shall be conducted, as for any special district election. The notice shall state the number of the district so petitioning to reorganize, the place where and the time when the election is to be held~~((and shall require the voters to cast ballots which shall contain the words "Reorganization: Yes" or "Reorganization: No". Such notice shall be posted for at least twenty days prior to the date fixed for the election in four of the public places of said district; and if the board of county commissioners shall so direct, shall be published once a week for four successive weeks in some newspaper published in the county, the last publication of which shall be not less than ten days prior to the day fixed for such election))~~. The auditor shall certify the results of the election to the county legislative authority. If the proposition to reorganize the district is approved by a simple majority vote of the voters voting on the proposition, the district shall be reorganized as either a diking improvement district or drainage improvement district upon the county legislative authority ordering the reorganization. The district shall be liable to the county for its costs incurred for the election.

Sec. 51. Section 5, chapter 182, Laws of 1933 and RCW 85.22.050 are each amended to read as follows:

~~((Upon the entry of the order provided for in RCW 85.22.040, such reorganized district shall be known as a drainage and irrigation improvement district or diking, drainage and irrigation improvement district of the same number borne by it as a diking or drainage district. Such preexisting district so reorganized shall be dissolved without any further proceedings therefor.))~~ The commissioners of the old district shall become the ~~((commissioners))~~ supervisors of the reorganized district and shall have all the rights and powers and be subject to all laws applicable to a diking or drainage improvement district. The ~~((said commissioners))~~ supervisors shall also have the power of using such drainage ditches and equipment in the district for irrigation purposes at proper times and may adapt such ditches to such purposes by making the necessary improvements therein. The ~~((said commissioners))~~ supervisors shall also have the right to purchase and install machinery, pumps and other equipment for the carrying on of such irrigation within the district. Notwithstanding such dissolution and reorganization, none of the outstanding bonds, warrants or other indebtedness of the district, shall be affected thereby; and all lands liable to be assessed to pay any of such bonds, warrants or other indebtedness shall remain liable to the same extent as if such reorganization had not been made, and any and all assessments theretofore levied or made against any such lands shall be and remain unimpaired and shall be collected in the same manner as if no such reorganization had been had. The ~~((board of county commissioners))~~ legislative authority of the county in which such reorganized district is situated shall have all the powers possessed at the time of the reorganization by the board of commissioners of such district to levy, assess, and cause to be collected any and all assessments or charges against any of the lands within such district that may be necessary or required to provide funds for the payment of all the bonds, warrants and other indebtedness thereof.

Sec. 52. Section 7, chapter 182, Laws of 1933 and RCW 85.22.070 are each amended to read as follows:

The ~~((board))~~ county legislative authority shall determine the amount of the assessment necessary to be levied to provide funds to liquidate the bonds of the district then payable and shall cause such assessment to be apportioned to the lands of the district in proportion to the maximum benefits as fixed by the judgment of the jury, and shall cause to be prepared an assessment roll showing the assessment apportioned against each tract, lot and parcel of land contained in such judgment and shall file such roll with the clerk of the ~~((board))~~ county legislative authority. Thereupon the ~~((board))~~ county legislative authority shall adopt a resolution which shall set forth:

(1) A schedule showing the bonds outstanding against the district then payable which they propose to refund, and the assessment necessary to be levied to provide funds for the payment thereof.

(2) That the assessment roll for the collection of the assessments proposed to be levied against the lands of the district is on file with the clerk of the ~~((board))~~ county legislative authority and open to the inspection of all persons interested.

(3) That the ~~((commissioners))~~ district proposes to levy such assessments for collection in installments according to the schedule attached thereto.

(4) A schedule showing the installments in which such assessments are to be paid.

(5) That the assessments contained in such assessment roll may be paid in full at any time prior to the expiration of thirty days after such assessment roll shall have been turned over to

the treasurer for collection and he shall have published a notice to that effect, and that all assessments not so paid shall thereafter bear interest until due at a rate to be fixed therein.

(6) That the ((commissioners)) district proposes to issue bonds under the provisions of chapter 176 of the Laws of 1913, and acts amendatory thereof, payable in years (to be stated in the resolution), to refund such outstanding bonds then payable.

(7) A date which shall be not more than sixty nor less than thirty days after the date of the adoption of such resolution, on which the ((board)) county legislative authority will hear any objections offered to the proposed levy and issuance of refunding bonds, or to the assessment roll prepared by the ((commissioners)) supervisors.

Sec. 53. Section 5, chapter 225, Laws of 1909 as last amended by section 26, chapter 156, Laws of 1981 and RCW 85.24.070 are each amended to read as follows:

A three-member board of commissioners shall be the governing body of an intercounty diking and drainage district. The initial commissioners shall be appointed, and the elected commissioners elected, as provided in chapter 85.-- RCW (sections 1 through 19 of this 1985 act).

The members of such board, before entering upon their duties, shall take and subscribe on oath substantially as follows:

State of Washington,)
) ss.
County of)

I, the undersigned, a member of the board of commissioners of the diking and drainage district No. in and counties, do solemnly swear (or affirm) that I will ((well and truly)) faithfully discharge my duties as a member of ((said)) the commission.

~~((The members shall also, before entering upon their duties, give a bond to the state of Washington for the benefit of such diking and drainage district, for the faithful performance of their duties as such board of commissioners, in the penal sum of five thousand dollars with a company or corporation as surety, authorized to make and execute official bonds under the laws of the state, the district to bear the expense of such bond; and)) Upon the taking of such oath and the entering into a bond ((being filed with the commissioner of public lands, that officer)), as provided in section 9 of this 1985 act, the county legislative authority shall enter an order upon ((his)) its records that the three persons named ((as aforesaid)) have qualified as the board of commissioners for diking and drainage district No. in and counties, and that ((said)) those persons and their successors do and shall constitute a board of commissioners for the ((aforesaid)) diking and drainage district((--which)). The order when made shall be conclusive of the regularity of the election and qualification of the board of diking and drainage commissioners for the particular district, and the persons named therein shall constitute ((such)) the board of diking and drainage commissioners.~~

The ((said)) board of diking and drainage commissioners shall thereupon immediately organize and elect one of their number as chairman and may either appoint a voter of the district or another diking and drainage commissioner to act as secretary. The ((said)) board shall then proceed to make and cause to be made specifications and details of a system which may be adopted by the board for the improvements to be made, together with an estimate of the total cost thereof; and shall, upon the adoption of ((a)) the plan of improvement of the district ((as aforesaid)), proceed to acquire the necessary property and property rights for the construction, establishment and maintenance of ((said)) the system either by purchase or by power of eminent domain as hereinafter provided. Upon such acquisition being had, the board shall then proceed with the construction of ((said)) the diking and drainage system and in doing so shall have the power to do the work directly or in its discretion to have all or any part of ((said)) the work done by contract. In case the board shall decide upon doing the same by contract, it shall advertise for bids for ((said)) the construction work, or such part thereof as they may determine to have done by contract, and shall have the authority to let a contract to the lowest responsible bidder after advertising for bids.

Any contractor doing work hereunder shall be required to furnish a bond as provided by the laws of the state of Washington relating to contractors of public work.

The board shall have the right, power and authority to issue vouchers or warrants in payment or evidence of payment of any and all expenses incurred under ((the provisions of)) this chapter, and shall have the power to issue the same to any contractor as the work progresses, the same to be based upon the partial estimates furnished from time to time by engineers of ((said)) the district. All warrants issued hereunder shall draw interest at a rate determined by the board.

Upon the completion of the construction of ((said)) the system, and ascertainment of the total cost thereof including all compensation and damages and costs and expenses incident to the acquiring of the necessary property and property right, the board shall then proceed to levy an assessment upon the taxable real property within the ((said)) district which the board may find to be specially benefited by the proposed improvements; and shall make and levy such assessment upon each piece, lot, parcel and separate tract of real estate in proportion to the particular and special benefits thereto. Upon determining the amount of the assessment against each particular tract of real estate as aforesaid, the commissioners shall make or cause

to be made an assessment roll, in which shall appear the names of the owners of the property assessed, so far as known, and a general description of each lot, block, parcel or tract of land within ~~((such))~~ the district, and the amount assessed against the same, as separate, special or particular benefits. The board shall thereupon make an order setting and fixing a day for hearing any objections to the assessment roll by any one affected thereby, which day shall be at least twenty days after the mailing of notices thereof, postage prepaid, as herein provided. The board shall send or cause to be sent by mail to each owner of the premises assessed, whose name and place of residence is known, a notice, substantially in the following form~~((to wit))~~:

To: Your property (here describe the property) is assessed \$..... A hearing on the assessment roll will be had before the undersigned at the office of the ~~((said))~~ board at on the day of at which time you are notified to be and appear and to make any and all objections which you may have as to the amount of the assessment against your property, or as to whether it should be assessed at all; and to make any and all objections which you may have to the ~~((said))~~ assessment against your lands, or any part or portion thereof.

The failure to send or cause to be sent such notice shall not be fatal to the proceedings herein described. The secretary of the board on the mailing of ~~((said))~~ the notices shall certify generally that he has mailed such notices to the known address of all owners, and such certificate shall be prima facie evidence of the mailing of all such notices at the date mentioned in the certificate.

The board shall cause at least ten days' notice of the hearing to be given by posting notice in at least ten public places within the boundaries of the district, and by publishing the same at least five successive times in a daily newspaper published in each of the counties affected; and for at least two successive weeks in one or more weekly newspapers within the boundaries of ~~((said))~~ the district, in each county if there ~~((be))~~ are such newspapers published therein, and if there ~~((be))~~ is no such newspaper published, then in one or more weekly newspapers, having a circulation in the district, for two successive weeks~~((which))~~. The notice shall be signed by the chairman or secretary of the ~~((said))~~ board of commissioners, and shall state the date and place of hearing of objections to the assessment roll and levy, and of all other objections; and that all interested parties will be heard as to any objection to ~~((said))~~ the assessment roll and the levies as therein made.

Sec. 54. Section 33, chapter 225, Laws of 1909 and RCW 85.24.080 are each amended to read as follows:

The members of the board shall receive as compensation ~~((the sum of five))~~ up to twenty-five dollars ~~((per day))~~ for attendance at official meetings of the district and for each day ~~((while engaged in the actual performance of))~~ or major part thereof for all necessary services actually performed in connection with their duties~~((and in addition thereto their actual incurred expenses in the performance of their duties))~~ as commissioners: PROVIDED, That the board may fix a different salary for the secretary thereof in lieu of the per diem. Each commissioner is entitled to reimbursement for reasonable expenses actually incurred in connection with such business, including subsistence and lodging, while away from the commissioner's place of residence, and mileage for use of a privately owned vehicle in accordance with chapter 42.24 RCW. The salary and expenses shall be paid by the treasurer of the fund, upon orders made by the board. Each member of the board must before being paid for expenses, take vouchers therefore from the person or persons to whom the particular amount was paid, and must also make affidavit that the amounts were necessarily incurred and expended in the performance of his duties.

Sec. 55. Section 2, chapter 154, Laws of 1967 and RCW 85.36.010 are each amended to read as follows:

(1) Any two or more diking districts, two or more drainage districts, or two or more diking and/or drainage improvement districts, heretofore organized or which may hereafter be organized pursuant to any of the laws of the state of Washington desiring to consolidate into one district may ~~((upon petition))~~ initiate a process to consolidate the districts and become a flood control district by either: (a) Submitting a petition to the legislative authority of the county within which the proposed district, or the largest portion of the proposed district, is located, which petition requests the consolidation and is signed by the owners of real property representing a majority of the acreage ~~((therein))~~ in each district to the governing body of the respective districts~~((;))~~; or ~~((in the alternative, by))~~ (b) resolution of a majority of the members of the governing body of each district~~((effect such consolidation by the governing body of said district so desiring to consolidate, giving thirty days notice of an election for such purpose to be held in each of said districts, setting forth in said notice the date of said election and the object of the same, said notice to be given and posted as notice of the annual election of members of the governing body within said district, and if no provision is made for the giving of such notice, then as provided in the general diking law, and then publication of the same for at least three successive issues in a weekly newspaper published in the county in which such districts are located and of general circulation in said districts: PROVIDED, That where there is no newspaper so published or circulated, then publication of the notice of said election may~~

be dispensed with). The auditor of the county, or auditors of the counties, within which these districts are located shall authenticate the signatures on the petitions and certify the results. Whenever the resolutions have been adopted, or the valid petitions have been submitted, a proposition authorizing the consolidation shall be submitted to the voters of each of the special districts proposed to be consolidated at the next special district general election held at least sixty days after the last resolution has been adopted, or the signatures on the petitions have been certified as being valid. Consolidation shall become effective only upon approval of the proposition by simple majority vote of the voters of each district voting on the proposition. The elections shall be held as provided in chapter 85.-- RCW (sections 1 through 19 of this 1985 act).

(2) Upon consolidation, the governing body of the consolidated district shall be three persons appointed, with their successors elected, as provided for the creation of a new special district in chapter 85.-- RCW (sections 1 through 19 of this 1985 act).

(3) Nothing contained herein shall be construed to limit or interfere with the existing power or authority presently held by any of ~~(said)~~ the districts to consolidate one with another.

~~(Implementation of a consolidation pursuant hereto and future repair, improvement or maintenance of any district system may be as provided for consolidated taxing districts in RCW 85.05.570 et seq. through RCW 85.05.600 and such provisions thereof as can be made applicable shall fully apply to consolidation of any districts therein provided for:)~~

Sec. 56. Section 62, chapter 72, Laws of 1937 as amended by section 10, chapter 104, Laws of 1982 and RCW 86.09.184 are each amended to read as follows:

Districts shall have authority to enter into contracts for the construction of any improvement authorized by law, or for labor or materials entering therein, without public bidding, with the written approval and consent of the ~~(state director)~~ county legislative authority in instances of genuine emergency to be declared by ~~(said director)~~ the county legislative authority or in any instance where the contract price does not exceed ~~((two))~~ ten thousand ~~((five hundred))~~ hundred dollars.

Sec. 57. Section 63, chapter 72, Laws of 1937 as last amended by section 4, chapter 104, Laws of 1982 and RCW 86.09.187 are each amended to read as follows:

Any proposed improvement or part thereof, not exceeding ~~((two thousand five hundred))~~ five thousand dollars in cost may be constructed by ~~((the))~~ the district ~~((by force account))~~ employees.

Sec. 58. Section 87, chapter 72, Laws of 1937 as amended by section 7, chapter 154, Laws of 1967 and RCW 86.09.259 are each amended to read as follows:

A flood control district(s) shall be managed by a board of directors consisting of three members~~(: PROVIDED, That when a new district is created by consolidation pursuant to the provisions of chapter 85.36 RCW, there shall be five directors)).~~ The initial directors shall ~~((organize as a board each year, after any new members have qualified and))~~ be appointed, and the elected directors elected, as provided in chapter 85.-- RCW (sections 1 through 19 of this 1985 act). The directors shall elect a chairman from their number and shall either elect one of their number, or appoint a voter of the district, as secretary to hold office at its pleasure and who shall keep a record of its proceedings.

Sec. 59. Section 91, chapter 72, Laws of 1937 as amended by section 7, chapter 26, Laws of 1965 and RCW 86.09.271 are each amended to read as follows:

The office of the directors and principal place of business of the district shall be located, if possible, at some place within the district to be designated by the board. If a place convenient and suitable for conducting district business and public hearings required by this chapter cannot be found within the district, ~~((said))~~ the office may be located in the county within which the major portion of district lands is situated. ~~((said))~~ The office and place of business cannot thereafter be changed, except with the previous written consent of the ~~((state director))~~ county legislative authority of the county within which the major portion of the district is situated, and without passing a resolution to that effect at a previous regular meeting of the board, entered in the minutes thereof and without posting a notice of the change in a conspicuous public place at or near the place of business which is to be changed at least ten days prior thereto and by the previous posting of a copy of ~~((said))~~ the notice for the same length of time at or near the new location of the office.

Sec. 60. Section 92, chapter 72, Laws of 1937 and RCW 86.09.274 are each amended to read as follows:

The directors shall hold a regular ~~((monthly))~~ meeting at their office ~~((on such day in each month as))~~ at least once a year, or more frequently, on the date or dates the board shall designate in their bylaws, and may adjourn any meeting from time to time as may be required for the proper transaction of business: PROVIDED, That the day of the regular ~~((monthly))~~ meeting cannot be changed, except in the manner prescribed herein for changing the place of business of the district.

Sec. 61. Section 95, chapter 72, Laws of 1937 as amended by section 8, chapter 26, Laws of 1965 and RCW 86.09.283 are each amended to read as follows:

The board of directors shall each receive ~~((not to exceed ten))~~ up to twenty-five dollars ~~((per day in attending the))~~ for attendance at official meetings~~(: to be determined by said~~

~~board, and such compensation, not exceeding ten dollars per day, for other services rendered the district as shall be fixed by resolution adopted by vote of the directors and entered in the minutes of their proceedings, and in addition thereto, directors shall receive necessary expenses in attending meetings or when otherwise engaged on district business)) of the board and for each day or major part thereof for all necessary services actually performed in connection with their duties as director. The board shall fix the compensation to be paid to the directors, secretary, and all other agents and employees of the district. A director ((using his own automobile shall be entitled to compensation therefor for the actual and necessary number of miles traveled, based on a resolution fixing the rate per mile not in excess of eight cents per mile)) is entitled to reimbursement for reasonable expenses actually incurred in connection with such business, including subsistence and lodging, while away from the director's place of residence, and mileage for use of a privately owned vehicle in accordance with chapter 42.24 RCW.~~

Sec. 62. Section 101, chapter 72, Laws of 1937 and RCW 86.09.301 are each amended to read as follows:

Every district officer, upon taking office, shall take and subscribe an official oath for the faithful discharge of the duties of his office during the term of his incumbency ~~((and each director shall at the cost of the district furnish an official bond conditioned upon the faithful performance of the duties of his office in such amount as the director of the department of conservation shall prescribe, to be approved by said director as to sufficiency, and all said oaths and bonds shall be filed in the office of the county clerk of the county in which the office of the district is located)).~~

Sec. 63. Section 102, chapter 72, Laws of 1937 and RCW 86.09.304 are each amended to read as follows:

Every district officer or employee handling any district funds ~~((shall))~~ shall execute a surety bond payable to the district in the sum of double the estimated amount of funds handled monthly, conditioned that the principal will strictly account for all moneys or credit received by him for the use of the district. Each bond and the amount thereof shall be approved by the ~~((state director and the same shall be recorded in the office of his department))~~ county legislative authority of the county within which the major portion of the district is situated, and thereafter filed with the secretary of the district.

Sec. 64. Section 129, chapter 72, Laws of 1937 as amended by section 10, chapter 26, Laws of 1965 and RCW 86.09.385 are each amended to read as follows:

As a basis for the levy of all assessments authorized under this chapter, the ~~((state supervisor of flood control))~~ county legislative authority of the county within which the major portion of the district is situated, soon after the creation of the district, shall cause to be prepared a base map of the lands within the district and deliver the same to the secretary of the district: PROVIDED, That said ~~((state supervisor))~~ county legislative authority shall not be required to prepare said base map unless ample appropriation of funds for the purpose has been made.

Sec. 65. Section 130, chapter 72, Laws of 1937 as amended by section 11, chapter 26, Laws of 1965 and RCW 86.09.388 are each amended to read as follows:

Upon receipt of ~~((said))~~ the base map the board of directors of the district shall appoint a board of three appraisers subject to the written approval of the ~~((state director))~~ county legislative authority of the county within which the major portion of the district is situated, whose duty it shall be to determine the ratio of benefits which the several tracts of land shall receive with respect to each other from the organization and operation of the district and the construction and maintenance of the district works in accordance with the comprehensive plan therefor adopted by the directors of the district.

Sec. 66. Section 131, chapter 72, Laws of 1937 and RCW 86.09.391 are each amended to read as follows:

~~((Said))~~ The board of appraisers shall elect a member as chairman and the secretary of the district or his deputy shall be ex officio secretary of the board of appraisers. ~~((Said))~~ The appraisers shall receive such compensation and expenses as the board of directors of the district, with the approval of the ~~((state director))~~ county legislative authority of the county within which the major portion of the district is situated, shall determine, and which may forthwith be paid by the issuance of district warrants.

Sec. 67. Section 137, chapter 72, Laws of 1937 and RCW 86.09.409 are each amended to read as follows:

As an independent and alternative method to any other method herein authorized and subject to the prior written approval of the ~~((state director))~~ county legislative authority of the county within which the major portion of the district is situated, the ratio of benefits herein mentioned may be determined in their relation to the relative values of the respective benefited lands, including the improvements thereon, and the same shall be expressed on a relative percentage basis.

Sec. 68. Section 140, chapter 72, Laws of 1937 and RCW 86.09.418 are each amended to read as follows:

Upon completion of the control works of the district or of any unit thereof, ~~((said))~~ the board of directors of the district may, with the written consent of the ~~((state director))~~ county legislative

authority of the county within which the major portion of the district is situated, and upon petition signed by landowners representing twenty-five percent of the acreage of the lands in the district shall, appoint three qualified persons who shall be approved in writing by the ~~((state director))~~ county legislative authority, to act as a board of appraisers and who shall reconsider and revise and/or reaffirm the classification and relative percentages, or any part or parts thereof, in the same manner and with the same legal effect as that provided herein for the determination of such matters in the first instance: PROVIDED, That such reexamination shall have no legal effect on any assessments regularly levied prior to the order of appraisal by ~~((said))~~ the reexamining board of appraisers.

Sec. 69. Section 145, chapter 72, Laws of 1937 and RCW 86.09.433 are each amended to read as follows:

At the time set for said hearing the ~~((state supervisor))~~ county legislative authority shall be present at the place designated in the notice and if it appears that due notice of the hearing has been given, shall proceed to hear such objections to the base map as shall be presented and shall hear all pertinent evidence that may be offered. ~~((said state supervisor))~~ The county legislative authority shall have authority to adjourn said hearings from time to time to study the record and evidence presented, to make such independent investigation as ~~((he))~~ it shall deem necessary and to correct, modify or confirm the things set out on said base map or any part thereof and to determine all questions concerning the matter and shall finally make an order confirming said map with such substitutions, changes or corrections, if any, as may have been made thereon, which order shall be signed by ~~((said state supervisor))~~ the chairman of the county legislative authority and attached to said map.

Sec. 70. Section 148, chapter 72, Laws of 1937 and RCW 86.09.442 are each amended to read as follows:

When confirmed by order of said ~~((state supervisor))~~ county legislative authority as aforesaid, or by order of said ~~((state supervisor))~~ county legislative authority making any changes decreed by the court on appeal to the superior court, it shall be the duty of the secretary of the district to prepare a correct copy of so much of said base assessment map as includes the lands in the district situated in each county in which the lands in the district are situated, with the assessment classes and ratios properly designated thereon, and file the same with the respective county assessors of said counties for record therein.

Sec. 71. Section 150, chapter 72, Laws of 1937 and RCW 86.09.448 are each amended to read as follows:

Any person, firm or corporation feeling aggrieved at any determination by said ~~((state supervisor))~~ county legislative authority of the classification or relative percentage of his or its lands, aforesaid, may have the same reviewed by a proceeding for that purpose, in the nature of an appeal, initiated in the superior court of the county in which the land affected is situated. The matter shall be heard and tried by the court and shall be informal and summary but full opportunity to be heard and present evidence shall be given before judgment is pronounced.

Sec. 72. Section 151, chapter 72, Laws of 1937 and RCW 86.09.451 are each amended to read as follows:

No such appeal shall be entertained by the court unless notice of the same containing a statement of the substance of the matter complained of and the manner in which the same injuriously affects the appellant's interests shall have been served personally or by registered mail, upon ~~((said state director at his office at the state capitol))~~ the county legislative authority of the county within which the major portion of the district is situated, and upon the secretary of the district, within twenty days following the date of ~~((said))~~ the determination appealed from.

Sec. 73. Section 153, chapter 72, Laws of 1937 and RCW 86.09.457 are each amended to read as follows:

Costs shall be paid as in civil cases brought in the superior court, and the practices in civil cases shall apply: PROVIDED, That any costs awarded against said ~~((state supervisor))~~ county legislative authority shall be in ~~((his))~~ its official capacity only and shall be against and paid by the district.

Sec. 74. Section 155, chapter 72, Laws of 1937 and RCW 86.09.463 are each amended to read as follows:

In all said appeals from the determination of said ~~((state supervisor))~~ county legislative authority, as herein provided, said determination and all parts thereof shall be deemed to be prima facie correct.

Sec. 75. Section 156, chapter 72, Laws of 1937 and RCW 86.09.466 are each amended to read as follows:

The secretary of the district on or before the first day of November in each year shall estimate the amount of money necessary to be raised for any and all district purposes during the ensuing year based upon a budget furnished him by the district board ~~((on forms prescribed by the director of the department of conservation with the advice of the state auditor,))~~ and submit the same to ~~((said director))~~ the county legislative authority of the county within which the major portion of the district is situated for ~~((his))~~ its suggestions, approval and revision and upon the approval of the budget by said ~~((director))~~ county legislative authority, either as

originally submitted or as revised, the secretary shall prepare an assessment roll with appropriate headings in which must be listed all the lands in each assessment classification shown on the base assessment map.

Sec. 76. Section 190, chapter 72, Laws of 1937 and RCW 86.09.568 are each amended to read as follows:

Upon previous written approval of the ~~((state director))~~ county legislative authority of the county within which the major portion of the district is situated, the district board shall have authority to evidence district indebtedness by the issuance and sale of negotiable general obligation bonds of the district, in the manner provided herein.

Sec. 77. Section 193, chapter 72, Laws of 1937 and RCW 86.09.577 are each amended to read as follows:

The notice of election for the authorization of such bonds shall set forth the proposition generally as to the amount, maturities and the purpose thereof, shall state that the issuance of the proposed bonds has been approved by the ~~((state director of the department of conservation))~~ county legislative authority of the county within which the major portion of the district is situated, shall specify the day and place or places of election, the hours during which the polls will be open and shall be signed by the secretary of the district.

Sec. 78. Section 198, chapter 72, Laws of 1937 and RCW 86.09.592 are each amended to read as follows:

In any instance where the district is using, selling or leasing water for beneficial purposes or furnishing other service under the provisions of this chapter and there is reasonable certainty of a permanent fixed income from this source, the district board, upon previous written approval of the ~~((state director))~~ county legislative authority of the county within which the major portion of the district is situated, shall have authority to pledge the revenues derived from a fixed proportion of the gross income thus obtained and to issue bonds of the district payable from the utility bond fund and to sell the same to raise money for district purposes.

Sec. 79. Section 200, chapter 72, Laws of 1937 as last amended by section 207, chapter 167, Laws of 1983 and RCW 86.09.598 are each amended to read as follows:

(1) Said utility bonds shall be numbered consecutively, shall mature in series amortized in a definite schedule during a period not to exceed twenty years from the date of their issuance, shall be in such denominations and form and shall be payable, with annual or semiannual interest at such rate or rates and at such place as the ~~((department of ecology))~~ county legislative authority of the county within which the major portion of the district is situated shall provide. Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.

Sec. 80. Section 202, chapter 72, Laws of 1937 as amended by section 208, chapter 167, Laws of 1983 and RCW 86.09.604 are each amended to read as follows:

(1) Upon approval of the ~~((department of ecology))~~ county legislative authority of the county within which the major portion of the district is situated, first obtained, the district board shall have authority to issue and dispose of short term general obligation bonds of the district in such amount or amounts, not exceeding the aggregate amount of the district's collected revenue for the year next previous to the date of their issue, on such conditions and in such form as said ~~((department of ecology))~~ county legislative authority shall prescribe including issuance and sale in accordance with chapter 39.46 RCW. Such bonds shall not run for a longer term than five years and may be issued without a district election authorizing them: PROVIDED, That a second issue of such bonds shall not be authorized until all outstanding short term bonds of the previous issue have been paid. Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.

Sec. 81. Section 203, chapter 72, Laws of 1937 as amended by section 209, chapter 167, Laws of 1983 and RCW 86.09.607 are each amended to read as follows:

(1) Bonds of flood control districts issued under the provisions of this chapter shall not be sold nor disposed of for less than ninety percent of par and where issued in exchange for labor or service, materials or machinery and appliances, such labor or service and/or property given in exchange shall be appraised in writing and approved by the ~~((department of ecology))~~ county legislative authority of the county within which the major portion of the district is situated.

(2) Notwithstanding subsection (1) of this section, such bonds may be sold in accordance with chapter 39.46 RCW.

Sec. 82. Section 204, chapter 72, Laws of 1937 and RCW 86.09.610 are each amended to read as follows:

District bonds may be disposed of at public or private offering in such manner as the ~~((state director))~~ county legislative authority of the county within which the major portion of the district is situated shall prescribe.

Sec. 83. Section 208, chapter 72, Laws of 1937 and RCW 86.09.622 are each amended to read as follows:

Flood control districts may be dissolved upon a favorable sixty percent vote of the electors voting at an election for that purpose called, noticed, conducted and canvassed in the manner provided in this chapter for special elections and no further district obligations shall thereafter be incurred: PROVIDED, That ~~((said))~~ the election shall not abridge or cancel any of the outstanding obligations of the district, and the ~~((state director))~~ county legislative authority of the county within which the major portion of the district is situated shall each year at the time and in the manner provided in this chapter for the levy of district assessments, levy assessments against the lands in the district and the same shall be collected and enforced in the manner provided herein, until ~~((said))~~ the outstanding obligations of the district are fully paid.

Sec. 84. Section 209, chapter 72, Laws of 1937 and RCW 86.09.625 are each amended to read as follows:

When the obligations have been fully paid, all moneys in any of the funds of the district and all collections of unpaid district assessments shall be transferred to the ~~((state reclamation revolving))~~ general fund of the county within which the major portion of the district is situated as partial reimbursement for moneys expended and services rendered by the ~~((state department of conservation))~~ county for and in behalf of ~~((said))~~ the district, and thereupon ~~((said state director))~~ the county legislative authority of that county shall file a statement of the full payment of the district's obligations for record in the county auditor's office in each county in which any lands in the district were situated and thereafter the dissolution of ~~((said))~~ the district shall be complete and its corporate existence ended.

Sec. 85. Section 14, chapter 26, Laws of 1965 and RCW 86.09.700 are each amended to read as follows:

A board may amend the district comprehensive plan of flood control, alter, reduce or enlarge the district system of improvement, within or without the district, and change the district boundaries so as to include land likely to be benefited by said amendment, alteration, reduction or enlargement by filing a petition to that effect with the ~~((director))~~ county legislative authority of the county within which the major portion of the district is situated.

Sec. 86. Section 15, chapter 26, Laws of 1965 and RCW 86.09.703 are each amended to read as follows:

If funds are available the ~~((director))~~ county legislative authority shall, at the expense of ~~((his department))~~ the county, refer the petition to the ~~((supervisor))~~ county engineer for a preliminary investigation as to the feasibility of the objects sought by the petition. If the investigation discloses that the matter petitioned for is feasible, conducive to the public welfare, consistent with a comprehensive plan of development and in the best interest of the district and will promote the purposes for which the district was organized, the ~~((director))~~ county legislative authority shall so find, approve the petition, enter an order in his records declaring the establishment of the new boundaries as petitioned for, or as modified by him, and file a certified copy of the order with each county auditor, without filing fee, and with the board.

The board shall forthwith cause a review of the classifications and ratio of benefits, in the same manner and with the same effect as for the determination of such matters in the first instance.

The lands in the original district shall remain bound for the whole of the original unpaid assessment thereon for the payment of any outstanding warrants or bonds to be paid by such assessments. Until the assessments are collected and all indebtedness of the original district paid, separate funds shall be maintained for the original district and the revised district.

NEW SECTION. Sec. 87. The following acts or parts of acts are each repealed:

- (1) Section 2, chapter 117, Laws of 1895, section 2, chapter 146, Laws of 1921 and RCW 85.05.020;
- (2) Section 3, chapter 117, Laws of 1895, section 1, chapter 87, Laws of 1905, section 3, chapter 146, Laws of 1921 and RCW 85.05.030;
- (3) Section 4, chapter 117, Laws of 1895 and RCW 85.05.040;
- (4) Section 5, chapter 117, Laws of 1895, section 1, chapter 115, Laws of 1899, section 1, chapter 84, Laws of 1915 and RCW 85.05.050;
- (5) Section 1, chapter 84, Laws of 1953 and RCW 85.05.060;
- (6) Section 2, chapter 115, Laws of 1895, section 1, chapter 86, Laws of 1913 and RCW 85.06.020;
- (7) Section 3, chapter 115, Laws of 1895, section 1, chapter 175, Laws of 1905, section 2, chapter 86, Laws of 1913 and RCW 85.06.030;
- (8) Section 4, chapter 115, Laws of 1895 and RCW 85.06.040;
- (9) Section 5, chapter 115, Laws of 1895, section 1, chapter 143, Laws of 1909, section 1, chapter 183, Laws of 1941 and RCW 85.06.050;
- (10) Section 1, chapter 176, Laws of 1913, section 12, chapter 130, Laws of 1917, section 1, chapter 160, Laws of 1921, section 1, chapter 46, Laws of 1923, section 1, chapter 79, Laws of 1925 ex. sess., section 1, chapter 240, Laws of 1927 and RCW 85.08.020;
- (11) Section 3, chapter 176, Laws of 1913, section 14, chapter 130, Laws of 1917, section 3, chapter 46, Laws of 1923, section 2, chapter 209, Laws of 1959 and RCW 85.08.040;
- (12) Section 4, chapter 209, Laws of 1959 and RCW 85.08.050;
- (13) Section 5, chapter 209, Laws of 1959 and RCW 85.08.060;

- (14) Section 6, chapter 209, Laws of 1959 and RCW 85.08.070;
- (15) Section 7, chapter 209, Laws of 1959 and RCW 85.08.080;
- (16) Section 8, chapter 209, Laws of 1959 and RCW 85.08.090;
- (17) Section 9, chapter 209, Laws of 1959 and RCW 85.08.100;
- (18) Section 5, chapter 176, Laws of 1913 and RCW 85.08.110;
- (19) Section 6, chapter 176, Laws of 1913, Section 16, chapter 130, Laws of 1917, section 4, chapter 46, Laws of 1923 and RCW 85.08.120;
- (20) Section 7, chapter 176, Laws of 1913, section 17, chapter 130, Laws of 1917, section 5, chapter 46, Laws of 1923 and RCW 85.08.130;
- (21) Section 8, chapter 176, Laws of 1913, section 18, chapter 130, Laws of 1917 and RCW 85.08.140;
- (22) Section 9, chapter 176, Laws of 1913, section 19, chapter 130, Laws of 1917 and RCW 85.08.150;
- (23) Section 10, chapter 176, Laws of 1913, section 20, chapter 130, Laws of 1917, section 6, chapter 46, Laws of 1923 and RCW 85.08.160;
- (24) Section 11, chapter 176, Laws of 1913 and RCW 85.08.170;
- (25) Section 12, chapter 176, Laws of 1913 and RCW 85.08.180;
- (26) Section 19, chapter 176, Laws of 1913, section 25, chapter 130, Laws of 1917, section 1, chapter 89, Laws of 1925 ex. sess. and RCW 85.08.290;
- (27) Section 4, chapter 131, Laws of 1917 and RCW 85.20.040;
- (28) Section 4, chapter 182, Laws of 1933 and RCW 85.22.040;
- (29) Section 2, chapter 225, Laws of 1909, section 2, chapter 140, Laws of 1923 and RCW 85.24.020;
- (30) Section 3, chapter 225, Laws of 1909 and RCW 85.24.030;
- (31) Section 4, chapter 225, Laws of 1909, section 3, chapter 140, Laws of 1923 and RCW 85.24.040;
- (32) Section 3, chapter 72, Laws of 1937 and RCW 86.09.007;
- (33) Section 8, chapter 72, Laws of 1937 and RCW 86.09.022;
- (34) Section 9, chapter 72, Laws of 1937 and RCW 86.09.025;
- (35) Section 10, chapter 72, Laws of 1937 and RCW 86.09.028;
- (36) Section 11, chapter 72, Laws of 1937 and RCW 86.09.031;
- (37) Section 12, chapter 72, Laws of 1937 and RCW 86.09.034;
- (38) Section 13, chapter 72, Laws of 1937 and RCW 86.09.037;
- (39) Section 14, chapter 72, Laws of 1937 and RCW 86.09.040;
- (40) Section 15, chapter 72, Laws of 1937 and RCW 86.09.043;
- (41) Section 16, chapter 72, Laws of 1937 and RCW 86.09.046;
- (42) Section 17, chapter 72, Laws of 1937 and RCW 86.09.049;
- (43) Section 18, chapter 72, Laws of 1937 and RCW 86.09.052;
- (44) Section 19, chapter 72, Laws of 1937 and RCW 86.09.055;
- (45) Section 20, chapter 72, Laws of 1937 and RCW 86.09.058;
- (46) Section 21, chapter 72, Laws of 1937 and RCW 86.09.061;
- (47) Section 22, chapter 72, Laws of 1937 and RCW 86.09.064;
- (48) Section 23, chapter 72, Laws of 1937 and RCW 86.09.067;
- (49) Section 24, chapter 72, Laws of 1937 and RCW 86.09.070;
- (50) Section 25, chapter 72, Laws of 1937 and RCW 86.09.073;
- (51) Section 26, chapter 72, Laws of 1937 and RCW 86.09.076;
- (52) Section 27, chapter 72, Laws of 1937 and RCW 86.09.079;
- (53) Section 28, chapter 72, Laws of 1937 and RCW 86.09.082;
- (54) Section 29, chapter 72, Laws of 1937 and RCW 86.09.085;
- (55) Section 30, chapter 72, Laws of 1937 and RCW 86.09.088;
- (56) Section 31, chapter 72, Laws of 1937 and RCW 86.09.091;
- (57) Section 32, chapter 72, Laws of 1937 and RCW 86.09.094;
- (58) Section 33, chapter 72, Laws of 1937 and RCW 86.09.097;
- (59) Section 34, chapter 72, Laws of 1937 and RCW 86.09.100;
- (60) Section 35, chapter 72, Laws of 1937 and RCW 86.09.103;
- (61) Section 36, chapter 72, Laws of 1937 and RCW 86.09.106;
- (62) Section 37, chapter 72, Laws of 1937 and RCW 86.09.109;
- (63) Section 38, chapter 72, Laws of 1937 and RCW 86.09.112;
- (64) Section 39, chapter 72, Laws of 1937 and RCW 86.09.115;
- (65) Section 40, chapter 72, Laws of 1937 and RCW 86.09.118;
- (66) Section 41, chapter 72, Laws of 1937 and RCW 86.09.121;
- (67) Section 42, chapter 72, Laws of 1937 and RCW 86.09.124;
- (68) Section 43, chapter 72, Laws of 1937 and RCW 86.09.127;
- (69) Section 44, chapter 72, Laws of 1937 and RCW 86.09.130;
- (70) Section 45, chapter 72, Laws of 1937 and RCW 86.09.133;
- (71) Section 46, chapter 72, Laws of 1937 and RCW 86.09.136;
- (72) Section 47, chapter 72, Laws of 1937 and RCW 86.09.139;

- (73) Section 48, chapter 72, Laws of 1937, section 6, chapter 154, Laws of 1967 and RCW 86.09.142;
- (74) Section 49, chapter 72, Laws of 1937 and RCW 86.09.145;
- (75) Section 80, chapter 72, Laws of 1937 and RCW 86.09.238;
- (76) Section 81, chapter 72, Laws of 1937 and RCW 86.09.241;
- (77) Section 82, chapter 72, Laws of 1937 and RCW 86.09.244;
- (78) Section 83, chapter 72, Laws of 1937 and RCW 86.09.247;
- (79) Section 84, chapter 72, Laws of 1937 and RCW 86.09.250;
- (80) Section 85, chapter 72, Laws of 1937 and RCW 86.09.253;
- (81) Section 86, chapter 72, Laws of 1937, section 6, chapter 26, Laws of 1965 and RCW 86.09.256;
- (82) Section 88, chapter 72, Laws of 1937 and RCW 86.09.262;
- (83) Section 97, chapter 72, Laws of 1937 and RCW 86.09.289;
- (84) Section 99, chapter 72, Laws of 1937 and RCW 86.09.295;
- (85) Section 100, chapter 72, Laws of 1937, section 8, chapter 154, Laws of 1967 and RCW 86.09.298;
- (86) Section 106, chapter 72, Laws of 1937 and RCW 86.09.316;
- (87) Section 111, chapter 72, Laws of 1937, section 5, chapter 104, Laws of 1982 and RCW 86.09.331;
- (88) Section 112, chapter 72, Laws of 1937 and RCW 86.09.334;
- (89) Section 113, chapter 72, Laws of 1937 and RCW 86.09.337;
- (90) Section 114, chapter 72, Laws of 1937 and RCW 86.09.340;
- (91) Section 115, chapter 72, Laws of 1937 and RCW 86.09.343;
- (92) Section 116, chapter 72, Laws of 1937 and RCW 86.09.346;
- (93) Section 117, chapter 72, Laws of 1937 and RCW 86.09.349;
- (94) Section 118, chapter 72, Laws of 1937 and RCW 86.09.352;
- (95) Section 119, chapter 72, Laws of 1937 and RCW 86.09.355;
- (96) Section 120, chapter 72, Laws of 1937, section 6, chapter 104, Laws of 1982 and RCW 86.09.358;
- (97) Section 121, chapter 72, Laws of 1937, section 7, chapter 104, Laws of 1982 and RCW 86.09.361;
- (98) Section 122, chapter 72, Laws of 1937, section 9, chapter 26, Laws of 1965, section 71, chapter 292, Laws of 1971 ex. sess. and RCW 86.09.364;
- (99) Section 123, chapter 72, Laws of 1937, section 8, chapter 104, Laws of 1982 and RCW 86.09.367;
- (100) Section 124, chapter 72, Laws of 1937, section 9, chapter 104, Laws of 1982 and RCW 86.09.370;
- (101) Section 125, chapter 72, Laws of 1937 and RCW 86.09.373; and
- (102) Section 126, chapter 72, Laws of 1937 and RCW 86.09.376.

NEW SECTION. Sec. 88. 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."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Haugen, the House concurred in the Senate amendment to Substitute House Bill No. 150.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 150 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 150 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 150 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, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 153 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 5, chapter 322, Laws of 1959 as last amended by section 29, chapter 260, Laws of 1984 and RCW 74.20.040 are each amended to read as follows:

(1) Whenever the department of social and health services receives an application for public assistance on behalf of a child, the department shall take appropriate action under the provisions of this chapter, chapter 74.20A RCW, or other appropriate statutes of this state to establish or enforce support obligations against the parent or other persons owing a duty to pay support moneys.

(2) The secretary may accept ~~((applications))~~ a request for support enforcement services on behalf of persons who are not recipients of public assistance and may take appropriate action ~~((in appropriate cases))~~ to establish or enforce support obligations against the parent or other persons owing a duty to pay moneys. ~~((Applications))~~ Requests accepted under this ~~((section))~~ subsection may be conditioned upon the payment of a fee as required through regulation issued by the secretary. Action may be taken under the provisions of chapter 74.20 RCW, the abandonment or nonsupport statutes, or other appropriate statutes of this state, including but not limited to remedies established in chapter 74.20A RCW, to establish and enforce said support obligations. The secretary may establish by regulation, ~~((such))~~ reasonable standards ~~((as may be necessary to limit applications))~~ and qualifications for support enforcement services under this subsection. ~~((Said standards shall take into account the income, property, or other resources already available to support said person for whom a support obligation exists.))~~

(3) The secretary may accept requests for support enforcement services from child support enforcement agencies in other states operating child support programs under Title IV-D of the social security act, and may take appropriate action to establish and enforce support obligations against the parent or other person owing a duty to pay support moneys. Requests from such agencies must be accompanied by a request for support enforcement services executed by the state agency submitting the application and the person to whom the support moneys were owed authorizing the secretary to initiate appropriate action to establish, enforce, and collect the support obligation on their behalf. The application shall contain and be accompanied by such information and documentation as the secretary may by rule require.

The department may take action to establish, enforce, and collect a support obligation, including performing related services, under this chapter and chapter 74.20A RCW, or through the attorney general or prosecuting attorney for action under chapter 26.09, 26.18, 26.20, 26.21, or 26.26 RCW or other appropriate statutes or the common law of this state.

(4) The secretary may charge and collect a fee from the person obligated to pay support to compensate the department for services rendered in establishment of or enforcement of support obligations. This fee shall be limited to not more than ten percent of any support money collected as a result of action taken by the secretary. The fee charged shall be in addition to the support obligation. In no event may ~~((the fee be))~~ any moneys collected by the department of social and health services from the person obligated to pay support be retained as satisfaction of fees charged until all current support obligations have been satisfied. The secretary shall by regulation establish reasonable fees for support enforcement services and said schedule of fees shall be made available to any person obligated to pay support. The secretary may, on showing of necessity, waive or defer any such fee.

~~((4))~~ (5) Fees, due and owing, may be collected as delinquent support moneys utilizing any of the remedies in chapter 74.20 RCW, chapter 74.20A RCW, chapter 26.21 RCW, or any other remedy at law or equity available to the department or any agencies with whom it has a cooperative or contractual arrangement to establish, enforce, or collect support moneys or support obligations.

~~((5))~~ (6) The secretary may waive the fee, or any portion thereof, as a part of a compromise of disputed claims or may grant partial or total charge off of said fee if the secretary finds there are no available, practical, or lawful means by which said fee may be collected or to facilitate payment of the amount of delinquent support moneys owed.

Sec. 2. Section 4, chapter 164, Laws of 1971 ex. sess. as amended by section 5, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.040 are each amended to read as follows:

The secretary may issue a notice of a support debt accrued and/or accruing based upon ~~((subrogation to or))~~ RCW 74.20A.030, assignment of ~~((the judgment))~~ a support debt or a request for support enforcement services under RCW 74.20.040 (2) or (3), to enforce and collect

a support debt created by a superior court order. Said notice may be served upon the debtor in the manner prescribed for the service of a summons in a civil action or be mailed to the debtor at his last known address by certified mail, return receipt requested, demanding payment within twenty days of the date of receipt. Said notice of debt shall include a statement of the support debt accrued and/or accruing, computable on the amount required to be paid under any superior court order to which the department is subrogated or is authorized to enforce and collect under RCW 74.20A.030, has an assigned interest, or has been authorized to enforce pursuant to RCW 74.20.040 (2) or (3); a statement that the property of the debtor is subject to collection action; a statement that the property is subject to lien and foreclosure, distraint, seizure and sale, or order to withhold and deliver; and a statement that the net proceeds will be applied to the satisfaction of the support debt. Action to collect ~~((said subrogated or assigned))~~ a support debt by lien and foreclosure, or distraint, seizure and sale, or order to withhold and deliver shall be lawful after twenty days from the date of service upon the debtor or twenty days from the receipt or refusal by the debtor of said notice of debt.

Sec. 3. Section 22, chapter 171, Laws of 1979 ex. sess. and RCW 74.20.330 are each amended to read as follows:

(1) Whenever public assistance is paid under this title, each applicant or recipient is deemed to have made assignment to the department of any rights to a support obligation from any other person the applicant or recipient may have in his or her own behalf or in behalf of any other family member for whom the applicant or recipient is applying for or receiving public assistance, including any ~~((rights))~~ unpaid support obligation or support debt which ~~((have))~~ has accrued at the time the assignment is made. Payment of public assistance under this ~~((chapter))~~ title operates as an assignment by operation of law.

(2) The department may, ~~((during the four months))~~ and under appropriate circumstances shall, continue to establish the support obligation and to enforce and collect the support debt for a period not to exceed three months from the month following the ((last)) month in which such family ceased to receive public assistance ((was paid)), and thereafter if a nonassistance ((application)) request for support enforcement services has been made under RCW 74.20.040 (~~((pay the family, from collections made on the delinquent support assigned, an amount equal to the monthly amount required by either the superior court order for support or the administrative order entered under RCW 74.20A.055. Nothing in this section shall be construed to permit the department to make such payments for months in which no collections have been made on the delinquent support assigned, nor is the department permitted to make payments for the support of one person from collections on the delinquent support assigned by a different person. The department has, upon making any such payment, by operation of law an additional assignment of the unpaid obligation owed for the month in which the payment is made. The department shall take action to collect the unpaid obligation to reimburse itself and/or the federal government for the payment made))~~) (2) and (3). The department shall distribute all amounts collected in accordance with 42 U.S.C. Sec. 657.

Sec. 4. Section 2, chapter 164, Laws of 1971 ex. sess. as amended by section 3, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.020 are each amended to read as follows:

Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this chapter and chapter 74.20 RCW shall have the following meanings:

(1) 'Department' means the state department of social and health services.

(2) 'Secretary' means the secretary of the department of social and health services, his designee or authorized representative.

(3) 'Dependent child' means any person under the age of twenty-one who is not otherwise emancipated, self-supporting, married, or a member of the armed forces of the United States.

(4) 'Support obligation' means the obligation to provide for the necessary care, support, and maintenance, including medical expenses, of a dependent child or other person as required by statutes and the common law of this or another state.

(5) 'Superior court order' means any judgment, decree, or order of the superior court of the state of Washington, or a court of comparable jurisdiction of another state, establishing the existence of a support obligation and ordering payment of a set or determinable amount of support moneys ((-or an order of a court of comparable jurisdiction of another state ordering payment of a set or determinable amount of support moneys)) to satisfy the support obligation.

(6) 'Administrative order' means any determination, finding, decree, or order for support issued by the department pursuant to RCW 74.20A.055, or by an agency of another state pursuant to a substantially similar administrative process, establishing the existence of a support obligation and ordering the payment of a set or determinable amount of support moneys to satisfy the support obligation.

~~((5))~~ (7) 'Responsible parent' means a natural parent, adoptive parent, or stepparent of a dependent child.

~~((6))~~ (8) 'Stepparent' means the present spouse of the person who is either the mother, father, or adoptive parent of a dependent child, and such status shall exist and continue as provided for in RCW 26.16.205 until the relationship is terminated by death or dissolution of marriage.

((7)) (9) 'Support moneys' means any moneys or in-kind providings paid to satisfy a support obligation whether denominated as child support, spouse support, alimony, maintenance, or any other such moneys intended to satisfy an obligation for support of any person or satisfaction in whole or in part of arrears or delinquency on such an obligation.

(10) 'Support debt' means any delinquent amount of support moneys which is due, owing, and unpaid under a superior court order or an administrative order, a debt for the payment of expenses for the reasonable or necessary care, support, and maintenance, including medical expenses, of a dependent child or other person for whom a support obligation is owed; or a debt under RCW 74.20A.100 or 74.20A.270. Support debt also includes any accrued interest, fees, or penalties charged on a support debt, and attorneys fees and other costs of litigation awarded in an action to establish and enforce a support obligation or debt.

(11) 'State' means any state or political subdivision, territory, or possession of the United States, the District of Columbia, and the commonwealth of Puerto Rico.

Sec. 5. Section 3, chapter 164, Laws of 1971 ex. sess. as last amended by section 40, chapter 260, Laws of 1984 and RCW 74.20A.030 are each amended to read as follows:

The department shall be subrogated to the right of any dependent child or children or person having the care, custody, and control of said child or children, if public assistance money is paid to or for the benefit of the child, to prosecute or maintain any support action or execute any administrative remedy existing under the laws of the state of Washington to obtain reimbursement of moneys expended, based on the support obligation of the responsible parent established by a superior court order or RCW ((26-16-205)) 74.20A.055. Distribution of any support moneys shall be made in accordance with 42 U.S.C. Sec. 657.

No collection shall be made from a parent or other person who is the recipient of public assistance moneys while such person or persons are in such status except as provided in RCW 74.20A.270.

No collection action shall be taken against parents of children eligible for admission to, or children who have been released from, a state school for the developmentally disabled as defined by chapter 72.33 RCW.

The department may initiate, continue, maintain, or execute action to establish, enforce, and collect a support obligation, including establishing paternity and performing related services, under this chapter and chapter 74.20 RCW, or through the attorney general or prosecuting attorney under chapter 26.09, 26.18, 26.20, 26.21, or 26.26 RCW or other appropriate statutes or the common law of this state, for a period not to exceed three months from the month following the month in which the family or any member thereof ceases to receive public assistance and thereafter if a nonassistance request for support enforcement services has been made under RCW 74.20.040.

Sec. 6. Section 8, chapter 164, Laws of 1971 ex. sess. as last amended by section 6, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.080 are each amended to read as follows:

Twenty-one days after service of a notice of debt as provided for in RCW 74.20A.040 ((stating a support debt accrued and/or accruing based upon subrogation to or assignment of the amount required to be paid under any superior court order)), or twenty-one days after service of the notice and finding of financial responsibility or as otherwise appropriate under RCW 74.20A.055, or as appropriate under RCW 74.20A.270, the secretary is hereby authorized to issue to any person, firm, corporation, association, political subdivision or department of the state, an order to withhold and deliver property of any kind including, but not restricted to, earnings which are due, owing, or belonging to the debtor, when the secretary has reason to believe that there is in the possession of such person, firm, corporation, association, political subdivision or department of the state property which is due, owing, or belonging to said debtor. The order to withhold and deliver shall state the amount of the support debt accrued, and shall state in summary the terms of RCW 74.20A.090 and 74.20A.100. The order to withhold and deliver shall be served in the manner prescribed for the service of a summons in a civil action or by certified mail, return receipt requested. Any person, firm, corporation, association, political subdivision or department of the state upon whom service has been made is hereby required to answer said order to withhold and deliver within twenty days, exclusive of the day of service, under oath and in writing, and shall make true answers to the matters inquired of therein. The secretary may require further and additional answers to be completed by the person, firm, corporation, association, political subdivision or department of the state. In the event there is in the possession of any such person, firm, corporation, association, political subdivision or department of the state any property which may be subject to the claim of the department of social and health services, such property shall be withheld immediately upon receipt of the order to withhold and deliver and shall, after the twenty day period, upon demand, be delivered forthwith to the secretary. The secretary shall hold said property in trust for application on the indebtedness involved or for return, without interest, in accordance with final determination of liability or nonliability. In the alternative, there may be furnished to the secretary a good and sufficient bond, satisfactory to the secretary, conditioned upon final determination of liability. Where money is due and owing under any contract of employment, express or implied, or is held by any person, firm, corporation, or association, political subdivision or department of the state subject to withdrawal by the debtor, such money shall be

delivered by remittance payable to the order of the secretary. Delivery to the secretary of the money or other property held or claimed shall satisfy the requirement of the order to withhold and deliver. Delivery to the secretary shall serve as full acquittance and the state warrants and represents that it shall defend and hold harmless for such actions persons delivering money or property to the secretary pursuant to this chapter. The state also warrants and represents that it shall defend and hold harmless for such actions persons withholding money or property pursuant to this chapter. The foregoing is subject to the exemptions contained in RCW 74.20A.090.

The secretary shall also, on or before the date of service of the order to withhold and deliver, mail or cause to be mailed by certified mail a copy of the order to withhold and deliver to the debtor at the debtor's last known post office address, or, in the alternative, a copy of the order to withhold and deliver shall be served on the debtor in the same manner as a summons in a civil action on or before the date of service of the order or within two days thereafter. The copy of the order shall be mailed or served together with a concise explanation of the right to petition for a hearing. This requirement is not jurisdictional, but, if the copy is not mailed or served as in this section provided, or if any irregularity appears with respect to the mailing or service, the superior court, in its discretion on motion of the debtor promptly made and supported by affidavit showing that the debtor has suffered substantial injury due to the failure to mail the copy, may set aside the order to withhold and deliver and award to the debtor an amount equal to the damages resulting from the secretary's failure to serve on or mail to the debtor the copy.

An order to withhold and deliver issued in accordance with this section has priority over any other wage assignment or garnishment, except for another wage assignment or garnishment for support moneys.

Any person, firm, corporation, association, or political subdivision or department of the state required to withhold and deliver the earnings of a debtor under this action may deduct a processing fee from the remainder of the debtor's earnings, even if the remainder would otherwise be exempt under RCW 74.20A.090. The processing fee shall not exceed ten dollars for the first disbursement to the department and one dollar for each subsequent disbursement under the order to withhold and deliver.

Sec. 7. Section 10, chapter 164, Laws of 1971 ex. sess. as amended by section 11, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.100 are each amended to read as follows:

Should any person, firm, corporation, association, political subdivision or department of the state fail to make answer to an order to withhold and deliver within the time prescribed herein; or fail or refuse to deliver property pursuant to said order; or after actual notice of filing of a support lien, pay over, release, sell, transfer, or convey real or personal property subject to a support lien to or for the benefit of the debtor or any other person; or fail or refuse to surrender upon demand property distrained under RCW 74.20A.130 or fail or refuse to honor an assignment of wages presented by the secretary, said person, firm, corporation, association, political subdivision or department of the state shall be liable to the department in an amount equal to one hundred percent of the value of the debt which is the basis of the lien, order to withhold and deliver, distraint, or assignment of wages, together with costs, interest, and reasonable attorney fees. If a judgment has been entered as the result of an action in superior court against a person, firm, corporation, association, political subdivision, or department of the state based on a violation of this section, the secretary is authorized to issue a notice of debt pursuant to RCW 74.20A.040 and to take appropriate action to collect the debt under this chapter.

Sec. 8. Section 16, chapter 164, Laws of 1971 ex. sess. as amended by section 8, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.160 are each amended to read as follows:

With respect to any arrearages on a support debt assessed under RCW 74.20A.040, 74.20A.055, or 74.20A.270, the secretary may at any time consistent with the income, earning capacity and resources of the debtor, set or reset a level and schedule of payments to be paid upon ~~(the)~~ a support debt. The secretary may, upon petition of the debtor providing sufficient evidence of hardship, after consideration of the standards established in RCW 74.20.270, release or refund moneys taken pursuant to RCW 74.20A.080 to provide for the reasonable necessities of the responsible parent or parents and minor children in the home of the responsible parent. Nothing in this section shall be construed to require the secretary to take any action which would require collection of less than the obligation for current support required under a superior court order or an administrative order or to take any action which would result in a bar of collection of arrearages from the debtor by reason of the statute of limitations.

Sec. 9. Section 18, chapter 164, Laws of 1971 ex. sess. as amended by section 16, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.180 are each amended to read as follows:

If the secretary finds that the collection of any support debt, accrued under a superior court order, based upon subrogation ((the)) or an authorization to enforce and collect under RCW 74.20A.030, or assignment of, or a request for support enforcement services to enforce and collect the amount of support ordered by any superior court order is in jeopardy, ~~((he))~~ the secretary may make a written demand under RCW 74.20A.040 for immediate payment of the support debt((:)) and, upon failure or refusal immediately to pay said support debt, ((he)) may file and serve liens pursuant to RCW 74.20A.060 and 74.20A.070, without regard to the twenty

day period provided for in RCW 74.20A.040: PROVIDED, That no further action under RCW 74.20A.080, 74.20A.130 and 74.20A.140 may be taken until the notice requirements of RCW 74.20A.040 are met.

Sec. 10. Section 20, chapter 164, Laws of 1971 ex. sess. as last amended by section 9, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.200 are each amended to read as follows:

Any person against whose property a support lien has been filed or an order to withhold and deliver has been served pursuant to this chapter may apply for relief to the superior court of the county wherein the property is located (~~on the basis that no support debt is due and owing~~). It is the intent of this chapter that jurisdictional and constitutional issues, if any, shall be subject to review, but that administrative remedies be exhausted prior to judicial review.

Sec. 11. Section 23, chapter 164, Laws of 1971 ex. sess. as amended by section 21, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.230 are each amended to read as follows:

No employer shall discharge or discipline an employee or refuse to hire a person for reason that an assignment of earnings has been presented in settlement of a support debt or that a support lien or order to withhold and deliver has been served against said employee's earnings (~~PROVIDED, That this provision shall not apply if more than three support liens or orders to withhold and deliver are served upon the same employer within any period of twelve consecutive months~~). If an employer discharges or disciplines an employee or refuses to hire a person in violation of this section, the employee or person shall have a cause of action against the employer. The employer shall be liable for double the amount of lost wages and any other damages suffered as a result of the violation and for costs and reasonable attorney fees, and shall be subject to a civil penalty of not more than two thousand five hundred dollars for each violation. The employer may also be ordered to hire, rehire, or reinstate the aggrieved individual.

Sec. 12. Section 24, chapter 164, Laws of 1971 ex. sess. as amended by section 22, chapter 183, Laws of 1973 1st ex. sess. and RCW 74.20A.240 are each amended to read as follows:

Any person, firm, corporation, association, political subdivision or department of the state employing a person owing a support debt or obligation, shall honor, according to its terms, a duly executed assignment of earnings presented by the secretary as a plan to satisfy or retire a support debt or obligation. This requirement to honor the assignment of earnings and the assignment of earnings itself shall be applicable whether said earnings are to be paid presently or in the future and shall continue in force and effect until released in writing by the secretary. Payment of moneys pursuant to an assignment of earnings presented by the secretary shall serve as full acquittance under any contract of employment, and the state warrants and represents it shall defend and hold harmless such action taken pursuant to said assignment of earnings. The secretary shall be released from liability for improper receipt of moneys under an assignment of earnings upon return of any moneys so received.

An assignment of earnings presented by the secretary in accordance with this section has priority over any other wage assignment or garnishment, except for another wage assignment or garnishment for support moneys.

The employer may deduct a processing fee from the remainder of the debtor's earnings, even if the remainder would be exempt under RCW 74.20A.090. The processing fee shall not exceed ten dollars from the first disbursement to the department and one dollar for each subsequent disbursement under the assignment of earnings.

Sec. 13. Section 25, chapter 164, Laws of 1971 ex. sess. as last amended by section 20, chapter 171, Laws of 1979 ex. sess. and RCW 74.20A.250 are each amended to read as follows:

(By accepting public assistance, the recipient is) Whenever the secretary has been authorized under RCW 74.20.040 to take action to establish, enforce, and collect support moneys, the custodial parent and the child or children are deemed, without the necessity of signing any document, to have appointed the secretary as his or her true and lawful attorney in fact to act in his or her name, place, and stead to perform the specific act of endorsing any and all drafts, checks, money orders or other negotiable instruments representing support payments which are received on behalf of said child or children ((as reimbursement for the public assistance moneys previously paid to said recipient)) to effect proper and lawful distribution of the support moneys in accordance with 42 U.S.C. Sec. 657.

Sec. 14. Section 18, chapter 171, Laws of 1979 ex. sess. as amended by section 41, chapter 260, Laws of 1984 and RCW 74.20A.270 are each amended to read as follows:

The secretary may issue a notice of support debt to any person, firm, corporation, association or political subdivision of the state of Washington or any officer or agent thereof who has violated RCW 74.20A.100, who is in possession of support moneys, or who has had support moneys in his or her possession at some time in the past, which support moneys were or are claimed by the department as the property of the department by assignment, subrogation, or by operation of law or legal process under chapter 74.20A RCW, if the support moneys have not been remitted to the department as required by law.

The notice shall describe the claim of the department, stating the legal basis for the claim and shall provide sufficient detail to enable the person, firm, corporation, association or political subdivision or officer or agent thereof upon whom service is made to identify the support

moneys in issue or the specific violation of RCW 74.20A.100 that has occurred. The notice may also make inquiry as to relevant facts necessary to the resolution of the issue.

The notice may be served by certified mail, return receipt requested, or in the manner of a summons in a civil action. Upon service of the notice all moneys not yet disbursed or spent or like moneys to be received in the future are deemed to be impounded and shall be held in trust pending answer to the notice and any hearing which is requested.

The notice shall be answered under oath and in writing within twenty days of the date of service, which answer shall include true answers to the matters inquired of in the notice. The ~~((notice))~~ answer shall also either acknowledge the department's right to the moneys or request an administrative hearing to contest the allegation that RCW 74.20A.100 has been violated, or determine the rights to ownership of the support moneys in issue. The hearing shall be held pursuant to this section, chapter 34.04 RCW, and the rules of the department and shall be a contested case as provided for in chapter 34.04 RCW. The burden of proof to establish ownership of the support moneys claimed, including but not limited to moneys not yet disbursed or spent, is on the department.

If no answer is made within the twenty days, the department's claim shall be assessed and determined and subject to collection action as a support debt pursuant to chapter 74.20A RCW. Any such debtor may, at any time within one year from the date of service of the notice of support debt, petition the secretary or the secretary's designee for a hearing upon a showing of any of the grounds enumerated in RCW 4.72.010 or superior court civil rule 60. A copy of the petition shall also be served on the department. The filing of the petition shall not stay any collection action being taken, but the debtor may petition the secretary or the secretary's designee for an order staying collection action pending final decision of the secretary or the secretary's designee or the courts on any appeal made pursuant to chapter 34.04 RCW. Any moneys held and/or taken by collection action prior to the date of any such stay and any support moneys claimed by the department, including moneys to be received in the future to which the department may have a claim, shall be held in trust pending final decision and appeal, if any, to be disbursed in accordance with the final decision. The secretary or the secretary's designee shall condition the stay to provide for the trust.

If the hearing is granted it shall be an administrative hearing limited to the determination of the ownership of the moneys claimed in the notice of debt. The right to the hearing is conditioned upon holding of any funds not yet disbursed or expended or to be received in the future in trust pending the final order in these proceedings or during any appeal made to the courts. The secretary or the secretary's designee shall enter an appropriate order providing for the terms of the trust.

The hearing shall be a contested case as provided for in chapter 34.04 RCW and shall be held pursuant to this section, chapter 34.04 RCW, and the rules of the department. The hearing shall be promptly scheduled within thirty days from the date of receipt of the answer by the department. The hearing shall be conducted by a duly qualified hearing examiner appointed for that purpose. Hearings may be held in the county of residence of the debtor or other place convenient to the debtor.

If the debtor fails to appear at the hearing, the hearing examiner shall, upon showing of valid service, enter an initial decision and order declaring the amount of support moneys, as claimed in the notice, to be assessed and determined and subject to collection action. Within thirty days of entry of the decision and order the debtor may petition the secretary or the secretary's designee to vacate the decision and order upon a showing of any of the grounds enumerated in RCW 4.72.010 or superior court civil rule 60.

The hearing and review process shall be as provided for in RCW 74.20A.055.

If, at any time, the superior court enters judgment for an amount of debt at variance with the amount determined by the final order in these proceedings, the judgment shall supersede the final order in these proceedings. Any debt determined by the superior court in excess of the amount determined by the final order in these proceedings shall be the property of the department as assigned under 42 U.S.C. 602(A)(26)(a), RCW 74.20.040, 74.20A.250, 74.20.320, or 74.20.330. The department may, despite any final order in these proceedings, take action pursuant to chapters 74.20 or 74.20A RCW to obtain such a judgment or to collect moneys determined by such a judgment to be due and owing.

If public assistance moneys have been paid to a parent for the benefit of that parent's minor dependent children, debt under this chapter shall not be incurred by nor at any time be collected from that parent because of that payment of assistance. Nothing in this section prohibits or limits the department from acting pursuant to RCW 74.20.320 and this section to assess a debt against a recipient or ex-recipient for receipt of support moneys paid in satisfaction of the debt assigned under RCW 74.20.330 which have been assigned to the department but were received by a recipient or ex-recipient from another responsible parent and not remitted to the department. To collect these wrongfully retained funds from the recipient, the department may not take collection action in excess of ten percent of the grant payment standard during any month the public assistance recipient remains in that status unless required by federal law. Payments not credited against the department's debt pursuant to RCW 74.20.101 may not be assessed or collected under this section.

NEW SECTION, Sec. 15. A new section is added to chapter 74.20A RCW to read as follows:

A support obligation arising under the statutes or common law of this state binds the responsible parent, present in this state, regardless of the presence or residence of the custodian or children. The obligor is presumed to have been present in the state of Washington during the period for which support is sought until otherwise shown. The department may establish an administrative order pursuant to RCW 74.20A.055 that is based upon any support obligation imposed or impossible under the statutes or common law of any state in which the obligor was present during the period for which support is sought.

NEW SECTION, Sec. 16. Section 3, chapter 322, Laws of 1959, section 2, chapter 206, Laws of 1963 and RCW 74.20.020 are each repealed.

NEW SECTION, Sec. 17. The department of social and health services office of support enforcement is the designated agency in Washington state to administer the child support program under Title IV-D of the federal social security act and is responsible for providing necessary and mandated support enforcement services and ensuring that such services are available state-wide. It is the intent of the legislature to enhance the total child support program in this state by granting the office of support enforcement administrative powers and flexibility. If the exercise of this authority is used to supplant or replace the role of the prosecuting attorneys for reasons other than economy or federal compliance, the Washington association of prosecuting attorneys shall report to the committees on judiciary of the senate and house of representatives."

On page 1, line 5 of the title, after "74.20A RCW;" insert "creating a new section;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendments to House Bill No. 153.

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. 153 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 153 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; absent, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Berozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Fisch, Sommers, Todd - 3.

Excused: Representative Smith C - 1.

House Bill No. 153 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, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 179 with the following amendments:

On page 5, line 11 after "Washington" strike ", the Dominion of Canada, or Alaska"

On page 5, line 19 after "commission" insert "and to the natural resources committees of the house and senate"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Dellwo, the House concurred in the Senate amendments to Substitute House Bill No. 179.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 179 as amended by the Senate.

Mr. Lundquist spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 179 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Hargrove - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 179 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, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 357 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. For the purposes of this chapter, the following definitions apply:

(1) 'Individually identifiable' means that a record contains information which reveals or can likely be associated with the identity of the person or persons to whom the record pertains.

(2) 'Legally authorized representative' means a person legally authorized to give consent for the disclosure of personal records on behalf of a minor or a legally incompetent adult.

(3) 'Personal record' means any information obtained or maintained by a state agency which refers to a person and which is declared exempt from public disclosure, confidential, or privileged under state or federal law.

(4) 'Research' means a planned and systematic sociological, psychological, epidemiological, biomedical, or other scientific investigation carried out by a state agency, by a scientific research professional associated with a bona fide scientific research organization, or by a graduate student currently enrolled in an advanced academic degree curriculum, with an objective to contribute to scientific knowledge, the solution of social and health problems, or the evaluation of public benefit and service programs. This definition excludes methods of record analysis and data collection that are subjective, do not permit replication, and are not designed to yield reliable and valid results.

(5) 'Research record' means an item or grouping of information obtained for the purpose of research from or about a person or extracted for the purpose of research from a personal record.

(6) 'State agency' means: (a) The department of social and health services; (b) the department of corrections; and (c) an institution of higher education as defined in RCW 28B.10.016.

NEW SECTION, Sec. 2. (1) A state agency may authorize or provide access to or provide copies of an individually identifiable personal record for research purposes if informed written consent for the disclosure has been given to the appropriate department secretary, or the president of the institution, as applicable, or his or her designee, by the person to whom the record pertains or, in the case of minors and legally incompetent adults, the person's legally authorized representative.

(2) A state agency may authorize or provide access to or provide copies of an individually identifiable personal record for research purposes without the informed consent of the person to whom the record pertains or the person's legally authorized representative, only if:

(a) The state agency adopts research review and approval rules including, but not limited to, the requirement that the appropriate department secretary, or the president of the institution, as applicable, appoint a standing human research review board competent to review research proposals as to ethical and scientific soundness; and the review board determines that the disclosure request has scientific merit and is of importance in terms of the agency's program concerns, that the research purposes cannot be reasonably accomplished without disclosure of the information in individually identifiable form and without waiver of the informed consent of the person to whom the record pertains or the person's legally authorized representative, that disclosure risks have been minimized, and that remaining risks are outweighed by anticipated health, safety, or scientific benefits; and

(b) The disclosure does not violate federal law or regulations; and

(c) The state agency negotiates with the research professional receiving the records or record information a written and legally binding confidentiality agreement prior to disclosure. The agreement shall:

(i) Establish specific safeguards to assure the continued confidentiality and security of individually identifiable records or record information;

(ii) Ensure that the research professional will report or publish research findings and conclusions in a manner that does not permit identification of the person whose record was used for the research. Final research reports or publications shall not include photographs or other visual representations contained in personal records;

(iii) Establish that the research professional will destroy the individual identifiers associated with the records or record information as soon as the purposes of the research project have been accomplished and notify the agency to this effect in writing;

(iv) Prohibit any subsequent disclosure of the records or record information in individually identifiable form except as provided in section 4 of this act; and

(v) Provide for the signature of the research professional, of any of the research professional's team members who require access to the information in identified form, and of the agency official authorized to approve disclosure of identifiable records or record information for research purposes.

NEW SECTION, Sec. 3. In addition to the copying charges provided in RCW 42.17.300, a state agency may impose a reasonable charge for costs incurred in providing assistance in the following research activities involving personal records:

(1) Manual or computer screening of personal records for scientific sampling purposes according to specifications provided by the research professional;

(2) Manual or computer extraction of information from a universe or sample of personal records according to specifications provided by the research professional;

(3) Statistical manipulation or analysis of personal record information, whether manually or by computer, according to specifications provided by the research professional.

The charges imposed by the agency may not exceed the amount necessary to reimburse the agency for its actual costs in providing requested research assistance.

NEW SECTION, Sec. 4. No research professional who has established an individually identifiable research record from personal record information pursuant to section 2(2) of this act, or who has established a research record from data or information voluntarily provided by an agency client or employee under a written confidentiality assurance for the explicit purpose of research, may disclose such a record in individually identifiable form unless:

(1) The person to whom the research record pertains or the person's legally authorized representative has given prior informed written consent for the disclosure; or

(2) The research professional reasonably believes that disclosure will prevent or minimize injury to a person and the disclosure is limited to information necessary to protect the person who has been or may be injured, and the research professional reports the disclosure only to the person involved or the person's guardian, the person's physician, and the agency; or

(3) (a) The research record is disclosed in individually identifiable form for the purposes of auditing or evaluating a research program; and

(b) The audit or evaluation is authorized or required by federal or state law or regulation or is based upon an explicit provision in a research contract, grant, or other written research agreement; and

(c) No subsequent disclosure of the research record in individually identifiable form will be made by the auditor or evaluator except as provided in this section; or

(4) The research record is furnished in compliance with a search warrant or court order: PROVIDED, That:

(a) The court issues the search warrant or judicial subpoena concerning the research record solely for the purpose of facilitating inquiry into an alleged violation of law by the research professional using the record for a research purpose or by the agency; and

(b) Any research record obtained pursuant to (a) of this subsection and any information directly or indirectly derived from the research record shall remain confidential to the extent possible and shall not be used as evidence in an administrative, judicial, or legislative proceeding except against the research professional using the record for a research purpose or against the state agency.

NEW SECTION. Sec. 5. Unauthorized disclosure, whether willful or negligent, by a research professional who has obtained an individually identifiable personal record or record information from a state agency pursuant to section 2(2) of this act is a gross misdemeanor. In addition, violation of any provision of this chapter by the research professional or the state agency may subject the research professional or the agency to a civil penalty of not more than ten thousand dollars for each such violation.

NEW SECTION. Sec. 6. Nothing in this chapter is applicable to, or in any way affects, the powers and duties of the state auditor or the legislative budget committee.

NEW SECTION. Sec. 7. Sections 1 through 6 of this act shall constitute a new chapter in Title 42 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."

On page 1, line 2 of the title, after "purposes;" strike the remainder of the title and insert "adding a new chapter to Title 42 RCW; and prescribing penalties." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Belcher, the House concurred in the Senate amendments to House Bill No. 357.

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. 357 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 357 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 53; nays, 44; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Brough, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Bristow, Brooks, Chandler, Cole, Dobbs, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Locke, Long, Lundquist, May, Nealey, Nelson G, Padden, Peery, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, van Dyke, Van Luven, Vander Sloep, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 44.

Excused: Representative Smith C - 1.

House Bill No. 357 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, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 375 with the following amendments:

On page 3, beginning on line 14 strike "twenty-nine" and insert "forty"

On page 4, line 2 strike "twenty-nine" and insert "forty"

On page 5, line 4 strike "twenty-nine" and insert "forty"

On page 7, line 14 strike "twenty-nine" and insert "forty"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Ms. Sommers moved that the House do concur in the Senate amendment to page 7, line 14, and refuse to concur in the amendments to page 3, line 14, page 4, line 2 and page 5, line 4 of Substitute House Bill No. 375, and ask the Senate to recede therefrom.

Representatives Sommers and Tilly spoke in favor of the motion, and it was carried.

SENATE AMENDMENTS TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 376 with the following amendments:

On page 1, line 24 after "note" strike "shall" and insert "may"

On page 1, line 25 after "offered" strike "on the floor of the" and insert "in" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Appelwick, the House concurred in the Senate amendment page 1, line 25 and refused to concur in the amendment to page 1, line 24 of Substitute House Bill No. 376 and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 379 with the following amendments:

On page 8, after line 36, insert the following:

"Sec. 9. Section 35.44.190, chapter 7, Laws of 1965 and RCW 35.44.190 are each amended to read as follows:

Whenever any assessment roll for local improvements has been confirmed by the council, the regularity, validity, and correctness of the proceedings relating to the improvement and to the assessment therefor, including the action of the council upon the assessment roll and the confirmation thereof shall be conclusive in all things upon all parties. They cannot in any manner be contested or questioned in any proceeding by any person unless he filed written objections to the assessment roll in the manner and within the time required by the provisions of this chapter and unless he prosecutes his appeal in the manner and within the time required by the provisions of this chapter.

No proceeding of any kind shall be commenced or prosecuted for the purpose of defeating or contesting any assessment or the sale of any property to pay an assessment or any certificate of delinquency issued therefor, or the foreclosure of any lien therefor, except that injunction proceedings may be brought to prevent the sale of any real estate upon the ground (1) that the property about to be sold does not appear upon the assessment roll or, (2) that the assessment has been paid.

If federal, local, or state funds become available for a local improvement after the assessment roll has been confirmed by the city legislative authority, the funds may be used to lower the assessments on a uniform basis. Any adjustments to the assessments because of the availability of federal or state funds may be made on the next annual payment.

Sec. 10. Section 28, chapter 72, Laws of 1967 and RCW 36.94.280 are each amended to read as follows:

Whenever any assessment roll for local improvements (~~shall have~~) has been confirmed by the (~~board of county commissioners as herein provided~~) county legislative authority, the regularity, validity and correctness of the proceedings relating to (~~such~~) the improvement and to the assessment therefor, including the action of the (~~board~~) county legislative authority upon (~~such~~) the assessment roll and the confirmation thereof, shall be conclusive in all things upon all parties, and cannot in any manner be contested or questioned in any proceeding (~~whatsoever~~) by any person not filing written objections to (~~such~~) the assessment roll in the manner and within the time provided in this chapter, and not appealing from the action of the (~~board of county commissioners~~) county legislative authority in confirming (~~such~~) the assessment roll in the manner and within the time in this chapter provided. No proceedings of any kind shall be commenced or prosecuted for the purpose of defeating or contesting any (~~such~~) assessment, or the sale of any property to pay (~~such~~) an assessment, or any certificate of delinquency issued therefor, or the foreclosure of any lien issued therefor: PROVIDED, That this section shall not be construed as prohibiting the bringing of injunction proceedings to prevent the sale of any real estate upon the grounds:

(1) That the property about to be sold does not appear upon the assessment roll, or

(2) That (~~said~~) the assessment has been paid.

If federal, local, or state funds become available for a local improvement after the assessment roll has been confirmed by the county legislative authority, the funds may be used to

lower the assessments on a uniform basis. Any adjustments to the assessments because of the availability of federal or state funds may be made on the next annual payment."

Renumber the sections consecutively.

On page 1, line 3 of the title, strike "and 35.44.020;" and insert "35.44.020, 35.44.190, and 36.94.280;"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Haugen, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 379.

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. 379 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 379 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 8; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Bond, Chandler, Nelson G, Padden, Sanders, Taylor, Van Luven, West - 8.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 379 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

I wish to declare that I intended to vote "No" on ESHB 379 as amended by the Senate.

JOSEPH L. WILLIAMS, 41st District.

SENATE AMENDMENT TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 380 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 7, chapter 240, Laws of 1951 as amended by section 4, chapter 212, Laws of 1984 and RCW 86.26.050 are each amended to read as follows:

State participation shall be in such flood control maintenance projects as are affected with a general public and state interest, as differentiated from a private interest, and as are likely to bring about public benefits commensurate with the amount of state funds allocated thereto. No participation may occur with a county or other municipal corporation unless the director of ecology (~~makes a finding that~~) has approved the flood plain management activities of the county, city, or town having planning jurisdiction over the area where the flood control maintenance project will be (~~engages in flood plain management activities~~), on the one hundred year flood plain surrounding such area (~~that are adequate to protect or preclude flood damage to structures, works, and improvements that may be built within its planning jurisdiction on such flood plain after the request for state participation has been made, including restriction of land uses within a river's meander belt or floodway to only flood-compatible uses~~).

The department of ecology shall adopt rules concerning the flood plain management activities of a county, city, or town that are adequate to protect or preclude flood damage to structures, works, and improvements, including the restriction of land uses within a river's meander belt or floodway to only flood-compatible uses. Whenever the department has

approved county, city, and town flood plain management activities, as a condition of receiving an allocation of funds under this chapter, each revision to the flood plain management activities must be approved by the department of ecology, in consultation with the department of fisheries.

No participation may occur with a county or other municipal corporation unless the county engineer of the county within which the flood control maintenance project is located certifies that a comprehensive flood control management plan has been completed and adopted by the appropriate local authority, or is being prepared for all portions of the river basin or other area, within which the project is located in that county, that are subject to flooding with a frequency of one hundred years or less. Such participation shall be made from grants made by the department of ecology from the flood control assistance account. Comprehensive flood control management plans, and any revisions to the plan, must be approved by the department of ecology, in consultation with the department of fisheries. and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Rust, the House concurred in the Senate amendment to Substitute House Bill No. 380.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 380 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 380 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, DelTwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 380 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

April 19, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 396 with the following amendment:

On page 8, line 16 after "1099," insert "The department shall comply with this subsection by December 31, 1985, regardless of any federal waivers or exemptions."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 396.

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. 396 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 396 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zöllinsky, and Mr. Speaker - 94.

Voting nay: Representatives Haugen, Lux, Nelson D - 3.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 396 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

April 19, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 622 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature declares that Captain Robert Gray's discovery of Grays Harbor, successful crossing of the Columbia river bar, and first entry into the great 'River of the West' on May 11, 1792, were some of the greatest events in Northwest maritime history. The legislature further declares that Captain Robert Gray's exploration of the Columbia river, Grays Harbor, and Washington's coastal regions, Captain George Vancouver's exploration and mapping of Puget Sound and Washington's coastal regions, and the mapping and exploration of the Washington coast and inland areas by the Captain Charles Wilkes expedition were events of momentous historical significance and must be preserved for the inspiration of future generations. To these ends, the legislature finds that it is in the public interest to establish a 'Return of the Tall Ships' program.

NEW SECTION. Sec. 2. A new section is added to chapter 27.60 RCW to read as follows:

(1) The 1989 Washington centennial commission shall include in its comprehensive program events commemorating:

(a) The first successful crossing of the Columbia river bar and exploration of the Columbia river, Grays Harbor, and Washington coast by Captain Robert Gray;

(b) The exploration and mapping of Puget Sound and the Washington coast by Captain George Vancouver; and

(c) The exploration and mapping of the Washington coast and inland areas by Captain Charles Wilkes and the Great United States Exploring Expedition.

The year 1992 will mark the bicentennial of the voyages of both Captain Robert Gray and Captain George Vancouver and the sesquicentennial of the voyage of Captain Charles Wilkes.

(2) The commission shall develop and implement the 'Return of the Tall Ships' program. The purpose of this program is to develop destination tourism attractions and to promote the construction of life-sized replicas of the 'Lady Washington' and the 'Chatham,' or other vessels which carried members of the Gray and Vancouver expeditions to this region and other appropriate commemorations of the accomplishments of these explorations in cooperation with communities throughout the state. The commission shall consider locating the destination tourism attractions required by this section in the economically depressed areas of the state. The commission shall report to the legislature and the governor on or before January 10, 1986, as to a plan to implement the purposes of this chapter.

As used in this section, 'destination tourism attractions' means attractions based on the heritage of the state that are sponsored and owned by the state, a municipal corporation thereof, or a nonprofit corporation which has qualified under section 501(c)(3) of the federal internal revenue code and that satisfy economic development criteria established in cooperation with the director of commerce and economic development in accordance with the administrative procedure act, chapter 34.04 RCW.

Sec. 3. Section 6, chapter 90, Laws of 1982 and RCW 27.60.900 are each amended to read as follows:

The 1989 Washington centennial commission as established by this chapter shall cease to exist on December 31, ((1990)) 1993.

NEW SECTION. Sec. 4. There is appropriated from the general fund to the Washington centennial commission for the biennium ending June 30, 1987, the sum of twenty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. McMullen, the House concurred in the Senate amendment to Substitute House Bill No. 622.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 622 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 622 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 4; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K. Wilson S. Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Locke, Van Luven, West, Williams J - 4.

Excused: Representative Smith C - 1.

Substitute House Bill No. 622 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, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 760 with the following amendments:

On page 1, line 10 after "Washington" insert "conservation"

On page 1, beginning on line 24 after "(c)" strike all material through "individuals" on line 27 and insert "the median household income is at least thirty-five percent below the county's median household income, as determined from data collected for the previous United States ten-year census"

On page 2, beginning on line 18 after "unexpended funds" strike all material through line 19 and insert "go to other distressed areas to encourage the recruitment of disadvantaged unemployed youth."

On page 5, line 11 after "stipend)" insert : PROVIDED, That if agencies elect to run a residential program, the appropriate costs for room and board shall be deducted from the corps member's paycheck as provided in chapter 43.220 RCW."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. McMullen, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 760.

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. 760 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 760 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Waik, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 760 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

April 19, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 808 with the following amendment:

On page 2, line 3 following "section" insert "or RCW 36.21.090 whichever is appropriate" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Appelwick, the House concurred in the Senate amendment to Engrossed House Bill No. 808.

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. 808 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 808 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Waik, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed House Bill No. 808 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

April 19, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTION HOUSE BILL NO. 814 with the following amendment:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. In recognition of the fact that tidelands historically used for shellfish farming are threatened by nonpoint pollution sources that have been identified as resulting from agricultural grazing practices, failing septic drainfield systems, and stormwater runoff; in

recognition of the fact that some of the historical and productive shellfish areas within the state already have been contaminated by these pollution sources and as a result may not be used for shellfish farming; and in recognition of the fact that shellfish harvesting both commercially and for home consumption is a way of life in many areas of the state, particularly in the Hood Canal, southern Puget Sound, and Willapa Bay regions, and has been so since before the days of statehood; the legislature hereby encourages all counties having tidelands used for the growing or harvesting of shellfish within their boundaries to immediately establish shellfish protection districts and programs designed to prevent any further degradation and contamination of shellfish growing areas.

NEW SECTION, Sec. 2. For purposes of this chapter, 'shellfish tidelands' means all saltwater tidelands on which shellfish are grown or harvested for human consumption.

NEW SECTION, Sec. 3. The legislative authority of each county having shellfish tidelands within its boundaries is authorized to establish a shellfish protection district to include areas in which nonpoint pollution threatens the continuation of shellfish farming or harvesting. The legislative authority shall constitute the governing body of the district and shall adopt a shellfish protection program to be effective within the district. This program may include any elements deemed appropriate to deal with the pollution threat, including, but not limited to, requiring the elimination or decrease of contaminants in stormwater runoff, monitoring programs to make sure that septic drainfield systems are adequately maintained and working properly and that animal grazing practices are appropriate, and educational programs to inform citizens on the causes of the threatening nonpoint pollution and what they can do to decrease the amount of such pollution.

NEW SECTION, Sec. 4. The county legislative authority may create a shellfish protection district on its own motion or by submitting the question to the voters of the proposed district and obtaining the approval of a majority of those voting. The boundaries of the district shall be determined by the legislative authority. The legislative authority may create more than one district. A district may include any area within the county, whether incorporated or unincorporated. The legislative authority may abolish a shellfish protection district on its own motion or by submitting the question to the voters of the district and obtaining the approval of a majority of those voting.

NEW SECTION, Sec. 5. County legislative authorities are encouraged to coordinate their plans and programs to protect shellfish tidelands, especially in respect to shellfish farming areas located within the boundaries of more than one county.

NEW SECTION, Sec. 6. Whenever a governmental entity makes a decision which addresses a matter in which there is a conflict between (1) on the one hand, a proposed development, proposed change in land use controls, or proposed change in the provision of utility services; and (2) on the other hand, the long-term use of an area for the growing or harvesting of shellfish, which area is within the boundaries of a shellfish protection district, then the governmental entity making the decision must observe the requirements of chapter 43.21C RCW and county ordinances or resolutions integrating the state environmental policy act of 1971 into the various programs under county jurisdiction.

NEW SECTION, Sec. 7. The county legislative authority establishing a shellfish protection district may finance the protection program through (1) its tax revenues, (2) inspection fees and similar fees or charges specified in its protection program, or (3) federal, state, or private grants.

NEW SECTION, Sec. 8. This chapter shall not be considered as diminishing or affecting the authority of a county to adopt and enforce programs or controls, within all or a portion of the county, to deal with nonpoint pollution.

NEW SECTION, Sec. 9. Sections 1 through 8 of this act shall constitute a new chapter in Title 90 RCW."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Hine, the House concurred in the Senate amendment to Substitute House Bill No. 814.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 814 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 814 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brøkke, Bristow, Brooks, Brough,

Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundaquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 814 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 12, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 877 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 8, chapter 155, Laws of 1984 and RCW 26.33.080 are each amended to read as follows:

(1) A parent, an alleged father, the department, or an agency may file with the court a petition to relinquish a child to the department or an agency. The parent's or alleged father's written consent to adoption shall accompany the petition. The written consent of the department or the agency to assume custody shall be filed with the petition.

(2) A parent, alleged father, or prospective adoptive parent may file with the court a petition to relinquish a child to the prospective adoptive parent. The parent's or alleged father's written consent to adoption shall accompany the petition. The written consent of the prospective adoptive parent to assume custody shall be filed with the petition. The identity of the prospective adoptive parent need not be disclosed to the petitioner.

(3) A petition for relinquishment, together with the written consent to adoption, may be filed before the child's birth.

Sec. 2. Section 9, chapter 155, Laws of 1984 and RCW 26.33.090 are each amended to read as follows:

(1) The court shall set a time and place for a hearing on the petition for relinquishment. The hearing may not be held sooner than forty-eight hours after the child's birth or the signing of all necessary consents to adoption, whichever is later. The court may enter a temporary order giving custody of the child to the prospective adoptive parent, if a preplacement report has been filed, or to the department or agency to whom the child will be relinquished pending the court's hearing on the petition.

(2) Notice of the hearing shall be served on any relinquishing parent~~(-any)~~ or alleged father, and the department~~(:)~~ or agency~~(-or prospective adoptive parent)~~ in the manner prescribed by RCW 26.33.310.

(3) The court may require the parent to appear personally and enter his or her consent to adoption on the record. The court shall determine that any written consent has been validly executed. If the court determines it is in the best interests of the child, the court shall approve the petition for relinquishment.

(4) If the court approves the petition, it shall award custody of the child to the department, agency, or prospective adoptive parent, who shall be appointed legal guardian. The legal guardian shall be financially responsible for support of the child until further order of the court. The court shall also enter an order pursuant to RCW 26.33.130 terminating the parent-child relationship of the parent and the child.

(5) An order of relinquishment to an agency or the department shall include an order authorizing the agency to place the child with a prospective adoptive parent.

Sec. 3. Section 10, chapter 155, Laws of 1984 and RCW 26.33.100 are each amended to read as follows:

(1) A petition for termination of the parent-child relationship of a parent or alleged father who has not executed a written consent to adoption may be filed by:

(a) The department or an agency; ~~(or)~~

(b) The prospective adoptive parent to whom a child has been or may be relinquished if the prospective adoptive parent has filed or consented to a petition for relinquishment; or

(c) The prospective adoptive parent if he or she seeks to adopt the child of his or her spouse.

(2) The petition for termination of the parent-child relationship shall contain a statement of facts identifying the petitioner, the parents, the legal guardian, a guardian ad litem for a party, any alleged father, and the child. The petition shall state the facts forming the basis for the petition and shall be signed under penalty of perjury or be verified.

(3) The petition may be filed before the child's birth.

Sec. 4. Section 11, chapter 155, Laws of 1984 and RCW 26.33.110 are each amended to read as follows:

(1) The court shall set a time and place for a hearing on the petition for termination of the parent-child relationship, which shall not be held sooner than forty-eight hours after the child's birth.

(2) Notice of the hearing shall be served on the petitioner, the ~~((parents-any))~~ nonconsenting parent or alleged father, the legal guardian of a party, and the guardian ad litem of a party, in the manner prescribed by RCW 26.33.310.

(3) The notice of the petition shall:

(a) State the date and place of birth. If the petition is filed prior to birth, the notice shall state the approximate date and location of conception of the child and the expected date of birth, and shall identify the mother;

(b) Inform the nonconsenting parent or alleged father that: (i) He or she has a right to be represented by counsel and that counsel will be appointed for an indigent person who requests counsel; and (ii) failure to respond to the termination action within twenty days of service will result in the termination of his or her parent-child relationship with respect to the child;

(c) Inform an alleged father that failure to file a claim of paternity under chapter 26.26 RCW or to respond to the petition, within twenty days of the date of service of the petition is grounds to terminate his parent-child relationship with respect to the child.

Sec. 5. Section 16, chapter 155, Laws of 1984 and RCW 26.33.160 are each amended to read as follows:

(1) Except as otherwise provided in RCW 26.33.170, consent to an adoption shall be required of the following if applicable:

(a) The adoptee, if fourteen years of age or older;

(b) The parents and any alleged father of an adoptee under eighteen years of age;

(c) An agency or the department to whom the adoptee has been relinquished pursuant to RCW 26.33.080; and

(d) The legal guardian of the adoptee.

(2) Consent to adoption is revocable by the consenting party at any time before the consent is approved by the court. The revocation may be made in either of the following ways:

(a) Written revocation may be delivered or mailed to the clerk of the court before approval; or

(b) Written revocation may be delivered or mailed to the clerk of the court after approval, but only if it is delivered or mailed within forty-eight hours after a prior notice of revocation that was given within forty-eight hours after the birth of the child. The prior notice of revocation shall be given to the agency or person who sought the consent and may be either oral or written.

(3) Except as provided in subsection (2)(b) of this section and in this subsection, a consent to adoption may not be revoked after it has been approved by the court. Within one year after approval, a consent may be revoked for fraud or duress practiced by the person, department, or agency requesting the consent, or for lack of mental competency on the part of the person giving the consent at the time the consent was given. A written consent to adoption may not be revoked more than one year after it is approved by the court.

(4) The written consent to adoption shall be signed under penalty of perjury and shall state that:

(a) It is given subject to approval of the court;

(b) It has no force or effect until approved by the court;

(c) The consent will not be presented to the court until forty-eight hours after it is signed or forty-eight hours after the birth of the child, whichever occurs later;

(d) It is revocable by the consenting party at any time ~~((prior-to))~~ before its approval by the court(;

~~(e) A consenting party who seeks to revoke the consent must notify the agency or person who obtained the consent verbally or in writing within forty-eight hours of signing the consent, and, if the initial notice is oral, the party seeking to revoke must mail written notification of revocation to the clerk of the court no less than forty-eight hours after the oral notice was given)). It may be revoked in either of the following ways:~~

(i) Written revocation may be delivered or mailed to the clerk of the court before approval of the consent by the court; or

(ii) Written revocation may be delivered or mailed to the clerk of the court after approval, but only if it is delivered or mailed within forty-eight hours after a prior notice of revocation that was given within forty-eight hours after the birth of the child. The prior notice of revocation shall be given to the agency or person who sought the consent and may be either oral or written;

~~((f))~~ (e) The address of the clerk of court where the consent will be presented is included; and

((g)) (1) After it has been approved by the court, the consent is not revocable except for fraud or duress practiced by the person, department, or agency requesting the consent or for lack of mental competency on the part of the person giving the consent at the time the consent was ~~((executed by the person signing the consent))~~ given. A written consent to adoption ~~((shall))~~ may not be revoked more than one year after it is approved by the court.

((3)) (5) A written consent to adoption which meets all the requirements of this chapter but which does not name or otherwise identify the adopting parent ~~((shall be))~~ is valid if it contains a statement that it is voluntarily executed without disclosure of the name or other identification of the adopting parent.

Sec. 6. Section 31, chapter 155, Laws of 1984 and RCW 26.33.310 are each amended to read as follows:

(1) Petitions governed by this chapter shall be served in the same manner as a complaint in a civil action under the superior court civil rules. Subsequent notice, papers, and pleadings may be served in the manner provided in superior court civil rules.

(2) If personal service on the parent or any ~~((identified))~~ alleged father, either within or without this state, cannot be given, notice shall be given: (a) By registered mail, mailed at least twenty days before the hearing to the person's last known address; and (b) by publication at least once a week for three consecutive weeks with the first publication date at least twenty-five days before the hearing. Publication shall be in a legal newspaper in the city or town of the last known address within the United States and its territories of the parent or alleged father, whether within or without this state, or, if no address is known or the last known address is not within the United States and its territories, in the city or town where the proceeding has been commenced.

(3) Notice and appearance may be waived by the department, an agency, a parent, or an alleged father before the court or in a writing signed under penalty of perjury. The waiver shall contain the current address of the department, agency, parent, or alleged father. The face of the waiver for a hearing on termination of the parent-child relationship shall contain language explaining the meaning and consequences of the waiver and the meaning and consequences of termination of the parent-child relationship. A person or agency who has executed a waiver shall not be required to appear.

(4) If a person entitled to notice is known to the petitioner to be unable to read or understand English, all notices, if practicable, shall be given in that person's native language or through an interpreter.

NEW SECTION. Sec. 7. 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 1 of the title, after "adoption;" strike the remainder of the title, and insert "amending RCW 26.33.080, 26.33.090, 26.33.100, 26.33.110, 26.33.160, and 26.33.310; and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendments to Substitute House Bill No. 877.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 877 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 877 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, Mary, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Allen, Walker - 2.

Excused: Representative Smith C - 1.

Substitute House Bill No. 877 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 17, 1985

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 999 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. It is the intent of this act to provide for an equitable distribution of funds appropriated for educational clinics, to stabilize existing programs, and to provide a system for orderly expansion or retrenchment in the event of future increases or reductions in program appropriations.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.97 RCW to read as follows:

The superintendent of public instruction shall prepare a report on educational clinics that:

(1) Identifies a funding level that is adequate to fund the enrollment served by educational clinics during the previous fiscal year;

(2) Identifies locales in the state which are served by educational clinics but where demand for educational clinic services will support additional service, and recommends the funding level necessary to serve such demand;

(3) Identifies locales in the state which are not served by educational clinics but where demand will support operation of clinics, and recommends the funding level necessary to serve such demand; and

(4) Identifies locales in the state that are either underserved or not served by existing public school programs for drop-outs or for drop-out prevention, but where demand will support such services and recommends the funding level necessary to serve such demand.

The report shall be submitted to the legislature by January 1 in the year following the effective date of this act and updates of the report shall be submitted with each biennial budget request until such time as funding levels reach the levels recommended in subsections (2) and (3) of this section.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.97 RCW to read as follows:

In allocating funds appropriated for educational clinics, the superintendent of public instruction shall:

(1) Place priority upon stability and adequacy of funding for educational clinics that have demonstrated superior performance as defined in RCW 28A.97.040(2).

(2) Initiate and maintain a competitive review process to select new or expanded clinic programs in unserved or underserved areas. The criteria for review of competitive proposals for new or expanded education clinic services shall include but not be limited to:

(a) The proposing organization shall have obtained certification from the state board of education as provided in RCW 28A.97.010;

(b) The cost-effectiveness of the proposal as judged by the criteria established in RCW 28A.97.100(1) and (2); and

(c) The availability of committed nonstate funds to support, enrich, or otherwise enhance the basic program.

(3) In selecting areas for new or expanded educational clinics programs, the superintendent of public instruction shall consider factors including but not limited to:

(a) The proportion and total number of dropouts unserved by existing clinics programs, if any;

(b) The availability within the geographic area of programs other than educational clinics which address the basic educational needs of dropouts; and

(c) Waiting lists or other evidence of demand for expanded educational clinic programs.

(4) In the event of any curtailment of services resulting from lowered legislative appropriations, the superintendent of public instruction shall issue pro rata reductions to all clinics funded at the time of the lowered appropriation. Individual clinics may be exempted from such pro rata reductions if the superintendent finds that such reductions would impair the clinic's ability to operate at minimally acceptable levels of service. In the event of such exceptions, the superintendent shall determine an appropriate rate for reduction to permit the clinic to continue operation.

(5) In the event that an additional clinic or clinics become certified and apply to the superintendent for funds to be allocated from a legislative appropriation which does not increase from the immediately preceding biennium, or does not increase sufficiently to allow such additional clinic or clinics to operate at minimally acceptable levels of service without reducing the funds available to previously funded clinics, the superintendent shall not provide funding for such additional clinic or clinics from such appropriation.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.97 RCW to read as follows:

The superintendent shall include the educational clinics program in the biennial budget request. Contracts between the superintendent of public instruction and the educational clinics

shall include quarterly plans which provide for relatively stable student enrollment but take into consideration anticipated seasonal variations in enrollment in the individual clinics. Funds which are not expended by a clinic during the quarter for which they were planned may be carried forward to subsequent quarters of the fiscal year. The superintendent shall make payments to the clinics on a monthly basis pursuant to RCW 28A.97.040.

Sec. 5. Section 3, chapter 341, Laws of 1977 ex. sess. and RCW 28A.97.030 are each amended to read as follows:

The superintendent of public instruction shall adopt, by rules, policies and procedures to permit a prior common school dropout to reenter at the grade level appropriate to such individual's ability; PROVIDED, That such individual shall be placed with the class he would be in had he not dropped out and graduate with that class, if his ability so permits notwithstanding any loss of credits prior to reentry and if such student earns credits at the normal rate subsequent to reentry.

Notwithstanding any other provision of law, any certified educational clinic student, upon completion of an individual student program and irrespective of age, shall be eligible to take the general educational development test as given throughout the state. Any such student who passes the general educational development test shall not be permitted to reenroll in the common school system in the state for other than vocational courses.

NEW SECTION. Sec. 6. If specific funding for the purposes of section 2 of this act, referencing this act by bill number, is not provided by the legislature by July 1, 1987, section 2 of this act shall be null and void. Section 2 of this act shall be of no effect until such specific funding is provided. If such funding is so provided, section 2 of this act shall take effect when the legislation providing the funding takes effect.

NEW SECTION. Sec. 7. Section 3(5) of 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 1 of the title, after "clinics;" strike the remainder of the title and insert "amending RCW 28A.97.030; adding new sections to chapter 28A.97 RCW; creating new sections; and declaring an emergency." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Ebersole, the House concurred in the Senate amendments to House Bill No. 999.

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. 999 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 999 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

House Bill No. 999 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, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTION HOUSE BILL NO. 1003 with the following amendments:

On page 10, after line 29, insert the following:

"Sec. 10, Section 82.04.330, chapter 15, Laws of 1961 as amended by section 7, chapter 173, Laws of 1965 ex. sess. and RCW 82.04.330 are each amended to read as follows:

This chapter shall not apply to any person in respect to the business of growing or producing for sale upon ~~((his))~~ the person's own lands or upon land in which ~~((he))~~ the person has a present right of possession, any agricultural or horticultural produce or crop, ~~((including the))~~ or of raising ((for sale of)) upon the person's own lands or upon land in which the person has a present right of possession, any animal, bird, or insect, or the milk, eggs, wool, fur, meat, honey, or other substance obtained therefrom, or in respect to the sale of such products at wholesale by such grower, producer, or raiser thereof. This exemption shall not apply to any person selling such products at retail or using such products as ingredients in a manufacturing process; nor to the sale of any animal or substance obtained therefrom by a person in connection with ~~((his))~~ the person's business of operating a stockyard or a slaughter or packing house; nor to any person in respect to the business of taking, cultivating, or raising Christmas trees or timber; nor to any association of persons whatever, whether mutual, cooperative or otherwise, engaging in any business activity with respect to which tax liability is imposed under the provisions of this chapter."

On page 1, beginning on line 2 of the title, strike "and 82.32.330" and insert "82.32.330, and 82.04.330"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Substitute House Bill No. 1003.

Mr. Appelwick spoke in favor of the motion.

POINT OF INQUIRY

Mr. Appelwick yielded to question by Mr. Braddock.

Mr. Braddock: "Representative Appelwick, I have a concern. I received an inquiry about this change in RCW 82.04.330. As I read it, the existing language has been stricken—the language that says 'for sale of.' I'm curious as to whether or not, if we pass this with the language 'for sale of' deleted, would it be taking away the exemption of those people who are raising for sale any animal, bird, or insect, or the milk, eggs, wool, fur, meat, honey, etc.? That is the way it reads to me and I have a concern that we may inadvertently be taking away the exemption from some other producers."

Mr. Appelwick: "That is not the intent of the sponsors of the amendment, but right now it would say anyone who is raising, on their own land or land that they control, would be exempt from the B&O tax. There may be a problem of construction because, of course, normally it says that if you delete language that is intended to work a change. I suppose they could construe it that you are now saying that anyone who is raising for sale is subject to the tax, but there is other legislative intent to the contrary. I don't think that would be a major problem."

Mr. Hastings spoke in favor of the motion to concur and the motion 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 Substitute House Bill No. 1003 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1003 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 82; nays, 15; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Betrozoff, Bond, Brekke, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, King J, King P, King R, Kremen, Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Silver, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Belcher, Braddock, Cole, Fisher, Jacobsen, Leonard, Locke, Lux, Nelson D. Niemi, Schmidt, Sommers, Unsoeld, Valle, Wilson K - 15.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1003 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, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1077 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. This chapter shall be known as the state health care purchasing reform act of 1985.

NEW SECTION, Sec. 2. The legislature finds that the rising increase in health costs for public employees and persons within the state's care is a major public policy concern and that unless addressed through specific statutory direction adequate health care will not be attainable through the expenditure of public funds. The legislature further finds that prevalent methods of health care delivery and cost reimbursement are often inefficient and wasteful.

It is therefore essential that effective cost control programs be established. It is the intent of the legislature to control costs of state purchased health care while maintaining an adequate level of care; promote wellness; encourage the development of managed health care systems and other systems that have been effective in controlling costs; place within one authority the responsibility and power to control cost while insuring adequate care; and place the state of Washington in a leadership position in cost containment. It is also the legislative intent that cost control procedures be implemented by all state agencies that purchase or provide health care.

NEW SECTION, Sec. 3. Unless the context clearly requires otherwise, the definitions in this section shall apply throughout this chapter.

(1) 'State purchased health care' or 'health care' means medical and health care, pharmaceuticals, and medical equipment purchased with state and federal funds by the department of social and health services, the state employees insurance board, the department of labor and industries, the department of corrections, and the department of veterans affairs.

(2)(a) 'Managed health care' for the purposes of this chapter means a system which shall include these components:

(i) Provision of insurance and responsibility for delivery of care through the same organization;

(ii) A comprehensive range of services either directly or on contract with other providers;

(iii) Control of utilization through identified management intervention points;

(iv) A data collection system that includes, as a minimum, utilization data on all clients and quality of care review; and

(v) Financial risk to the provider organization.

(b) It may as an option also include the following:

(i) A mechanism to resolve complaints;

(ii) Incorporation of health promotion activities as a regular part of medical care;

(iii) Membership education regarding appropriate use of facilities and services;

(iv) Quality of care reviews, utilization review, and peer review; and

(v) Financial incentives to the consumer to control costs.

NEW SECTION, Sec. 4. (1) There is hereby created a unit within the office of financial management which shall have the following powers and duties:

(a) To adopt guidelines for acceptable state purchased health care programs which will accomplish the purposes of this chapter;

(b) To review periodically all agency practices for purchasing health care to ensure compliance with health care guidelines;

(c) To coordinate the activities of all state agencies with respect to health care cost containment policies;

(d) To explore new ways to control cost while maintaining adequate levels of care;

(e) To submit to the legislature by January 7, 1987, legislation that is necessary to streamline health care purchasing procedures and remove unnecessary barriers, including but not limited to state contracting procedures;

(f) To coordinate and encourage efforts by state agencies to establish proven health promotion and disease and accident prevention efforts within state-purchased health care programs including, but not limited to education, monitoring, and counseling of consumers on effective methods to minimize illness;

(g) To ensure coordination of the development and maintenance of appropriate health care information systems by all state agencies purchasing or providing health care, to the fullest extent possible using existing data systems, that include:

- (i) Common definitions of health care services;
- (ii) Health care data elements common to all agencies;
- (iii) Health care data elements unique to any agency;
- (iv) The capability to monitor the number of persons for whom services are purchased or provided, the types of services or benefit packages provided or purchased, and the unit costs to the state;

(v) Mechanisms for thorough program and budget review; and

(vi) Preparing, on the basis of data available from state agencies, and submitting to the legislature by September 1 of each even-numbered year, biennial and long-term projections for total health care costs assuming no changes in current programs, and recommendations to reduce the costs of those programs;

(h) To establish procedures for volume purchasing of health care goods and equipment; and

(i) To appoint a technical advisory committee that represents state employees, state agencies, and others with technical expertise who are involved in the direct purchase, funding, or provision of health care.

(2) All state agencies shall cooperate in assisting the unit to implement the provisions of this chapter.

(3) The hospital commission, the health planning and certificate of need sections of the department of social and health services, the board of health, department of licensing, health care facilities authority, and the office of the insurance commissioner shall each submit a report to the legislature and the governor by November 30, 1986.

The report shall describe the respective roles of these agencies regarding health care cost containment and their accomplishments over the preceding six years, and shall address ways to increase the efficiency of these agencies to control costs and maintain quality of care.

(4) The unit shall have an administrator who, along with one other employee, shall be exempt from civil service law, chapter 41.06 RCW.

NEW SECTION, Sec. 5. (1) The state employees' insurance board, the department of social and health services, the department of labor and industries, the department of veterans affairs, and the department of corrections shall individually or in cooperation with other agencies take any necessary actions to control costs without reducing the quality of care when reimbursing for or purchasing drugs. To accomplish this purpose, each agency shall investigate the feasibility of and may establish a drug formulary designating which drugs may be paid for through the respective health care programs. For purposes of this section, a drug formulary means a list of drugs, either inclusive or exclusive, that defines which drugs are eligible for reimbursement by the agency.

(2) In developing the drug formulary authorized by this section, agencies:

(a) Shall prohibit reimbursement for drugs that are determined to be ineffective by the United States food and drug administration;

(b) Shall adopt rules in order to ensure that less expensive generic drugs will be substituted for brand name drugs in those instances where the quality of care is not diminished;

(c) Where possible, may authorize reimbursement for drugs only in economical quantities;

(d) May limit the prices paid for drugs by such means as central purchasing, volume contracting, or setting maximum prices to be paid;

(e) Shall consider the approval of drugs with lower abuse potential in substitution for drugs with significant abuse potential; and

(f) May take other necessary measures to control costs of drugs without reducing the quality of care.

(3) Agencies may provide for reasonable exceptions to the drug formulary required by this section.

(4) Agencies may establish medical advisory committees, or utilize committees already established, to assist in the development of the drug formulary required by this section.

(5) Agencies shall report to the unit on the requirements in this section by November 30, 1986.

NEW SECTION, Sec. 6. A new section is added to chapter 51.44 RCW to read as follows:

The department of labor and industries shall establish, on an ongoing basis, a review of methods to be used to obtain savings in health care costs and also an analysis of all optional systems considered by the department to control costs, including establishing a managed health care system approach for the provision of health care services, which would include making available to injured workers preferred provider arrangements, health maintenance organizations, or other managed health care or case management systems. This shall include an analysis of the constraints of establishing the system under Title 51 RCW and shall also consider incentives to encourage injured workers to use the system. The department shall prepare any legislation necessary to implement this or other strategies it may recommend to the legislature to effect these savings.

NEW SECTION. Sec. 7. The director of labor and industries shall submit to the legislature no later than January 1, 1986, a report that will propose methods to incrementally reduce the projected expenditures of the medical aid fund up to twenty percent for the period of July 1, 1986, to June 30, 1987. With each proposed incremental reduction, the report shall include: Methods of obtaining the reduction; effects upon injured workers; effects upon the service provider; and drafts of any legislation necessary to implement the reductions.

NEW SECTION. Sec. 8. A new section is added to chapter 74.09 RCW to read as follows:

In addition to its existing managed health care programs the department shall develop plans for two managed health care programs, one in the eastern part and one in the western part of the state. The plan shall include measures to ensure enrollment of at least five thousand medical assistance enrollees in each program, in addition to the number enrolled in managed health care programs as of June 30, 1985. The department shall report to the legislature no later than January 1, 1986, on the development of the plan.

NEW SECTION. Sec. 9. A new section is added to chapter 43.131 RCW to read as follows:

The state health care purchasing unit and its powers and duties shall be terminated on June 30, 1991, as provided in section 10 of this act.

NEW SECTION. Sec. 10. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1992.

- (1) Section 1 of this act;
- (2) Section 2 of this act;
- (3) Section 3 of this act;
- (4) Section 4 of this act; and
- (5) Section 5 of this act.

NEW SECTION. Sec. 11. Sections 1 through 5 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 12. The legislature finds that:

(1) A substantial percentage of the population of this state does not have reasonably available insurance or other coverage of the costs of necessary basic health care services;

(2) This lack of basic health care coverage is detrimental to the health of the individuals lacking coverage and to the public welfare, and often results in substantial expenditures for emergency and remedial health care, often at the expense of health care providers, health care facilities, and all purchasers of health care, including the state;

(3) The use of managed health care systems, as defined in section 13 of this act, has significant potential to reduce the growth of health care costs incurred by the people of this state, and low-income pregnant women are an especially vulnerable population, along with their children, who need greater access to managed health care; and

(4) As declared in RCW 70.39.010, health care is a right of the people and one of the primary purposes for which governments are established.

The purpose of this chapter is to establish a program providing access to affordable basic health care for low-income persons through the use of managed health care systems. This chapter is intended to establish an appropriate mechanism that will foster the entrepreneurial abilities of health care providers in many communities to join together in helping to address a significant portion of that unmet need for access to affordable health care that exists among the residents of the state and in almost every community. The legislature intends that the program be designed and operated in a fiscally prudent manner within the funds appropriated from the basic health plan account established in this chapter, and that the program emphasize primary and preventive health care services while also covering necessary hospitalization.

NEW SECTION. Sec. 13. As used in this chapter:

(1) 'Washington basic health plan' or 'plan' means the system of enrollment and payment on a prepaid capitated basis for basic health care services, administered by the board through participating managed health care systems, created by this chapter.

(2) 'Board' means the Washington basic health plan board created under section 15 of this act.

(3) 'Managed health care system' means any health care organization, including health care providers, insurers, health care service contractors, health maintenance organizations, or any combination thereof, that provides directly or by contract basic health care services, as defined by the board and rendered by duly licensed providers, to a defined patient population by enrollment in the plan and in the managed health care system.

(4) 'Enrollee' means an individual, or an individual plus the individual's spouse and dependent children, all under the age of sixty-five, who reside in the state, whose gross family income at the time of enrollment does not exceed one and one-half times the federal nonfarm poverty level as adjusted for family size and determined annually by the federal office of management and budget, who choose to obtain basic health care coverage from a particular managed health care system in return for periodic payments to the board, and who, at the time of enrollment, are not eligible for medical coverage under chapter 74.09 RCW and do not have access to employer-sponsored health care coverage.

(5) 'Subsidy' means the difference between the amount of periodic payment the board makes, from funds appropriated from the trust account, to a managed health care system on behalf of an enrollee and the amount the board determines to be the enrollee's responsibility under section 19(2) of this act.

NEW SECTION, Sec. 14. The basic health plan trust account is hereby established in the state treasury. All revenues received under section 30 of this act shall be deposited in the basic health plan trust account. Disbursements from the account shall be made pursuant to appropriation and upon warrants drawn by the Washington basic health plan board created in section 15 of this act. Moneys in the account shall be used exclusively for the purposes of this chapter, including payments to participating managed health care systems on behalf of enrollees in the plan and payment of costs of administering the plan. The earnings on any surplus balances in the basic health plan trust account shall be credited to the account, notwithstanding RCW 43.84.090. After January 1, 1987, the legislature shall not appropriate for an ensuing fiscal period amounts exceeding ninety percent of the revenues anticipated to accrue to the account during the fiscal period.

NEW SECTION, Sec. 15. There is hereby created a Washington basic health plan board, which shall be a separate and independent board of the state. For efficiencies in operation and consultation, the offices of the board shall be co-located with those of the hospital commission. The board shall be composed of nine members appointed by the governor, as follows:

- (1) One member representing hospitals, as defined in RCW 70.41.020.
- (2) Two members representing individual health care professionals licensed under Title 18 RCW, at least one of whom shall be a physician.
- (3) Two members representing the health care insurance industry and possessing actuarial experience or expertise or experience in health care financing and/or benefit design, who may be associated with health care service contractors or commercial health insurers registered and doing business in the state under Title 48 RCW.
- (4) One member representing labor, who is an active trustee of a union-sponsored health care fund.
- (5) One representative of private employers who provide or purchase health care benefits for employees.
- (6) Two representatives of consumers, at least one of whom represents the interests of low-income persons.

The governor shall designate one of the members designated in subsections (5) and (6) of this section to serve as chairman. At least two of the three members designated in subsections (1) and (2) of this section shall be persons actively engaged in rendering health care services through a managed health care system. No member designated in subsection (3), (4), (5), or (6) of this section shall have any fiduciary obligation to any health care provider or facility, or any material financial interest in the provision of health care services.

Members of the board shall serve for four-year terms: PROVIDED, That of the members initially appointed after the effective date of this act, three shall be appointed to four-year terms, two to three-year terms, two to two-year terms, and two to one-year terms. Appointments shall require senate confirmation. No member of the board shall serve for more than two consecutive terms. A vacancy shall be filled by appointment for the remainder of the unexpired term and the initial appointments and vacancies shall not require senate confirmation until the legislature next convenes.

NEW SECTION, Sec. 16. Meetings of the board shall be held as frequently as its duties require. The board shall keep minutes of its meetings and adopt procedures for the governing of its meetings, minutes, and transactions. Five members of the board shall constitute a quorum, but a vacancy on the board shall not impair its power to act. No action of the board shall be effective unless five members concur therein. The board may, consistent with the procedural requirements of chapter 42.30 RCW, meet in executive session with representatives of prospective or participating managed health care systems to discuss matters of a proprietary or sensitive nature.

The members of the board shall be compensated in accordance with RCW 43.03.250 and shall be reimbursed for their travel expenses in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION, Sec. 17. The board shall employ a full-time executive director, who shall be the chief administrative officer of the board and shall be subject to its direction. The executive director, medical director, and up to three other employees shall be exempt from the civil service law, chapter 41.06 RCW.

The board shall employ such other staff as are necessary to fulfill the responsibilities and duties of the board, such staff to be subject to the civil service law, chapter 41.06 RCW. In addition, the board may contract with third parties for services necessary to carry out its activities where this will promote economy, avoid duplication of effort, and make best use of available expertise. Any such contractor or consultant shall be prohibited from releasing, publishing, or otherwise using any information made available to it under its contractual responsibility without specific permission of the board. The board may call upon other agencies of the state to provide available information as necessary to assist the board in meeting its

responsibilities under this chapter, which information shall be supplied as promptly as circumstances permit. The board may create committees from its membership, and may appoint such ad hoc advisory committees as it deems necessary.

The board may apply for and receive and accept grants, gifts, and other payments, including property and service, from any governmental or other public or private entity or person, and may make arrangements as to the use of these receipts, including the undertaking of special studies and other projects relating to health care costs and access to health care.

NEW SECTION. Sec. 18. The board may promulgate and adopt, under chapter 34.04 RCW, regulations consistent with this chapter to carry out the purposes of this chapter.

NEW SECTION. Sec. 19. The board shall have the following powers and duties:

(1) To design and from time to time revise a schedule of covered basic health care services, including physician services, inpatient and outpatient hospital services, and other services that may be necessary for basic health care, which enrollees in any participating managed health care system under the Washington basic health plan shall be entitled to receive in return for periodic payments to the board. The schedule of services shall emphasize preventive and primary health care, shall include all services necessary for prenatal, postnatal, and well-child care, and shall include a separate schedule of basic health care services for children, eighteen years of age and younger, for those enrollees who choose to secure basic coverage through the plan only for their dependent children. In designing and revising the schedule of services the board shall consider the guidelines for assessing health services under the mandated benefits act of 1984, RCW 48.42.080. No major professional service may be included in the schedule until legislation is enacted imposing a tax or other assessment, to be deposited in the basic health plan trust account, upon the class of providers or practitioners by whose members that professional service is to be performed.

(2) To design and implement a structure of periodic payments due from enrollees. The payment structure shall be based upon enrollee family size and shall include a sliding scale whereby payments shall vary according to enrollee family income. The structure shall be designed so as to include payment amounts for enrollment of children without requiring enrollment of their parents. The board shall not enroll such numbers of enrollees who qualify for subsidies as might reasonably be expected to result in an overexpenditure of appropriations for such purposes. Whenever the board finds that there is danger of such an overexpenditure, the board shall close all enrollment in the plan until the board finds the danger no longer exists. Payments to the board by the department of social and health services on behalf of any person eligible for medical coverage under chapter 74.09 RCW, subject to section 24 of this act, shall not be less than the payments the board makes to managed health care systems for coverage of those persons.

(3) To solicit and accept applications from managed health care systems, as defined in this chapter, for inclusion as eligible basic health care providers under the plan. The board shall endeavor to assure that covered basic health care services are available through the plan to prospective enrollees living in all areas of the state and, where possible, from among a selection of participating managed health care systems. In adopting any rules or procedures applicable to managed health care systems, and in its dealings with such systems the board shall consider and make suitable allowance for the need for health care services and the differences in local availability of health care resources, along with other resources, within and among the several communities of the state.

(4) To receive periodic payments from enrollees, deposit the payments in the basic health plan operating account, keep records of enrollee payments and status, and authorize periodic payments to managed health care systems on the basis of the number of enrollees participating in the respective managed health care systems.

(5) To accept applications from individuals, on behalf of themselves and their spouses and dependent children, for enrollment in the Washington basic health plan, to establish appropriate minimum-enrollment periods for enrollees as may be necessary, and to determine, upon application and at least annually thereafter, or at the request of any enrollee, eligibility due to current gross family income for reduced sliding scale payments that will be the responsibility of the enrollee. An enrollee who remains current in making periodic sliding-scale payments, as determined by the board under subsection (2) of this section, may continue enrollment if the enrollee's gross family income rises above one and one-half times the federal nonfarm poverty level, but shall then make payment at the maximum rate established in the sliding fee schedule. No subsidy shall be paid with respect to any enrollee whose current gross family income exceeds one hundred fifty percent of the federal nonfarm poverty level.

(6) To require that prospective enrollees who may be eligible for medical coverage under chapter 74.09 RCW apply for such coverage.

(7) To determine, on a community rating basis, the amount of each periodic per capita or per family payment to a participating managed health care system in return for the provision of covered basic health care services to enrollees in the system. Although the schedule of covered basic health care services will be the same for all enrollees, the periodic per capita or per family payments to participating managed health care systems may vary among the systems. In negotiating payment levels with participating systems the board shall consider the

characteristics of the populations served by the respective systems, economic circumstances of the local area or community, and other factors the board finds relevant.

(8) To monitor the provision of covered services to enrollees by participating managed health care systems in order to assure enrollee access to good quality basic health care, to require periodic reports on health care services rendered to enrollees, and to inspect the books and records of participating managed health care systems to assure compliance with the purposes of this chapter. In requiring reports from participating managed health care systems, including data on services rendered enrollees, the board shall endeavor to minimize costs, both to the managed health care systems and to the board. The board shall coordinate any such reporting requirements with other state agencies, such as the insurance commissioner and the hospital commission, to minimize duplication of effort.

(9) To monitor the access that state residents have to adequate and necessary health care services, determine the extent of any unmet needs for such services or lack of access that may exist from time to time, and make such reports and recommendations to the legislature as it deems appropriate.

NEW SECTION. Sec. 20. The benefits available under the plan shall be subject to the provisions of RCW 48.21.200 and shall be excess to the benefits payable under the terms of any insurance policy issued to or on the behalf of an enrollee which provides payments toward medical expenses without a determination of liability for the injury.

NEW SECTION. Sec. 21. On and after July 1, 1986, enrollees whose payments to the board are current shall be entitled to receive covered basic health care services as defined by the board from the respective managed health care systems in which they are enrolled. Before January 1, 1987, the board may not enroll more than thirty thousand individuals who are eligible for subsidies. Before January 1, 1987, the board shall endeavor to secure participation agreements with managed health care systems in not more than twelve areas of the state, including urban, suburban and rural areas, and to the extent possible with a mixture of public hospitals, community clinics, cities and counties, nonprofit hospitals, and health care professionals engaged in independent practice. The board shall endeavor to secure participation agreements with managed health care systems in each of the congressional districts of the state. The board shall closely monitor growth patterns so as not to exceed that consistent with the orderly development of the plan.

NEW SECTION. Sec. 22. Any enrollee whose payments to the board are delinquent may be dropped from enrollment status. The board shall make reasonable efforts to notify delinquent enrollees of their removal from the plan and shall provide for a hearing under chapters 34.04 and 34.12 RCW for any enrollee who contests the board's decision to drop the enrollee from the plan. Upon removal of an enrollee from the plan, the board shall promptly notify the managed health care system in which the enrollee has been enrolled, and shall not be responsible for payment for health care services provided to the enrollee (including, when applicable, members of the enrollee's family) after the date of notification. A managed health care system may contest the denial of payment for coverage of an enrollee through a hearing under chapters 34.04 and 34.12 RCW.

NEW SECTION. Sec. 23. Managed health care systems participating in the plan shall do so by contract with the board and, on and after July 1, 1986, shall provide, directly or by contract with other health care providers, covered basic health care services to each enrollee as long as payments from the board on behalf of the enrollee are current. Subject to board approval and with full disclosure to enrollees and prospective enrollees, a managed health care system may impose nominal copayments upon enrollees as an incentive for proper utilization of services. The board may receive and act upon complaints from enrollees regarding failure to provide covered services or efforts to obtain payment, other than copayments authorized under this section, for covered services directly from enrollees, but nothing in this chapter empowers the board to impose any sanctions under Title 18 RCW or any other professional or facility licensing statute.

The plan shall allow, at least annually, an opportunity for enrollees to transfer their enrollments among participating managed health care systems. The board shall establish a period of at least twenty days in a given year when this opportunity is afforded enrollees, and in those areas served by more than one participating managed health care systems the board shall endeavor to establish a uniform period for such opportunity.

Prior to negotiating with any managed health care system the board shall determine, on an actuarially sound basis, the reasonable cost of providing the schedule of basic health care services, expressed in terms of upper and lower limits, and recognizing variations in the cost of providing the services through the various systems and in different areas of the state. In negotiating with managed health care systems for participation in the plan, the board shall adopt a uniform procedure that includes at least the following:

(1) The board shall issue a request for proposals, including standards regarding the quality of services to be provided; financial integrity of the responding systems; and responsiveness to the unmet health care needs of the local communities or populations that may be served;

(2) The board shall then review responsive proposals and may negotiate with respondents to the extent necessary to refine any proposals;

(3) The board shall, before executing any initial or renewal contracts, be assured that adequate enrollee protection and continuity of care measures are in place, and the full schedule of services can be provided any enrollee;

(4) The board may then select one and preferably more than one system to provide the covered services under the plan within a specific geographic area; and

(5) The board may adopt a policy that gives preference to systems substantially supported by public revenues or involving public agencies.

NEW SECTION, Sec. 24. Any enrollee who, after enrollment in the plan, becomes eligible for medical assistance or medical care services under chapter 74.09 RCW may continue as a plan enrollee, and shall so continue if the enrollee's minimum enrollment period, if any, has not expired. If the enrollee continues enrollment in the plan under this section, the department of social and health services shall make periodic payments to the plan on the enrollee's behalf, at the maximum rate established in the sliding fee scale, for the services covered by the plan: PROVIDED, That with respect to enrollees eligible for medical assistance under RCW 74.09.510, the periodic amount payable to the plan shall not be greater than the amount with respect to which full federal financial participation is available under title XIX of the federal social security act. Any enrollee on whose behalf the department of social and health services makes payments to the plan under this section and chapter 74.09 RCW may continue as an enrollee, making periodic payments based on his own income as determined under the sliding scale, after eligibility for coverage under chapter 74.09 RCW has ended. Nothing in this section affects the right of any person eligible for coverage under chapter 74.09 RCW to receive the services offered to other persons under that chapter but not included in the schedule of basic health care services covered by the plan. The board and the department of social and health services shall cooperatively adopt procedures to facilitate the transition of plan enrollees and payments on their behalf between the plan and the programs established under chapter 74.09 RCW.

NEW SECTION, Sec. 25. In addition to the powers and duties specified in sections 17 and 19 of this act, the board shall have the power to enter into contracts for the following functions and services:

(1) With public or private agencies, to assist the board in its duties to design or revise the schedule of covered basic health care services, and/or to monitor the performance of participating managed health care systems.

(2) With public or private agencies, to provide technical or professional assistance to health care providers, particularly public or private nonprofit organizations and providers serving rural areas, who show serious intent and apparent capability to participate in the plan as managed health care systems.

(3) With health care service contractors registered under RCW 48.44.015 and doing business in the state, for marketing and administrative services in connection with participation of managed health care systems, enrollment of enrollees, billing and collection services to the board, and other administrative functions ordinarily performed by health care service contractors, other than insurance: PROVIDED, That any activities of a health care service contractor pursuant to a contract with the board under this section shall be exempt from the provisions and requirements of Title 48 RCW.

(4) With any public hospital district established under chapter 70.44 RCW or with any county or city, to administer the plan as the board's agent with respect to enrollees residing and managed health care systems serving the geographic area within the boundaries of the district, county, or city: PROVIDED, That the district, county, or city shares with the board, on a dollar for dollar matching basis, the cost of payments to participating managed health care systems for coverage of enrollees residing within the boundaries of the district, county, or city less the amounts payable by enrollees to the district, county, or city as agent for the board. In the event a hospital district, county, or city provides the board with adequate assurances of its ability to administer the plan for potential enrollees residing within its jurisdiction and agrees to share in the cost of any subsidy required for enrollees under the schedule for sliding scale payments, and the board has agreements for participation with a managed health care system or systems within the boundaries of such district, county, or city, and with the approval of the legislature, the plan may commence operations in that jurisdiction on or after March 30, 1986 notwithstanding the implementation dates in sections 21 and 23 of this act.

(5) With any community health center or other public or private nonprofit health care provider participating in a managed health care system under the plan and demonstrating financial need, to furnish direct financial assistance in meeting the start-up costs of providing covered basic health care services under the plan, for a period not exceeding one year after the managed health care system commences coverage of enrollees.

NEW SECTION, Sec. 26. The activities and operations of the Washington basic health plan under this chapter, including those of managed health care systems to the extent of their participation in the plan, shall be exempt from the provisions and requirements of Title 48 RCW.

NEW SECTION, Sec. 27. The legislature reserves the right to amend or repeal all or any part of this act at any time and there shall be no vested private right of any kind against such amendment or repeal. All the rights, privileges, or immunities conferred by this act or any acts

done pursuant thereto shall exist subject to the power of the legislature to amend or repeal this act at any time.

NEW SECTION, Sec. 28. A new section is added to chapter 50.20 RCW to read as follows:

The commissioner shall notify in writing any person filing a claim under this chapter of the availability of basic health care coverage to qualified enrollees in the Washington basic health plan under chapter 70.____ RCW (sections 12 through 27 of this act). The commissioner shall maintain a supply of Washington basic health plan enrollment application forms, which shall be provided in reasonably necessary quantities by the Washington basic health plan board, in each employment service office for the use of persons wishing to apply for enrollment in the Washington basic health plan.

NEW SECTION, Sec. 29. A new section is added to chapter 74.08 RCW to read as follows:

The department shall notify in writing any person found ineligible for public assistance of the availability of basic health care coverage to qualified enrollees in the Washington basic health plan under chapter 70.____ RCW (sections 12 through 27 of this act). The department shall maintain a supply of Washington basic health plan enrollment application forms, which shall be provided in reasonably necessary quantities by the Washington basic health plan board, in each community service office for the use of persons wishing to apply for enrollment in the Washington basic health plan.

NEW SECTION, Sec. 30. A new section is added to chapter 82.24 RCW to read as follows:

Effective October 1, 1985, there is hereby levied and there shall be collected by the department of revenue from the persons mentioned in and in the manner provided by this chapter, an excise tax upon the sale, use, consumption, handling, possession, or distribution of cigarettes in an amount equal to the rate of four mills per cigarette. The moneys collected under this section shall be deposited in the basic health plan trust account of the state treasury.

NEW SECTION, Sec. 31. The Washington basic health plan board shall be appointed, hire

an executive director, and commence operations as promptly as practicable after the effective date of this act. Not later than January 1, 1986, the board shall submit to the legislature a progress report including:

(1) The schedule of covered basic health care services adopted under section 19 of this act;

(2) A proposal for legislation imposing, effective July 1, 1986, a tax or other assessment upon any class of health care providers or practitioners providing major professional services included in the schedule of basic health care services adopted under section 19 of this act, designed to raise sufficient revenue to cover the anticipated cost to participating managed health care systems of the professional services of providers or practitioners within the class;

(3) A descriptive listing of managed health care systems expected to participate in the Washington basic health plan, along with an identification of geographical areas within the state where no managed health care system is expected to be participating in the plan by July 1, 1986, together with any proposals that might assist or stimulate the development of managed health care systems in such areas;

(4) The approximate amount of funds estimated to be on deposit in the basic health plan trust account as of June 30, 1986;

(5) An estimate of the number of enrollees whose basic health care coverage under this chapter can be expected to be financed during the 1986-87 state fiscal year by combining revenues received under section 30 of this act with payments from the enrollees;

(6) A description of the sliding fee schedule for periodic enrollee payments adopted by the board under section 19 of this act;

(7) Jointly with the department of social and health services, a proposal for maximizing federal financial participation with respect to persons who may be eligible both for enrollment in the plan and for the limited casualty program under RCW 74.09.700;

(8) A proposal or set of proposals that would allow any health care provider subject to any assessment or tax imposed under this act an appropriate deduction, from the base used for such assessment or tax, of the costs associated with the provision of charity care by the health care provider;

(9) Any proposals for statutory changes which the board deems necessary to implement the purposes of this chapter; and

(10) Any other information which the board deems appropriate.

Not later than January 1, 1987, the board shall submit to the legislature a further progress report, updating its 1986 report, and covering the same items provided for therein, with projections based upon implementation of the plan to date. Further, the report shall include a description of the performance of the first managed health care systems included as eligible providers as provided in section 21 of this act.

NEW SECTION, Sec. 32. Sections 12 through 27 of this act shall constitute a new chapter in Title 70 RCW. The chapter shall have no force or effect after June 30, 1986, unless the legislature affirms before that date, by bill or concurrent resolution, its intent to continue the force and effect of the chapter.

NEW SECTION, Sec. 33. There is appropriated from the general fund to the basic health plan trust account, for the biennium ending June 30, 1987, the sum of one million dollars, to

carry out the purposes of this act. Such appropriation shall be repaid to the general fund as soon as practicable, but not later than June 30, 1987, from the revenues accruing to the basic health plan trust account under section 30 of this act.

There is appropriated from the general fund to the department of revenue, for the biennium ending June 30, 1987, the sum of seven thousand dollars, or as much thereof as shall be necessary, to carry out the purposes of this act.

Sec. 34. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 15, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.24.020 are each amended to read as follows:

(1) There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of ~~((eight)) eleven~~ and one-half mills per cigarette.

(2) Wholesalers and retailers subject to the payment of this tax may, if they wish, absorb one-half mill per cigarette of the tax and not pass it on to purchasers without being in violation of this section or any other act relating to the sale or taxation of cigarettes.

(3) For purposes of this chapter ~~((and RCW 28A.47.440))~~, 'possession' shall mean both (a) physical possession by the purchaser and (b) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

~~((2) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section, RCW 82.24.025, and 28A.47.440.))~~

Sec. 35. 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 are each amended to read as follows:

Wholesalers and retailers subject to the provisions of this chapter shall be allowed compensation for their services in affixing the stamps herein required a sum equal to two percent of the first four mills of the value of the stamps purchased or affixed by them, one percent of the next one mill of the value of the stamps purchased or affixed by them, and one-half of one percent of the next one-half mill of the value of the stamps purchased or affixed by them.

Sec. 36. Section 7, chapter 157, Laws of 1972 ex. sess. as last amended by section 217, chapter 3, Laws of 1983 and by section 3, chapter 189, Laws of 1983 and RCW 82.24.260 are each reenacted and amended to read as follows:

Any retailer who sells or otherwise disposes of any unstamped cigarettes other than (1) a federal instrumentality with respect to sales to authorized military personnel and (2) a federally recognized Indian tribal organization with respect to sales to enrolled members of the tribe shall collect from the buyer or transferee thereof the tax imposed on such buyer or transferee by ~~((RCW 82.24.020, 82.24.025, and 28A.47.440))~~ this chapter and remit the same to the department after deducting from the tax collected the compensation he would have been entitled to under the provisions of this chapter ~~((and RCW 28A.47.440))~~ if he had affixed stamps to the unstamped cigarettes. Such remittance shall be made at the same time and manner as remittances of the retail sales tax as required under chapters 82.08 and 82.32 RCW. In the event the retailer fails to collect the tax from the buyer or transferee, or fails to remit the same, the retailer shall be personally liable therefor, and shall be subject to the administrative provisions of RCW 82.24.230 with respect to the collection thereof by the department. The provisions of this section shall not relieve the buyer or possessor of unstamped cigarettes from personal liability for the tax imposed by ~~((RCW 82.24.020, 82.24.025, and 28A.47.440))~~ this chapter.

Nothing in this section shall relieve a wholesaler or a retailer from the requirements of affixing stamps pursuant to RCW 82.24.040 and 82.24.050.

Sec. 37. Section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 6, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.02.030 are each amended to read as follows:

(1) The rate of the additional taxes under RCW 54.28.020(2), 54.28.025(2), 66.24.210(2), 66.24.290(2), 82.04.2901, 82.16.020(2), 82.20.010(2), 82.26.020(2), 82.27.020(5), 82.29A.030(2), 82.44.020(5), and 82.45.060(2) shall be seven percent;

(2) The rate of the additional taxes under RCW 82.08.150(4) shall be fourteen percent; and

(3) ~~((The rate of the additional taxes under RCW 82.24.020(2) shall be fifteen percent; and~~

~~((4))~~ The rate of the additional taxes under RCW 48.14.020(3) shall be four percent.

NEW SECTION. Sec. 38. The following acts or parts of acts are each repealed:

(1) Section 28A.47.440, chapter 223, Laws of 1969 ex. sess., section 1, chapter 70, Laws of 1971 ex. sess., section 1, chapter 157, Laws of 1972 ex. sess., section 2, chapter 189, Laws of 1983 and RCW 28A.47.440; and

(2) Section 2, chapter 59, Laws of 1979 ex. sess. and RCW 82.24.025.

NEW SECTION. Sec. 39. A new section is added to chapter 43.131 RCW to read as follows:

The Washington basic health plan board and its powers and duties shall be terminated on June 30, 1991, as provided in section 40 of this act.

NEW SECTION. Sec. 40. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1992:

(1) Section 12 of this act and RCW 70._____;

(2) Section 13 of this act and RCW 70._____;

- (3) Section 14 of this act and RCW 70.....;
- (4) Section 15 of this act and RCW 70.....;
- (5) Section 16 of this act and RCW 70.....;
- (6) Section 17 of this act and RCW 70.....;
- (7) Section 18 of this act and RCW 70.....;
- (8) Section 19 of this act and RCW 70.....;
- (9) Section 20 of this act and RCW 70.....;
- (10) Section 21 of this act and RCW 70.....;
- (11) Section 22 of this act and RCW 70.....;
- (12) Section 23 of this act and RCW 70.....;
- (13) Section 24 of this act and RCW 70.....;
- (14) Section 25 of this act and RCW 70.....;
- (15) Section 26 of this act and RCW 70.....;
- (16) Section 27 of this act and RCW 70.....;
- (17) Section 28 of this act and RCW 50.20.....;
- (18) Section 29 of this act and RCW 74.08.....;
- (19) Section 30 of this act and RCW 82.24.....;
- (20) Section 31 of this act and RCW 70.39.....; and
- (21) Section 32 of this act and RCW 82.04.....

NEW SECTION. Sec. 41. 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. 42. 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 July 1, 1985."

On page 1, on line 1 of the title, after "care," strike the remainder of the title and insert "amending RCW 70.38.105, 82.24.020, 82.24.070, and 82.02.030; reenacting and amending RCW 82.24.260; adding a new chapter to Title 43 RCW; adding new sections to chapter 43.131 RCW; adding a new section to chapter 50.20 RCW; adding a new section to chapter 51.44 RCW; adding a new section to chapter 74.08 RCW; adding a new section to chapter 74.09 RCW; adding a new section to chapter 82.24 RCW; adding a new chapter to Title 70 RCW; creating new sections; repealing RCW 28A.47.440 and 82.24.025; making appropriations; providing expiration dates; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Ms. Niemi moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1077.

Representatives Niemi and J. King spoke in favor of the motion, and Representatives Lewis, Appelwick and Ballard spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1077, and the motion was lost by the following vote: Yeas, 20; nays, 77; excused, 1.

Voting yea: Representatives Brekke, Cole, Fisher, Hine, Jacobsen, King J, King R, Leonard, Locke, Lux, Nelson D, Niemi, O'Brien, Rust, Scott, Smitherman, Sommers, Wang, Wineberry, and Mr. Speaker - 20.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, King P, Kremen, Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Nutley, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Silver, Smith L, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luvan, Vander Stoep, Vekich, Waik, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky - 77.

Excused: Representative Smith C - 1.

The Speaker stated that the House had, by its action, refused to concur in the Senate amendments to Substitute House Bill No. 1077, and asked the Senate to recede therefrom.

SENATE AMENDMENT TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1078 with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. It is the intent of the legislature to establish a preschool state education and assistance program. This special assistance program is a voluntary enrichment program to help prepare some children to enter the common school system and shall be offered only as funds are available. This program is not a part of the basic program of education which must be fully funded by the legislature under Article IX, section 1 of the state Constitution.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Advisory committee' means the advisory committee under section 6 of this act.

(2) 'At risk' means a child at least four years of age and not eligible for kindergarten whose family circumstances would qualify that child for eligibility under the federal head start program.

(3) 'Department' means the department of community development.

(4) 'Eligible child' means an at-risk child as defined in this section who is not a participant in a federal or state program providing like educational services and may include children who are eligible under rules adopted by the department if the number of such children equals not more than ten percent of the total enrollment in the preschool program.

(5) 'Approved preschool programs' means those state-supported education and special assistance programs which are recognized by the department of community development as meeting the minimum program rules adopted by the department to qualify under this chapter and are designated as eligible for funding by the department under sections 7 and 9 of this act.

NEW SECTION. Sec. 3. The department of community development shall administer a state-supported preschool education and assistance program to assist eligible children with educational, social, health, nutritional, and cultural development to enhance their opportunity for success in the common school system. Eligible children shall be admitted to approved preschool programs to the extent that the legislature provides funds.

NEW SECTION. Sec. 4. Approved preschool programs shall receive state-funded support through the department. School districts, and existing head start grantees in cooperation with school districts, are eligible to participate as providers of the state preschool program. School districts may contract with other governmental or nongovernmental nonsectarian organizations to conduct a portion of the state program. Funds appropriated for the state program shall be used to establish new or expanded preschool programs, and shall not be used to supplant federally supported head start programs. Persons applying to conduct the preschool program shall identify targeted groups to be served, program components, the qualifications of instructional and special staff, facilities and equipment support, and transportation and personal care arrangements.

NEW SECTION. Sec. 5. The department shall establish an advisory committee composed of interested parents and representatives from the state board of education, the office of the superintendent of public instruction, the division of children and family services within the department of social and health services, early childhood education and development staff preparation programs, the head start programs, school districts, and such other organizations as deemed necessary by the department to assist with the establishment of the preschool program.

NEW SECTION. Sec. 6. The department shall adopt rules under chapter 34.04 RCW for the establishment of the preschool program, not later than six months after the effective date of this act. Federal head start program criteria, to the extent practicable, shall be considered as guidelines for the state preschool early childhood assistance program.

The department in developing rules for the preschool program shall consult with the advisory committee, and shall consider such factors as coordination with existing head start and other preschool programs, the preparation necessary for instructors, qualifications of instructors, adequate space and equipment, and special transportation needs. The rules shall specifically require the preschool programs to provide for parental involvement at a level not less than that provided under the federal head start program criteria.

NEW SECTION. Sec. 7. The department shall review applications received within nine months after the effective date of this act, and designate those programs eligible to commence operation within two months of such date.

NEW SECTION. Sec. 8. The governor shall report to the legislature before the convening of the regular session of the legislature which commences after at least a year from the effective date of this act, on the merits of continuing and expanding the preschool program or instituting other means of providing early childhood development assistance. The office of the superintendent of public instruction shall assist the governor in the preparation of the report and shall

be consulted on all issues addressed in said report. This report shall consider the experiences of federal and state preschool programs and address the preschool education recommendations submitted to the legislature during 1985.

If the governor recommends the continuation of a state-funded preschool program, then the governor's report shall include specific recommendations on at least the following issues:

(1) The desired relationships of a state-funded preschool education and assistance program with the common school system;

(2) The types of children and their needs that the program should serve;

(3) The appropriate level of state support for implementing a comprehensive preschool education and assistance program for all eligible children, including related programs to prepare instructors and provide facilities, equipment, and transportation;

(4) The state administrative structure necessary to implement the program; and

(5) The establishment of a system to examine and monitor the effectiveness of preschool educational and assistance services for disadvantaged children to measure, among other elements, if possible, how the children completing this program compare to the average level of performance of all state students in their grade level, and to those at-risk students who do not have access to this program. The evaluation system shall examine how the percentage of these children needing access to special education or remedial programs compares to the overall percentage of children needing such services and compares to the percentage of at-risk students who do not have access to this program needing such services.

NEW SECTION. Sec. 9. For the duration of this act, the department may award state support under sections 1 through 7 of this act to increase the numbers of eligible children assisted by the federal or state-supported preschool programs in this state by up to five thousand additional children. Priority shall be given to groups in those geographical areas which include a high percentage of families qualifying under the federal 'at risk' criteria. The overall program funding level shall be based on an average grant of no more than two thousand seven hundred dollars per child to cover all program costs: PROVIDED, That programs addressing special needs of selected groups or communities shall be recognized in the department's rules.

NEW SECTION. Sec. 10. The department from funds appropriated for the administration of the program under this act shall reimburse the expenses of the advisory committee.

NEW SECTION. Sec. 11. The department may solicit gifts, grants, conveyances, bequests and devises for the use or benefit of the preschool state education and assistance program established by this act. The department shall actively solicit support from business and industry and from the federal government for the preschool state education and assistance program.

NEW SECTION. Sec. 12. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by the legislature by July 1, 1987, this act shall be null and void. This act shall be of no effect until such specific funding is provided. If such funding is so provided, this act shall take effect when the legislation providing the funding takes effect.

NEW SECTION. Sec. 13. This act shall be known as the early childhood assistance act of 1985.

NEW SECTION. Sec. 14. 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. 15. Sections 1 through 11 of this act shall expire two years after the effective date of this act."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ebersole, the House concurred in the Senate amendment to Engrossed Second Substitute House Bill No. 1078.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1078 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1078 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 66; nays, 31; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Belcher, Braddock, Brekke, Bristow, Brooks, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lundquist, Lux, Madsen, McMullen, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 66.

Voting nay: Representatives Ballard, Barnes, Baugher, Betzoff, Bond, Brough, Chandler, Dobbs, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, van Dyke, Van Luven, West, Williams B, Williams J, Zellinsky - 31.

Excused: Representative Smith C - 1.

Engrossed Second Substitute House Bill No. 1078 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

I made an error in my final recorded vote on E2SHB 1078 as amended by the Senate. My recorded vote was "No," but because of changes made on the bill which I missed, the vote should have been "Yes."

LOUISE MILLER, 45th District.

SENATE AMENDMENT TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1116 with the following amendment:

On page 3, line 20 after "water" strike ";" and insert ". This plan may be prepared as a portion of a county sewerage and/or water general plan pursuant to RCW 36.94.030;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Nutley, the House concurred in the Senate amendment to Substitute House Bill No. 1116.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1116 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1116 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Sanders - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1116 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, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1169 with the following amendments:

On page 1, line 8 after "banks" strike ", savings banks, and savings and loan associations" and insert "and savings banks"

Beginning on page 9, strike all of sections 11, 12 and 13 and renumber the remaining sections consecutively.

On page 11, beginning on line 21 strike all of subsection (3)

On page 1, beginning on line 4 of the title strike all the material through "RCW:" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Lux, the House concurred in the Senate amendments to Substitute 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 Substitute House Bill No. 1169 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1169 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 83; nays, 14; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Peery, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Betzoff, Bond, Brooks, Chandler, Fuhrman, Hastings, Isaacson, May, Patrick, Prince, Sanders, Van Luvan, West, Williams J - 14.

Excused: Representative Smith C - 1.

Substitute 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.

MESSAGE FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1207, and once again asks the House to concur therein, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Kremen, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1207.

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. 1207 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1207 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luvan, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 1207 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 JOINT RESOLUTION

April 18, 1985

Mr. Speaker:

The Senate has passed HOUSE JOINT RESOLUTION NO. 23 with the following amendment:

Beginning on page 1, line 1, strike all material through "state." on page 3, line 13 and insert the following:

"BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

THAT, At the next general election to be held in this state there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article VII of the state Constitution by adding a new section to read as follows:

Article VII, section Notwithstanding any provision of this Constitution, the legislature may by general law for the purpose of permitting special financing of public improvements authorize the legislative authority of any county, city, or town to create boundaries, within its jurisdiction, after such legislative authority conducts a public hearing, containing only that real property which the legislative authority determines will be increased in true and fair value by reason of specified public improvements within those boundaries. In no event shall any property tax assessment be increased for any real property lying outside of the boundaries referred to above if the increase would be attributable to the specified public improvements authorized by this section but such real property shall be assessed always at current market value, nor shall any portion of property taxes for real property lying outside of said boundaries be used to pay for the specified public improvements or public obligations authorized by this section. The legislature may further provide that all or a portion of the property taxes levied within those boundaries against increases in the true and fair value of such real property may be used to pay for the specified public improvements or to pay public obligations incurred to fund the specified public improvements. Any such public obligations payable solely from revenues from these public improvements and such property taxes levied against the increases in real property value shall not constitute general indebtedness.

For purposes of this section, 'property taxes' means:

(1) Property taxes subject to the aggregate limitation on tax levies by the state and all taxing districts in section 2 of this Article; and

(2) Property taxes levied by port districts and public utility districts, except for property taxes levied specifically for the purpose of making required payments of principal and interest on general indebtedness.

For purposes of this section, 'public improvements' means:

(1) Capital projects that benefit the public at large and do not discriminate against any citizen on the basis of race, national origin, color, sex, age, economic status, or the presence of any sensory, mental, or physical handicap.

Nothing in this section authorizes the provision of public improvements which counties, cities, and towns may not otherwise provide.

Nothing in this section authorizes a county, city, or town to exercise powers of eminent domain contrary to the provisions of Article I, section 16.

Nothing in this section authorizes a county, city, or town to pledge all or part of its full faith and credit without complying with the laws relating to the incurring of general indebtedness, including Article VIII, section 1 and Article VIII, section 6, or to aggregate tax levies in excess of the limitation on levies in section 2 of this Article.

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." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Appelwick moved that the House do not concur in the Senate amendment to House Joint Resolution No. 23 and ask the Senate for a conference thereon.

Representatives Appelwick and McMullen spoke in favor of the motion, and Mr. Dobbs spoke against it.

MOTION

Mr. Hastings moved that the House do concur in the Senate amendment to House Joint Resolution No. 23.

On motion of Mr. Appelwick, further consideration of House Joint Resolution No. 23 was deferred and the bill was ordered held on the concurrence calendar.

SENATE AMENDMENTS TO HOUSE BILL

April 18, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 227 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. It is a privilege granted by the state to operate a motor vehicle upon the highways of this state. The legislature recognizes the threat that uninsured drivers are to the people of the state. In order to alleviate the threat posed by uninsured drivers, it is the intent of the legislature to require that no application for an original motor vehicle license or for renewal or reinstatement of a vehicle license will be approved unless accompanied by evidence of insurance as set forth in this chapter.

NEW SECTION, Sec. 2. (1) On and after January 1, 1986, no application for an original motor vehicle license or for renewal or reinstatement of a motor vehicle license may be approved or validated unless the applicant certifies that a motor vehicle insurance policy or a surety bond issued by a company authorized to do business in this state or surplus line coverage under chapter 48.15 RCW is in effect in at least the amounts specified in RCW 46.29.490 on account of any accident in which the vehicle is involved. A certificate of deposit of money or securities, as provided in RCW 46.29.550, or a certificate of self-insurance, as provided in RCW 46.29.630, meets the requirements of this section.

(2) It is unlawful to willfully falsify insurance information submitted to the department pursuant to subsection (1) of this section or section 5 of this act. Violation of this subsection is a misdemeanor, punishable by a fine of not to exceed one thousand dollars or thirty days imprisonment or both.

(3) The department shall annually verify on a random audit basis by negative verification the insurance information contained in at least one percent of all certifications received pursuant to subsection (1) of this section.

For purposes of this section, 'negative verification' means that an insurer or surety shall be required to notify the department, upon inquiry by the department, only if the insurer or surety determines that no insurance policy or bond issued by it was in force at the time for which the department is inquiring.

NEW SECTION, Sec. 3. (1) On or after January 1, 1986, it is unlawful to operate a motor vehicle subject to registration under chapter 46.16 RCW in this state unless the vehicle is insured against liability as provided in RCW 46.29.490, by a bond under RCW 46.29.520, by a certificate of deposit under RCW 46.29.550, or by self-insurance under RCW 46.29.630.

(2) Violation of this section is a misdemeanor, punishable by a fine not to exceed one thousand dollars or thirty days imprisonment or both.

(3) A policy of insurance issued as required by this chapter or pursuant to chapter 46.29 RCW may contain conditions and limitations commonly used in motor vehicle insurance policies including but not limited to the following:

(a) Reasonably prompt written notice of accident or loss and prompt delivery to the company of a claim or suit papers;

(b) Cooperation in the defense of any claim and attendance at proceedings and hearings;

(c) Notification and payment of premiums for any newly acquired or replacement vehicle;

(d) Named driver or under-age driver limitations;

(e) Permissive use by the named insured of a nonowned vehicle and permissive use of the insured vehicle by other persons;

(f) Limitation of coverage to the named insured or organizations defined as persons insured.

NEW SECTION, Sec. 4. An insurance carrier who issues a policy required by this chapter shall also furnish the policy holder with the carrier's name, the policy number, and the identification number of the vehicle insured under the policy. The policy holder shall transfer this information to the reverse side of the current vehicle registration or otherwise keep this information in written form in the vehicle.

NEW SECTION, Sec. 5. (1) A law enforcement officer requiring an operator of a motor vehicle subject to registration under chapter 46.16 RCW to produce for inspection a driver's license shall also require the operator to produce the information required by section 4 of this act.

(2) If the operator of the motor vehicle is unable to produce the information as required, the operator shall be charged with a violation of section 3 of this act. If the operator can demonstrate to the court that liability insurance was in effect on the vehicle at the time of the inspection, the charge against the driver shall be reduced to a traffic infraction of failure to show proof of insurance. The infraction is punishable by a fine of not more than fifty dollars.

NEW SECTION. Sec. 6. Sections 1 through 5 of this act do not apply to motor vehicles registered with the Washington utilities and transportation commission as common or contract carriers.

Sec. 7. Section 2, chapter 11, Laws of 1979 as last amended by section 1, chapter 30, Laws of 1981 and RCW 46.52.030 are each amended to read as follows:

(1) The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to the property of any one person to an apparent extent of three hundred dollars or more, shall, within twenty-four hours after such accident, make a written report of such accident to the chief of police of the city or town if such accident occurred within an incorporated city or town or the county sheriff or state patrol if such accident occurred outside incorporated cities and towns.

(2) If such accident was not investigated by a law enforcement officer, the original of such report shall be immediately forwarded by the authority receiving such report to the chief of the Washington state patrol at Olympia, Washington, and the second copy of such report to be forwarded to the department of licensing at Olympia, Washington.

(3) If such accident was investigated by a law enforcement officer, the original of each driver's report required by subsection (1) of this section shall be retained by the local law enforcement agency where the accident occurred, and the second copy shall be forwarded to the department of licensing at Olympia, Washington.

(4) Any law enforcement officer who investigates an accident for which a driver's report is required under subsection (1) of this section shall submit an investigator's report as required by RCW 46.52.070.

(5) The chief of the Washington state patrol may require any driver of any vehicle involved in an accident, of which report must be made as provided in this section, to file supplemental reports whenever the original report in his opinion is insufficient, and may likewise require witnesses of any such accident to render reports. For this purpose, the chief of the Washington state patrol shall prepare and, upon request, supply to any police department, coroner, sheriff, and any other suitable agency or individual, sample forms of accident reports required hereunder, which reports shall be upon a form devised by the chief of the Washington state patrol and shall call for sufficiently detailed information to disclose all material facts with reference to the accident to be reported thereon, including the location, the cause, the conditions then existing, and the persons and vehicles involved, personal injury or death, if any, the amounts of property damage claimed, the total number of vehicles involved, whether the vehicles were legally parked, legally standing, or moving, and whether such vehicles were occupied at the time of the accident. The accident report shall also contain sufficient information to permit verification of motor vehicle liability insurance. The department shall verify on a random audit basis the insurance information contained in at least five percent of the accident reports received pursuant to this section. Every required accident report shall be made on a form prescribed by the chief of the Washington state patrol and each authority charged with the duty of receiving such reports shall provide sufficient report forms in compliance with the form devised. The report forms shall be designated so as to provide that a copy may be retained by the reporting person.

Sec. 8. Section 12, chapter 10, Laws of 1982 as amended by section 6, chapter 164, Laws of 1983 and RCW 46.63.020 are each amended to read as follows:

Failure to perform any act required or the performance of any act prohibited by this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to traffic including parking, standing, stopping, and pedestrian offenses, is designated as a traffic infraction and may not be classified as a criminal offense, except for an offense contained in the following provisions of this title or a violation of an equivalent administrative regulation or local law, ordinance, regulation, or resolution:

(1) RCW 46.09.120(2) relating to the operation of a nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance;

(2) RCW 46.09.130 relating to operation of nonhighway vehicles;

(3) RCW 46.10.090(2) relating to the operation of a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs or in a manner endangering the person of another;

(4) RCW 46.10.130 relating to the operation of snowmobiles;

(5) Chapter 46.12 RCW relating to certificates of ownership and registration;

(6) RCW 46.16.160 relating to vehicle trip permits;

(7) RCW 46.20.021 relating to driving without a valid driver's license;

(8) RCW 46.20.336 relating to the unlawful possession and use of a driver's license;

(9) RCW 46.20.342 relating to driving with a suspended or revoked license;

(10) RCW 46.20.410 relating to the violation of restrictions of an occupational driver's license;

(11) RCW 46.20.420 relating to the operation of a motor vehicle with a suspended or revoked license;

(12) Chapter 46.29 RCW relating to financial responsibility;

(13) RCW 46.44.180 relating to operation of mobile home pilot vehicles;

- (14) RCW 46.48.175 relating to the transportation of dangerous articles;
 (15) RCW 46.52.010 relating to duty on striking an unattended car or other property;
 (16) RCW 46.52.020 relating to duty in case of injury to or death of a person or damage to an attended vehicle;
 (17) RCW 46.52.090 relating to reports by repairmen, storagemen, and appraisers;
 (18) RCW 46.52.100 relating to driving under the influence of liquor or drugs;
 (19) RCW 46.52.108 relating to disposal of abandoned vehicles or hulks;
 (20) RCW 46.52.130 relating to confidentiality of the driving record to be furnished to an insurance company and an employer;
 (21) RCW 46.52.210 relating to abandoned vehicles or hulks;
 (22) RCW 46.61.015 relating to obedience to police officers, flagmen, or fire fighters;
 (23) RCW 46.61.020 relating to refusal to give information to or cooperate with an officer;
 (24) RCW 46.61.022 relating to failure to stop and give identification to an officer;
 (25) RCW 46.61.024 relating to attempting to elude pursuing police vehicles;
 (26) RCW 46.61.500 relating to reckless driving;
 (27) RCW 46.61.502 and 46.61.504 relating to persons under the influence of intoxicating liquor or drugs;
 (28) RCW 46.61.520 relating to vehicular homicide by motor vehicle;
 (29) RCW 46.61.522 relating to vehicular assault;
 (30) RCW 46.61.525 relating to negligent driving;
 (31) RCW 46.61.530 relating to racing of vehicles on highways;
 (32) RCW 46.61.685 relating to leaving children in an unattended vehicle with the motor running;
 (33) RCW 46.64.010 relating to unlawful cancellation of or attempt to cancel a traffic citation;
 (34) RCW 46.64.020 relating to nonappearance after a written promise;
 (35) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;
 (36) Chapter 46.65 RCW relating to habitual traffic offenders;
 (37) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;
 (38) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;
 (39) Chapter 46.80 RCW relating to motor vehicle wreckers;
 (40) Chapter 46.82 RCW relating to driver's training schools;
 (41) Sections 2 and 3 of this act relating to motor vehicle liability insurance.

NEW SECTION. Sec. 9. Sections 1 through 6 of this act shall constitute a new chapter in Title 46 RCW.

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."

In line 3 of the title, after "RCW," insert "and" and after "penalties" strike everything through "date"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Lux, the House refused to concur in the Senate amendments to Substitute House Bill No. 227 and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed as conferees on Substitute House Bill No. 227: Representatives Lux, Crane and Ballard.

SENATE AMENDMENTS TO HOUSE BILL

April 18, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 242 with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 145, Laws of 1981 and RCW 7.69.010 are each amended to read as follows:

In recognition of the severe and detrimental impact of crime on victims, survivors of victims, and witnesses of crime and the civic and moral duty of victims, survivors of victims, and witnesses of crimes to fully and voluntarily cooperate with law enforcement and prosecutorial agencies, and in further recognition of the continuing importance of such citizen cooperation to state and local law enforcement efforts and the general effectiveness and well-being of the criminal justice system of this state, the legislature declares its intent, in this chapter, to grant to

the victims of crime and the survivors of such victims a significant role in the criminal justice system. The legislature further intends to ensure that all victims and witnesses of crime are treated with dignity, respect, courtesy, and sensitivity; and that the rights extended in this chapter to victims, survivors of victims, and witnesses of crime are honored and protected by law enforcement agencies, prosecutors, and judges in a manner no less vigorous than the protections afforded criminal defendants.

Sec. 2. Section 2, chapter 145, Laws of 1981 and RCW 7.69.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Crime' means an act ~~((committed by an adult or juvenile in this state which, if committed by a competent adult person, would constitute a crime as provided in either federal, state, or local statute))~~ punishable as a felony, gross misdemeanor, or misdemeanor under the laws of this state or equivalent federal or local law.

(2) ~~((Family member))~~ 'Survivor' or 'survivors' of a victim of crime means a spouse, child, parent, ~~((or))~~ legal guardian, sibling, or grandparent. If there is more than one survivor of a victim of crime, one survivor shall be designated by the prosecutor to represent all survivors for purposes of providing the notice to survivors required by this chapter.

(3) 'Victim' means a person against whom a crime has been committed or the representative of a person against whom a crime has been committed.

(4) 'Victim impact statement' means a statement submitted to the court by the victim or a survivor, individually or with the assistance of the prosecuting attorney if assistance is requested by the victim or survivor, which may include but is not limited to information assessing the financial, medical, social, and psychological impact of the offense upon the victim or survivors.

(5) 'Witness' means a person who has been or is expected to be summoned to testify for the prosecution in a criminal action, or who by reason of having relevant information is subject to call or likely to be called as a witness for the prosecution, whether or not an action or proceeding has been commenced.

Sec. 3. Section 3, chapter 145, Laws of 1981 and RCW 7.69.030 are each amended to read as follows:

There shall be a reasonable effort made to ~~((assure))~~ ensure that victims, survivors of victims, and witnesses of crimes have the following rights:

(1) To be informed by local law enforcement agencies or the prosecuting attorney of the final disposition of the case in which the victim, survivor, or witness is involved;

(2) To be notified by the party who issued the subpoena that a court proceeding to which they have been subpoenaed will not occur as scheduled, in order to save the person an unnecessary trip to court;

(3) To receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available;

(4) To be informed of the procedure to be followed to apply for and receive any witness fees to which they are entitled;

(5) To be provided, whenever practical, a secure waiting area during court proceedings that does not require them to be in close proximity to defendants and families or friends of defendants;

(6) To have any stolen or other personal property expeditiously returned by law enforcement agencies or the superior court when no longer needed as evidence. When feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, and property of which ownership is disputed, shall be photographed and returned to the owner within ten days of being taken;

(7) To be provided with appropriate employer intercession services to ensure that employers of victims, survivors of victims, and witnesses of crime will cooperate with the criminal justice process in order to minimize an employee's loss of pay and other benefits resulting from court appearance;

(8) To access to immediate medical assistance and not to be detained for an unreasonable length of time by a law enforcement agency before having such assistance administered. However, an employee of the law enforcement agency may, if necessary, accompany the person to a medical facility to question the person about the criminal incident if the questioning does not hinder the administration of medical assistance; ~~((and))~~

(9) ~~((To have the family members of homicide victims afforded all of the rights established under subsections (1) through (4), (6), and (7) of this section))~~ With respect to victims and survivors of victims, to be physically present in court during trial, or if subpoenaed to testify, to be scheduled as early as practical in the proceedings in order to be physically present during trial after testifying and not to be excluded solely because they have testified;

(10) With respect to victims and survivors of victims, to be informed by the prosecuting attorney of the date, time, and place of the trial and of the sentencing hearing for felony convictions upon request by a victim or survivor;

(11) To submit a victim impact statement or report to the court, with the assistance of the prosecuting attorney if requested, which shall be included in all presentence reports and permanently included in the files and records accompanying the offender committed to the custody of a state agency or institution;

(12) With respect to victims and survivors of victims, to present a statement personally or by representation, at the sentencing hearing for felony convictions;

(13) To be promptly notified upon the request of victims or survivors of victims by the agency or institution having custody of an offender convicted and sentenced to a term of confinement of more than a year, or acquitted by reason of insanity, of a violent offense as defined in RCW 9.94A.030, when such offender is furloughed, placed on work or training release or partial confinement, placed on parole, or released following completion of a sentence, placed under community supervision, conditionally released, or finally discharged from an insanity commitment, or when such offender escapes. The victim or survivor may designate that another person or entity receive the notification. The agency or institution shall send the notices to the last known address provided by the requesting victim or survivor; and

(14) With respect to victims and survivors of victims, to entry of an order of restitution by the court in all felony cases, even when the offender is sentenced to confinement, unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment.

NEW SECTION. Sec. 4. A new section is added to chapter 7.69 RCW to read as follows:

For purposes of this chapter, a victim who is incapacitated or otherwise incompetent shall be represented by a parent or present legal guardian, or if none exists, by a representative designated by the prosecuting attorney without court appointment or legal guardianship proceedings. Any victim may designate another person as the victim's representative for purposes of the rights enumerated in RCW 7.69.030.

NEW SECTION. Sec. 5. A new section is added to chapter 7.69 RCW to read as follows:

Nothing contained in this chapter may be construed to provide grounds for error in favor of a criminal defendant in a criminal proceeding, nor may anything in this chapter be construed to grant a new cause of action or remedy against the state, its political subdivisions, law enforcement agencies, or prosecuting attorneys. The failure to provide notice of the rights enumerated in RCW 7.69.030 or to provide notice pursuant to RCW 7.69.030(13) to a victim, survivor, or witness under this chapter shall not result in civil liability for the agency or institution or its employees so long as the failure to notify was in good faith and without gross negligence. The failure to make a reasonable effort to ensure that victims, survivors, and witnesses under this chapter have the rights enumerated in RCW 7.69.030 shall not result in civil liability so long as the failure to make a reasonable effort was in good faith and without gross negligence. This chapter does not limit other civil remedies or defenses of the offender or the victim or survivors of the victim.

Sec. 6. Section 11, chapter 137, Laws of 1981 as amended by section 5, chapter 209, Laws of 1984 and RCW 9.94A.110 are each amended to read as follows:

Before imposing a sentence upon a defendant, the court shall conduct a sentencing hearing. The sentencing hearing shall be held within forty court days following conviction. Upon the motion of either party for good cause shown, or on its own motion, the court may extend the time period for conducting the sentencing hearing. The court shall consider the presentence reports, if any, including any victim impact statement and criminal history, and allow arguments from the prosecutor, the defense counsel, the offender, the victim, the survivor of the victim, or a representative of the victim or survivor, and an investigative law enforcement officer as to the sentence to be imposed. If the court is satisfied by a preponderance of the evidence that the defendant has a criminal history, the court shall specify the convictions it has found to exist. All of this information shall be part of the record. Copies of all presentence reports presented to the sentencing court and all written findings of facts and conclusions of law as to sentencing entered by the court shall be sent to the department by the clerk of the court at the conclusion of the sentencing and shall accompany the offender if the offender is committed to the custody of the department.

Sec. 7. Section 12, chapter 137, Laws of 1981 as last amended by section 6, chapter 209, Laws of 1984 and RCW 9.94A.120 are each amended to read as follows:

When a person is convicted of a felony, the court shall impose punishment as provided in this section.

(1) Except as authorized in subsections (2) and (5) of this section, the court shall impose a sentence within the sentence range for the offense.

(2) The court may impose a sentence outside the standard sentence range for that offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(3) Whenever a sentence outside the standard range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard range shall be a determinate sentence.

(4) An offender convicted of the crime of murder in the first degree shall be sentenced to a term of total confinement not less than twenty years. An offender convicted of the crime of assault in the first degree where the offender used force or means likely to result in death or

intended to kill the victim shall be sentenced to a term of total confinement not less than five years. An offender convicted of the crime of rape in the first degree shall be sentenced to a term of total confinement not less than three years, and shall not be eligible for furlough, work release or other authorized leave of absence from the correctional facility during such minimum three year term except for the purpose of commitment to an inpatient treatment facility. The foregoing minimum terms of total confinement are mandatory and shall not be varied or modified as provided in subsection (2) of this section.

(5) In sentencing a first-time offender, other than a person convicted of a violation of chapter 9A.44 RCW or RCW 9A.64.020, the court may waive the imposition of a sentence within the sentence range and impose a sentence which may include up to ninety days of confinement in a facility operated or utilized under contract by the county and a requirement that the offender refrain from committing new offenses. The sentence may also include up to two years of community supervision, which, in addition to crime-related prohibitions, may include requirements that the offender perform any one or more of the following:

- (a) Devote time to a specific employment or occupation;
 - (b) Undergo available outpatient treatment for up to two years, or inpatient treatment not to exceed the standard range of confinement for that offense;
 - (c) Pursue a prescribed, secular course of study or vocational training;
 - (d) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;
 - (e) Report as directed to the court and a community corrections officer;
 - (f) Pay a fine, make restitution, and/or accomplish some community service work.
- (6) If a sentence range has not been established for the defendant's crime, the court shall impose a determinate sentence which may include not more than one year of confinement, community service work, restitution, a term of community supervision not to exceed one year, and/or a fine. The court may impose a sentence which provides more than one year of confinement if the court finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(7) (a) When an offender is convicted of any violation of chapter 9A.44 RCW or RCW 9A.64.020 except RCW 9A.44.040 or RCW 9A.44.050 and has no prior convictions of chapter 9A.44 RCW, RCW 9A.64.020, or any other felony sexual offenses in this or any other state, the sentencing court on its own motion or the motion of the state or the defendant, may order an examination to determine whether the defendant is amenable to treatment.

After receipt of the reports, the court shall then determine whether the offender and the community will benefit from use of this special sexual offender sentencing alternative. If the court determines that both the offender and the community will benefit from use of this provision, the court shall then impose a sentence within the sentence range and, if this sentence is less than six years of confinement, the court may suspend the execution of the sentence and place the offender on community supervision for up to two years. As a condition of the suspended sentence, the court may impose other sentence conditions including up to six months of confinement, not to exceed the sentence range of confinement for that offense, crime-related prohibitions, and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment;
- (iii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;
- (iv) Report as directed to the court and a community corrections officer;
- (v) Pay a fine, make restitution, accomplish some community service work, or any combination thereof; or
- (vi) Make recoupment to the victim for the cost of any counseling required as a result of the offender's crime.

If the offender violates these sentence conditions the court may revoke the suspension and order execution of the sentence. All confinement time served during the period of community supervision shall be credited to the offender if the suspended sentence is revoked.

(b) When an offender is convicted of any felony sexual offense and is sentenced to a term of confinement of more than one year but less than six years, the sentencing court may, on its own motion or on the motion of the offender or the state, order the offender committed for up to thirty days to the custody of the secretary of the department of social and health services at the Eastern State Hospital or the Western State Hospital for evaluation and report to the court on the offender's amenability to treatment at these facilities. If the secretary of the department of social and health services cannot begin the evaluation within thirty days of the court's order of commitment, the offender shall be transferred to the state for confinement pending an opportunity to be evaluated at the appropriate facility. The court shall review the reports and may order that the term of confinement imposed be served in the sexual offender treatment programs at Western State Hospital or Eastern State Hospital, as determined by the secretary of the

department of social and health services. The offender shall be transferred to the state pending placement in the treatment program.

If the offender does not comply with the conditions of the treatment program, the secretary of the department of social and health services may refer the matter to the sentencing court for determination as to whether the offender shall be transferred to the department of corrections to serve the balance of his term of confinement.

If the offender successfully completes the treatment program before the expiration of his term of confinement, the court may convert the balance of confinement to community supervision and may place conditions on the offender including crime-related prohibitions and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;
- (iii) Report as directed to the court and a community corrections officer;
- (iv) Undergo available outpatient treatment.

If the offender violates any of the terms of his community supervision, the court may order the offender to serve out the balance of his community supervision term in confinement in the custody of the department of corrections.

(8) If the court imposes a sentence requiring confinement of thirty days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than thirty days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(9) If a sentence imposed includes a fine or restitution, the sentence shall specify a reasonable manner and time in which the fine or restitution shall be paid. In any sentence under this chapter the court may also require the offender to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (a) to pay court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, (b) to make recoupment of the cost of defense attorney's fees if counsel is provided at public expense, (c) to contribute to a county or interlocal drug fund, and (d) to make such other payments as provided by law. All monetary payments shall be ordered paid by no later than ten years after the date of the judgment of conviction.

(10) Except as provided under RCW 9.94A.140(1), a court may not impose a sentence providing for a term of confinement or community supervision which exceeds the statutory maximum for the crime as provided in RCW 9A.20.020.

(11) All offenders sentenced to terms involving community supervision, community service, restitution, or fines shall be under the supervision of the secretary of the department or such person as the secretary may designate and shall follow implicitly the instructions of the secretary including reporting as directed to a community corrections officer, remaining within prescribed geographical boundaries, and notifying the community corrections officer of any change in the offender's address or employment.

(12) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(13) A departure from the standards in RCW 9.94A.400(1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in subsections (2) and (3) of this section, and may be appealed by the defendant or the state as set forth in RCW 9.94A.210 (2) through (6).

(14) This section shall apply to offenses committed before the effective date of this 1985 act.
NEW SECTION. Sec. 8. A new section is added to chapter 9.94A RCW to read as follows:

When a person is convicted of a felony, the court shall impose punishment as provided in this section.

(1) Except as authorized in subsections (2) and (5) of this section, the court shall impose a sentence within the sentence range for the offense.

(2) The court may impose a sentence outside the standard sentence range for that offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(3) Whenever a sentence outside the standard range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard range shall be a determinate sentence.

(4) An offender convicted of the crime of murder in the first degree shall be sentenced to a term of total confinement not less than twenty years. An offender convicted of the crime of assault in the first degree where the offender used force or means likely to result in death or intended to kill the victim shall be sentenced to a term of total confinement not less than five years. An offender convicted of the crime of rape in the first degree shall be sentenced to a term of total confinement not less than three years, and shall not be eligible for furlough, work release or other authorized leave of absence from the correctional facility during such minimum three year term except for the purpose of commitment to an inpatient treatment facility.

The foregoing minimum terms of total confinement are mandatory and shall not be varied or modified as provided in subsection (2) of this section.

(5) In sentencing a first-time offender, other than a person convicted of a violation of chapter 9A.44 RCW or RCW 9A.64.020, the court may waive the imposition of a sentence within the sentence range and impose a sentence which may include up to ninety days of confinement in a facility operated or utilized under contract by the county and a requirement that the offender refrain from committing new offenses. The sentence may also include up to two years of community supervision, which, in addition to crime-related prohibitions, may include requirements that the offender perform any one or more of the following:

(a) Devote time to a specific employment or occupation;

(b) Undergo available outpatient treatment for up to two years, or inpatient treatment not to exceed the standard range of confinement for that offense;

(c) Pursue a prescribed, secular course of study or vocational training;

(d) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;

(e) Report as directed to the court and a community corrections officer; or

(f) Pay a fine and/or accomplish some community service work.

(6) If a sentence range has not been established for the defendant's crime, the court shall impose a determinate sentence which may include not more than one year of confinement, community service work, a term of community supervision not to exceed one year, and/or a fine. The court may impose a sentence which provides more than one year of confinement if the court finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(7) (a) When an offender is convicted of any violation of chapter 9A.44 RCW or RCW 9A.64.020 except RCW 9A.44.040 or RCW 9A.44.050 and has no prior convictions of chapter 9A.44 RCW, RCW 9A.64.020, or any other felony sexual offenses in this or any other state, the sentencing court on its own motion or the motion of the state or the defendant, may order an examination to determine whether the defendant is amenable to treatment.

After receipt of the reports, the court shall then determine whether the offender and the community will benefit from use of this special sexual offender sentencing alternative. If the court determines that both the offender and the community will benefit from use of this provision, the court shall then impose a sentence within the sentence range and, if this sentence is less than six years of confinement, the court may suspend the execution of the sentence and place the offender on community supervision for up to two years. As a condition of the suspended sentence, the court may impose other sentence conditions including up to six months of confinement, not to exceed the sentence range of confinement for that offense, crime-related prohibitions, and requirements that the offender perform any one or more of the following:

(i) Devote time to a specific employment or occupation;

(ii) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment;

(iii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;

(iv) Report as directed to the court and a community corrections officer;

(v) Pay a fine, accomplish some community service work, or any combination thereof; or

(vi) Make recoupment to the victim for the cost of any counseling required as a result of the offender's crime.

If the offender violates these sentence conditions the court may revoke the suspension and order execution of the sentence. All confinement time served during the period of community supervision shall be credited to the offender if the suspended sentence is revoked.

(b) When an offender is convicted of any felony sexual offense and is sentenced to a term of confinement of more than one year but less than six years, the sentencing court may, on its own motion or on the motion of the offender or the state, order the offender committed for up to thirty days to the custody of the secretary of the department of social and health services at the Eastern State Hospital or the Western State Hospital for evaluation and report to the court on the offender's amenability to treatment at these facilities. If the secretary of the department of social and health services cannot begin the evaluation within thirty days of the court's order of commitment, the offender shall be transferred to the state for confinement pending an opportunity to be evaluated at the appropriate facility. The court shall review the reports and may order that the term of confinement imposed be served in the sexual offender treatment programs at Western State Hospital or Eastern State Hospital, as determined by the secretary of the department of social and health services. The offender shall be transferred to the state pending placement in the treatment program.

If the offender does not comply with the conditions of the treatment program, the secretary of the department of social and health services may refer the matter to the sentencing court for determination as to whether the offender shall be transferred to the department of corrections to serve the balance of his term of confinement.

If the offender successfully completes the treatment program before the expiration of his term of confinement, the court may convert the balance of confinement to community supervision and may place conditions on the offender including crime-related prohibitions and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;
- (iii) Report as directed to the court and a community corrections officer;
- (iv) Undergo available outpatient treatment.

If the offender violates any of the terms of his community supervision, the court may order the offender to serve out the balance of his community supervision term in confinement in the custody of the department of corrections.

(8) If the court imposes a sentence requiring confinement of thirty days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than thirty days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(9) If a sentence imposed includes a fine or restitution, the sentence shall specify a reasonable manner and time in which the fine or restitution shall be paid. In any sentence under this chapter the court may also require the offender to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (a) to pay court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, (b) to make recoupment of the cost of defense attorney's fees if counsel is provided at public expense, (c) to contribute to a county or interlocal drug fund, and (d) to make such other payments as provided by law. All monetary payments shall be ordered paid by no later than ten years after the date of the judgment of conviction.

(10) Except as provided under RCW 9.94A.140(1), a court may not impose a sentence providing for a term of confinement or community supervision which exceeds the statutory maximum for the crime as provided in chapter 9A.20 RCW.

(11) All offenders sentenced to terms involving community supervision, community service, restitution, or fines shall be under the supervision of the secretary of the department or such person as the secretary may designate and shall follow implicitly the instructions of the secretary including reporting as directed to a community corrections officer, remaining within prescribed geographical boundaries, and notifying the community corrections officer of any change in the offender's address or employment.

(12) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(13) A departure from the standards in RCW 9.94A.400(1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in subsections (2) and (3) of this section, and may be appealed by the defendant or the state as set forth in RCW 9.94A.210(2) through (6).

(14) The court shall order restitution whenever the offender is convicted of a felony that results in injury to any person or damage to or loss of property, whether the offender is sentenced to confinement or placed under community supervision, unless extraordinary circumstances exist that make restitution inappropriate in the court's judgment. The court shall set forth the extraordinary circumstances in the record if it does not order restitution.

(15) This section shall apply to offenses committed after the effective date of this act.

Sec. 9. Section 14, chapter 137, Laws of 1981 as amended by section 5, chapter 192, Laws of 1982 and RCW 9.94A.140 are each amended to read as follows:

(1) If restitution is ordered, the court shall determine the amount of restitution due at the sentencing hearing or within sixty days and may set the terms and conditions under which the defendant shall make restitution. Restitution ordered by a court pursuant to a criminal conviction shall be based on easily ascertainable damages for injury to or loss of property, actual expenses incurred for treatment for injury to persons, and lost wages resulting from injury. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. The amount of restitution shall not exceed double the amount of the offender's gain or the victim's loss from the commission of the crime. For the purposes of this section, the offender shall remain under the court's jurisdiction for a maximum term of ten years subsequent to the imposition of sentence. The portion of the sentence concerning restitution may be modified as to amount, terms and conditions during the ten-year period, regardless of the expiration of the offender's term of community supervision and regardless of the statutory maximum for the crime. The offender's compliance with the restitution shall be supervised by the department.

(2) Restitution may be ordered whenever the offender is convicted of an offense which results in injury to any person or damage to or loss of property. In addition, restitution may be ordered to pay for an injury, loss, or damage if the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required

to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement.

(3) In addition to any sentence that may be imposed, a defendant who has been found guilty of an offense involving fraud or other deceptive practice or an organization which has been found guilty of any such offense may be ordered by the sentencing court to give notice of the conviction to the class of persons or to the sector of the public affected by the conviction or financially interested in the subject matter of the offense by mail, by advertising in designated areas or through designated media, or by other appropriate means.

(4) This section does not limit civil remedies or defenses available to the victim or defendant.

(5) This section shall apply to offenses committed before the effective date of this 1985 act.

NEW SECTION. Sec. 10. A new section is added to chapter 9.94A RCW to read as follows:

(1) When restitution is ordered, the court shall determine the amount of restitution due at the sentencing hearing or within sixty days and shall set the terms and conditions under which the defendant shall make restitution. Restitution ordered by a court pursuant to a criminal conviction shall be based on easily ascertainable damages for injury to or loss of property, actual expenses incurred for treatment for injury to persons, and lost wages resulting from injury. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. The amount of restitution shall not exceed double the amount of the offender's gain or the victim's loss from the commission of the crime. For the purposes of this section, the offender shall remain under the court's jurisdiction for a maximum term of ten years subsequent to the imposition of sentence. The portion of the sentence concerning restitution may be modified as to amount, terms and conditions during the ten-year period, regardless of the expiration of the offender's term of community supervision and regardless of the statutory maximum for the crime. The offender's compliance with the restitution shall be supervised by the department.

(2) Restitution shall be ordered whenever the offender is convicted of an offense which results in injury to any person or damage to or loss of property unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment and the court sets forth such circumstances in the record. In addition, restitution shall be ordered to pay for an injury, loss, or damage if the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement.

(3) In addition to any sentence that may be imposed, a defendant who has been found guilty of an offense involving fraud or other deceptive practice or an organization which has been found guilty of any such offense may be ordered by the sentencing court to give notice of the conviction to the class of persons or to the sector of the public affected by the conviction or financially interested in the subject matter of the offense by mail, by advertising in designated areas or through designated media, or by other appropriate means.

(4) This section does not limit civil remedies or defenses available to the victim, survivors of the victim, or defendant.

(5) This section shall apply to offenses committed after the effective date of this act.

Sec. 11. Section 21, chapter 117, Laws of 1973 1st ex. sess. as amended by section 3, chapter 196, Laws of 1983 and RCW 10.77.210 are each amended to read as follows:

Any person involuntarily detained, hospitalized, or committed pursuant to the provisions of this chapter shall have the right to adequate care and individualized treatment. The person who has custody of the patient or is in charge of treatment shall keep records detailing all medical, expert, and professional care and treatment received by a committed person, and shall keep copies of all reports of periodic examinations of the patient that have been filed with the secretary pursuant to this chapter. All records and reports made pursuant to this chapter, shall be made available only upon request, to the committed person, to his attorney, to his personal physician, to the prosecuting attorney, to the court or other expert or professional persons who, upon proper showing, demonstrates a need for access to such records. All records and reports made pursuant to this chapter shall also be made available, upon request, to the department of corrections or the board of prison terms and paroles if the person was on parole or probation at the time of detention, hospitalization, or commitment or the person is subsequently convicted for the crime for which they were detained, hospitalized, or committed pursuant to this chapter. Information limited to specific notification of the date of discharge, release, or unauthorized absence from the state institution designated for the custody, care, and treatment of the criminally insane, shall be made available, only upon request, to victims and survivors of victims entitled to notification under RCW 7.69.030(13).

Sec. 12. Section 44, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 196, Laws of 1983 and RCW 71.05.390 are each amended to read as follows:

The fact of admission and all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services at public or private agencies shall be confidential.

Information and records may be disclosed only:

(1) In communications between qualified professional persons to meet the requirements of this chapter, in the provision of services or appropriate referrals, or in the course of guardianship proceedings. The consent of the patient, or his guardian, must be obtained before information or records may be disclosed by a professional person employed by a facility to a professional person, not employed by the facility, who does not have the medical responsibility for the patient's care or who is not a designated county mental health professional or who is not involved in providing services under the community mental health services act, chapter 71.24 RCW.

(2) When the communications regard the special needs of a patient and the necessary circumstances giving rise to such needs and the disclosure is made by a facility providing outpatient services to the operator of a care facility in which the patient resides.

(3) When the person receiving services, or his guardian, designates persons to whom information or records may be released, or if the person is a minor, when his parents make such designation.

(4) To the extent necessary for a recipient to make a claim, or for a claim to be made on behalf of a recipient for aid, insurance, or medical assistance to which he may be entitled.

(5) For program evaluation and/or research: PROVIDED, That the secretary of social and health services adopts rules for the conduct of such evaluation and/or research. Such rules shall include, but need not be limited to, the requirement that all evaluators and researchers must sign an oath of confidentiality substantially as follows:

'As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I,, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/

(6) To the courts as necessary to the administration of this chapter.

(7) To law enforcement officers, public health officers, or personnel of the department of corrections or the board of prison terms and paroles for persons who are the subject of the records and who are committed to the custody of the department of corrections or board of prison terms and paroles which information or records are necessary to carry out the responsibilities of their office: PROVIDED, That

(a) Only the fact, place, and date of involuntary admission, the fact and date of discharge, and the last known address shall be disclosed upon request; and

(b) The law enforcement and public health officers or personnel of the department of corrections or board of prison terms and paroles shall be obligated to keep such information confidential in accordance with this chapter; and

(c) Additional information shall be disclosed only after giving notice to said person and his counsel and upon a showing of clear, cogent and convincing evidence that such information is necessary and that appropriate safeguards for strict confidentiality are and will be maintained: PROVIDED HOWEVER, That in the event the said person has escaped from custody, said notice prior to disclosure is not necessary and that the facility from which the person escaped shall include an evaluation as to whether the person is of danger to persons or property and has a propensity toward violence.

(8) To the attorney of the detained person.

(9) To victims and survivors of victims entitled to notification under RCW 7.69.030(13). The disclosure shall be limited to the specific notification of the date of discharge, release or unauthorized absence from the inpatient facility.

The fact of admission, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to this chapter shall not be admissible as evidence in any legal proceeding outside this chapter without the written consent of the person who was the subject of the proceeding. The records and files maintained in any court proceeding pursuant to this chapter shall be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

Sec. 13. Section 71.06.240, chapter 25, Laws of 1959 and RCW 71.06.240 are each amended to read as follows:

(1) Any persons committed under the provisions of this chapter may be paroled by the superintendent of the institution wherein such person is confined whenever the superintendent is of the opinion that such person has improved to an extent that he is no longer a menace to the health, lives or property of himself or others. Such opinion shall be certified to the committing court and unless within thirty days the court orders the return of such person, the superintendent may parole him upon such conditions as the superintendent may deem advisable. After five years the superintendent shall review the record of such psychopathic delinquent,

and if in his opinion such psychopathic delinquent remains safe to be at large, he shall discharge him. In addition, the superintendent may grant temporary visit paroles to psychopathic delinquents; such temporary visit paroles shall not exceed sixty days in duration, and at the expiration of such period the superintendent shall either return the psychopathic delinquent to the institution or grant a parole, as otherwise provided herein.

(2) The superintendent may grant temporary visit paroles on such conditions as he may deem advisable, but notice of such temporary visit parole shall be given to the sheriff of the county in which the psychopathic delinquent will be on temporary visit parole and the chief of police of any city or town said delinquent may be visiting.

(3) Victims and survivors of victims entitled to notification under RCW 7.69.030(13) may receive notification of furloughs, parole, temporary releases, permanent releases from custody, or discharge of persons committed under this chapter. The notification shall be limited to the identification of the date of such release, parole, or furlough, the time of scheduled return, and any geographical limitations imposed as a condition of release.

Sec. 14. Section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 239, Laws of 1983 and RCW 7.68.020 are each amended to read as follows:

The following words and phrases as used in this chapter have the meanings set forth in this section unless the context otherwise requires.

(1) 'Department' means the department of labor and industries.

(2) 'Criminal act' means an act committed or attempted in this state which is punishable as a felony or gross misdemeanor under the laws of this state ~~((PROVIDED, That))~~, except as follows:

(a) The operation of a motor vehicle, motorcycle, train, boat, or aircraft in violation of law does not constitute a 'criminal act' unless ((a)):

(i) The injury or death was intentionally inflicted; ((b))

(ii) The operation thereof was part of the commission of another non-vehicular criminal act as defined in this section; or ((c))

(iii) The death or injury was the result of operation of a motor vehicle after July 24, 1983, and a conviction of vehicular homicide under RCW 46.61.520 or vehicular assault under RCW 46.61.522, has been obtained ~~((PROVIDED, FURTHER, (a) That))~~;

(b) Neither an acquittal in a criminal prosecution nor the absence of any such prosecution is admissible in any claim or proceeding under this chapter as evidence of the noncriminal character of the acts giving rise to such claim or proceeding, except as provided for in subsection ~~((s (c) and (d) above))~~ (2)(a)(iii) of this section; ((b) that)

(c) Evidence of a criminal conviction arising from acts which are the basis for a claim or proceeding under this chapter is admissible in such claim or proceeding for the limited purpose of proving the criminal character of the acts; ~~((c) that)~~ and

(d) Acts which, but for the insanity or mental irresponsibility of the perpetrator, would constitute criminal conduct are deemed to be criminal conduct within the meaning of this chapter.

(3) 'Victim' means a person who suffers bodily injury or death as a proximate result of a criminal act of another person, the victim's own good faith and reasonable effort to prevent a criminal act, or his good faith effort to apprehend a person reasonably suspected of engaging in a criminal act. For the purposes of receiving benefits pursuant to this chapter, 'victim' is interchangeable with 'employee' or 'workman' as defined in chapter 51.08 RCW as now or hereafter amended.

(4) 'Child,' 'accredited school,' 'dependent,' 'beneficiary,' 'average monthly wage,' 'director,' 'injury,' 'invalid,' 'permanent partial disability,' and 'permanent total disability' have the meanings assigned to them in chapter 51.08 RCW as now or hereafter amended.

(5) 'Gainfully employed' means engaging on a regular and continuous basis in a lawful activity from which a person derives a livelihood.

(6) 'Private insurance' means any source of recompense provided by contract available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

(7) 'Public insurance' means any source of recompense provided by statute, state or federal, available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

Sec. 15. Section 3, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.030 are each amended to read as follows:

It shall be the duty of the director to establish and administer a program of benefits to victims of criminal acts within the terms and limitations of this chapter. In so doing, the director shall, in accordance with chapter 34.04 RCW, adopt rules and regulations necessary to the administration of this chapter, and the provisions contained in chapter 51.04 RCW, including but not limited to RCW 51.04.020, 51.04.030, 51.04.040, 51.04.050 and 51.04.100 as now or hereafter amended, shall apply where appropriate in keeping with the intent of this chapter. The director may apply for and, subject to appropriation, expend federal funds under Public Law 98-473 and any other federal program providing financial assistance to state crime victim

compensation programs. The federal funds shall be deposited in the public safety and education account in the general fund and may be expended only for purposes authorized by applicable federal law.

Sec. 16. Section 10, chapter 302, Laws of 1977 ex. sess. as last amended by section 311, chapter 258, Laws of 1984 and RCW 7.68.035 are each amended to read as follows:

(1) Whenever any person is found guilty in any superior court of having committed a crime, except as provided in subsection (2) of this section, there shall be imposed by the court upon such convicted person a penalty assessment. The assessment shall be in addition to any other penalty or fine imposed by law and shall be ~~((fifty))~~ seventy dollars for each case or cause of action that includes one or more convictions of a felony or gross misdemeanor and ~~((twenty-five))~~ forty-five dollars for any case or cause of action that includes convictions of only one or more misdemeanors.

(2) The assessment imposed by subsection (1) of this section shall not apply to motor vehicle crimes defined in Title 46 RCW except those defined in the following sections: RCW 46.61-.520, 46.61.522, 46.61.024, 46.52.090, 46.70.140, 46.65.090, 46.61.502, 46.61.504, 46.52.100, 46.20.410, 46.52.020, 46.10.130, 46.09.130, 46.61.525, 46.61.685, 46.61.530, 46.61.500, 46.61.015, 46.52.010, 46.44.180, 46.10.090(2), and 46.09.120(2).

(3) Whenever any person accused of having committed a crime posts bail in superior court pursuant to the provisions of chapter 10.19 RCW and such bail is forfeited, there shall be deducted from the proceeds of such forfeited bail a penalty assessment, in addition to any other penalty or fine imposed by law, equal to the assessment which would be applicable under subsection (1) of this section if the person had been convicted of the crime.

(4) Such penalty assessments shall be paid by the clerk of the superior court to the county treasurer who shall monthly transmit the money as provided in RCW 10.82.070. Until June 30, 1987, each county shall deposit not less than one and seventy-five one-hundredths percent of the money it retains under RCW 10.82.070 and chapter 3.62 RCW and all money it receives under subsection (8) of this section into a fund maintained exclusively for the support of comprehensive programs to encourage and facilitate testimony by the victims of crimes and witnesses to crimes. After that date, each county shall continue to provide for such comprehensive programs. A program shall be considered 'comprehensive' only after approval of the department upon application by the county prosecuting attorney. The department shall approve as comprehensive only programs which:

(a) Provide comprehensive services to victims and witnesses of all types of crime with particular emphasis on serious crimes against persons and property. It is the intent of the legislature to make funds available only to programs which do not restrict services to victims or witnesses of a particular type or types of crime and that such funds supplement, not supplant, existing local funding levels;

(b) Are administered by the county prosecuting attorney either directly through the prosecuting attorney's office or by contract between the county and agencies providing services to victims of crime;

(c) Make a reasonable effort to inform the known victim or his surviving dependents of the existence of this chapter and the procedure for making application for benefits;

(d) Assist victims in the restitution and adjudication process; and

(e) Assist victims of violent crimes in the preparation and presentation of their claims to the department of labor and industries under this chapter.

Before a program in any county west of the Cascade mountains is submitted to the department for approval, it shall be submitted for review and comment to each city within the county with a population of more than one hundred fifty thousand. The department will consider if the county's proposed comprehensive plan meets the needs of crime victims in cases adjudicated in municipal, district or superior courts and of crime victims located within the city and county.

(5) Upon submission to the department of a letter of intent to adopt a comprehensive program, the prosecuting attorney shall retain the money deposited by the county under subsection (4) of this section until such time as the county prosecuting attorney has obtained approval of a program from the department. Approval of the comprehensive plan by the department must be obtained within one year of the date of the letter of intent to adopt a comprehensive program. The county prosecuting attorney shall not make any expenditures from the money deposited under subsection (4) of this section until approval of a comprehensive plan by the department. If a county prosecuting attorney has failed to obtain approval of a program from the department under subsection (4) of this section or failed to obtain approval of a comprehensive program within one year after submission of a letter of intent under this section, the county treasurer shall monthly transmit one hundred percent of the money deposited by the county under subsection (4) of this section to the state treasurer for deposit in the public safety and education account established under RCW 43.08.250.

(6) County prosecuting attorneys are responsible to make every reasonable effort to insure that the penalty assessments of this chapter are imposed and collected.

(7) Penalty assessments under this section shall also be imposed in juvenile offense dispositions under Title 13 RCW. Upon motion of a party and a showing of good cause, the court may modify the penalty assessment in the disposition of juvenile offenses under Title 13 RCW.

(8) Until June 30, 1987, every city and town shall transmit monthly one and seventy-five one-hundredths percent of all money, other than money received for parking infractions, retained under RCW 3.46.120, 3.50.100, and 35.20.220 to the county treasurer for deposit as provided in subsection (4) of this section. After that date, every city and town shall transmit to the county a percentage of such money, up to one and seventy-five one-hundredths percent, which matches the percentage of court revenue the county provides under subsection (4) of this section.

Sec. 17. Section 6, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.060 are each amended to read as follows:

For the purposes of applying for benefits under this chapter, the rights, privileges, responsibilities, duties, limitations and procedures contained in RCW 51.28.020, 51.28.030, 51.28.040 and 51.28.060 as now or hereafter amended shall apply: PROVIDED, That no compensation of any kind shall be available under this chapter if:

(1) An application for benefits is not received by the department within one year after the date ~~((of))~~ the criminal act was reported to a local police department or sheriff's office or the date the rights of dependents or beneficiaries accrued~~((:));~~ or

(2) The criminal act is not reported by the victim or someone on his behalf to a local police department or sheriff's office within seventy-two hours of its occurrence or, if it could not reasonably have been reported within that period, within seventy-two hours of the time when a report could reasonably have been made.

Sec. 18. Section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 239, Laws of 1983 and RCW 7.68.070 are each amended to read as follows:

The right to benefits under this chapter and the amount thereof will be governed insofar as is applicable by the provisions contained in chapter 51.32 RCW as now or hereafter amended except as provided in this section:

(1) The provisions contained in RCW 51.32.015, 51.32.020, 51.32.030, 51.32.072, 51.32.073, 51.32.180, 51.32.190, and 51.32.200 as now or hereafter amended are not applicable to this chapter.

(2) Each victim injured as a result of a criminal act, including criminal acts committed between July 1, 1981, and January 1, 1983, or his family or dependents in case of death of the victim, are entitled to benefits in accordance with this chapter, and the rights, duties, responsibilities, limitations, and procedures applicable to a workman as contained in RCW 51.32.010 as now or hereafter amended are applicable to this chapter.

~~(3) ((The limitations contained in RCW 51.32.020 as now or hereafter amended are applicable to claims under this chapter, in addition thereto.))~~ No person or spouse, child, or dependent of such person is entitled to benefits under this chapter when the injury for which benefits are sought, was:

(a) The result of consent, provocation, or incitement by the victim;

~~(b) ((The result of an act or acts committed by a person living in the same household with the victim;~~

~~(c) The result of an act or acts committed by a person who is at the time of the criminal act the spouse, child, parent, or sibling of the victim by the half or whole blood, adoption, or marriage, or the parent of the spouse of or sibling of the spouse of the victim by the half or whole blood, adoption, or marriage, or the son-in-law or daughter-in-law of the victim, unless in the director's sole discretion it is determined that:~~

~~(i) The parties to the marriage which establishes the relationship between the person committing the criminal act and the victim described above are estranged and living apart, and~~

~~(ii) The interests of justice require otherwise in the particular case;~~

~~(d))~~ The result of the victim assisting, attempting, or committing a criminal act; or

~~((e))~~ (c) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services or the department of corrections, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services or the department of corrections.

(4) The benefits established upon the death of a workman and contained in RCW 51.32.050 as now or hereafter amended shall be the benefits obtainable under this chapter and provisions relating to payment contained in that section shall equally apply under this chapter: PROVIDED, That benefits for burial expenses shall not exceed ~~((five hundred dollars))~~ the maximum cost used by the department of social and health services for the funeral and burial of a deceased indigent person under chapter 74.08 RCW in any claim: PROVIDED FURTHER, That if the criminal act results in the death of a victim who was not gainfully employed at the time of the criminal act, and who was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act:

(a) Benefits payable to an eligible surviving spouse, where there are no children of the victim at the time of the criminal act who have survived him or where such spouse has legal custody of all of his children, shall be limited to burial expenses and a lump sum payment of seven thousand five hundred dollars without reference to number of children, if any;

(b) Where any such spouse has legal custody of one or more but not all of such children, then such burial expenses shall be paid, and such spouse shall receive a lump sum payment of three thousand seven hundred fifty dollars and any such child or children not in the legal custody of such spouse shall receive a lump sum of three thousand seven hundred fifty dollars to be divided equally among such child or children;

(c) If any such spouse does not have legal custody of any of the children, the burial expenses shall be paid and the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars and any such child or children not in the legal custody of the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars to be divided equally among the child or children;

(d) If no such spouse survives, then such burial expenses shall be paid, and each surviving child of the victim at the time of the criminal act shall receive a lump sum payment of three thousand seven hundred fifty dollars up to a total of two such children and where there are more than two such children the sum of seven thousand five hundred dollars shall be divided equally among such children.

No other benefits may be paid or payable under these circumstances.

(5) The benefits established in RCW 51.32.060 as now or hereafter amended for permanent total disability proximately caused by the criminal act shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That if a victim becomes permanently and totally disabled as a proximate result of the criminal act and was not gainfully employed at the time of the criminal act, the victim shall receive monthly during the period of the disability the following percentages, where applicable, of the average monthly wage determined as of the date of the criminal act pursuant to RCW 51.08.018 as now or hereafter amended:

(a) If married at the time of the criminal act, twenty-nine percent of the average monthly wage.

(b) If married with one child at the time of the criminal act, thirty-four percent of the average monthly wage.

(c) If married with two children at the time of the criminal act, thirty-eight percent of the average monthly wage.

(d) If married with three children at the time of the criminal act, forty-one percent of the average monthly wage.

(e) If married with four children at the time of the criminal act, forty-four percent of the average monthly wage.

(f) If married with five or more children at the time of the criminal act, forty-seven percent of the average monthly wage.

(g) If unmarried at the time of the criminal act, twenty-five percent of the average monthly wage.

(h) If unmarried with one child at the time of the criminal act, thirty percent of the average monthly wage.

(i) If unmarried with two children at the time of the criminal act, thirty-four percent of the average monthly wage.

(j) If unmarried with three children at the time of the criminal act, thirty-seven percent of the average monthly wage.

(k) If unmarried with four children at the time of the criminal act, forty percent of the average monthly wage.

(l) If unmarried with five or more children at the time of the criminal act, forty-three percent of the average monthly wage.

(6) The benefits established in RCW 51.32.080 as now or hereafter amended for permanent partial disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section equally apply under this chapter.

(7) The benefits established in RCW 51.32.090 as now or hereafter amended for temporary total disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That no person is eligible for temporary total disability benefits under this chapter if such person was not gainfully employed at the time of the criminal act, and was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act.

(8) The benefits established in RCW 51.32.095 as now or hereafter amended for continuation of benefits during vocational rehabilitation shall be benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That benefits shall not exceed five thousand dollars for any single injury.

(9) The provisions for lump sum payment of benefits upon death or permanent total disability as contained in RCW 51.32.130 as now or hereafter amended apply under this chapter.

(10) The provisions relating to payment of benefits to, for or on behalf of workmen contained in RCW 51.32.040, 51.32.055, 51.32.100, 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150, 51.32.160, and 51.32.210 as now or hereafter amended are applicable to payment of benefits to, for or on behalf of victims under this chapter.

(11) No person or spouse, child, or dependent of such person is entitled to benefits under this chapter where the person making a claim for such benefits has refused to give reasonable cooperation to state or local law enforcement agencies in their efforts to apprehend and convict the perpetrator(s) of the criminal act which gave rise to the claim.

(12) In addition to other benefits provided under this chapter, victims of sexual assault are entitled to receive appropriate counseling. Fees for such counseling shall be determined by the department in accordance with RCW 51.04.030. Counseling services may include, if determined appropriate by the department, counseling of members of the victim's immediate family, other than the perpetrator of the assault.

(13) Except for benefits authorized under RCW 7.68.080, no more than fifteen thousand dollars may be granted as a result of any single injury or death.

~~((13) Notwithstanding the provisions of Title 51 RCW, no claim resulting from a single injury or death is eligible for benefits for the first two hundred dollars worth of loss suffered. PROVIDED, That this subsection does not apply to costs covered by RCW 7.68.170 or to other medical costs incurred by the victim of a sexual assault.))~~

(14) Notwithstanding other provisions of this chapter and Title 51 RCW, benefits payable for any one injury or death for loss of earnings, those benefits payable pursuant to subsection (7) of this section, or for loss of future earnings, those benefits payable pursuant to subsection (5) of this section, or for loss of support, those benefits payable pursuant to subsection (4) of this section, shall be limited to ten thousand dollars.

(15) Any person who is responsible for the victim's injuries, or who would otherwise be unjustly enriched as a result of the victim's injuries, shall not be a beneficiary under this chapter.

Sec. 19, Section 9, chapter 176, Laws of 1975 1st ex. sess. as amended by section 6, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.075 are each amended to read as follows:

Notwithstanding the provisions of any of the sections, as now or hereafter amended, of Title 51 RCW which are made applicable to this chapter, the marital status of all victims shall be deemed to be fixed as of the date of the criminal act. All references to the child or children living or conceived of the victim in this chapter shall be deemed to refer to such child or children as of the date of the criminal act unless the context clearly indicates the contrary.

Payments for or on account of any such child or children shall cease when such child is no longer a 'child' as defined in RCW 51.08.030, as now or hereafter amended, or on the death of any such child whichever occurs first.

Payments to the victim or surviving spouse for or on account of any such child or children shall be made only when the victim or surviving spouse has legal custody of any such child or children. Where the victim or surviving spouse does not have such legal custody any payments for or on account of any such child or children shall be made to the person having legal custody of such child or children and the amount of payments shall be subtracted from the payments which would have been due the victim or surviving spouse had legal custody not been transferred to another person.

An invalid child shall not receive compensation under this chapter while being supported and cared for by a state institution. No payment shall be made to or for a natural child of a deceased victim and, at the same time, as the stepchild of a deceased victim.

Sec. 20, Section 13, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 156, Laws of 1980 and RCW 7.68.130 are each amended to read as follows:

Benefits payable pursuant to this chapter shall be reduced by the amount of any other public or private insurance available. Benefits payable after 1980 to victims injured or killed before 1980 shall be reduced by any other public or private insurance including but not limited to social security. Payment by the department under this chapter shall be secondary to such other insurance benefits, notwithstanding the provision of any contract or coverage to the contrary: PROVIDED, That in the case of private life insurance proceeds, the first forty thousand dollars of such proceeds shall not be considered for purposes of any such reduction in benefits.

NEW SECTION. Sec. 21. The amendments to RCW 7.68.020, 7.68.060, and 7.68.070 by this act apply only to criminal acts occurring after December 31, 1985.

NEW SECTION. Sec. 22. There is appropriated from the public safety and education account in the general fund to the department of labor and industries for the biennium ending June 30, 1987, the sum of two million two hundred forty-eight thousand dollars, or as much thereof as may be necessary, to carry out the purposes of this act.

Sec. 23, Section 1, chapter 58, Laws of 1975 and RCW 4.24.300 are each amended to read as follows:

Any person, including but not limited to a public or private nonprofit volunteer firefighter, volunteer police officer, emergency medical technician, volunteer ambulance attendant, and

volunteer first provider of medical services, who ((in good faith and not for)) without compensation or the expectation of compensation renders emergency care at the scene of an emergency or ((who participates in transporting, not for compensation, therefrom an injured person or persons for emergency medical treatment shall)) during transit by an established emergency medical service provider to a location where professional medical care can be rendered is not ((be)) liable for civil damages resulting from any act or omission in the rendering of such emergency care or in transporting such persons, other than acts or omissions constituting gross negligence or wilful or wanton misconduct. Any person rendering emergency care during the course of regular employment and receiving compensation or expecting to receive compensation for rendering such care is excluded from the protection of this subsection.

Sec. 24. Section 2, chapter 58, Laws of 1975 and RCW 4.24.310 are each amended to read as follows:

For the purposes of RCW 4.24.300 the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

(1) ((‘Good faith’ means a state of mind denoting honesty of purpose, integrity, and a reasonable opinion that the immediacy of the situation is such that the rendering of care should not be postponed until the injured person is hospitalized)) ‘Compensation’ has its ordinary meaning but does not include nominal payments, reimbursement for expenses, or pension benefits.

(2) ‘Emergency care’ means care, first aid, treatment, or assistance rendered to the injured person in need of immediate medical attention and includes providing or arranging for further medical treatment or care for the injured person. Except with respect to the injured person or persons being transported for further medical treatment or care, the immunity granted by RCW 4.24.300 does not apply to the negligent operation of any motor vehicle.

(3) ‘Scene of an emergency’ means the scene of an accident or other sudden or unexpected event or combination of circumstances which calls for immediate action other than in a hospital, doctor’s office, or other place where qualified medical personnel practice or are employed.

Sec. 25. Section 8, chapter 49, Laws of 1970 ex. sess. and RCW 9.69.100 are each amended to read as follows:

(1) Whoever, having witnessed the actual commission of a ((felony involving violence or threat of violence or having witnessed preparations for the commission of a felony involving violence or threat of violence)) violent offense as defined in RCW 9.94A.030(17) or preparations for the commission of such an offense, or the actual commission of a felony sexual offense or an attempted felony sexual offense, does not as soon as reasonably possible ((make known his knowledge of such to)) notify the prosecuting attorney, ((police)) or law enforcement, medical assistance, or other public officials of the state of Washington having jurisdiction over the matter, shall be guilty of a gross misdemeanor. PROVIDED, That nothing in this ((act)) section shall be so construed to affect existing privileged relationships as provided by law: PROVIDED FURTHER, That the duty to notify a person or agency specified in this subsection shall be met if a person notifies or attempts to provide such notice by telephone or any other means, as soon as reasonably possible.

(2) For the purposes of this section, ‘felony sexual offense’ means a sexual offense constituting a felony under chapter 9.68A or 9A.64 RCW or a class B or C felony under chapter 9A.44 RCW.

NEW SECTION. Sec. 26. The Washington state patrol shall establish a missing children clearinghouse which shall include the maintenance and operation of a toll-free, twenty-four-hour telephone hotline. The clearinghouse shall distribute information to local law enforcement agencies, school districts, the department of social and health services, and the general public regarding missing children. The information shall include pictures, bulletins, training sessions, reports, and biographical materials that will assist in local law enforcement efforts to locate missing children. The state patrol shall also maintain a regularly updated computerized link with national and other state-wide missing person systems or clearinghouses.

‘Child’ or ‘children,’ as used in this chapter, means an individual under eighteen years of age.

NEW SECTION. Sec. 27. Local law enforcement agencies shall file an official missing person report and enter biographical information into the state missing person computerized network within twelve hours after notification of a missing child is received under RCW 13.32A.050 (1), (3), or (4). The patrol shall collect such information as will enable it to retrieve immediately the following information about a missing child: Name, date of birth, social security number, fingerprint classification, relevant physical descriptions, and known associates and locations. Access to the preceding information shall be available to appropriate law enforcement agencies, and to parents and legal guardians, when appropriate.

NEW SECTION. Sec. 28. The superintendent of public instruction shall meet semiannually with the Washington state patrol to develop a coordinated plan for the distribution of information and education of teachers and students in the school districts of the state regarding the missing children problem in the state. The superintendent of public instruction shall encourage

local school districts to cooperate by providing the state patrol information on any missing children that may be identified within the district.

NEW SECTION, Sec. 29. Sections 26 through 28 of this act shall constitute a new chapter in Title 13 RCW.

NEW SECTION, Sec. 30. There is appropriated from the general fund to the Washington state patrol for the biennium ending June 30, 1987, the sum of one hundred fifty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of sections 26 through 28 of this act.

NEW SECTION, Sec. 31. 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. 32. 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 July 1, 1985."

On page 1, on line 2 of the title, after "crime;" strike the remainder of the title and insert "amending RCW 7.69.010, 7.69.020, 7.69.030, 9.94A.110, 9.94A.120, 9.94A.140, 10.77.210, 71.05.390, 71.06.240, 71.68.020, 7.68.030, 7.68.035, 7.68.060, 7.68.070, 7.68.075, 7.68.130, 4.24.300, 4.24.310, and 9.69.100; adding new sections to chapter 7.69 RCW; adding new sections to chapter 9.94A RCW; adding a new chapter to Title 13 RCW; creating a new section; making appropriations; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House refused to concur in the Senate amendments to Substitute House Bill No. 242, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed as conferees on Substitute House Bill No. 242: Representatives Locke, Niemi and Tilly.

SENATE AMENDMENTS TO HOUSE BILL

April 17, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 272 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. A new section is added to chapter 9A.44 RCW to read as follows:

(1) This section applies only to a criminal proceeding involving a sexual offense alleged to have been committed against a child under ten years of age.

(2) The recording of an oral statement of the child made before the proceeding begins is admissible into evidence if the statement is admissible pursuant to RCW 9A.44.120 and if:

(a) The recording is both visual and aural and is recorded on film or videotape or by other electronic means, or is aural and is recorded on tape or by other electronic means;

(b) The recording equipment was capable of making an accurate recording, the operator of the equipment was competent, and the recording is accurate and has not been altered;

(c) The statement was not made in response to questioning calculated to lead the child to make a particular statement;

(d) Every voice on the recording is identified; and

(e) All parties to the proceeding or the parties' attorneys are afforded an opportunity to view the recording before it is offered into evidence.

(3) Upon a showing of cause, the court may at any time order that disclosure of a recording made pursuant to this section be restricted or deferred, or make such other order as is appropriate, provided that such recording to which a party is entitled must be disclosed in time to permit counsel to make beneficial use thereof.

NEW SECTION, Sec. 2. A new section is added to chapter 13.34 RCW to read as follows:

(1) This section applies only to a dependency proceeding involving abuse or neglect alleged to have been committed against a child under ten years of age.

(2) The recording of an oral statement of the child made before the proceeding begins is admissible into evidence if the statement is admissible pursuant to section 3 of this act and if:

(a) The recording is both visual and aural and is recorded on film or videotape or by other electronic means, or is aural and is recorded on tape or by other electronic means;

(b) The recording equipment was capable of making an accurate recording, the operator of the equipment was competent, and the recording is accurate and has not been altered;

(c) The statement was not made in response to questioning calculated to lead the child to make a particular statement;

(d) Every voice on the recording is identified; and
 (e) The parties or the attorneys for the parties are afforded an opportunity to view the recording before it is offered into evidence.

(3) Upon a showing of cause, the court may at any time order that disclosure of a recording made pursuant to this section be restricted or deferred, or make such other order as is appropriate, provided that such recording to which a party is entitled must be disclosed in time to permit counsel to make beneficial use thereof.

NEW SECTION. Sec. 3. A new section is added to chapter 13.34 RCW to read as follows:

A statement made by a child when under the age of ten describing any act of abuse or neglect performed with or on the child by another, not otherwise admissible by statute or court rule, is admissible in evidence in a dependency proceeding brought under this chapter if:

- (1) The court finds that the time, content, and circumstances of the statement provide sufficient indicia of reliability; and
- (2) The child either:
 - (a) Testifies at the proceedings; or
 - (b) Is unavailable as a witness: PROVIDED, That when the child is unavailable as a witness, such statement may be admitted only if there is corroborative evidence of the act.

The child witness shall be deemed unavailable for the purposes of this section if the court determines that the child is not competent to testify or that there is a strong probability that the child would experience emotional trauma of a degree and kind that would seriously inhibit the child's ability to testify fully and accurately if the child were required to testify in open court. Nothing in this section shall limit or expand the court's discretion in exercising reasonable control over the mode and order of interrogating witnesses and presenting evidence so as to protect witnesses from harassment or undue embarrassment.

A statement shall not be admitted under this section unless the proponent of the statement makes known to the adverse party the proponent's intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the adverse party with a fair opportunity to prepare to meet the statement.

Sec. 4. Section 2, chapter 129, Laws of 1982 and RCW 9A.44.120 are each amended to read as follows:

A statement made by a child when under the age of ten describing any act of sexual contact performed with or on the child by another, not otherwise admissible by statute or court rule, is admissible in evidence in criminal proceedings in the courts of the state of Washington if:

- (1) The court finds, in a hearing conducted outside the presence of the jury that the time, content, and circumstances of the statement provide sufficient indicia of reliability; and
- (2) The child either:
 - (a) Testifies at the proceedings; or
 - (b) Is unavailable as a witness: PROVIDED, That when the child is unavailable as a witness, such statement may be admitted only if there is corroborative evidence of the act. The child witness shall be deemed unavailable for the purposes of this section if the court determines that the child is not competent to testify or that there is a strong probability that the child would experience emotional trauma of a degree and kind that would seriously inhibit the child's ability to testify fully and accurately if the child were required to testify in open court. Nothing in this section shall limit or expand the court's discretion in exercising reasonable control over the mode and order of interrogating witnesses and presenting evidence so as to protect witnesses from harassment or undue embarrassment.

A statement may not be admitted under this section unless the proponent of the statement makes known to the adverse party his intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the adverse party with a fair opportunity to prepare to meet the statement."

On page 1, beginning on line 1 of the title, after "statements;" strike the remainder of the title and insert "amending RCW 9A.44.120; adding a new section to chapter 9A.44 RCW; and adding new sections to chapter 13.34 RCW;" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House refused to concur in the Senate amendments to Substitute House Bill No. 272 and asked the Senate to recede therefrom.

SENATE AMENDMENTS TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 723 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1, Section 5, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.04.260 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of buying wheat, oats, dry peas, dry beans, lentils, triticale, corn, rye and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of one one-hundredth of one percent.

(2) Upon every person engaging within this state in the business of manufacturing wheat into flour, soybeans into soybean oil, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour or oil manufactured, multiplied by the rate of one-eighth of one percent.

(3) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business shall be equal to the value of the peas split or processed, multiplied by the rate of one-quarter of one percent.

(4) Upon every person engaging within this state in the business of manufacturing seafood products which remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured, multiplied by the rate of one-eighth of one percent.

(5) Upon every person engaging within this state in the business of manufacturing by canning, preserving, freezing or dehydrating fresh fruits and vegetables; as to such persons the amount of tax with respect to such business shall be equal to the value of the products canned, preserved, frozen or dehydrated multiplied by the rate of three-tenths of one percent.

(6) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of forty-four one-hundredths of one percent.

(7) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of thirty-three one-hundredths of one percent.

(8) Upon every person engaging within this state in the business of making sales, at retail or wholesale, of nuclear fuel assemblies manufactured by that person, as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the assemblies multiplied by the rate of twenty-five one-hundredths of one percent.

(9) Upon every person engaging within this state in the business of manufacturing nuclear fuel assemblies, as to such persons the amount of tax with respect to such business shall be equal to the value of the products manufactured multiplied by the rate of twenty-five one-hundredths of one percent.

(10) Upon every person engaging within this state in the business of acting as a travel agent; as to such persons the amount of the tax with respect to such activities shall be equal to the gross income derived from such activities multiplied by the rate of twenty-five one-hundredths of one percent.

(11) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities shall be equal to the gross income derived from such activities multiplied by the rate of thirty-three one-hundredths of one percent.

(12) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds derived from such activities multiplied by the rate of thirty-three one hundredths of one percent. Persons subject to taxation under this subsection shall be exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling

prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(13) (a) Upon every person engaging within this state in the business of disposing of (~~low-level waste, as defined in RCW 43.145.010~~) radioactive waste; as to such persons the amount of the tax with respect to such business shall be equal to the gross income of the business, excluding any fees imposed under chapter 43.21F RCW, multiplied by the rate of thirty percent.

(b) As used in this subsection (13), 'disposing' means: (i) All activities undertaken to select, construct, operate, or monitor a site located in the state of Washington designed to isolate radioactive waste in a landfill or facility dedicated to the disposal of radioactive waste; and (ii) those activities undertaken by the federal government and federal contractors pursuant to the federal nuclear waste policy act of 1982 (P.L. 97-425); and 'radioactive waste' means either high level radioactive waste as defined in 42 U.S.C. Sec. 10101 (P.L. 97-425), or low level radioactive waste as defined in chapter 43.145 RCW.

(c) If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state shall be determined in accordance with the methods of apportionment required under RCW 82.04.60.

(14) Upon every person engaging within this state as an insurance agent, insurance broker, or insurance solicitor licensed under chapter 48.17 RCW; as to such persons, the amount of the tax with respect to such licensed activities shall be equal to the gross income of such business multiplied by the rate of one percent.

NEW SECTION, Sec. 2. This act shall take effect on October 1, 1985."

On page 1, line 1 of the title, after "waste;" strike the remainder of the title and insert "amending RCW 82.04.260; and providing an effective date."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. D. Nelson moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 723 and ask the Senate for a conference thereon.

Mr. D. Nelson spoke in favor of the motion and Mr. Isaacson opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House do not concur in the Senate amendments to Engrossed House Bill No. 723, and the motion was carried by the following vote: Yeas, 54; nays, 43; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsold, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Loven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 43.

Excused: Representative Smith C - 1.

The Speaker stated that the House had, by its action, refused to concur in the Senate amendments to Engrossed House Bill No. 723 and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed as conferees on Engrossed House Bill No. 723: Representatives Armstrong, D. Nelson and Isaacson.

SENATE AMENDMENTS TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 767 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. A new section is added to chapter 9A.82 RCW to read as follows:

This chapter shall be known as the criminal profiteering act.

Sec. 2. Section 1, chapter 270, Laws of 1984 and RCW 9A.82.010 are each amended to read as follows:

Unless the context requires the contrary, the definitions in this section apply throughout this chapter.

(1) 'Creditor' means a person making an extension of credit or a person claiming by, under, or through a person making an extension of credit.

(2) 'Debtor' means a person to whom an extension of credit is made or a person who guarantees the repayment of an extension of credit or in any manner undertakes to indemnify the creditor against loss resulting from the failure of a person to whom an extension is made to repay the same.

(3) 'Extortionate extension of credit' means an extension of credit with respect to which it is the understanding of the creditor and the debtor at the time the extension is made that delay in making repayment or failure to make repayment could result in the use of violence or other criminal means to cause harm to the person, reputation, or property of any person.

(4) 'Extortionate means' means the use, or an express or implicit threat of use, of violence or other criminal means to cause harm to the person, reputation, or property of any person.

(5) 'To collect an extension of credit' means to induce in any way a person to make repayment thereof.

(6) 'To extend credit' means to make or renew a loan or to enter into an agreement, tacit or express, whereby the repayment or satisfaction of a debt or claim, whether acknowledged or disputed, valid or invalid, and however arising, may or shall be deferred.

(7) 'Repayment of an extension of credit' means the repayment, satisfaction, or discharge in whole or in part of a debt or claim, acknowledged or disputed, valid or invalid, resulting from or in connection with that extension of credit.

(8) 'Dealer in property' means a person who buys and sells property as a business.

(9) 'Stolen property' means property that has been obtained by theft, robbery, or extortion.

(10) 'Traffic' means to sell, transfer, distribute, dispense, or otherwise dispose of stolen property to another person, or to buy, receive, possess, or obtain control of stolen property, with intent to sell, transfer, distribute, dispense, or otherwise dispose of the property to another person.

~~(11) ('Combination' means persons who collaborate in carrying on or furthering the activities or purposes of a criminal syndicate even though the persons may not know each other's identity, or membership in the combination changes from time to time, or one or more members may stand in a wholesaler-retailer or other arm's-length relationship with others as to activities or dealings between or among themselves in an illicit operation.~~

~~(12) 'Criminal syndicate' means any combination of persons or enterprises engaging, or having the purpose of engaging, in conduct which violates any one or more provisions of any felony statute of this state.~~

~~(13)) 'Control' means the possession of a sufficient interest to permit substantial direction over the affairs of an enterprise.~~

~~(14))~~ (12) 'Enterprise' includes any individual, sole proprietorship, partnership, corporation, business trust, or other profit or nonprofit legal entity, and includes any union, association, or group of individuals associated in fact although not a legal entity, and both illicit and licit enterprises and governmental and nongovernmental entities.

~~(15))~~ (13) 'Financial institution' means any bank, trust company, savings and loan association, savings bank, mutual savings bank, credit union, or loan company under the jurisdiction of the state or an agency of the United States.

~~(16) 'Racketeering'))~~ (14) 'Criminal profiteering' means any act, including any anticipatory or completed offense, committed for financial gain, ~~(which)) that~~ is chargeable or indictable under the laws of the state in which the act occurred and, if the act occurred in a state other than this state, would be chargeable or indictable under the laws of this state had the act occurred in this state and punishable as a felony and by imprisonment for more than one year, regardless of whether the act is charged or indicted, ~~(involving)) as any of the following:~~

(a) ~~((homicide))~~ Murder, as defined in RCW 9A.32.030 and 9A.32.050;

(b) Robbery, as defined in RCW 9A.56.200 and 9A.56.210;

(c) Kidnapping, as defined in RCW 9A.40.020 and 9A.40.030;

(d) Forgery, as defined in RCW 9A.60.020 and 9A.60.030;

(e) Theft, as defined in RCW 9A.56.030, 9A.56.040, 9A.56.060, and 9A.56.080;

(f) Child selling or child buying, as defined in RCW 9A.64.030;

(g) Bribery, as defined in RCW 9A.68.010, 9A.68.020, 9A.68.040, and 9A.68.050;

~~((g))~~ (h) Gambling, as defined in RCW 9A.46.220 and 9A.46.230;

~~((h) Usury:))~~

(i) Extortion, as defined in RCW 9A.56.120 and 9A.56.130;

(j) Extortionate extension(s) of credit, as defined in RCW 9A.82.020;

(k) Advancing money for use in an extortionate extension of credit, as defined in RCW 9A.82.030;

(l) Collection of an extortionate extension of credit, as defined in RCW 9A.82.040;

(m) Collection of an unlawful debt, as defined in section 6 of this act;

(n) Delivery or manufacture of controlled substances or possession with intent to deliver or manufacture controlled substances under chapter 69.50 RCW;

((#)) (o) Trafficking in ~~(explosives, weapons, or)~~ stolen property, as defined in RCW 9A.82.050;

((#)) (p) Leading organized crime, as defined in RCW 9A.82.060;

((#)) (q) Obstructing ~~(or hindering)~~ criminal investigations or prosecutions in violation of RCW 9A.72.090, 9A.72.100, 9A.72.110, 9A.72.120, 9A.72.130, 9A.76.070, or 9A.76.180;

~~((#)) (r) Asserting false claims including, not but limited to, false claims asserted through fraud or arson;~~

~~(s) False statements or publications concerning land for sale or lease or sale of subdivided lands or sale and mortgaging of unsubdivided lands;~~

~~(t) Resale of realty with intent to defraud;~~

~~(r) Fraud in the purchase or sale of securities;~~

~~(s) Sale of unregistered securities or real property securities and transactions involving such securities by unregistered dealers or salespersons;~~

~~(t) A scheme or artifice to defraud;~~

~~(u) Obscenity;~~

~~(v) Child pornography;~~

~~(w) Prostitution; or~~

~~(x) Arson;~~ (r) Fraud in the purchase or sale of securities, as defined in RCW 21.20.010;

(s) Sexual exploitation of children, as defined in RCW 9.68A.040, 9.68A.050, and 9.68A.060;

(t) Promoting prostitution, as defined in RCW 9A.88.070 and 9A.88.080;

(u) Arson, as defined in RCW 9A.48.020 and 9A.48.030; or

(v) Assault, as defined in RCW 9A.36.010 and 9A.36.020.

((#)) (15) 'Pattern of ~~(racketeering activity)~~ requires at least two acts of racketeering activity, one of which occurred after July 1, 1985, and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of racketeering activity' criminal profiteering activity' means engaging in at least three acts of criminal profiteering, one of which occurred after July 1, 1985, and the last of which occurred within five years, excluding any period of imprisonment, after the commission of the earliest act of criminal profiteering. In order to constitute a pattern, the three acts must have the same or similar intent, results, accomplices, principals, victims, or methods of commission, or be otherwise interrelated by distinguishing characteristics including a nexus to the same enterprise, and must not be isolated events. However, in any civil proceedings brought pursuant to RCW 9A.82.100 by any person other than the attorney general or county prosecuting attorney in which one or more acts of fraud in the purchase or sale of securities are asserted as acts of criminal profiteering activity, it is a condition to civil liability under RCW 9A.82.100 that the defendant has been convicted in a criminal proceeding of fraud in the purchase or sale of securities under RCW 21.20.400 or under the laws of another state or of the United States requiring the same elements of proof, but such conviction need not relate to any act or acts asserted as acts of criminal profiteering activity in such civil action under RCW 9A.82.100.

((#)) (16) 'Records' means any book, paper, writing, record, computer program, or other material.

((#)) (17) 'Documentary material' means any book, paper, document, writing, drawing, graph, chart, photograph, phonograph record, magnetic tape, computer printout, other data compilation from which information can be obtained or from which information can be translated into usable form, or other tangible item.

((#)) (18) 'Unlawful debt' means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in the state in ~~(whole)~~ full or in part because the debt was incurred or contracted:

(a) In violation of any one of the following:

(i) Chapter 67.16 RCW relating to horse racing;

(ii) Chapter 9.46 RCW relating to gambling; ~~(or~~

~~(iii) Chapter 19.52 RCW relating to interest and usury; or)~~

(b) In a gambling activity in violation of federal law ~~(or in the business of lending money at a rate usurious under federal or state law); or~~

(c) In connection with the business of lending money or a thing of value at a rate that is at least twice the permitted rate under the applicable state or federal law relating to usury.

((#)) (19) (a) 'Beneficial interest' means:

(i) The interest of a person as a beneficiary under a trust established under Title 11 RCW in which the trustee for the trust holds legal or record title to real property;

(ii) The interest of a person as a beneficiary under any other trust arrangement under which a trustee holds legal or record title to real property for the benefit of the beneficiary; or

(iii) The interest of a person under any other form of express fiduciary arrangement under which one person holds legal or record title to real property for the benefit of the other person.

(b) 'Beneficial interest' does not include the interest of a stockholder in a corporation or the interest of a partner in a general partnership or limited partnership.

(c) A beneficial interest shall be considered to be located where the real property owned by the trustee is located.

~~((22))~~ (20) 'Real property' means any real property or interest in real property, including but not limited to a land sale contract, lease, or mortgage of real property.

~~((23))~~ (21) (a) 'Trustee' means:

(i) A person acting as a trustee under a trust established under Title 11 RCW in which the trustee holds legal or record title to real property;

(ii) A person who holds legal or record title to real property in which another person has a beneficial interest; or

(iii) A successor trustee to a person who is a trustee under subsection ~~((23))~~(21)(a)(i) or (ii) of this section.

(b) 'Trustee' does not mean a person appointed or acting as:

(i) A personal representative under Title 11 RCW;

(ii) A trustee of any testamentary trust; ~~((or))~~

(iii) A trustee of any indenture of trust under which a bond is issued; or

(iv) A trustee under a deed of trust.

Sec. 3. Section 2, chapter 270, Laws of 1984 and RCW 9A.82.020 are each amended to read as follows:

(1) A person who knowingly makes an extortionate extension of credit is guilty of a class B felony.

(2) In a prosecution under this section, if it is shown that all of the following factors are present in connection with the extension of credit, there is prima facie evidence that the extension of credit was extortionate:

(a) The repayment of the extension of credit, or the performance of any promise given in consideration thereof, would be unenforceable at the time the extension of credit was made through civil judicial processes against the debtor in the county in which the debtor, if a natural person, resided or in every county in which the debtor, if other than a natural person, was incorporated or qualified to do business.

(b) The extension of credit was made at a rate of interest in excess of an annual rate of forty-five percent calculated according to the actuarial method of allocating payments made on a debt between principal and interest, pursuant to which a payment is applied first to the accumulated interest and the balance is applied to the unpaid principal.

~~(c) ((At the time the extension of credit was made, the debtor reasonably believed that either of the following:~~

~~(i) One or more extensions of credit by the creditor had been collected or attempted to be collected by extortionate means, or the nonrepayment had been punished by extortionate means.~~

~~(ii) The creditor had a reputation for the use of extortionate means to collect extensions of credit or to punish the nonrepayment thereof)) The creditor intended the debtor to believe that failure to comply with the terms of the extension of credit would be enforced by extortionate means.~~

(d) Upon the making of the extension of credit, the total of the extensions of credit by the creditor to the debtor then outstanding, including any unpaid interest or similar charges, exceeded one hundred dollars.

~~((3) In a prosecution under this section, if evidence has been introduced tending to show the existence of any of the circumstances described in subsection (2)(a) or (b) of this section, and direct evidence of the actual belief of the debtor as to the creditor's collection practices is not available, then for the purpose of showing the understanding of the debtor and the creditor at the time the extension of credit was made, the court may in its discretion allow evidence to be introduced tending to show the reputation as to collection practices of the creditor in any community of which the debtor was a member at the time of the extension:))~~

Sec. 4. Section 3, chapter 270, Laws of 1984 and RCW 9A.82.030 are each amended to read as follows:

A person who ~~((knowingly))~~ advances money or property, whether as a gift, loan, investment, or pursuant to a partnership or profit-sharing agreement or otherwise, to any person, with ~~((reasonable grounds to believe))~~ the knowledge that it is the intention of that person to use the money or property so advanced, directly or indirectly, for the purpose of making extortionate extensions of credit, is guilty of a class B felony.

Sec. 5. Section 4, chapter 270, Laws of 1984 and RCW 9A.82.040 are each amended to read as follows:

~~((1))~~ A person who knowingly participates in any way in the use of any extortionate means to collect or attempt to collect any extensions of credit or to punish any person for the nonrepayment thereof, is guilty of a class B felony.

~~((2) In a prosecution under this section, for the purpose of showing an implicit threat as a means of collection, evidence may be introduced tending to show that one or more extensions of credit by the creditor were, to the knowledge of the person against whom the implicit threat was alleged to have been made, collected or attempted to be collected by extortionate means or that the nonrepayment was punished by extortionate means:~~

~~(3) In a prosecution under this section, if evidence has been introduced tending to show the existence at the time the extension of credit in question was made of the circumstances described in RCW 9A.82.020(2)(a) or (b), and direct evidence of the actual belief of the debtor as to the creditor's collection practices is not available, then for the purpose of showing that words or other means of communication, shown to have been employed as a means of collection, in fact carried an express or implicit threat, the court may in its discretion allow evidence to be introduced tending to show the reputation of the defendant in any community of which the person against whom the alleged threat was made was a member at the time of the collection or attempt at collection.)~~

NEW SECTION. Sec. 6. A new section is added to chapter 9A.82 RCW to read as follows:

It is unlawful for any person knowingly to collect any unlawful debt. A violation of this section is a class C felony.

Sec. 7. Section 6, chapter 270, Laws of 1984 and RCW 9A.82.060 are each amended to read as follows:

(1) A person commits the offense of leading organized crime by:

(a) Intentionally organizing, managing, directing, supervising, or financing ~~((a criminal syndicate))~~ any three or more persons with the intent to engage in a pattern of criminal profiteering activity; or

(b) ~~((Knowingly))~~ Intentionally inciting or inducing others to engage in violence or intimidation ~~((to promote or further the objectives of a criminal syndicate))~~ with the intent to further or promote the accomplishment of a pattern of criminal profiteering activity.

(2) ~~((A person shall not be convicted under this section on the basis of accountability as an accomplice unless the person aids or participates in violating this section in one of the ways specified:~~

~~(3))~~ Leading organized crime as defined in subsection (1)(a) of this section is a class A felony, and as defined in subsection (1)(b) of this section is a class B felony.

Sec. 8. Section 8, chapter 270, Laws of 1984 and RCW 9A.82.080 are each amended to read as follows:

(1) It is unlawful for a person who has knowingly received any of the proceeds derived, directly or indirectly, from a pattern of ~~((racketeering))~~ criminal profiteering activity ~~((or through the collection of an unlawful debt))~~ to use or invest, whether directly or indirectly, any part of the proceeds, or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, real property or in the establishment or operation of any enterprise.

(2) It is unlawful for a person ~~((through a pattern of racketeering activity or through the collection of an unlawful debt))~~ knowingly to acquire or maintain, directly or indirectly, any interest in or control of any enterprise or real property through a pattern of criminal profiteering activity.

(3) It is unlawful for a person knowingly to conspire or attempt to violate subsection (1) or (2) of this section.

(4) A ~~((knowing))~~ violation of subsection (1) or (2) of this section is a class B felony. A ~~((knowing))~~ violation of subsection (3) of this section is a class C felony.

NEW SECTION. Sec. 9. A new section is added to chapter 9A.82 RCW to read as follows:

In a criminal prosecution alleging a violation of RCW 9A.82.060 or 9A.82.080, the state is barred from joining any offense other than the offenses alleged to be part of the pattern of criminal profiteering activity. When a defendant has been tried criminally for a violation of RCW 9A.82.060 or 9A.82.080, the state is barred from subsequently charging the defendant with an offense that was alleged to be part of the pattern of criminal profiteering activity for which he or she was tried.

Sec. 10. Section 9, chapter 270, Laws of 1984 and RCW 9A.82.090 are each amended to read as follows:

During the pendency of any criminal case charging ~~((an offense included in the definition of racketeering in RCW 9A.82.040))~~ a violation of RCW 9A.82.060 or a violation of RCW 9A.82.080, the superior court may, in addition to its other powers, issue an order pursuant to RCW 9A.82.100 (2) or (3). Upon conviction of a person for ~~((an offense included in the definition of racketeering))~~ a violation of RCW 9A.82.060 or a violation of RCW 9A.82.080, the superior court may, in addition to its other powers of disposition, issue an order pursuant to RCW 9A.82.100.

Sec. 11. Section 10, chapter 270, Laws of 1984 and RCW 9A.82.100 are each amended to read as follows:

(1) (a) A person who sustains injury to his or her person, business, or property by ~~((racketeering))~~ an act of criminal profiteering that is part of a pattern of criminal profiteering activity or by a violation of RCW 9A.82.060 or 9A.82.080 may file an action in superior court for the recovery of ~~((treble))~~ damages and the costs of the suit, including reasonable investigative and attorney's fees.

(b) The attorney general or county prosecuting attorney may file an action: ~~((a))~~ (i) On behalf of those persons injured or, respectively, on behalf of the state or county if the entity has sustained damages, or ~~((b))~~ (ii) to prevent, restrain, or remedy ~~((racketeering))~~ a pattern of criminal profiteering activity or a violation of RCW 9A.82.060 or 9A.82.080.

(c) An action for damages filed by or on behalf of an injured person, the state, or the county shall be for the recovery of ~~((treble))~~ damages and the costs of the suit, including reasonable investigative and attorney's fees.

~~(d) In an action filed to prevent, restrain, or remedy ((racketeering)) a pattern of criminal profiteering activity or a violation of RCW 9A.82.060 or 9A.82.080, the court, upon proof of the violation, may impose a civil penalty not exceeding two hundred fifty thousand dollars ((upon proof of the violation)), in addition to awarding the cost of the suit, including reasonable investigative and attorney's fees.~~

~~(2) The superior court has jurisdiction to prevent, restrain, and remedy ((racketeering)) a pattern of criminal profiteering or a violation of RCW 9A.82.060 or 9A.82.080 after making provision for the rights of all innocent persons affected by the violation and after hearing or trial, as appropriate, by issuing appropriate orders.~~

~~(3) Prior to a determination of liability, ((the)) orders issued under subsection (2) of this section may include, but are not limited to, entering restraining orders or prohibitions or taking such other actions, including the acceptance of satisfactory performance bonds, in connection with any property or other interest subject to damages, forfeiture, or other restraints pursuant to this section as the court deems proper. The orders may also include attachment, receivership, or injunctive relief in regard to personal or real property pursuant to Title 7 RCW. In shaping the reach or scope of receivership, attachment, or injunctive relief, the superior court shall provide for the protection of bona fide interests in property, including community property, of persons who were not involved in the violation of this chapter, except to the extent that such interests or property were acquired or used in such a way as to be subject to forfeiture under RCW 9A.82.100(4)(f).~~

~~(4) Following a determination of liability, ((the)) orders may include, but are not limited to:~~

~~(a) Ordering any person to divest himself or herself of any interest, direct or indirect, in any enterprise.~~

~~(b) Imposing reasonable restrictions on the future activities or investments of any person, including prohibiting any person from engaging in the same type of endeavor as the enterprise engaged in, the activities of which affect the laws of this state, to the extent the Constitutions of the United States and this state permit.~~

~~(c) Ordering dissolution or reorganization of any enterprise.~~

~~(d) Ordering the payment of ((treble)) actual damages sustained to those persons injured by ((racketeering or)) a violation of RCW 9A.82.060 or 9A.82.080 or an act of criminal profiteering that is part of a pattern of criminal profiteering, and in the court's discretion, increasing the payment to an amount not exceeding three times the actual damages sustained.~~

~~(e) Ordering the payment of all costs and expenses of the prosecution and investigation of ((any offense included in the definition of racketeering in RCW 9A.82.010)) a pattern of criminal profiteering activity or a violation of RCW 9A.82.060 or 9A.82.080, civil and criminal, incurred by the state or county as appropriate, ~~((to be paid to the antiracketeering revolving fund of the state or county which brings the action. If the county has not established an antiracketeering revolving fund, the payment shall be deposited in the county current expense fund))~~ to the state general fund or the antiprofitteering revolving fund of the county.~~

~~(f) Ordering forfeiture first as restitution to any person damaged by an act of criminal profiteering that is part of a pattern of criminal profiteering then to the state general fund or ((antiracketeering)) antiprofitteering revolving fund of the ((state or)) county, as appropriate, to the extent not already ordered to be paid in other damages, of the following:~~

~~(i) Any property or other interest acquired or maintained ((by a person)) in violation of RCW 9A.82.060 or 9A.82.080 to the extent of the investment of funds, and any appreciation or income attributable to the investment, from a violation of RCW 9A.82.060 or 9A.82.080.~~

~~(ii) Any ((interest in, security of, claims against or property or contractual right of any kind affording a source of influence over)) property, contractual right, or claim against property used to influence any enterprise ((which) that a person has established, operated, controlled, conducted, or participated in the conduct of, in violation of RCW 9A.82.060 or 9A.82.080.~~

~~(iii) All proceeds traceable to or derived from an offense included in the ((definition of racketeering in RCW 9A.82.010)) pattern of criminal profiteering activity and all moneys, negotiable instruments, securities, and other things of value significantly used or intended to be used significantly to facilitate commission of the offense.~~

~~(g) Ordering payment to the state general fund or ((antiracketeering)) antiprofitteering revolving fund of the ((state or)) county, as appropriate, of an amount equal to the gain a person has acquired or maintained through an offense included in the definition of ((racketeering)) criminal profiteering.~~

~~(5) In addition to or in lieu of an action under this section, the attorney general or county prosecuting attorney may file an action for forfeiture to the state general fund or ((antiracketeering)) antiprofitteering revolving fund of the ((state or)) county, as appropriate, to the extent not already ordered paid pursuant to this section, of the following:~~

(a) Any interest acquired or maintained by a person in violation of RCW 9A.82.060 or 9A.82.080 to the extent of the investment of funds obtained from a violation of RCW 9A.82.060 or 9A.82.080 and any appreciation or income attributable to the investment.

(b) Any ~~((interest in, security of, claims against or property or contractual right of any kind affording a source of influence over))~~ property, contractual right, or claim against property used to influence any enterprise ~~((which))~~ that a person has established, operated, controlled, conducted, or participated in the conduct of, in violation of RCW 9A.82.060 or 9A.82.080.

(c) All proceeds traceable to or derived from an offense included in the ~~((definition of racketeering))~~ pattern of criminal profiteering activity and all moneys, negotiable instruments, securities, and other things of value significantly used or intended to be used significantly to facilitate the commission of the offense.

(6) A defendant convicted in any criminal proceeding is precluded ~~((from subsequently denying the essential allegations of the criminal offense of which the defendant was convicted))~~ in any civil proceeding from denying the essential allegations of the criminal offense proven in the criminal trial in which the defendant was convicted. For the purposes of this subsection, a conviction shall be deemed to have occurred upon a verdict, finding, or plea of guilty, notwithstanding the fact that ~~((an appeal))~~ appellate review of the conviction and sentence has been or may be ~~((lodged upon any judgment and sentence entered thereon))~~ sought. If a subsequent reversal of the conviction occurs, any judgment that was based upon that conviction may be reopened upon motion of the defendant.

(7) The initiation of civil proceedings ~~((related to violations of any offense included in the definition of racketeering or a violation of RCW 9A.82.080 shall be commenced within seven years after actual discovery of the violation))~~ under this section shall be commenced within three years after discovery of the pattern of criminal profiteering activity or after the pattern should reasonably have been discovered.

(8) The attorney general or county prosecuting attorney may, in a civil action brought pursuant to this section, file with the clerk of the superior court a certificate stating that the case is of special public importance. A copy of that certificate shall be furnished immediately by the clerk to the ~~((chief judge or))~~ presiding chief judge of the superior court in which the action is pending and, upon receipt of the copy, the judge shall immediately designate a judge to hear and determine the action. The judge so designated shall promptly assign the action for hearing, participate in the hearings and determination, and cause the action to be expedited.

(9) The standard of proof in actions brought pursuant to this section is the preponderance of the evidence test.

(10) A person other than the attorney general or county prosecuting attorney who files an action under this section shall serve notice and one copy of the pleading on the attorney general within thirty days after the action is filed with the superior court. The notice shall identify the action, the person, and the person's attorney. Service of the notice does not limit or otherwise affect the right of the state to maintain an action under this section or intervene in a pending action nor does it authorize the person to name the state or the attorney general as a party to the action.

(11) Except in cases filed by a county prosecuting attorney, the attorney general may, upon timely application, intervene in any civil action or proceeding brought under this section if the attorney general certifies that in the attorney general's opinion the action is of special public importance. Upon intervention, the attorney general may assert any available claim and is entitled to the same relief as if the attorney general had instituted a separate action.

(12) In addition to the attorney general's right to intervene as a party in any action under this section, the attorney general may appear as amicus curiae in any proceeding in which a claim under this section has been asserted or in which a court is interpreting RCW 9A.82.010, 9A.82.080, 9A.82.090, 9A.82.110, or 9A.82.120, or this section.

(13) A private civil action under this section ~~((is remedial and))~~ does not limit any other civil or criminal action under this chapter or any other provision. Private civil remedies provided under this section are supplemental and not mutually exclusive.

(14) ~~((In bringing a civil action under this chapter, the attorney general or county prosecuting attorney may grant a witness immunity in exchange for testimony in the civil case. The immunity bars the use or derivative use of the witness' testimony in any subsequent criminal prosecution of the witness except for perjury or false swearing committed during the course of the testimony.))~~ Upon motion by the defendant, the court may authorize the sale or transfer of assets subject to an order or lien authorized by this chapter for the purpose of paying actual attorney's fees and costs of defense. The motion shall specify the assets for which sale or transfer is sought and shall be accompanied by the defendant's sworn statement that the defendant has no other assets available for such purposes. No order authorizing such sale or transfer may be entered unless the court finds that the assets involved are not subject to possible forfeiture under RCW 9A.82.100(4)(f). Prior to disposition of the motion, the court shall notify the state of the assets sought to be sold or transferred and shall hear argument on the issue of whether the assets are subject to forfeiture under RCW 9A.82.100(4)(f). Such a motion may be made from time to time and shall be heard by the court on an expedited basis.

(15) In an action brought under subsection (1) (a) and (b)(i) of this section, either party has the right to a jury trial.

Sec. 12. Section 11, chapter 270, Laws of 1984 and RCW 9A.82.110 are each amended to read as follows:

~~(1) ((a) There is established in the custody of the state treasurer an antiracketeering revolving fund to be administered by the attorney general under the conditions and for the purposes provided by this subsection. Disbursements from the fund shall be on authorization of the attorney general. No appropriation is required for disbursements:~~

~~(b) Any prosecution and investigation costs, including attorney's fees, recovered for the state by the attorney general as a result of enforcement of civil and criminal statutes pertaining to any offense included in the definition of racketeering, whether by final judgment, settlement, or otherwise, shall be deposited, as directed by a court of competent jurisdiction, in the fund established by this subsection. When the fund exceeds seven hundred fifty thousand dollars, all funds in excess of the seven hundred fifty thousand dollars shall be deposited in the state general fund.~~

~~(c) The moneys in the fund shall be used by the attorney general for the investigation and prosecution of any offense, within the jurisdiction of the attorney general, included in the definition of racketeering, including civil enforcement.~~

~~(d) Any payments or forfeiture to the state general fund ordered under RCW 9A.82.100 (4) or (5) shall be deposited in the public safety and education account.~~

(2) In an action brought by the attorney general on behalf of the state under RCW 9A.82.100(1)(b)(i) in which the state prevails, any payments ordered in excess of the actual damages sustained shall be deposited in the public safety and education account.

(3) It is the intent of the legislature that the money deposited in the public safety and education account pursuant to this chapter be appropriated to promote crime victims' compensation.

(4)(a) The county legislative authority may establish an ((antiracketeering)) antiprofitteering revolving fund to be administered by the county prosecuting attorney under the conditions and for the purposes provided by this subsection. Disbursements from the fund shall be on authorization of the county prosecuting attorney. No appropriation is required for disbursements.

(b) Any prosecution and investigation costs, including attorney's fees, recovered for the state by the county prosecuting attorney as a result of enforcement of civil and criminal statutes pertaining to any offense included in the definition of ((racketeering)) criminal profiteering, whether by final judgment, settlement, or otherwise, shall be deposited, as directed by a court of competent jurisdiction, in the fund established by this subsection. In an action brought by a prosecuting attorney on behalf of the county under RCW 9A.82.100(1)(b)(i) in which the county prevails, any payments ordered in excess of the actual damages sustained shall be deposited in the public safety and education account in the state general fund.

(c) The county legislative authority may prescribe a maximum level of moneys in the ((antiracketeering)) antiprofitteering revolving fund. Moneys exceeding the prescribed maximum shall be transferred to the county current expense fund.

(d) The moneys in the fund shall be used by the county prosecuting attorney for the investigation and prosecution of any offense, within the jurisdiction of the county prosecuting attorney, included in the definition of ((racketeering)) criminal profiteering, including civil enforcement.

(e) If a county has not established an antiprofitteering revolving fund, any payments or forfeitures ordered to the county under this chapter shall be deposited to the county current expense fund.

Sec. 13. Section 12, chapter 270, Laws of 1984 and RCW 9A.82.120 are each amended to read as follows:

(1) The state, upon filing a criminal action under RCW 9A.82.060 or 9A.82.080 or a civil action under RCW 9A.82.100, may file in accordance with this section a ((racketeering)) criminal profiteering lien. A filing fee or other charge is not required for filing a ((racketeering)) criminal profiteering lien.

(2) A ((racketeering)) criminal profiteering lien shall be signed by the attorney general or the county prosecuting attorney representing the state in the action and shall set forth the following information:

(a) The name of the defendant whose property or other interests are to be subject to the lien;

(b) In the discretion of the attorney general or county prosecuting attorney filing the lien, any aliases or fictitious names of the defendant named in the lien;

(c) If known to the attorney general or county prosecuting attorney filing the lien, the present residence or principal place of business of the person named in the lien;

(d) A reference to the proceeding pursuant to which the lien is filed, including the name of the court, the title of the action, and the court's file number for the proceeding;

(e) The name and address of the attorney representing the state in the proceeding pursuant to which the lien is filed;

- (f) A statement that the notice is being filed pursuant to this section;
- (g) The amount (~~which~~) that the state claims in the action or, with respect to property or other interests (~~which~~) that the state has requested forfeiture to the state or county, a description of the property or interests sought to be paid or forfeited;
- (h) If known to the attorney general or county prosecuting attorney filing the lien, a description of property (~~which~~) that is subject to forfeiture to the state or property in which the defendant has an interest (~~which~~) that is available to satisfy a judgment entered in favor of the state; and
- (i) Such other information as the attorney general or county prosecuting attorney filing the lien deems appropriate.
- (3) The attorney general or the county prosecuting attorney filing the lien may amend a lien filed under this section at any time by filing an amended (~~racketeering~~) criminal profiteering lien in accordance with this section (~~which~~) that identifies the prior lien amended.
- (4) The attorney general or the county prosecuting attorney filing the lien shall, as soon as practical after filing a (~~racketeering~~) criminal profiteering lien, furnish to any person named in the lien a notice of the filing of the lien. Failure to furnish notice under this subsection does not invalidate or otherwise affect a (~~racketeering~~) criminal profiteering lien filed in accordance with this section.

(5)(a) A (~~racketeering~~) criminal profiteering lien is perfected against interests in personal property (~~by filing the lien with the department of licensing~~) in the same manner a security interest in like property pursuant to RCW 62A.9-302, 62A.9-303, 62A.9-304, 62A.9-305, and 62A.9-306 or as otherwise required to perfect a security interest in like property under applicable law. In the case of perfection by filing, the state shall file, in lieu of a financing statement in the form prescribed by RCW 62A.9-402, a notice of lien in substantially the following form:

NOTICE OF LIEN

Pursuant to RCW 9A.82.120, the state of Washington claims a criminal profiteering lien on all real and personal property of:

Name:

Address:

State of Washington

By (authorized signature)

On receipt of such a notice from the state, a filing officer shall, without payment of filing fee, file and index the notice as if it were a financing statement naming the state as secured party and the defendant as debtor.

(b) A (~~racketeering~~) criminal profiteering lien is perfected against interests in real property by filing the lien (~~with the county auditor of the county in which the real property is located. The state may give such additional notice of the lien as it deems appropriate~~) in the office where a mortgage on the real estate would be filed or recorded. The filing officer shall file and index the criminal profiteering lien, without payment of a filing fee, in the same manner as a mortgage.

(6) The filing of a (~~racketeering~~) criminal profiteering lien in accordance with this section creates a lien in favor of the state in:

(a) Any interest of the defendant, in real property situated in the county in which the lien is filed, then maintained, or thereafter acquired in the name of the defendant identified in the lien;

(b) Any interest of the defendant, in personal property situated in this state, then maintained or thereafter acquired in the name of the defendant identified in the lien; and

(c) Any property identified in the lien to the extent of the defendant's interest therein.

(7) (~~The filing of a racketeering lien under this section is notice to all persons dealing with the person or property identified in the lien of the state's claim.~~) The lien created in favor of the state in accordance with this section (~~is superior and prior to the claims or interests of any other person, except a person possessing:~~

(a) A valid lien perfected prior to the filing of the racketeering lien;

(b) In the case of real property, an interest acquired and recorded prior to the filing of the racketeering lien; or

(c) In the case of personal property, an interest acquired prior to the filing of the racketeering lien), when filed or otherwise perfected as provided in subsection (5) of this section, has, with respect to any of the property described in subsection (6) of this section, the same priority determined pursuant to the laws of this state as a mortgage or security interest given for value (but not a purchase money security interest) and perfected in the same manner with respect to such property; except that any lien perfected pursuant to Title 60 RCW by any person who, in the ordinary course of his business, furnishes labor, services, or materials, or rents, leases, or otherwise supplies equipment, without knowledge of the criminal profiteering lien, is superior to the criminal profiteering lien.

(8) Upon entry of judgment in favor of the state, the state may proceed to execute thereon as in the case of any other judgment, except that in order to preserve the state's lien priority as

provided in this section the state shall, in addition to such other notice as is required by law, give at least thirty days' notice of the execution to any person possessing at the time the notice is given, an interest recorded subsequent to the date the state's lien was perfected.

(9) Upon the entry of a final judgment in favor of the state providing for forfeiture of property to the state, the title of the state to the property:

(a) In the case of real property or a beneficial interest in real property, relates back to the date of filing the ~~((rackeeteering))~~ criminal profiteering lien ~~((with the county auditor of the county in which the real property is located))~~ or, if no ~~((rackeeteering))~~ criminal profiteering lien is filed, then to the date of recording of the final judgment or the abstract thereof ~~((with the county auditor of the county in which the real property is located))~~; or

(b) In the case of personal property or a beneficial interest in personal property, relates back to the date the personal property was seized by the state, or the date of filing of a ~~((rackeeteering))~~ criminal profiteering lien in accordance with this section, whichever is earlier, but if the property was not seized and no ~~((rackeeteering))~~ criminal profiteering lien was filed then to the date the final judgment was filed with the department of licensing and, if the personal property is an aircraft, with the federal aviation administration.

(10) This section does not limit the right of the state to obtain any order or injunction, receivership, writ, attachment, garnishment, or other remedy authorized under RCW 9A.82.100 or appropriate to protect the interests of the state or available under other applicable law.

(11) In a civil or criminal action under this chapter, the superior court shall provide for the protection of bona fide interests in property, including community property, subject to liens of persons who were not involved in the violation of this chapter, except to the extent that such interests or property were acquired or used in such a way as to be subject to forfeiture pursuant to RCW 9A.82.100(4)(i).

Sec. 14. Section 13, chapter 270, Laws of 1984 and RCW 9A.82.130 are each amended to read as follows:

~~((f))~~ (1) A trustee who ~~((receives))~~ is personally served in the manner provided for service of legal process with written notice that a lien notice has been recorded or a civil proceeding or criminal proceeding has been instituted under this chapter against any person for whom the trustee holds legal or record title to real property, shall immediately furnish to the attorney general or county prosecuting attorney the following:

(a) The name and address of the person, as known to the trustee;

(b) To the extent known to the trustee, the name and address of all other persons for whose benefit the trustee holds title to the real property; and

(c) If requested by the attorney general or county prosecuting attorney, a copy of the trust agreement or other instrument under which the trustee holds legal or record title to the real property.

(2) The recording of a lien notice shall not constitute a lien on the record title to real property owned by a trustee at the time of recording except to the extent that trustee is named in and served with the lien notice as provided in subsection (1) of this section. The attorney general or county prosecuting attorney may bring a civil proceeding in superior court against the trustee to recover from the trustee the amounts set forth in RCW 9A.82.150. In addition to amounts recovered under RCW 9A.82.150, the attorney general or county prosecuting attorney also may recover its investigative costs and attorneys' fees.

(3) The recording of a lien notice does not affect the use to which real property or a beneficial interest owned by the person named in the lien notice may be put or the right of the person to receive any avails, rents, or other proceeds resulting from the use and ownership except the sale of the property, until a judgment of forfeiture is entered.

(4) This section does not apply to any conveyance by a trustee under a court order unless the court order is entered in an action between the trustee and the beneficiary.

(5) ((Unless a trustee receives written notice that a person having a beneficial interest in the trust is named in a lien notice or is otherwise a defendant in a civil proceeding)) Notwithstanding that a trustee is served with notice as provided in subsection (1) of this section, this section does not apply to:

(a) a conveyance by a trustee required under the terms of any trust agreement ((if the trust agreement is a matter of public record before a lien notice is filed); or

(b) A conveyance by a trustee to all persons who have a beneficial interest in the trust)) in effect before service of such notice on the trustee.

Sec. 15. Section 14, chapter 270, Laws of 1984 and RCW 9A.82.140 are each amended to read as follows:

(1) The term of a lien notice shall be six years from the date the lien notice is recorded. If a renewal lien notice is filed by the attorney general or county prosecuting attorney, the term of the renewal lien notice shall be for six years from the date the renewal lien notice is recorded. The attorney general or county prosecuting attorney is entitled to only one renewal of the lien notice.

(2) The attorney general or county prosecuting attorney filing the lien notice may release in whole or in part any lien notice or may release any specific property or beneficial interest

from the lien notice upon such terms and conditions as the attorney general or county prosecuting attorney considers appropriate and shall release any lien upon the dismissal of the action which is the basis of the lien or satisfaction of the judgment of the court in the action or other final disposition of the claim evidenced by the lien. A release of a lien notice executed by the attorney general or county prosecuting attorney shall be recorded in the official records in which the lien notice covering that property was recorded. No charge or fee may be imposed for recording any release of a lien notice.

(3) (a) A person named in the lien notice may move the court in which the civil proceeding giving rise to the lien notice is pending for an order extinguishing the lien notice.

(b) Upon the motion of a person under (a) of this subsection, the court immediately shall enter an order setting a date for hearing, which shall be not less than five nor more than ten days after the motion is filed. The order and a copy of the motion shall be served on the attorney general or county prosecuting attorney within three days after the entry of the court's order. At the hearing, the court shall take evidence on the issue of whether any property or beneficial interest owned by the person is covered by the lien notice or otherwise subject to forfeiture under RCW 9A.82.120. If the person shows by a preponderance of the evidence that the lien notice is not applicable to the person or that any property or beneficial interest owned by the person is not subject to forfeiture under RCW 9A.82.120, the court shall enter a judgment extinguishing the lien notice or releasing the property or beneficial interest from the lien notice.

(c) The court may enter an order releasing from the lien notice any specific real property or beneficial interest if, at the time the lien notice is recorded, there is pending an arms length sale of the real property or beneficial interest in which the parties are under no undue compulsion to sell or buy and are able, willing, and reasonably well informed and the sale is for the fair market value of the real property or beneficial interest and the recording of the lien notice prevents the sale of the property or interest. The proceeds resulting from the sale of the real property or beneficial interest shall be deposited with the court, subject to the further order of the court.

(d) At ~~((the hearing held pursuant to (b) of this subsection, if))~~ any time after filing of a lien, the court ((releases)) may release from the lien ((notice)) any property ((or beneficial interest, the person shall post)) upon application by the defendant and posting of security equal to the ((fair market)) value of the property ((or beneficial interest owned by the person)) to be released.

Sec. 16. Section 15, chapter 270, Laws of 1984 and RCW 9A.82.150 are each amended to read as follows:

(1) If a trustee conveys title to real property for which, at the time of the conveyance, ~~((a lien notice has been recorded in the county in which the real property is situated and the notice names a person who the trustee knows holds a beneficial interest in the trust))~~ the trustee has been personally served with notice as provided in RCW 9A.82.130(1) of a lien under this chapter, the trustee shall be liable to the state for the greater of:

(a) The amount of proceeds received by the person named in the lien notice as a result of the conveyance;

(b) The amount of proceeds received by the trustee as a result of the conveyance and distributed by the trustee to the person named in the lien notice; or

(c) The fair market value of the interest of the person named in the lien notice in the real property so conveyed.

(2) If the trustee conveys the real property for which a lien notice has been ~~((recorded))~~ served on the trustee at the time of the conveyance and holds the proceeds that would otherwise be paid or distributed to the beneficiary or at the direction of the beneficiary or beneficiary's designee, the trustee's liability shall not exceed the amount of the proceeds so held so long as the trustee continues to hold the proceeds.

Sec. 17. Section 16, chapter 270, Laws of 1984 and RCW 9A.82.160 are each amended to read as follows:

A trustee who knowingly fails to comply with RCW 9A.82.130(1) is guilty of a gross misdemeanor. A trustee who conveys title to real property after service of the notice as provided in RCW 9A.82.130(1) with the intent to evade the provisions of RCW 9A.82.100 or 9A.82.120 with respect to such property is guilty of a class C felony.

Sec. 18. Section 17, chapter 270, Laws of 1984 and RCW 9A.82.170 are each amended to read as follows:

(1) ~~((A custodian of the records of a financial institution shall, at no expense to the financial institution, produce for inspection or copying the records in the custody of the financial institution when requested to be inspected by the attorney general or a county prosecuting attorney, provided the person requesting the information has served a subpoena issued by a court or obtained a court order for the information. The attorney general or a county prosecuting attorney or any peace officer or other person designated by the county prosecuting attorney or the attorney general shall be prohibited from using or releasing the information except in the proper discharge of official duties. If directed by the court in the subpoena or court order, neither the custodian nor any other employee of the institution shall disclose to the institution's customer the fact that the customer's records have been examined or copied. The furnishing of~~

records in compliance with this section by a custodian of records is a bar to civil or criminal liability against the custodian or financial institution in any action brought alleging violation of the confidentiality of the records:

(2)) Upon request of the attorney general or prosecuting attorney, a subpoena for the production of records of a financial institution may be signed and issued by a superior court judge if there is reason to believe that an act of criminal profiteering or a violation of RCW 9A.82.060 or 9A.82.080 has occurred or is occurring and that the records sought will materially aid in the investigation of such activity or appears reasonably calculated to lead to the discovery of information that will do so. The subpoena shall be served on the financial institution as in civil actions. The court may, upon motion timely made and in any event before the time specified for compliance with the subpoena, condition compliance upon advancement by the attorney general or prosecuting attorney of the reasonable costs of producing the records specified in the subpoena.

(2) A response to a subpoena issued under this section is sufficient if a copy or printout, duly authenticated by an officer of the financial institution as a true and correct copy or printout of its records, is provided, unless otherwise provided in the subpoena for good cause shown.

(3) Except as provided in this subsection, a financial institution served with a subpoena under this section shall not disclose to the customer the fact that a subpoena seeking records relating to the customer has been served. A judge of the superior court may order the attorney general, prosecuting attorney, or financial institution to advise the financial institution's customer of the subpoena. Unless ordered to do so by the court, disclosure of the subpoena by the financial institution or any of its employees to the customer is a misdemeanor.

(3) A financial institution shall be reimbursed in an amount set by the court for reasonable costs incurred in providing information pursuant to this section.

(4) This section does not preclude the use of other legally authorized means of obtaining records, nor preclude the assertion of any legally recognized privileges.

(5) Disclosure by the attorney general, county prosecuting attorney, or any peace officer or other person designated by the attorney general or the county prosecuting attorney, of information obtained under this section, except in the proper discharge of official duties, is ((a misdemeanor)) punishable as a misdemeanor.

~~((3) Disclosure by the custodian or employee of the financial institution contrary to subsection (1) of this section is a misdemeanor.~~

~~(4) This section does not preclude the use of any other legally authorized means of obtaining the information.))~~

(6) Upon filing of any civil or criminal action, the nondisclosure requirements of any subpoena or order under this section shall terminate, and the attorney general or prosecuting attorney filing the action shall provide to the defendant copies of all subpoenas or other orders issued under this section.

(7) A financial institution shall not be civilly liable for harm resulting from its compliance with the provisions of this chapter.

Sec. 19. Section 9A.04.080, chapter 260, Laws of 1975 1st sess. as last amended by section 18, chapter 270, Laws of 1984 and RCW 9A.04.080 are each amended to read as follows:

Prosecutions for the offenses of murder, and arson where death ensues, may be commenced at any period after the commission of the offense; for offenses the punishment of which may be imprisonment in a state correctional institution, committed by any public officer in connection with the duties of his office or constituting a breach of his public duty or a violation of his oath of office, and arson where death does not ensue, within ten years after their commission; for violations of RCW 9A.44.070, 9A.44.080, and 9A.44.100(1)(b), within five years after their commission; for violations of RCW 9A.82.060 or 9A.82.080, within six years after their commission; for all other offenses the punishment of which may be imprisonment in a state correctional institution, within three years after their commission; two years for gross misdemeanors; and for all other offenses, within one year after their commission: PROVIDED, That any length of time during which the party charged was not usually and publicly resident within this state shall not be reckoned within the one, two, three, five, six, and ten years respectively: AND FURTHER PROVIDED, That where an indictment has been found, or complaint or an information filed, within the time limited for the commencement of a criminal action, if the indictment, complaint or information be set aside, the time of limitation shall be extended by the length of time from the time of filing of such indictment, complaint, or information, to the time such indictment, complaint, or information was set aside.

Sec. 20. Section 21, chapter 270, Laws of 1984 and RCW 9A.82.901 are each amended to read as follows:

~~((This act)) Sections 12, 13, 14, 15, and 16, chapter 270, Laws of 1984 as amended by sections 13, 14, 15, 16, and 17 of this 1985 act shall take effect on July 1, 1986, and the remainder of chapter 270, Laws of 1984 shall take effect on July 1, 1985.~~

NEW SECTION. Sec. 21. With the exception of sections 13, 14, 15, 16, and 17 of this act, 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 July 1, 1985.

NEW SECTION, Sec. 22. The following acts or parts of acts as they now exist or are hereafter amended are each repealed effective July 1, 1995.

- (1) Section 1, chapter 270, Laws of 1984, section 2 of this 1985 act and RCW 9A.82.010;
- (2) Section 2, chapter 270, Laws of 1984, section 3 of this 1985 act and RCW 9A.82.020;
- (3) Section 3, chapter 270, Laws of 1984, section 4 of this 1985 act and RCW 9A.82.030;
- (4) Section 4, chapter 270, Laws of 1984, section 5 of this 1985 act and RCW 9A.82.040;
- (5) Section 6 of this 1985 act and RCW 9A.82.____;
- (6) Section 5, chapter 270, Laws of 1984 and RCW 9A.82.050;
- (7) Section 6, chapter 270, Laws of 1984, section 7 of this 1985 act and RCW 9A.82.060;
- (8) Section 7, chapter 270, Laws of 1984 and RCW 9A.82.070;
- (9) Section 8, chapter 270, Laws of 1984, section 8 of this 1985 act and RCW 9A.82.080;
- (10) Section 9 of this 1985 act and RCW 9A.82.____;
- (11) Section 9, chapter 270, Laws of 1984, section 10 of this 1985 act and RCW 9A.82.090;
- (12) Section 10, chapter 270, Laws of 1984, section 11 of this 1985 act and RCW 9A.82.100;
- (13) Section 11, chapter 270, Laws of 1984, section 12 of this 1985 act and RCW 9A.82.110;
- (14) Section 12, chapter 270, Laws of 1984, section 13 of this 1985 act and RCW 9A.82.120;
- (15) Section 13, chapter 270, Laws of 1984, section 14 of this 1985 act and RCW 9A.82.130;
- (16) Section 14, chapter 270, Laws of 1984, section 15 of this 1985 act and RCW 9A.82.140;
- (17) Section 15, chapter 270, Laws of 1984, section 16 of this 1985 act and RCW 9A.82.150;
- (18) Section 16, chapter 270, Laws of 1984, section 17 of this 1985 act and RCW 9A.82.160;
- (19) Section 17, chapter 270, Laws of 1984, section 18 of this 1985 act and RCW 9A.82.170;
- (20) Section 20, chapter 270, Laws of 1984 and RCW 9A.82.900;
- (21) Section 21, chapter 270, Laws of 1984, section 20 of this 1985 act and RCW 9A.82.901;

and

- (22) Section 1 of this 1985 act and RCW 9A.82.____.

NEW SECTION, Sec. 23. 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 page 1, beginning on line 1 of the title, after "profiteering;" strike the remainder of the title and insert "amending RCW 9A.82.010, 9A.82.020, 9A.82.030, 9A.82.040, 9A.82.060, 9A.82.080, 9A.82.090, 9A.82.100, 9A.82.110, 9A.82.120, 9A.82.130, 9A.82.140, 9A.82.150, 9A.82.160, 9A.82.170, 9A.82.900, and 9A.82.901; adding new sections to chapter 9A.82 RCW; repealing RCW 9A.82.010, 9A.82.020, 9A.82.030, 9A.82.040, 9A.82.____, 9A.82.050, 9A.82.060, 9A.82.070, 9A.82.080, 9A.82.____, 9A.82.090, 9A.82.100, 9A.82.110, 9A.82.120, 9A.82.130, 9A.82.140, 9A.82.150, 9A.82.160, 9A.82.170, 9A.82.900, 9A.82.901, and 9A.82.____; prescribing penalties; providing effective dates; and declaring an emergency."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Armstrong moved that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No 767 and ask the Senate to recede therefrom.

Representatives Armstrong and Crane spoke in favor of the motion, and Representatives P. King, West and Bond spoke against it.

Mr. Armstrong spoke again in favor of the motion, and Mr. P. King again opposed it.

ROLL CALL

The Clerk called the roll on the motion that the House do not concur in the Senate amendments to Engrossed Substitute House Bill No. 767, and the motion was lost by the following vote: Yeas, 35; nays, 61; absent, 1; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Fisch, Fisher, Grimm, Hargrove, Leonard, Lewis, Locke, Lux, McMullen, Nelson D, Nelson G, Niemi, Patrick, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tilly, Unsoeld, Valle, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 35.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Basich, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Day, Dellwo, Dobbs, Doty, Ebersole, Fuhrman, Gallagher, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Long, Lundquist, Madsen, May, Miller, Nealey, Nutley, O'Brien, Padden, Peery, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Smitherman, Tanner, Taylor, Thomas, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 61.

Absent: Representative Todd - 1.

Excused: Representative Smith C - 1.

The Speaker stated that the House had, by its action, concurred in the Senate amendments to Engrossed Substitute House Bill No. 767.

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. 767 as amended by the Senate.

Mr. Padden 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. 767 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristol, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luvan, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 767 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, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 956 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 2, chapter 37, Laws of 1974 ex. sess. and RCW 35.21.730 are each amended to read as follows:

In order to improve the administration of authorized federal grants or programs, ~~((including revenue sharing;))~~ to improve governmental efficiency~~(;)~~ and services, ~~((and))~~ or to improve the general living conditions in the urban areas of the state, any city, town, or county ~~((utilizing federal or private funds))~~ may by lawfully adopted ordinance or resolution:

(1) Transfer to any public corporation, commission, or authority ~~created hereunder~~, with or without consideration, any funds, real or personal property, property interests, or services~~(- all of which are received from the federal government or from private sources);~~

(2) Organize and participate in joint operations or cooperative organizations funded by the federal government when acting solely as coordinators or agents of the federal government;

(3) Continue federally-assisted programs, projects, and activities after expiration of contractual term or after expending allocated federal funds as deemed appropriate to fulfill contracts made in connection with such agreements or as may be proper to permit an orderly readjustment by participating corporations, associations, or individuals~~(- PROVIDED, HOWEVER, That nothing herein shall be construed in a manner contrary to the provisions of Article VIII, section 7, of the Washington state Constitution);~~

(4) Create public corporations, commissions, and authorities to: Administer and execute federal grants or programs; ~~((to))~~ receive and administer private funds, goods, or services for any lawful public purpose; ~~((and to))~~ and perform any lawful public purpose or public function. The ordinance or resolution shall limit the liability of such public corporations, commissions, and authorities to the assets and properties of such public corporation, commission, or authority in order to prevent recourse to such cities, towns, or counties or their assets or credit.

Sec. 2. Section 5, chapter 37, Laws of 1974 ex. sess. and RCW 35.21.745 are each amended to read as follows:

Any city, town, or county which shall create a public corporation, commission, or authority pursuant to RCW 35.21.730 or 35.21.660, shall provide for its organization and operations and shall control and oversee its operation and funds in order to correct any deficiency and to assure that the purposes of each program undertaken are reasonably accomplished.

Any public corporation, commission, or authority created as provided in RCW 35.21.730 may be empowered to own and sell real and personal property; to contract with individuals,

associations, and corporations, and the state and the United States; to sue and be sued; to loan and borrow funds and issue bonds and other instruments evidencing indebtedness; transfer(~~with or without consideration~~;) any funds, real or personal property, property interests, or services (~~received from the federal government, private sources or, if otherwise legal, from a city or county~~); to do anything a natural person may do; and to perform all manner and type of community services (~~utilizing federal or private funds~~); PROVIDED, That such public corporation, commission, or authority shall have no power of eminent domain nor any power to levy taxes or special assessments.

Sec. 3. Section 3, chapter 37, Laws of 1974 ex. sess. and RCW 35.21.735 are each amended to read as follows:

The legislature hereby declares that carrying out the purposes of federal grants or programs is both a public purpose and an appropriate function for such a public corporation. The provisions of RCW (~~(35-21-725)~~) 35.21.730 through 35.21.755 and RCW 35.21.660 and 35.21.670 and the enabling authority herein conferred to implement these provisions shall be construed to accomplish the purposes of RCW (~~(35-21-725)~~) 35.21.730 through 35.21.755.

All cities, towns and counties shall have the power and authority to enter into agreements with the United States or any agency or department thereof, or any agency of the state government or its political subdivisions, and pursuant to such agreements may receive and expend federal or private funds for any lawful public purpose.

Sec. 4. Section 4, chapter 37, Laws of 1974 ex. sess and RCW 35.21.740 are each amended to read as follows:

Powers, authorities, or rights expressly or impliedly granted to any city, town, or county or their agents under any provision of RCW (~~(35-21-725)~~) 35.21.730 through 35.21.755 shall not be operable or applicable, or have any effect beyond the limits of the incorporated area of any city or town implementing RCW (~~(35-21-725)~~) 35.21.730 through 35.21.755, unless so provided by contract between the city and another city or county.

Sec. 5. Section 7, chapter 37, Laws of 1974 ex. sess. as last amended by section 1, chapter 116, Laws of 1984 and RCW 35.21.755 are each amended to read as follows:

A public corporation, commission, or authority created pursuant to RCW 35.21.730 or 35.21.660 shall receive the same immunity or exemption from taxation as that of the city, town, or county creating the same: PROVIDED, That, except for any property within a special review district established by ordinance prior to January 1, 1976, or listed on or which is within a district listed on any federal or state register of historical sites, any such public corporation, commission, or authority shall pay to the county treasurer an annual excise tax equal to the amounts which would be paid upon real property and personal property devoted to the purposes of such public corporation, commission, or authority were it in private ownership, and such real property and personal property is acquired and/or operated under RCW (~~(35-21-725)~~) 35.21.730 through 35.21.755, and the proceeds of such excise tax shall be allocated by the county treasurer to the various taxing authorities in which such property is situated, in the same manner as though the property were in private ownership: PROVIDED FURTHER, That the provisions of chapter 82.29A RCW shall not apply to property within a special review district established by ordinance prior to January 1, 1976, or listed on or which is within a district listed on any federal or state register of historical sites and which is controlled by a public corporation, commission, or authority created pursuant to RCW 35.21.730 or 35.21.660, which was in existence prior to January 1, 1976: AND PROVIDED FURTHER, That property within a special review district established by ordinance prior to January 1, 1976, or property which is listed on any federal or state register of historical sites and controlled by a public corporation, commission, or authority created pursuant to RCW 35.21.730 or 35.21.660, which was in existence prior to January 1, 1976, shall receive the same immunity or exemption from taxation as if such property had been within a district listed on any such federal or state register of historical sites as of January 1, 1976, and controlled by a public corporation, commission, or authority created pursuant to RCW 35.21.730 or 35.21.660 which was in existence prior to January 1, 1976.

NEW SECTION. Sec. 6. A new section is added to chapter 35.21 RCW to read as follows:

Nothing in RCW 35.21.730 through 35.21.755 shall be construed in any manner contrary to the provisions of Article VIII, section 7, of the Washington state Constitution.

Sec. 7. Section 2, chapter 216, Laws of 1982 and RCW 39.50.010 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Governing body' means the legislative authority of a municipal corporation by whatever name designated;

(2) 'Local improvement district' includes local improvement districts, utility local improvement districts, road improvement districts, and other improvement districts that a municipal corporation is authorized by law to establish;

(3) 'Municipal corporation' means any city, town, county, water district, sewer district, school district, port district, public utility district, metropolitan municipal corporation, public transportation benefit area, park and recreation district, irrigation district, or fire protection

district or any other municipal or quasi municipal corporation described as such by statute, except joint operating agencies under chapter 43.52 RCW;

(4) 'Ordinance' means an ordinance of a city or town or resolution or other instrument by which the governing body of the municipal corporation exercising any power under this chapter takes formal action and adopts legislative provisions and matters of some permanency; and

(5) 'Short-term obligations' are warrants, notes, or other evidences of indebtedness, except bonds (~~which mature in not to exceed three years after the date thereof~~).

NEW SECTION. Sec. 8. Section 1, chapter 37, Laws of 1974 ex. sess. and RCW 35.21.725 are each repealed."

On page 1, line 2 of the title, strike "and 35.21.755" and insert "35.21.755, and 39.50.010" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Nutley, the House refused to concur in the Senate amendments to Substitute House Bill No. 956, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed as conferees on Substitute House Bill No. 956: Representatives Nutley, Haugen and Brough.

MOTION

On motion of Mr. Appelwick, the House adjourned until 9:00 a.m., Wednesday, April 24, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

ONE HUNDRED-FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 24, 1985.

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 Crane, Niemi and C. Smith. Representatives Crane and C. Smith were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Nikole Spurrell and Kim Lenz. Prayer was offered by Reverend Don Hammond, United 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 23, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1084,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO.	3,
HOUSE BILL NO.	54,
SUBSTITUTE HOUSE BILL NO.	84,
HOUSE BILL NO.	158,
SUBSTITUTE HOUSE BILL NO.	232,
HOUSE BILL NO.	331,
SECOND SUBSTITUTE HOUSE BILL NO.	356,
HOUSE BILL NO.	575,
HOUSE BILL NO.	576,
SUBSTITUTE HOUSE BILL NO.	717,
SECOND SUBSTITUTE HOUSE BILL NO.	738,
HOUSE BILL NO.	758,
HOUSE BILL NO.	853,
HOUSE BILL NO.	943,
SUBSTITUTE HOUSE BILL NO.	1080,
HOUSE BILL NO.	1094,
SUBSTITUTE HOUSE BILL NO.	1153,
SUBSTITUTE HOUSE BILL NO.	1195.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3346, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3356, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3420, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3438, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3445, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3456, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3468, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3540, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3762, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3765, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3786, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3792, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3829, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3851, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3852, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3856, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3898, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3904, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3911, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3920, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 4041, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 4107, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 4140, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 4155, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 4206, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 4267, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 4386, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4399, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE JOINT MEMORIAL NO. 109, and has passed the memorial as amended by the House.

Sidney R. Snyder, Secretary.

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

On motion of Mr. Barrett, the rules were suspended to allow consideration of House floor resolutions.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-35, by Representatives Hastings, Hankins, Brooks and Isaacson

WHEREAS, The girls' basketball team from Kamiakin High School has recently won the state high school Class AAA Championship; and

WHEREAS, The combined talent and effort of the entire team was instrumental in giving Kamiakin the Class AAA basketball title for this year; and

WHEREAS, The tournament victory crowns an outstanding season in which the Kamiakin Braves achieved a record of twenty-five wins with only one loss; and

WHEREAS, Kristen Brown, Keshia Christensen, Joani Harding, Mellissa Horntvedt, Anja Kalski, Kellee Magnuson, Carol Nelson, Kim Phillips, Tondi Redden, Yvette Smith and Jennifer Thornton are members of the Kamiakin High School Braves who played exciting basketball during the 1984-85 basketball season; and

WHEREAS, Tondi Redden was chosen the most outstanding player of the tournament and was named to the all-state team; and

WHEREAS, The Kamiakin High School Braves are superbly coached by Head Coach Jim McLean;

NOW, THEREFORE, BE IT RESOLVED, That the Kamiakin High School Braves and their coaching staff be commended on their superior accomplishment; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the players and coaches of the Kamiakin High School Braves basketball team.

Mr. Hastings moved adoption of the resolution. Representatives Hastings and Isaacson spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 85-64, by Representatives J. Williams, Belcher and May

WHEREAS, The National Specialty of the Bearded Collie Club of America will be held in Olympia on July 7 through July 10; and

WHEREAS, The Northwest Bearded Collie Club, based in Seattle, is the sponsor of the show, which will bring many outstanding representatives of the breed and their owners to Washington from all over the United States; and

WHEREAS, The Bearded Collie is an old Scottish herding breed, having arrived from Eastern Europe in the 16th Century, and the Bearded Collie is shaggy, of medium size and comes in a variety of colors with white trim; and

WHEREAS, The Bearded Collie is highly intelligent, excellent for obedience work, can be protective and fierce in the defense of its home and people, and retains the herding instinct bred into it over the ages; and

WHEREAS, Washington State is particularly suited as an environment for the breed because it is similar to the dogs' native Scotland; and

WHEREAS, There are more than one hundred representatives of the breed in Washington with the Mercer Island area being home to two outstanding representatives: Ch. Bon Di Parcana the Patriot, ranked in the top 20 all-time breed/group winning Bearded Collies and included on the Register of Merit as scion of at least six champions; and Ch. Ha' Penny Hoyden at Edmar, winner of the Best of Breed title at the American Kennel Club's 100th Anniversary Show and also at the Westminster Kennel Club;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives and the people of the State of Washington encourage the sponsors of the National Specialty of the Bearded Collie Club of America by attending, supporting and participating in the show's events; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to each club member in attendance at the National Specialty of the Bearded Collie Club of America in Olympia on July 7 through July 10, 1985.

Mr. J. Williams moved adoption of the resolution. Representatives J. Williams and Sayan spoke in favor of the resolution and it was adopted.

MOTION

Mr. G. Nelson moved that HOUSE BILL NO. 1245 be rereferred from the second reading calendar to Committee on Rules.

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

Representatives G. Nelson and J. King spoke in favor of the motion to rerefer House Bill No. 1245 from the second reading calendar to Committee on Rules, and the motion was carried.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-67, by Representatives Tanner, Appelwick, Jacobsen, Vekich, Gallagher, Wang, Day, Crane, Leonard, McMullen, Madsen, Cole, Dellwo, Unsoeld, Nutley, Peery, Sayan, Armstrong, Rayburn, West, Winsley, Long, Holland, Brough, Thomas, Brooks, Walker, Allen, Lewis, Doty, Belcher, Zellinsky, Ebersole, Hargrove, Valle, Smitherman, Bristow, Walk, Locke, Lux, Todd, Hine, Sommers, Haugen, P. King, Scott, Wineberry, Fisher, Braddock, J. King, Addison, Kremen, Rust, K. Wilson, Hastings and Sutherland

WHEREAS, The natural resources of this state, including our trees, farmlands, mountains and rivers in their splendor are an integral part of the lives of the people of this state; and

WHEREAS, The Columbia River is a main artery supporting the life of this state through its irrigation and electrical projects; and

WHEREAS, Woody Guthrie, in simple eloquence, expressed the importance of nature's gifts to the lives of the people of this state in songs written while he worked as a songwriter at the Bonneville Power Administration in 1940; and

WHEREAS, Woody Guthrie, traveling up and down the Columbia, wrote over twenty-five songs immortalizing the harnessing of the power of the Columbia River in the visionary project designed to bring affordable public power to the rural farmer, to the area's emerging industry and to urban areas; and

WHEREAS, A dozen songs recorded on acetate disks by Woody Guthrie were recently discovered tucked away in the basement of a building of the Bonneville Power Administration; and

WHEREAS, The lyrics and melody of "Roll On Columbia, Roll On," written by Woody Guthrie, the legendary American folksinger, capture the feelings of the people of this state toward our environment and our ability to use it wisely; and

WHEREAS, The lyrics to the song are as follows:

"Green Douglas Fir where the waters cut through
Down her wild mountains and canyons she flew
Canadian Northwest to the Ocean so blue,

It's roll on Columbia, Roll on!

Roll on, Columbia, roll on!

Roll on, Columbia, roll on!

Your Power is turning our Darkness to Dawn;

Roll on, Columbia, Roll on!

Other great rivers add power to you,

Yakima, Snake, and the Klickitat, too,

Willamette, Sandy, and Hood River, too;

Roll on Columbia, roll on! (Chorus if desired)

At Bonneville now there are ships in the locks,

The waters have risen and cleared all the rocks,

Ship loads of plenty will steam past the docks,

So roll on, Columbia, roll on! (Chorus if desired)

And on up the river at Grand Coulee dam,

The mightiest thing ever built by a man,

To run the great factories for old Uncle Sam;

It's roll on, Columbia, roll on!"

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That in recognition of the honor Woody Guthrie bestowed upon this state in writing his songs in the great American folk music tradition and in the ability of the song "Roll On Columbia, Roll On" to capture so aptly the feelings of the people of this State, the song "Roll On Columbia, Roll On" be declared the Washington State Folk Song of 1985.

Mr. Tanner moved adoption of the resolution. Representatives Tanner, Tilly and Basich spoke in favor of the resolution, and it was adopted.

SPEAKER'S PRIVILEGE

The Speaker recognized, within the bar of the House, Mr. Arlo Guthrie, son of Woody Guthrie, and appointed Representatives Tilly, Baugher and Tanner to escort him to the rostrum.

Mr. Guthrie briefly addressed the House and the Speaker presented the resolution to him.

A recording (sung by Judy Collins at Carnegie Hall) was played of "A Tribute to Woody Guthrie."

The committee escorted Mr. Guthrie from the House Chamber.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-65, by Representatives Sutherland, Bristow, Nealey, C. Smith, Rayburn, Chandler and Baugher

WHEREAS, Farmers in Washington and the United States often take substantial financial risks as they attempt to produce food for nonfarmers; and

WHEREAS, The high cost of family farming has forced about seventy percent of America's two and one-half million farmers or their spouses to seek and obtain employment in nonfarming occupations; and

WHEREAS, In 1979, the high costs and risks of family farming in Washington forced George and Ann Rohrbacher to take drastic action; and

WHEREAS, On a July morning in 1979, while atop a tractor, George Rohrbacher invented "The Farming Game" and, with his wife Ann, successfully

marketed over one hundred forty thousand of the games to save their family farm; and

WHEREAS, The Farming Game has been enjoyed by thousands of American families and has been used in over one thousand five-hundred schools across the country as an educational tool to illustrate the family farm economy; and

WHEREAS, The Farming Game is assembled by Goodwill Industries and provides needed employment for numerous handicapped persons; and

WHEREAS, The Farming Game also has been used by the North Dakota Mental Health Association as part of a program to help family farmers deal with stress; and

WHEREAS, The Farming Game creates a family farm economy in miniature to give nonfarmers a taste of the risk to be found in a farming operation in these turbulent years;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington express appreciation to George and Ann Rohrbacher for inventing The Farming Game and for helping to educate nonfarmers about the economics of family farming; and

BE IT FURTHER RESOLVED, That the House of Representatives commend the Rohrbachers for continuing to fight for family farmers in Washington and for their family farm; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to George and Ann Rohrbacher.

Mr. Sutherland moved adoption of the resolution. Representatives Sutherland and Chandler spoke in favor of the resolution, and it was adopted.

HOUSE FLOOR RESOLUTION NO. 85-62, by Representatives D. Nelson, Tanner, Basich and Appelwick

WHEREAS, The glory of a state and its people is dependent upon the manner in which they sing their praises of its flora, fauna, foibles, mountains, rivers, seas, characters, crustaceans and crooks; and

WHEREAS, The State of Washington boasts of a number of composers of music and songs celebrated throughout our nation and the world, including Ken Benshoff, William Bergsma, Helen Davis, Alan Hovaness, Gerald Kechley, Barney McClure, George McKay, Leroy Ostransky, Earl Robinson, Greg Short, William O. Smith, Robert Suderberg and John Verrall; and

WHEREAS, The State of Washington boasts of citizens or former citizens who are performers known throughout our nation and the world, including Ernestine Anderson, George Barner and the Trendsetters, Stan Boreson, The Brothers Four, Carol Channing, Ray Charles, Bing Crosby, The Fleetwoods, Gracie Hansen, Heart, Ivar Haglund, Jimi Hendrix, Rickie Lee Jones, Quincy Jones, The Kingsmen, Gypsy Rose Lee, Loretta Lynn, Buck Owens, Gary Peacock, Fred Radke, Paul Revere and the Raiders, Jimmie Rodgers, Diane Schuur, Bud Shank, Sheriff Tex, William O. Smith, The Sonics, Walt Wagner and The Wailers; and

WHEREAS, There are many songs singing the praises of the State of Washington, including Acres of Clams, The Ballad of D. B. Cooper, The Black Ball Ferry Line, Elwha on the Rocks, Frieda—My Clam Digging Sweetheart, Godzilla Ate Tukwilla, Louie Louie (especially the 1985 version), Roll on Columbia, The Skies are Always Blue in Seattle and Washington My Home, the official State song; and

WHEREAS, There is a great need to bridge the generation gap between Louie Louie and Washington My Home;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives urge the Washington State Centennial Commission to explore the potential of producing a Washington State Song Book featuring songs, singers, musicians and composers which glorify our state and may be sold during the Centennial year, and ever after, under a copyrighted collection that is the Official Washington State Songbook.

On motion of Mr. D. Nelson, the resolution was adopted.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 222.
 SUBSTITUTE HOUSE BILL NO. 512.
 SUBSTITUTE HOUSE BILL NO. 577.

The Speaker declared the House to be at ease until 1:15 p.m.

AFTERNOON SESSION

The House was called to order at 1:15 p.m. by the Speaker.

APPOINTMENT OF CONFEREES

The Speaker announced the following changes in conference committee appointments: Representative Prince to replace Representative Schmidt on Engrossed House Bill No. 327; Representative Madsen to replace Representative Bougher on Substitute Senate Bill No. 4424.

MESSAGE FROM THE SENATE

April 23, 1985

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3085,
 SUBSTITUTE SENATE BILL NO. 3116,
 SUBSTITUTE SENATE BILL NO. 3249,
 SUBSTITUTE SENATE BILL NO. 3283,
 SENATE BILL NO. 3314,
 SENATE BILL NO. 3325,
 SUBSTITUTE SENATE BILL NO. 3386,
 SUBSTITUTE SENATE BILL NO. 3776,
 SENATE BILL NO. 3854,
 SUBSTITUTE SENATE BILL NO. 3882,
 SUBSTITUTE SENATE BILL NO. 3951,
 SENATE BILL NO. 4185.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3085,
 SUBSTITUTE SENATE BILL NO. 3116,
 SUBSTITUTE SENATE BILL NO. 3249,
 SUBSTITUTE SENATE BILL NO. 3283,
 SENATE BILL NO. 3314,
 SENATE BILL NO. 3325,
 SUBSTITUTE SENATE BILL NO. 3386,
 SUBSTITUTE SENATE BILL NO. 3776,
 SENATE BILL NO. 3854,
 SUBSTITUTE SENATE BILL NO. 3882,
 SUBSTITUTE SENATE BILL NO. 3951,
 SENATE BILL NO. 4185.

MESSAGE FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 131 to page 13, line 3; page 72, line 28 and page 1, line 30 and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Thompson, Kiskaddon, Kreidler, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House granted the request of the Senate for a conference on Substitute House Bill No. 131.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Brekke, Tanner and Lewis as conferees on Substitute House Bill No. 131.

SENATE AMENDMENTS TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 358 with the following amendments:

On page 1, line 6 after "file(s)," insert "An 'employee' is defined as a person currently employed or on a leave of absence with a right to return to the employer or a person whose employment has terminated within the preceding twelve months."

On page 1, line 11 after file(s)" insert "that are regularly maintained by the employer as a part of his business records or are subject to reference for information given to persons outside of the company"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wang, the House concurred in the Senate amendment to page 1, line 11 and refused to concur in the amendment to page 1, line 6 and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 24, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 848, and the President has appointed the following conferees: Senators Talmadge, Newhouse, Halsan.

Bill Gleason, Assistant Secretary.

MESSAGE FROM THE SENATE

April 23, 1985

Mr. Speaker:

The Senate refuses to recede from its amendments to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 348, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Moore, Pullen, Halsan, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House granted the request of the Senate for a conference on Engrossed Second Substitute House Bill No. 348.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Armstrong, Niemi and Padden as conferees on Engrossed Second Substitute House Bill No. 348.

SENATE AMENDMENTS TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 846 with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. For the purposes of this act, the legislature finds it is the policy of the state of Washington that:

(1) The quality of the natural environment shall be protected and, where possible, enhanced as follows: Perennial rivers and streams of the state shall be retained with base flows necessary to provide for preservation of wildlife, fish, scenic, aesthetic and other environmental

values, and navigational values. Lakes and ponds shall be retained substantially in their natural condition. Withdrawals of water which would conflict therewith shall be authorized only in those situations where it is clear that overriding considerations of the public interest will be served.

(2) Development of water supply systems, whether publicly or privately owned, which provide water to the public generally in regional areas within the state shall be encouraged. Development of water supply systems for multiple domestic use which will not serve the public generally shall be discouraged where water supplies are available from water systems serving the public.

Sec. 2. Section 35.92.010, chapter 7, Laws of 1965 and RCW 35.92.010 are each amended to read as follows:

A city or town may construct, condemn and purchase, purchase, acquire, add to, maintain and operate waterworks, within or without its limits, for the purpose of furnishing the city and its inhabitants, and any other persons, with an ample supply of water for all purposes, public and private, including water power and other power derived therefrom, with full power to regulate and control the use, distribution, and price thereof: PROVIDED, That the rates charged must be uniform for the same class of customers or service. Such waterworks may include facilities for the generation of electricity as a byproduct and such electricity may be used by the city or town or sold to an entity authorized by law to distribute electricity. Such electricity is a byproduct when the electrical generation is subordinate to the primary purpose of water supply. In classifying customers served or service furnished, the city or town governing body may in its discretion consider any or all of the following factors: The difference in cost of service to the various customers; location of the various customers within and without the city or town; the difference in cost of maintenance, operation, repair, and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the water furnished; the time of its use; capital contributions made to the system including, but not limited to, assessments; and any other matters which present a reasonable difference as a ground for distinction. No rate shall be charged that is less than the cost of the water and service to the class of customers served.

For such purposes any city or town may take, condemn and purchase, purchase, acquire, and retain water from any public or navigable lake or watercourse, surface or ground, and, by means of aqueducts or pipe lines, conduct it to the city or town; and it may erect and build dams or other works across or at the outlet of any lake or watercourse in this state for the purpose of storing and retaining water therein up to and above high water mark; and for all the purposes of erecting such aqueducts, pipe lines, dams, or waterworks or other necessary structures in storing and retaining water, or for any of the purposes provided for by this chapter, the city or town may occupy and use the beds and shores up to the high water mark of any such watercourse or lake, and acquire the right by purchase, or by condemnation and purchase, or otherwise, to any water, water rights, easements or privileges named in this chapter, or necessary for any of said purposes, and the city or town may acquire by purchase or condemnation and purchase any properties or privileges necessary to be had to protect its water supply from pollution. Should private property be necessary for any such purposes or for storing water above high water mark, the city or town may condemn and purchase, or purchase and acquire such private property. For the purposes of waterworks which include facilities for the generation of electricity as a byproduct, nothing in this section may be construed to authorize a city or town that does not own or operate an electric utility system to condemn electric generating, transmission, or distribution rights or facilities of entities authorized by law to distribute electricity, or to acquire such rights or facilities without the consent of the owner.

Sec. 3. Section 35.92.070, chapter 7, Laws of 1965 and RCW 35.92.070 are each amended to read as follows:

When the governing body of a city or town deems it advisable that the city or town purchase, acquire, or construct any such public utility or make any additions and betterments thereto or extensions thereof, it shall provide therefor by ordinance, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof, as near as may be, and the ordinance shall be submitted for ratification or rejection to the voters of the city or town at a general or special election, except in the following cases where no submission shall be necessary:

(1) When the work proposed is (a) an addition to, or betterment of, or extension of, or an increased water supply for, existing waterworks(:); PROVIDED, That submission by a city or town that does not own or operate an electric utility system shall be necessary for a work which may produce electricity for sale in excess of present and future needs of the water system if such work involves an ownership greater than twenty-five percent in a new water supply project combined with an electric generation facility or if the combined facility has an installed capacity in excess of five megawatts; or (b) an addition, betterment, or extension of an existing system or plant of any other public utility for which no general indebtedness is to be incurred by the city or town;

(2) When in the charter of a city or town a provision has been adopted authorizing the corporate authorities thereof to provide by ordinance for acquiring, opening, or operating any of such public utilities, for which no general indebtedness is to be incurred; or

(3) When in the judgment of the corporate authority, the public health is being endangered by the discharge of raw or untreated sewage into any river or stream and the danger to the public health may be abated by the construction and maintenance of a sewage disposal plant for which no general indebtedness shall be incurred by the city or town responsible for such contamination.

If a general indebtedness is to be incurred, the amount and terms thereof shall be included in the proposition submitted to the voters and such proposition shall be adopted by three-fifths of the voters voting at such election.

If no general indebtedness is to be incurred the proposition may be adopted by a majority vote.

~~((Ten))~~ Thirty days' notice of the election shall be given in the newspaper doing the city or town printing, by publication ~~((in each issue of))~~ at least once each week in the paper during such time.

When a proposition has been adopted, or in the cases where no submission is necessary, the corporate authorities of the city or town may proceed forthwith to purchase, construct, and acquire the public utility or make additions, betterments, and extensions thereto and to make payment therefor.

Sec. 4. Section 8, chapter 114, Laws of 1929 as amended by section 1, chapter 108, Laws of 1959 and RCW 57.08.010 are each amended to read as follows:

A water district may acquire by purchase or condemnation, or both, all property and property rights and all water and water rights, both within and without the district, necessary for its purposes. A water district may lease real or personal property necessary for its purposes for a term of years for which such leased property may reasonably be needed where in the opinion of the board of water commissioners such property may not be needed permanently or substantial savings to the district can be effected thereby. The right of eminent domain shall be exercised in the same manner and by the same procedure as provided for cities of the third class, insofar as consistent with the provisions of this title, except that all assessment rolls to be prepared and filed by eminent domain commissioners or commissioners appointed by the court shall be prepared and filed by the water district, and the duties devolving upon the city treasurer are hereby imposed upon the county treasurer. A water district may construct, condemn and purchase, purchase, add to, maintain and supply waterworks to furnish the district and inhabitants thereof, and any city or town therein and any other persons, both within and without the district, with an ample supply of water for all uses and purposes public and private with full authority to regulate and control the use, distribution and price thereof. Such waterworks may include facilities which result in combined water supply and electric generation, provided that the electricity generated thereby is a byproduct of the water supply system. Such electricity may be used by the water district or sold to any entity authorized by law to distribute electricity. Such electricity is a byproduct when the electrical generation is subordinate to the primary purpose of water supply. For such purposes, a water district may take, condemn and purchase, purchase, acquire and retain water from any public or navigable lake, river or watercourse, or any underflowing water and, by means of aqueducts or pipe line conduct the same throughout such water district and any city or town therein and carry it along and upon public highways, roads and streets, within and without such district. For the purpose of constructing or laying aqueducts or pipe lines, dams, or waterworks or other necessary structures in storing and retaining water or for any other lawful purpose such water district may occupy the beds and shores up to the high water mark of any such lake, river, or other watercourse, and may acquire by purchase or condemnation such property or property rights or privileges as may be necessary to protect its water supply from pollution. For the purposes of waterworks which include facilities for the generation of electricity as a byproduct, nothing in this section may be construed to authorize a water district to condemn electric generating, transmission, or distribution rights or facilities of entities authorized by law to distribute electricity, or to acquire such rights or facilities without the consent of the owner.

A water district may purchase and take water from any municipal corporation.

A water district may fix rates and charges for water supplied and may charge property owners seeking to connect to the district's water supply system, as a condition to granting the right to so connect, in addition to the cost of such connection, such reasonable connection charge as the board of commissioners shall determine to be proper in order that such property owners shall bear their equitable share of the cost of such system.

Sec. 5. Section 10, chapter 210, Laws of 1941 as last amended by section 4, chapter 190, Laws of 1981 and RCW 56.08.010 are each amended to read as follows:

A sewer district may acquire by purchase or by condemnation and purchase all lands, property rights, water, and water rights, both within and without the district, necessary for its purposes. A sewer district may lease real or personal property necessary for its purposes for a term of years for which such leased property may reasonably be needed where in the opinion

of the board of sewer commissioners such property may not be needed permanently or substantial savings to the district can be effected thereby. The right of eminent domain shall be exercised in the same manner and by the same procedure as provided for cities of the third class, insofar as consistent with the provisions of this title, except that all assessments or reassessment rolls required to be filed by eminent domain commissioners or commissioners appointed by the court shall be prepared and filed by the district, and the duties devolving upon the city treasurer shall be imposed upon the county treasurer for the purposes hereof; it may construct, condemn and purchase, add to, maintain, and operate systems of sewers for the purpose of furnishing the district and inhabitants thereof with an adequate system of sewers for all uses and purposes, public and private, including but not limited to on-site sewage disposal facilities, facilities for the drainage of storm or surface waters, public highways, streets, and roads with full authority to regulate the use and operation thereof and the service rates to be charged. Such sewage facilities may include facilities which result in combined sewage disposal, treatment, or drainage and electric generation, provided that the electricity generated thereby is a byproduct of the system of sewers. Such electricity may be used by the sewer district or sold to any entity authorized by law to distribute electricity. Such electricity is a byproduct when the electrical generation is subordinate to the primary purpose of sewage disposal, treatment, or drainage. For such purposes a district may conduct sewage throughout the district and throughout other political subdivisions within the district, and construct and lay sewer pipe along and upon public highways, roads, and streets, within and without the district, and condemn and purchase or acquire land and rights of way necessary for such sewer pipe. A district may erect sewage treatment plants, within or without the district, and may acquire by purchase or condemnation, properties or privileges necessary to be had to protect any lakes, rivers, or watercourses and also other areas of land from pollution, from its sewers or its sewage treatment plant. For the purposes of sewage facilities which include facilities which result in combined sewage disposal, treatment, or drainage and electric generation where the electric generation is a byproduct, nothing in this section may be construed to authorize a district to condemn electric generating, transmission, or distribution rights or facilities of entities authorized by law to distribute electricity, or to acquire such rights or facilities without the consent of the owner. A district may charge property owners seeking to connect to the district system of sewers, as a condition to granting the right to so connect, in addition to the cost of such connection, such reasonable connection charge as the board of commissioners shall determine to be proper in order that such property owners shall bear their equitable share of the cost of such system. A district may compel all property owners within the sewer district located within an area served by the district system of sewers to connect their private drain and sewer systems with the district system under such penalty as the sewer commissioners shall prescribe by resolution. The district may for such purpose enter upon private property and connect the private drains or sewers with the district system and the cost thereof shall be charged against the property owner and shall be a lien upon property served.

NEW SECTION. Sec. 6. A new section is added to chapter 90.54 RCW to read as follows:

In addition to other requirements of this chapter, when the proposed water resource development project involves a new water supply combined with an electric generation facility where such electricity generated may be sold to an entity authorized by law to distribute electricity, the department shall evaluate and utilize, in connection with any application to appropriate water pursuant to the water code, chapter 90.03 RCW, sufficient information furnished by the project applicant regarding the need for the project, alternative means of serving the purposes of the project, the cumulative effects of the project and similar projects that are built, under construction or permitted in the relevant river basin or basins, the impact, if any, on flood control plans and an estimate of the impact, if any, of the sale of the project's electricity on the rates of utility customers of the Bonneville power administration. Such information shall be furnished at the project applicant's own cost and expense.

NEW SECTION. Sec. 7. (1) Nothing in this act exempts any city or town, water district, or sewer district from compliance with applicable state and federal statutes and regulations including but not limited to: State environmental policy act, chapter 43.21C RCW; national environmental policy act, 42 U.S.C. Sec. 4321 et seq.; federal power act, 16 U.S.C. Sec. 791 et seq.; public utility regulatory policies act, 15 U.S.C. Sec. 717i; Pacific northwest electric power planning and conservation act, 16 U.S.C. Sec. 839; energy financing voter approval act, chapter 80.52 RCW; water resources act, chapter 90.54 RCW; federal clean water act, 33 U.S.C. Sec. 1251 et seq.; the public water system coordination act, chapter 70.116 RCW; and the state clean water act, chapter 90.48 RCW.

(2) In addition, if the work proposed under this act involves a new water supply project combined with an electric generation facility with an installed capacity in excess of five megawatts which may produce electricity for sale in excess of present and future needs of the water system, then each of those with a greater than twenty-five percent ownership interest in the project shall jointly prepare an independent economic feasibility study evaluating the cost-effectiveness of the combined facility in the context of forecast regional water needs, alternate sources of water supply, and the potential impact of the combined facility on rates charged for water and electricity.

In addition to the economic feasibility study, the results of the environmental impact statement required by chapter 43.21C RCW and any review by the department of ecology made pursuant to chapter 90.54 RCW shall be made available to the public at least sixty days prior to any public vote on the new combined project.

(3) This act supplements the authority of cities and towns, water districts, and sewer districts and does not restrict or impose limits on any authority such municipal corporations may otherwise have under any laws of this state nor may the authority of such municipal corporations under other laws of this state be construed more narrowly on account of this act.

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."

On page 1, line 2 of the title, after "57.08.010," strike all material through "90.54.100;" and insert "and 56.08.010; adding a new section to chapter 90.54 RCW;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. D. Nelson, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 846.

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. 846 as amended by the Senate.

Representatives D. Nelson and Isaacson 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. 846 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Niemi - 1.

Excused: Representatives Crane, Smith C - 2.

Engrossed Substitute House Bill No. 846 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, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1085 with the following amendments:

On page 1, line 10, after "rule" insert "or sixty days after the claim is allowed by final order or judgment, if an otherwise proper billing is received by the department prior to final adjudication of claim allowance"

On page 1, line 12, strike "sixty days" and insert "the applicable sixty-day period"

On page 1, after line 20, insert the following:

"Nothing in this section may be construed to require the payment of interest on any billing, fee, or charge if the industrial insurance claim on which the billing, fee, or charge is predicated is ultimately rejected or the billing, fee, or charge is otherwise not allowable."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wang, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1085.

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. 1085 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1085 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P. King R. Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Niemi - 1.

Excused: Representatives Crane, Smith C - 2.

Engrossed Substitute House Bill No. 1085 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, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 254 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Amusement structure' means any electrical or mechanical devices or combinations thereof operated for revenue and to provide amusement or entertainment to viewers or audiences at carnivals, fairs, or amusement parks. 'Amusement structure' does not include games in which a member of the public must perform an act, nor concessions at which customers may make purchases.

(2) 'Amusement ride' means any vehicle, boat, or other mechanical device moving upon or within a structure, along cables or rails, through the air by centrifugal force or otherwise, or across water, that is used to convey one or more individuals for amusement, entertainment, diversion, or recreation. 'Amusement ride' includes, but is not limited to, devices commonly known as skyrides, ferris wheels, carousels, parachute towers, tunnels of love, and roller coasters. 'Amusement ride' shall not include: (a) Conveyances for persons in recreational winter sports activities such as ski lifts, ski tows, j-bars, t-bars, and similar devices subject to regulation under chapter 70.88 RCW; (b) any single-passenger coin-operated ride that is manually, mechanically, or electrically operated and customarily placed in a public location and that does not normally require the supervision or services of an operator; (c) nonmechanized playground equipment, including but not limited to, swings, seesaws, stationary spring-mounted animal features, rider-propelled merry-go-rounds, climbers, slides, trampolines, and physical fitness devices; or (d) water slides.

(3) 'Department' means the department of labor and industries.

(4) 'Insurance policy' means an insurance policy written by an insurer authorized to do business in this state under Title 48 RCW.

NEW SECTION, Sec. 2. Before operating any amusement ride or structure, the owner or operator shall:

(1) Obtain a permit pursuant to section 3 of this act;

(2) Have the amusement ride or structure inspected for safety at least once annually by an insurer or a person with whom the insurer has contracted and obtain from the insurer or person a written certificate that the inspection has been made and that the amusement ride or structure meets the standards for coverage and is covered by the insurer as required by subsection (3) of this section;

(3) Have and keep in effect an insurance policy in an amount not less than one million dollars per occurrence insuring: (a) The owner or operator; and (b) any municipality or county on whose property the amusement ride or structure stands, or any municipality or county which has contracted with the owner or operator against liability for injury to persons arising out of the use of the amusement ride or structure;

(4) File with the department the inspection certificate and insurance policy required by this section; and

(5) File with each sponsor, lessor, landowner, or other person responsible for an amusement structure or ride being offered for use by the public a certificate stating that the insurance required by subsection (3) of this section is in effect.

NEW SECTION. Sec. 3. (1) Application for an operating permit to operate an amusement ride or structure shall be made on an annual basis by the owner or operator of the amusement ride or structure. The application shall be made on forms prescribed by the department and shall include the certificate required by section 2(2) of this act.

(2) The department shall issue a decal with each permit. The decal shall be affixed on or adjacent to the control panel of the amusement ride or structure in a location visible to the patrons of the ride or structure.

NEW SECTION. Sec. 4. (1) Except as provided in subsection (2) of this section or unless a shorter period is specified by the department, permits issued under section 3 of this act are valid for a one-year period.

(2) If an amusement ride or structure is materially rebuilt or materially modified so as to change the original action of the amusement ride or structure, the amusement ride or structure shall be subject to a new inspection under section 2 of this act and the owner or operator shall apply for a new permit under section 3 of this act.

(3) If an amusement ride or structure for which a permit has been issued pursuant to section 3 of this act is moved and installed in another place but is not materially rebuilt or materially modified so as to change the original action of the amusement ride or structure, no new permit is required prior to the expiration of the permit.

NEW SECTION. Sec. 5. (1) The department shall adopt rules under chapter 34.04 RCW to administer this chapter. Such rules may exempt amusement rides or structures otherwise subject to this chapter if the amusement rides or structures are located on lands owned by United States government or its agencies and are required to comply with federal safety standards at least equal to those under this chapter.

(2) The department may order in writing the cessation of the operation of an amusement ride or structure for which no valid permit is in effect or for which the owner or operator does not have an insurance policy as required by section 2 of this act.

(3) All proceedings relating to permits or orders to cease operation under this chapter shall be conducted pursuant to chapter 34.04 RCW.

NEW SECTION. Sec. 6. The department may charge a reasonable fee not to exceed ten dollars for each permit issued under section 3 of this act. All fees collected by the department under this chapter shall be deposited in the state general fund.

NEW SECTION. Sec. 7. Any person who operates an amusement ride or structure without complying with the requirements of this chapter is guilty of a gross misdemeanor.

NEW SECTION. Sec. 8. Nothing contained in this chapter prevents a county or municipality from adopting and enforcing ordinances which relate to the operation of amusement rides or structures and supplement the provisions of this chapter.

NEW SECTION. Sec. 9. Sections 1 through 8 of this act shall constitute a new chapter in Title 67 RCW.

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 shall take effect on January 1, 1986."

On page 1, line 2 of the title, after "RCW;" strike the remainder of the title and insert "prescribing penalties; and providing an effective date," and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Wang, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 254.

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. 254 as amended by the Senate.

POINT OF INQUIRY

Mr. Wang yielded to question by Mr. Patrick.

Mr. Patrick: "Representative Wang, does the language of section 1(4) permit insurers doing business in Washington under RCW 48.15 to provide coverage under this act?"

Mr. Wang: "Yes, it does. Attorney General opinion 55-57, No. 43, notes that RCW 48.15.060 ensures that coverage by such insurers shall have the same effect as contracts issued by authorized insurers. Surplus lines insurers as well as authorized insurers can provide the coverage required by this act."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 254 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, Mary, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luvan, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Niemi - 1.

Excused: Representatives Crane, Smith C - 2.

Engrossed Substitute House Bill No. 254 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.

Representative Crane appeared at the bar of the House.

SENATE AMENDMENTS TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 660 with the following amendments:

On page 1, after line 12 insert:

"NEW SECTION. Sec. 2. The delegation of rule-making authority contained in section 1 of this act is conditioned upon the continued receipt of federal funds or grants for the support of state enforcement of such rules. Within ninety days of finding that federal funds or grants are withdrawn or not renewed, the Washington state patrol and the Washington utilities and transportation commission shall repeal any and all rules adopted under section 1 of this act."

Renumber the remaining sections and correct internal references accordingly.

On page 1, line 15 after "infraction," insert the following:

"Sec. 3. Section 46.56.135, chapter 12, Laws of 1961 as last amended by section 22, chapter 307, Laws of 1971 ex. sess. and RCW 46.61.655 are each amended to read as follows:

No vehicle ((shall)) may be driven or moved on any public highway unless ((such)) the vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in the cleaning or maintaining of ((such)) the roadway by public authority having jurisdiction. This prohibition shall not apply to a vehicle operated primarily for transporting vegetable and fruit processing plant by-products as long as the leakage is of liquids only and does not constitute a hazard to motorists. Any person operating a vehicle from which any glass or objects have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger travel upon such public highway shall immediately cause the public highway to be cleaned of all such glass or objects and shall pay any costs ((therefore)) of cleaning."

Renumber the remaining sections consecutively.

On page 1, line 1 of the title after "carriers," insert "amending RCW 46.61.655;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

On motion of Mr. Walk, the House concurred in the Senate amendment to page 1, line 12.

Mr. Walk moved that the House refuse to concur in the amendment to page 1, line 15 and ask the Senate to recede therefrom.

Mr. Hastings moved that the House do concur in the Senate amendment to page 1, line 15.

The Speaker reminded the members that the positive motion has precedence.

Representatives Hastings, Brooks, Lundquist, Isaacson and Baugher spoke in favor of the motion to concur, and Representatives Walk and Haugen opposed it.

Mr. Prince demanded the previous question, and the demand was sustained.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendment to page 1, line 15 to Substitute House Bill No. 660, and the motion was lost by the following vote: Yeas, 44; nays, 52; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Bond, Braddock, Bristow, Brooks, Chandler, Day, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Kremen, Lewis, Long, Lundquist, May, Nealey, Nelson G. Padden, Prince, Rayburn, Sanders, Schoon, Silver, Smith L. Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S. Winsley - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Betrozoff, Brække, Brough, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Nutley, O'Brien, Patrick, Peery, Rust, Sayan, Schmidt, Scott, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, West, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Absent: Representative Niemi - 1.

Excused: Representative Smith C - 1.

The Speaker stated that the House had, by its action, refused to concur in the Senate amendment to page 1, line 15 and the title amendment to Substitute House Bill No. 660, and asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate insists on its position regarding the amendments to HOUSE BILL NO. 391 and requests a conference thereon, and the President has appointed the following members as conferees: Senators Rinehart, Zimmerman, Thompson, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Belcher, the House insisted on its position on House Bill No. 391 and again asked the Senate to recede from their amendments.

MESSAGE FROM THE SENATE

April 23, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 625, and the President has appointed the following members as conferees: Senators Warnke, Pullen, Fleming.

Sidney R. Snyder, Secretary.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives McMullen, Hargrove and Schoon as conferees on Substitute House Bill No. 625.

MESSAGE FROM THE SENATE

April 23, 1985

Mr. Speaker:

The Senate has refused to recede from its amendment to ENGROSSED HOUSE BILL NO. 718 to page 7, line 6, and asks the House for a conference thereon, and the President has appointed the following members as conferees: Senators McDermott, Zimmerman, Warnke, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. J. King, the House granted the request of the Senate for a conference on Engrossed House Bill No. 718.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Appelwick, Barnes and Todd as conferees on Engrossed House Bill No. 718.

MESSAGE FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 843 and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Hansen, Barr, Goltz, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Vekich, the House granted the request of the Senate for a conference on Substitute House Bill No. 843.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Bristow, Madsen and Nealey as conferees on Substitute House Bill No. 843.

MESSAGE FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 1079, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Bottiger, Lee, Halsan, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. McMullen, the House granted the request of the Senate for a conference on Substitute House Bill No. 1079.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives McMullen, Peery and Schoon as conferees on Substitute House Bill No. 1079.

MESSAGE FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate refuses to recede from its amendment to SUBSTITUTE HOUSE BILL NO. 1107, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Peterson, Sellar, Vognil, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House granted the request of the Senate for a conference on Substitute House Bill No. 1107.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Armstrong, Wineberry and Long as conferees on Substitute House Bill No. 1107.

MESSAGE FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate once again refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3146, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Granlund, Bailey, Peterson, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 3146.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Brekke, Niemi and Lewis as conferees on Substitute Senate Bill No. 3146.

MESSAGE FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate once again refuses to concur in the House amendments to SENATE BILL NO. 3233, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Granlund, Hayner, Owen, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House granted the request of the Senate for a conference on Senate Bill No. 3233.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Dellwo, Lux and West as conferees on Senate Bill No. 3233.

MESSAGE FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3235, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Gaspard, Craswell, Bender, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ebersole, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 3235.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Ebersole, Appelwick and Betrozoff as conferees on Engrossed Substitute Senate Bill No. 3235.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3390, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Fleming, Deccio, McDermott, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brække, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 3390.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Brække, Braddock and B. Williams as conferees on Substitute Senate Bill No. 3390.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3498, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Warnke, Cantu, McDermott, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brække, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 3498.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Leonard, Day and Brooks as conferees on Engrossed Substitute Senate Bill No. 3498.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 3500, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Peterson, Patterson, Hansen, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Walk, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 3500.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Zellinsky, Fisher and Schmidt as conferees on Substitute Senate Bill No. 3500.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 3630, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Sommers, the House insisted on its position and asked the Senate for a conference on Substitute Senate Bill No. 3630.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Sommers, McMullen and May as conferees on Substitute Senate Bill No. 3630.

MESSAGE FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate once again refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 4128, and asks the House for a conference thereon, and the President has appointed the following members as conferees: Senators Granlund, McCaslin, Kreidler, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 4128.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Brekke, Braddock and Lewis as conferees on Substitute Senate Bill No. 4128.

MESSAGES FROM THE SENATE

April 17, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 3448, and asks the House for a conference thereon, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 24, 1985

Mr. Speaker:

The Senate has appointed the following members as conferees on SUBSTITUTE SENATE BILL NO. 3448: Senators Gaspard, Craswell, Rinehart.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Ebersole, the House refused to grant the request of the Senate for a conference on Substitute Senate Bill No. 3448 and again asked the Senate to concur in the House amendment.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4209, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Warnke, Cantu, Wojahn, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTIONS

On motion of Mr. Wang, the House refused the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 4209.

On motion of Mr. Wang, the House receded from its amendment to page 1, line 12 and insisted on the remaining amendments to Engrossed Substitute Senate Bill No. 4209.

MESSAGE FROM THE SENATE

April 23, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 3400, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Owen, Patterson, Peterson, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Sutherland, the House granted the request of the Senate for a conference on Engrossed Senate Bill No. 3400.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives K. Wilson, Sutherland and Lundquist as conferees on Engrossed Senate Bill No. 3400.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3717, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Warnke, McDonald, Bauer, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. R. King, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 3717.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives R. King, Sommers and Tilly as conferees on Engrossed Substitute Senate Bill No. 3717.

MESSAGE FROM THE SENATE

April 22, 1985

Mr. Speaker:

The Senate once again refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 3134, and once again asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Sommers, the House insisted on its position on Engrossed Senate Bill No. 3134, and again asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 23, 1985

Mr. Speaker:

The Senate once again refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 3176, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Brekke, the House receded from its amendments to Engrossed Senate Bill No. 3176.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 3176 without the House amendments.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3176 without the House amendments, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen,

Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Niemi - 1.

Excused: Representative Smith C - 1.

Engrossed Senate Bill No. 3176 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, 1985

Mr. Speaker:

The Senate has refused to concur in the House amendments to SENATE BILL NO. 3202, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Haugen, the House insisted on its position on Senate Bill No. 3202, and again asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 3220, and asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Haugen, the House receded from its amendment to Substitute Senate Bill No. 3220.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENT

The Speaker stated the question before the House to be the final passage of Substitute Senate Bill No. 3220 without the House amendment.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3220 without the House amendment, and the bill passed the House by the following vote: Yeas, 94; nays, 2; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Isaacson, Lundquist - 2.

Absent: Representative Niemi - 1.

Excused: Representative Smith C - 1.

Substitute Senate Bill No. 3220 without the House amendment, having received the 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, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 3357, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTIONS

Ms. Sommers moved that the House insist on its position on Engrossed Senate Bill No. 3357, and again ask the Senate to concur therein.

Ms. Schmidt moved that the House do recede from its amendments to Engrossed Senate Bill No. 3357.

Representatives Schmidt, Zellinsky, Winsley, Walker and Smitherman spoke in favor of the motion, and Representatives Sommers and Belcher spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House do recede from its amendments to Engrossed Senate Bill No. 3357, and the motion was carried by the following vote: Yeas, 53; nays, 43; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Chandler, Day, Dellwo, Dobbs, Doty, Fisch, Fisher, Fuhrman, Gallagher, Hankins, Hastings, Haugen, Holland, Isaacson, King R. Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L. Smitherman, Taylor, Thomas, van Dyke, Walker, Wang, Williams B. Williams J. Wilson S. Winsley, Zellinsky - 53.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Ebersole, Grimm, Hargrove, Hine, Jacobsen, King J, King P, Kremen, Leonard, Locke, Lux, Nelson D. Nutley, O'Brien, Peery, Rayburn, Rust, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, West, Wilson K. Wineberry, and Mr. Speaker - 43.

Absent: Representative Niemi - 1.

Excused: Representative Smith C - 1.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 3357 without the House amendments.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3357 without the House amendments, and the bill passed the House by the following vote: Yeas, 84; nays, 12; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Brekke, Bristow, Brooks, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky - 84.

Voting nay: Representatives Ballard, Betzoff, Braddock, Brough, Cole, Hargrove, Nelson D, Rust, Tilly, Vander Stoep, Wilson K, and Mr. Speaker - 12.

Absent: Representative Niemi - 1.

Excused: Representative Smith C - 1.

Engrossed Senate Bill No. 3357 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 20, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 3388, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House receded from its amendment to Substitute Senate Bill No. 3388.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Substitute Senate Bill No. 3388 without the House amendment.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3388 without the House amendment, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Pøery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Niemi - 1.

Excused: Representative Smith C - 1.

Substitute Senate Bill No. 3388 without the House amendment, having received the 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, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 4231, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Sutherland, the House insisted on its position on Substitute Senate Bill No. 4231, and again asked the Senate to concur therein.

SENATE AMENDMENTS TO HOUSE BILL

April 22, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1082 with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. It is the intent of the legislature to require the department of labor and industries to implement experience rating and retrospective rating of both accident and medical aid fund premiums no later than January 1, 1989.

The legislature believes that experience rating industrial insurance premiums is a proven method of rewarding employers who promote workplace safety and can provide a significant incentive for employers and employees to reduce work related injuries. However, the legislature finds that before experience rating is implemented it is necessary to study its potential impact on small and large employers.

NEW SECTION. Sec. 2. The department of labor and industries shall report to the commerce and labor committees of the house of representatives and senate no later than December 1, 1986, regarding its plan to implement experience and retrospective rating of the medical aid fund premium, and the impact of experience rating on employer and employee medical aid fund premium rates, including but not limited to the average change in premium rates and the maximum and minimum modification factors for small and large employers.

NEW SECTION. Sec. 3. A new section is added to chapter 51.36 RCW to read as follows:

An employer may request review of billings for any medical and surgical services received by a worker by submitting written notice to the department. The department shall investigate the billings and determine whether the worker received services authorized under this title. Whenever such medical or surgical services are determined to be unauthorized, the department shall not charge the costs of such services to the employer's account."

On page 1, line 3 of the title, strike "amending RCW 74.46.180;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wang, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1082.

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. 1082 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1082 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Niemi - 1.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 1082 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 Ms. Sommers, the House adjourned until 9:00 a.m., Thursday, April 25, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

ONE HUNDRED-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 25, 1985.

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 Representatives Appelwick, Schoon and C. Smith. Representatives Schoon and C. Smith were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Scott Armstrong and Anthony Brown. Prayer was offered by Sister Cecile Uhlorn, Director of Campus Ministry, St. Martin's College of Lacey.

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

REPORT OF STANDING COMMITTEE

April 24, 1985

SSB 4189 Prime Sponsor, Committee on Commerce & Labor: Revising provisions relating to appellate jurisdiction in industrial insurance tax assessment actions. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Cole, Vice Chair; Betrozoff, Chandler, Fisch, Fisher, O'Brien, Patrick, Sayan and Walker.

Absent: Representatives Ebersole, R. King, C. Smith and J. Williams.

MOTION

On motion of Mr. J. King, the rules were suspended, and Substitute Senate Bill No. 4189 was advanced to second reading and placed on the second reading calendar for today.

MESSAGES FROM THE SENATE

April 25, 1985

Mr. Speaker:
The Senate receded from its amendments to HOUSE BILL NO. 107, and passed the bill without the amendments, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 24, 1985

Mr. Speaker:
The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 242, and the President has appointed the following conferees: Senators Talmadge, Newhouse, Halsan.

Sidney R. Snyder, Secretary.

April 24, 1985

Mr. Speaker:
The Senate has granted the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 956, and the President has appointed the following conferees: Senators Thompson, McCaslin, Fleming.

Sidney R. Snyder, Secretary.

April 24, 1985

Mr. Speaker:
The Senate has concurred in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 3333, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 24, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3797, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 24, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 4302, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 24, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 4361, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 24, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3069,
 SUBSTITUTE SENATE BILL NO. 3099,
 SUBSTITUTE SENATE BILL NO. 3125,
 SUBSTITUTE SENATE BILL NO. 3179,
 SENATE BILL NO. 3225,
 SUBSTITUTE SENATE BILL NO. 3262,
 SENATE BILL NO. 3267,
 SUBSTITUTE SENATE BILL NO. 3305,
 SUBSTITUTE SENATE BILL NO. 3442,
 SENATE BILL NO. 4129,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3069,
 SUBSTITUTE SENATE BILL NO. 3099,
 SUBSTITUTE SENATE BILL NO. 3125,
 SUBSTITUTE SENATE BILL NO. 3179,
 SENATE BILL NO. 3225,
 SUBSTITUTE SENATE BILL NO. 3262,
 SENATE BILL NO. 3267,
 SUBSTITUTE SENATE BILL NO. 3305,
 SUBSTITUTE SENATE BILL NO. 3442,
 SENATE BILL NO. 4129.

SENATE AMENDMENT TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 141 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 98, Laws of 1975-'76 2nd ex. sess. as amended by section 8, chapter 278, Laws of 1984 and RCW 28A.03.360 are each amended to read as follows:

(1) Every school district is encouraged to test pupils in grade two by an assessment device designed or selected by the local school districts. This test shall be used to help teachers in identifying those pupils in need of assistance in the skills of reading, writing, mathematics, and language arts. The test results are not to be compiled by the superintendent of public instruction, but are only to be used by the local school district.

(2) The superintendent of public instruction shall prepare and conduct, with the assistance of local school districts, a standardized achievement test to be given annually to all pupils in grade four. The test shall assess students' skill in reading, mathematics, and language arts and shall focus upon appropriate input variables. Results of such tests shall be compiled by the

superintendent of public instruction, who shall make those results available annually to the legislature, to all local school districts and subsequently to parents of those children tested. The results shall allow parents to ascertain the achievement levels and input variables of their children as compared with the other students within the district, the state and, if applicable, the nation.

(3) The superintendent of public instruction shall prepare and conduct, with the assistance of local school districts, an assessment to be administered annually to all grade eight students. The purposes of the assessment are to assist students, parents, and teachers in the planning and selection of appropriate high school programs and courses for the students and to provide comparisons within the district, the state and, if applicable, the nation. The assessment shall include but not be limited to tests in reading, mathematics, and language arts and a student interest inventory. The superintendent of public instruction shall make the results available to all local school districts which shall in turn make them available to students, parents, and teachers in a timely fashion.

(4) The superintendent of public instruction shall prepare and conduct, with the assistance of local school districts, a standardized achievement test to be given annually to all students in grade ten. The purposes of the test are to assist students in meeting district graduation requirements and in making decisions regarding potential career options and the test results shall allow schools and parents to ascertain the achievement levels of their students as compared with other students within the district, the state, and, if applicable, the nation. The results may also be used as an aid in the development of plans to build upon individual students' strengths and to address areas in which individual students' skills are not as strong. The test shall include but not be limited to examinations in reading, mathematics, and language arts and a student academic and career interest inventory and may include the collection of other academic achievement related information. Results of the test shall be compiled by the superintendent of public instruction who shall annually make the results available to all local school districts which shall in turn make the results available to students, parents, and teachers in a timely fashion. In addition to a compilation of school district test results, the test results for each school shall be reported as they relate to selected demographic variables.

(5) The superintendent of public instruction shall test approximately two thousand students distributed throughout the state in the eleventh grade once every two years. Choice of students shall be based on a statistical random sample of students from this grade level sufficient to generalize about all of the students at the grade level from the state's school districts. The purpose of the test is to allow the public, the legislature, and school district personnel to evaluate how Washington students in this grade compare to students in the same grade tested in other comparable national achievement surveys.

~~((5))~~ (6) The superintendent of public instruction shall report annually to the legislature on the achievement levels of students in grades four ~~((and)),~~ eight, and ten and shall report biennially to the legislature on the achievement levels of students in grade eleven.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by the legislature by July 1, 1987, the amendment to RCW 28A.03-.360 by section 1 of this act shall be null and void. This act shall be of no effect until such specific funding is provided. If such funding is so provided, this act shall take effect when the legislation providing the funding takes effect." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ebersole, the House concurred in the Senate amendment to Second Substitute House Bill No. 141.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 141 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 141 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 74; nays, 11; absent, 11; excused, 2.

Voting yea: Representatives Allen, Armstrong, Barnes, Barrett, Baugher, Belcher, Betrozoff, Braddock, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King R, Kremen, Leonard, Locke, Long, Lundquist, Madsen, May, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Ballard, Doty, Hankins, Isaacson, Lewis, Padden, Sanders, Smith L, Wang, West, Williams B - 11.

Absent: Representatives Addison, Appelwick, Basich, Bond, Brekke, Chandler, King P, Lux, McMullen, O'Brien, Wineberry - 11.

Excused: Representatives Schoon, Smith C - 2.

Second Substitute House Bill No. 141 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

If present, I would have voted "Yea" on final passage of Second Substitute House Bill No. 141 as amended by the Senate, but I was working on the budget and was not available.

PAUL H. KING, 44th District.

SENATE AMENDMENT TO HOUSE JOINT RESOLUTION

April 18, 1985

Mr. Speaker:

The Senate has passed HOUSE JOINT RESOLUTION NO. 23 with the following amendment:

Beginning on page 1, line 1, strike all material through "state." on page 3, line 13 and insert the following:

"BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

THAT, At the next general election to be held in this state there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article VII of the state Constitution by adding a new section to read as follows:

Article VII, section Notwithstanding any provision of this Constitution, the legislature may by general law for the purpose of permitting special financing of public improvements authorize the legislative authority of any county, city, or town to create boundaries, within its jurisdiction, after such legislative authority conducts a public hearing, containing only that real property which the legislative authority determines will be increased in true and fair value by reason of specified public improvements within those boundaries. In no event shall any property tax assessment be increased for any real property lying outside of the boundaries referred to above if the increase would be attributable to the specified public improvements authorized by this section but such real property shall be assessed always at current market value, nor shall any portion of property taxes for real property lying outside of said boundaries be used to pay for the specified public improvements or public obligations authorized by this section. The legislature may further provide that all or a portion of the property taxes levied within those boundaries against increases in the true and fair value of such real property may be used to pay for the specified public improvements or to pay public obligations incurred to fund the specified public improvements. Any such public obligations payable solely from revenues from these public improvements and such property taxes levied against the increases in real property value shall not constitute general indebtedness.

For purposes of this section, 'property taxes' means:

(1) Property taxes subject to the aggregate limitation on tax levies by the state and all taxing districts in section 2 of this Article; and

(2) Property taxes levied by port districts and public utility districts, except for property taxes levied specifically for the purpose of making required payments of principal and interest on general indebtedness.

For purposes of this section, 'public improvements' means:

(1) Capital projects that benefit the public at large and do not discriminate against any citizen on the basis of race, national origin, color, sex, age, economic status, or the presence of any sensory, mental, or physical handicap.

Nothing in this section authorizes the provision of public improvements which counties, cities, and towns may not otherwise provide.

Nothing in this section authorizes a county, city, or town to exercise powers of eminent domain contrary to the provisions of Article I, section 16.

Nothing in this section authorizes a county, city, or town to pledge all or part of its full faith and credit without complying with the laws relating to the incurring of general indebtedness, including Article VIII, section 1 and Article VIII, section 6, or to aggregate tax levies in excess of the limitation on levies in section 2 of this Article.

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." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. McMullen moved that the House refuse to concur in the Senate amendment to House Joint Resolution No. 23 and ask the Senate for a conference thereon.

Mr. Hastings spoke in favor of the motion, and it was carried.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives McMullen, Tanner and Dobbs as conferees on House Joint Resolution No. 23.

MESSAGE FROM THE SENATE

April 24, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 327, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 23, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 327, restricting the use of optical strobe light devices to publicly-owned emergency and law enforcement vehicles, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Peterson, Bluechel, Vognild; Representatives Walk, Baugher, Prince.

MOTION

On motion of Mr. Walk, the House adopted the report of the Conference Committee on Engrossed House Bill No. 327 and granted the committee the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 24, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 3812, modifying penalty provisions on the violation of water pollution control statutes, 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.

Signed by Senators Kreidler, Bluechel, Talmadge; Representatives Hine, Rust, G. Nelson.

MOTION

On motion of Ms. Hine, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 23, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3207, providing for prison work programs, 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.

Signed by Senators Granlund, Johnson, Bottiger; Representatives Brekke, Day, Walker.

MOTION

On motion of Mr. Day, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

April 23, 1985

Mr. Speaker:

The Senate insists on its position and refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3684, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wang, the House receded from its amendments to Substitute Senate Bill No. 3684.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Substitute Senate Bill No. 3684 without the House amendments.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3684 without the House amendments, and the bill passed the House by the following vote: Yeas, 93; nays, 2; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Brough, Sutherland - 2.

Absent: Representative Appelwick - 1.

Excused: Representatives Schoon, Smith C - 2.

Substitute Senate Bill No. 3684 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.

SENATE AMENDMENTS TO HOUSE BILL

April 23, 1985

Mr. Speaker:

After returning the bill to second reading, under suspension of the rules, the Senate has repassed SUBSTITUTE HOUSE BILL NO. 546 as previously amended on April 8, 1985, and with the following amendments:

On page 15, after line 24 insert the following:

"NEW SECTION. Sec. 17. 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 1 of the title, strike "and" and on line 4 after "15.65.630" insert "; and declaring an emergency" and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Vekich, the House concurred in the Senate amendments to Substitute House Bill No. 546.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 546 as amended by the Senate.

Representatives Vekich and Kremen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 546 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Appelwick - 1.

Excused: Representatives Schoon, Smith C - 2.

Substitute House Bill No. 546 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 20, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 4308, and ask the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Rust, the House insisted on its position on Substitute Senate Bill No. 4308, and again asked the Senate to concur therein.

Representative Appelwick appeared at the bar of the House.

MESSAGE FROM THE SENATE

April 24, 1985

Mr. Speaker:

The Senate receded from its amendment to page 2, line 19 of SUBSTITUTE HOUSE BILL NO. 799, and refused to recede from its amendment to page 1, line 20 and once again asks the House to concur therein, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Ebersole, the House concurred in the Senate amendment to page 1, line 20 of Substitute House Bill No. 799.

FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 799 with the Senate amendments to page 1, line 20 and page 2, line 12.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 799 with the Senate amendments to page 1, line 20 and page 2, line 12, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Basich - 1.

Excused: Representatives Schoon, Smith C - 2.

Substitute House Bill No. 799 with certain Senate 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.

The Speaker declared the House to be at ease until 4 p.m.

EVENING SESSION

The House was called to order at 4:00 p.m. by the Speaker.

Mr. Appelwick 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 J. King and C. Smith.

On motion of Mr. Appelwick, the absent members were excused and the House proceeded with business under the Call of the House.

MESSAGES FROM THE SENATE

April 25, 1985

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 222,
SUBSTITUTE HOUSE BILL NO. 512,
SUBSTITUTE HOUSE BILL NO. 577,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 25, 1985

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3906, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 25, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3202, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 25, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 4263, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 25, 1985

Mr. Speaker:

The Senate receded from its amendment to SUBSTITUTE HOUSE BILL NO. 391, and has passed the bill without the Senate amendment, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 91,
HOUSE BILL NO. 139,
SUBSTITUTE HOUSE BILL NO. 150,
SUBSTITUTE HOUSE BILL NO. 179,
SUBSTITUTE HOUSE BILL NO. 187,
HOUSE BILL NO. 228,
SUBSTITUTE HOUSE BILL NO. 254,
SUBSTITUTE HOUSE BILL NO. 435,
SUBSTITUTE HOUSE BILL NO. 466,
SUBSTITUTE HOUSE BILL NO. 550,
SUBSTITUTE HOUSE BILL NO. 622,
HOUSE BILL NO. 808,
SUBSTITUTE HOUSE BILL NO. 815,
SUBSTITUTE HOUSE BILL NO. 846,
SUBSTITUTE HOUSE BILL NO. 865,
SUBSTITUTE HOUSE BILL NO. 877,
SUBSTITUTE HOUSE BILL NO. 891,
SUBSTITUTE HOUSE BILL NO. 974,
HOUSE BILL NO. 999,
SUBSTITUTE HOUSE BILL NO. 1003,
SUBSTITUTE HOUSE BILL NO. 1060,
SUBSTITUTE HOUSE BILL NO. 1084,
SUBSTITUTE HOUSE BILL NO. 1116,
SUBSTITUTE HOUSE BILL NO. 1207,
SUBSTITUTE HOUSE BILL NO. 1269.

REPORT OF CONFERENCE COMMITTEE

April 23, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3384, establishing a salmon and steelhead rehabilitation and enhancement policy board, have had the same under consideration, and report that we are unable to agree and respectfully request the powers of Free Conference for the purpose of amending the bill.

Signed by Senators Owen, Stratton; Representatives Lundquist, Sayan, Sutherland.

MOTION

On motion of Mr. Sutherland, the House adopted the report of the Conference Committee on Substitute Senate Bill No. 3384 and granted the committee the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 23, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 3167, extending timeshare regulation, 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.

Signed by Senators Talmadge, Newhouse, Halsan; Representatives Armstrong, Hargrove, Van Luven.

MOTION

On motion of Mr. Armstrong, the House adopted the report of the Conference Committee on Senate Bill No. 3167 and granted the committee the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3390, changing nursing home auditing standards, have had the same under consideration, and report that we are unable to agree and respectfully request the powers of Free Conference for the purpose of amending the bill.

Signed by Senators Fleming, Deccio, McDermott; Representatives Brekke, Braddock, B. Williams.

MOTION

On motion of Ms. Brekke, the House adopted the report of the Conference Committee on Substitute Senate Bill No. 3390 and granted the committee the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

Mr. President:

April 25, 1985

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3367, revising public disclosure laws, have had the same under consideration, and report that we are unable to agree and respectfully request the powers of Free Conference for the purpose of further amending the House amendment to the bill. Signed by Senators Talmadge, Pullen, Halsan; Representatives Fisher, Fisch, Barnes.

MOTION

On motion of Mr. Appelwick, the House adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3367 and granted the committee the powers of Free Conference.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker

The Senate receded from its amendment to SUBSTITUTE HOUSE BILL NO. 358 on page 1, line 6, and passed the bill with the Senate amendment to page 1, line 11, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

FINAL PASSAGE OF HOUSE BILL WITH CERTAIN SENATE AMENDMENT

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 358 with the Senate amendment to page 1, line 11.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 358 with the Senate amendment to page 1, line 11, and the bill passed the House by the following vote: Yeas, 88; nays, 8; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzloff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Fuhrman, Hastings, Padden, Sanders, Schmidt, Schoon, Silver, Williams J - 8.

Excused: Representatives King J, Smith C - 2.

Substitute House Bill No. 358 with certain Senate amendment, having received the 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 he was signing:

SUBSTITUTE HOUSE BILL NO.	23,
SUBSTITUTE HOUSE BILL NO.	36,
SUBSTITUTE HOUSE BILL NO.	39,
HOUSE BILL NO.	58,
SUBSTITUTE HOUSE BILL NO.	61,
SUBSTITUTE HOUSE BILL NO.	62,
SUBSTITUTE HOUSE BILL NO.	68,
SUBSTITUTE HOUSE BILL NO.	178,
SUBSTITUTE HOUSE BILL NO.	199,
SUBSTITUTE HOUSE BILL NO.	203,
SUBSTITUTE HOUSE BILL NO.	214,
SUBSTITUTE HOUSE BILL NO.	262,
SUBSTITUTE HOUSE BILL NO.	270,
SUBSTITUTE HOUSE BILL NO.	297,
SUBSTITUTE HOUSE BILL NO.	323,
SUBSTITUTE HOUSE BILL NO.	543,
SUBSTITUTE HOUSE BILL NO.	606,
HOUSE BILL NO.	629,
SUBSTITUTE HOUSE BILL NO.	781,
SUBSTITUTE HOUSE BILL NO.	932,
SUBSTITUTE HOUSE BILL NO.	957,
SECOND SUBSTITUTE HOUSE BILL NO.	975,
SUBSTITUTE HOUSE BILL NO.	1046,
SUBSTITUTE HOUSE BILL NO.	1061,
SUBSTITUTE HOUSE BILL NO.	1170.

REPORTS OF STANDING COMMITTEES

April 24, 1985

SSB 3165 Prime Sponsor, Committee on Judiciary: Creating new superior court judicial positions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 3, chapter 125, Laws of 1951 as last amended by section 1, chapter 183, Laws of 1980 and RCW 2.08.061 are each amended to read as follows:

There shall be in the county of King no more than thirty-nine judges of the superior court: in the county of Spokane ten judges of the superior court; and in the county of Pierce ((thirteen)) ~~fourteen~~ judges of the superior court((-PROVIDED, That the additional offices herein created for the county of Pierce shall be effective January 1, 1981; PROVIDED FURTHER, That the additional judicial positions created by the 1980 amendment of this section for the county of King shall become effective only if prior to July 1, 1980, the county through its duly constituted legislative authority has documented its approval thereof and has agreed to pay out of county funds

~~without reimbursement from the state, the same portion of all expenses of such additional positions as it provides for the positions presently existing, in which case such positions shall become effective on January 1, 1981)).~~

NEW SECTION. Sec. 2. Section 1 of this act shall take effect January 1, 1987. The additional judicial position created in Pierce county by section 1 of this act shall be effective only if, prior to January 1, 1987, the duly constituted legislative authority for Pierce county formally approves the additional position and commits itself to paying, out of county funds without state reimbursement, the additional expenses incurred in creating the additional position. The additional expenses include, but are not limited to, expenses incurred for court facilities.

NEW SECTION. Sec. 3. A new section is added to chapter 2.08 RCW to read as follows:

All judicial positions created by the legislature after the effective date of this act, including the additional judicial position created by section 1 of this act, shall be authorized only for counties that have implemented a mandatory arbitration program for civil claims to the maximum extent permitted by law.

NEW SECTION. Sec. 4. This act shall take effect only if, prior to July 1, 1985, legislation is enacted that closes the judicial retirement system to judges first appointed or elected after October 1, 1985."

On page 1, line 1 of the title, after "court," strike the remainder of the title and insert "amending RCW 2.08.061; adding a new section to chapter 2.08 RCW; creating a new section; and providing an effective date."

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Basich, Brekke, Bristow, Hine, Madsen, Niemi, Rust, Sayan, Smitherman, Sommers and Taylor.

MINORITY recommendation: Do not pass. Signed by Representatives Long, G. Nelson and Silver.

Voting nay: Representatives Hastings, J. King, Long, G. Nelson, Silver, L. Smith, Tilly, Vander Stoep and B. Williams.

Absent: Representatives Holland, Locke and Sanders.

Passed to Committee on Rules for second reading.

April 24, 1985

ESSB 3654 Prime Sponsor, Committee on Ways & Means: Adopting the capital budget. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for capital projects during the period ending June 30, 1987, out of the several funds specified in this act.

NEW SECTION. Sec. 2. (1) As used in this act, the following phrases have the following meanings:

'Common School Constr Fund' means Common School Construction Fund;

'GF, Cap Bldg Constr Acct' means General Fund—Capitol Building Construction Account;

'GF, St Bldg Constr Acct' means General Fund—State Building Construction Account;

'GF, St Fac Renew Acct' means State Facilities Renewal Account;

'GF, Fish Cap Proj Acct' means General Fund—Fisheries Capital Projects Account;

'GF, ORA' means General Fund—Outdoor Recreation Account;

'GF, Sal Enhmt Constr Acct' means General Fund—Salmon Enhancement Construction Account;

'GF, For Dev Acct' means General Fund—Forest Development Account;

'GF, Res Mgmt Cost Acct' means General Fund—Resource Management Cost Account;

'GF, LIRA, DSHS Fac' means General Fund—Local Improvements Revolving Account—Department of Social and Health Services Facilities;

'GF, DSHS Constr Acct' means General Fund—State Social and Health Services Construction Account;

'GF, CEP & RI Acct' means General Fund—Charitable, Educational, Penal, and Reformatory Institutions Account;

'GF, Fire Trng Constr Acct' means General Fund—Fire Training Construction Account;

'GF, WSU Bldg Acct' means General Fund—Washington State University Building Account;

'GF, St H Ed Constr Acct' means General Fund—State Higher Education Construction Account;

'GF, EWU Cap Proj Acct' means General Fund—Eastern Washington University Capital Projects Account;

'GF, TESC Cap Proj Acct' means General Fund—The Evergreen State College Capital Projects Account;

'GF, Com Col Cap Impvmt Acct' means General Fund—Community College Capital Improvement Account;

'GF, Com Col Cap Proj Acct' means General Fund—Community College Capital Projects Account;

'GF, Com Col Cap Constr Acct' means General Fund—1975 Community College Capital Construction Account;

'GF, CWU Cap Proj Acct' means General Fund—Central Washington University Capital Projects Account;

'GF, UW Bldg Acct' means General Fund—University of Washington Building Account;

'GF, St Bldg Auth Constr Acct' means General Fund—State Building Authority Construction Account;

'GF, WWU Cap Proj Acct' means General Fund—Western Washington University Capital Projects Account;

'GF, Cap Purch & Dev Acct' means General Fund—Capitol Purchase and Development Account;

'GF, Hndcp Fac Constr Acct' means General Fund—Handicapped Facilities Construction Account;

'GF, LIRA, Waste Disp Fac' means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities;

'GF, State Emerg Water Proj Rev' means General Fund—Emergency Water Project Revolving Account—State;

'GF, LIRA, Waste Fac 1980' means General Fund—State and Local Improvement Revolving Account—Waste Disposal Facilities 1980;

'GF, LIRA, Water Sup Fac' means General Fund—State and Local Improvement Revolving Account—Water Supply Facilities;

'GF, LIRA' means General Fund—State and Local Improvement Revolving Account;

'GF, LIRA, Public Rec Fac' means General Fund State and Local Improvement Revolving Account—Public Recreation Facilities;

'GF, PNW Fest Fac Constr Acct' means General Fund—Pacific Northwest Festival Facility Construction Account;

'GF, Cultural Fac Constr Acct' means General Fund—Cultural Facilities Construction Account;

'GF, H Ed Constr Acct' means General Fund—Higher Education Construction Account 1979;

'GF, H Ed Reimb S/T Bonds Acct' means General Fund—Higher Education Reimbursable Short-Term Bonds Account;

'MV, St Patrol Hiwy Acct' means Motor Vehicle Fund—State Patrol Highway Account.

The words 'capital improvements' or 'capital projects' used in this act mean acquisition of sites, easements, rights of way, or improvements thereon and appurtenances thereto, construction and initial equipment, reconstruction, demolition, or major alterations of new or presently owned capital assets.

(2) Letters and numbers in parenthesis following each project description are the unique project identifiers used throughout a project's duration to identify it.

INDEX

Arts Commission, sec. 707

Central Washington University, secs. 398-413

Commerce and Economic Development Department, secs. 558-560

Community College Education Board, secs. 310-353

Community Development Department, sec. 257

Convention and Trade Center, sec. 663

Corrections Department, secs. 240-257

Eastern Washington State Historical Society, secs. 704-705

Eastern Washington University, secs. 389-397

Ecology Department, secs. 501-509

Education, State Board of, secs. 301-309

Emergency Management Department, secs. 134-135

Evergreen State College, secs. 414-424

Financial Management Office, sec. 133

Fisheries Department, secs. 561-598

Game Department, secs. 599-644

General Administration Department, secs. 102-131

Military Department, secs. 136-143

Natural Resources Department, secs. 645-662

Parks and Recreation Commission, secs. 510-557

Personnel Department, sec. 132
 Secretary of State, sec. 101
 Social and Health Services Department, secs. 201-233
 Transportation Department, sec. 706
 University of Washington, secs. 357-376
 Veterans Affairs Department, secs. 234-239
 Vocational Education Commission, secs. 354-356
 Washington State Historical Society, secs. 701-703
 Washington State University, secs. 377-388
 Western Washington State University, secs. 425-428

PART I

GENERAL GOVERNMENT

NEW SECTION, Sec. 101. FOR THE SECRETARY OF STATE

Archives renovation: King county (CI-86-1-004)

	Reappropriation	Appropriation
GF, St Bldg Constr Acct		95,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
73,000		168,000

NEW SECTION, Sec. 102. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Nondeferrable repair projects (CR-83-1-R02)

	Reappropriation	Appropriation
GF, Cap Purch & Dev Acct	107,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
469,000		576,000

NEW SECTION, Sec. 103. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Minor improvements (CR-83-R-004)

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct	40,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
32,000		72,000

NEW SECTION, Sec. 104. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Campus conveyance system repair, phase II (CR-83-R-005)

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct	56,000	
GF, St Fac Renew Acct		852,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
137,000	1,381,000	2,426,000

NEW SECTION, Sec. 105. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Campus roof repairs (CR-83-R-006)

	Reappropriation	Appropriation
GF, St Bldg Constr Acct	100,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
198,000		298,000

NEW SECTION, Sec. 106. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Capitol campus water distribution system repairs, phase II (CR-83-R-007)

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct	110,000	
GF, St Bldg Constr Acct		544,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
65,000	450,000	1,169,000

NEW SECTION, Sec. 107. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
State library: Fire protection systems (CR-83-4-008)

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct	370,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
29,000		399,000

NEW SECTION, Sec. 108. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Campus accessibility improvements, phase II (CI-83-R-013)

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct	34,000	
GF, Cap Purch & Dev Acct	50,000	
GF, St Fac Renew Acct		31,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
502,000	709,000	1,326,000

NEW SECTION, Sec. 109. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Energy retrofit projects (CI-83-R-015)

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct	510,000	630,000
GF, Cap Purch & Dev Acct	228,000	
GF, St Fac Renew Acct		50,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
140,000	878,000	2,436,000

NEW SECTION, Sec. 110. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Repairs to plaza garage (CR-83-1-020)

	Reappropriation	Appropriation
GF, Cap Purch & Dev Acct	225,000	308,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
137,000		670,000

NEW SECTION, Sec. 111. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Office Building No. 2 fire repairs and retrofit (CI-84-1-R11)

	Reappropriation	Appropriation
GF, St Bldg Constr Acct	1,980,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
1,502,000		3,482,000

NEW SECTION, Sec. 112. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Northern state multi-service center: Repairs, phase II (CR-84-R-007)

	Reappropriation	Appropriation
GF, St Fac Renew Acct		385,000
GF, St Bldg Constr Acct	600,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
465,000	2,200,000	3,650,000

NEW SECTION, Sec. 113. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Emergency repairs (CR-86-1-001)

	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		200,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		200,000

NEW SECTION. Sec. 114. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Small repairs and improvements (CR-86-1-002)

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		500,000

NEW SECTION. Sec. 115. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Boiler plant structural evaluation (CR-86-1-003)

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		67,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		67,000

NEW SECTION. Sec. 116. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
State facilities routine maintenance program: Inventory and standards (CR-86-1-004)

	Reappropriation	Appropriation
General Fund. State		400,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		400,000

NEW SECTION. Sec. 117. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Capitol Lake dam repair (CR-86-1-006)

	Reappropriation	Appropriation
GF. St Fac Renew Acct		209,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		209,000

The appropriations in this section are subject to the following conditions and limitations: Each dollar of Referendum 39 moneys granted for the purposes of this section shall be substituted for the like amount of St Fac Renew Acct funds appropriated in this section. The total amount of Referendum 39 funds allotted for this project shall be determined prior to the allotment of St Fac Renew Acct funds.

NEW SECTION. Sec. 118. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Capitol campus heating, ventilation, and air conditioning repairs (CR-86-1-009)

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		250,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		250,000

NEW SECTION. Sec. 119. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Temple of Justice renovation (CR-86-1-011)

	Reappropriation	Appropriation
GF. Cap Bldg Constr Acct		600,000
GF. St Fac Renew Acct		48,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	10,000,000	10,648,000

NEW SECTION. Sec. 120. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Campus sidewalk and street repairs (CR-86-1-012)

	Reappropriation	Appropriation
GF. St Fac Renew Acct		45,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs

6/30/85	Thereafter	
	875,000	920,000
<u>NEW SECTION, Sec. 121. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
Legislative Building renovation (CR-86-2-013)		
	Reappropriation	Appropriation
GF, St Fac Renew Acct		970,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	1,581,000	2,551,000
<u>NEW SECTION, Sec. 122. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
Campus roof repairs (CR-86-2-015)		
	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		248,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	130,000	378,000
<u>NEW SECTION, Sec. 123. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
Campus building exterior repairs (CR-86-2-016)		
	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		190,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	1,500,000	1,690,000
<u>NEW SECTION, Sec. 124. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
Campus building: Interior revisions (CI-86-1-017)		
	Reappropriation	Appropriation
GF, St Fac Renew Acct		284,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		284,000
<u>NEW SECTION, Sec. 125. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
Campus electrical system revisions (CI-86-2-019)		
	Reappropriation	Appropriation
GF, St Fac Renew Acct		390,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		390,000
<u>NEW SECTION, Sec. 126. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
Capitol Lake preservation (CR-86-2-024)		
	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct		1,294,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		1,294,000
The appropriations in this section are subject to the following conditions and limitations: Each dollar of Referendum 39 moneys granted for the purposes of this section shall be substituted for the like amount of St Fac Renew Acct funds appropriated in this section. The total amount of Referendum 39 funds allotted for this project shall be determined prior to the allotment of St Fac Renew Acct funds.		
<u>NEW SECTION, Sec. 127. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
House Office Building remodel (CR-86-2-025)		
	Reappropriation	Appropriation
GF, Cap Bldg Constr Acct	150,000	
GF, St Bldg Constr Acct		2,764,000
Project	Estimated	Estimated
Costs	Costs	Total

Through 6/30/85 1,302,000	7/1/87 and Thereafter	Costs 4,216,000
<u>NEW SECTION. Sec. 128. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
Dawley property acquisition (CI-86-4-027)		
	Reappropriation	Appropriation 390,000
GF. St Bldg Constr Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		390,000
<u>NEW SECTION. Sec. 129. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
Campus irrigation repairs and landscaping (CR-86-2-030)		
	Reappropriation	Appropriation 100,000
GF. Cap Bldg Constr Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	398,000	498,000
<u>NEW SECTION. Sec. 130. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION</u>		
Demolition of former Thurston courthouse, programming and preplanning for a state heritage and natural resources facility, and removal and relocation of capitol campus visitor center (CT-86-4-L51)		
	Reappropriation	Appropriation 720,000
GF. St Bldg Constr Acct		
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		720,000
(1) In respect to the demolition and removal of the former Thurston County Courthouse:		
(a) The stone facade and interior marble, and any other materials of commercial or historic value, shall be maintained by the state for future use in building projects within Thurston county;		
(b) The entrance facade and stone eagles of the building shall be preserved at the existing site;		
(c) The existing site shall be renovated to provide for an extension of the campus green belt with appropriate historic markers adjacent to the entrance facade; and		
(d) The landscaping plan of the site shall exclude the parking of all vehicles, exclude the construction of any structure, including bus stop facilities, and emphasize the scenic vista of Mt. Rainier and other natural topographical features.		
(2) In respect to the programming and preplanning for a state heritage and natural resources facility:		
(a) The state capitol historical association and other civic groups as recognized by the state capitol historical association shall have full authority to participate in the planning of the state heritage center space;		
(b) The department of general administration shall:		
(i) Develop occupancy plans for the facility in a manner that:		
(A) Reduces existing lease space of natural resource agencies, including the departments of natural resources, agriculture, fisheries, game, parks and ecology, and the recreation commission; and		
(B) Improves the accessibility of public services by collocating similar or administratively related natural resource functions.		
(ii) Restrict the design and construction of the facility to a height that does not exceed the elevation of the state archives building; and		
(iii) Submit to the office of financial management, by December 1, 1985, a cost estimate and financing plan for the design and construction of the facility. The financing plan shall include, as a minimum, a comparison of state financing versus the costs of private development of the facility. The cost estimate of private development of the facility shall assume that all building plans and specifications are prepared by the state and compliment the architectural characteristics of the state capitol campus;		
(c) The office of financial management shall submit the completed cost analysis and a recommendation of project financing to the state legislature by January 27, 1986;		
(d) A visitors information function shall be included as an element of the state heritage center.		

(3) The existing capitol campus visitors information center shall be removed and relocated to a site at unimproved state-owned properties east of Jefferson Street, Olympia. The department of general administration, in coordination with the city of Olympia, shall develop a plan and cost estimate to convert the building into a state and community day care center. Staffing and operations cost of the day care center shall be user supported. The center shall establish fees and generate fee revenue to a maximum of operating costs. The center may adopt a sliding fee schedule based on parental income. Day care enrollment policy shall establish single parent children as the highest priority.

(4) The appropriations in this section shall be spent as follows:

(a) \$520,000 for demolition of the courthouse and site landscaping;

(b) \$100,000 to conduct programming and planning for the state heritage and natural resources facility; and

(c) \$100,000 to relocate the existing visitors information center.

NEW SECTION, Sec. 131. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Archives Building renovation (CI-88-2-004)

	Reappropriation	Appropriation
GF, Cap Purch & Dev Acct		10,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	550,000	560,000

NEW SECTION, Sec. 132. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Restoration cost analysis: McNeil Island; long-term need and cost benefit study of constructing an intensive management unit at the Washington State Reformatory (CR-86-4-L50)

	Reappropriation	Appropriation
GF, CEP & RI Acct		150,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		150,000

NEW SECTION, Sec. 133. FOR THE DEPARTMENT OF EMERGENCY MANAGEMENT

Repairs to headquarters building roof and heating system (CR-86-1-006)

	Reappropriation	Appropriation
GF, St Fac Renew Acct		30,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		30,000

NEW SECTION, Sec. 134. FOR THE DEPARTMENT OF EMERGENCY MANAGEMENT

Water retention structure: Green and Toulle rivers (CI-86-1-001)

	Reappropriation	Appropriation
GF, St Bldg Constr Acct		13,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		13,000,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section shall lapse if the federal government does not appropriate and authorize a single retention structure at the Green River site on the North Fork Toulle River; and

(2) Any moneys appropriated under this section for the acquisition of lands, easements, and rights of way may be transferred to the federal government in accordance with federal law if the federal government acts on behalf of the state to acquire the necessary lands, easements, and rights of way.

NEW SECTION, Sec. 135. FOR THE MILITARY DEPARTMENT

Unit training equipment site (CI-84-1-001)

	Reappropriation	Appropriation
General Fund, Federal	1,429,000	324,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
9,000		1,762,000

NEW SECTION, Sec. 136. FOR THE MILITARY DEPARTMENT

Organizational maintenance shop (CI-84-1-002)			
General Fund, Federal		Reappropriation	Appropriation
		192,000	83,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
1,000			276,000
<u>NEW SECTION, Sec. 137. FOR THE MILITARY DEPARTMENT</u>			
Tacoma Armory structural renovation (CR-86-1-001)			
GF, St Bldg Constr Acct		Reappropriation	Appropriation
		93,000	2,000,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
212,000			2,305,000
<u>NEW SECTION, Sec. 138. FOR THE MILITARY DEPARTMENT</u>			
Watercraft support maintenance center (CI-86-1-003)			
General Fund, Federal		Reappropriation	Appropriation
			3,024,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
90,000	2,477,000		5,591,000
<u>NEW SECTION, Sec. 139. FOR THE MILITARY DEPARTMENT</u>			
Minor works (CI-86-1-005)			
GF, St Fac Renew Acct		Reappropriation	Appropriation
			1,040,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
1,174,000	3,931,000		6,145,000
<u>NEW SECTION, Sec. 140. FOR THE MILITARY DEPARTMENT</u>			
Facility contingency (CR-86-2-006)			
GF, St Fac Renew Acct		Reappropriation	Appropriation
			475,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
600,000	1,210,000		2,285,000
<u>NEW SECTION, Sec. 141. FOR THE MILITARY DEPARTMENT</u>			
South King County Armory (CI-86-3-007)			
General Fund, Federal		Reappropriation	Appropriation
		1,260,000	207,000
GF, St Bldg Constr Acct		489,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
			1,956,000
<u>NEW SECTION, Sec. 142. FOR THE MILITARY DEPARTMENT</u>			
Organizational maintenance shop (CI-88-1-009)			
General Fund, Federal		Reappropriation	Appropriation
			22,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
	303,000		325,000
PART II			
HUMAN RESOURCES			
<u>NEW SECTION, Sec. 201. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>			
Referendum 37 projects (CI-79-3-R01)			

Approve, construct, and equip facilities for the care, training, and rehabilitation of persons with physical or mental handicaps involving eleven projects, of which two are reductions in scope from prior legislative approval. Moneys allocated to a project under this section shall revert for reallocation if the final application for the project has not been submitted by December 31, 1985, and approved by March 31, 1986.

	Reappropriation	Appropriation
GF, Hndcp Fac Constr Acct	4,242,000	
GF, LIRA, DSHS Fac		90,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
20,758,000		25,090,000

NEW SECTION, Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Referendum 29 projects (CR-79-3-R02)

	Reappropriation	Appropriation
GF, LIRA, DSHS Fac	1,200,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
100,000		1,300,000

NEW SECTION, Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Utilities and fire safety improvements, phase IV: Fircrest (CR-79-1-R21)

	Reappropriation	Appropriation
GF, DSHS Constr Acct	425,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
2,431,000		2,856,000

NEW SECTION, Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Artwork for 225-bed addition, Western State Hospital (CI-79-4-005)

	Reappropriation	Appropriation
GF, DSHS Constr Acct	75,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
21,111,000		21,186,000

NEW SECTION, Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Construct and equip habilitation center: Lakeland Village (CI-79-R-009)

	Reappropriation	Appropriation
GF, DSHS Constr Acct	1,400,000	5,462,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
18,365,000		25,227,000

NEW SECTION, Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Evergreen Center renovation, phase IV: Rainier School (CR-79-R-017)

	Reappropriation	Appropriation
GF, DSHS Constr Acct	2,094,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
26,586,000	10,113,000	38,793,000

NEW SECTION, Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Multi-purpose facility: Yakima Valley School (CI-79-R-039)

	Reappropriation	Appropriation
GF, DSHS Constr Acct	5,000,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
9,061,000		14,061,000

NEW SECTION, Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Construct and equip new state public health laboratory (CI-81-3-R10)			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		2,900,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
8,362,000			11,262,000
<u>NEW SECTION, Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>			
Energy conservation program (CR-81-2-R11)			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		625,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
1,706,000			2,331,000
<u>NEW SECTION, Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>			
Health, safety, facility, utility, and roofing: Western State Hospital (CR-81-1-033)			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		475,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
1,856,000			2,331,000
<u>NEW SECTION, Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>			
Renovation, repair, and construction related to small projects (CR-83-2-R01)			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		1,300,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
1,501,000			2,801,000
<u>NEW SECTION, Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>			
Emergency generator: Western State Hospital (CR-83-2-005)			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		305,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
351,000			656,000
<u>NEW SECTION, Sec. 213. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>			
Fire safety improvements: Western State Hospital (CR-83-1-006)			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		225,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
64,000			289,000
<u>NEW SECTION, Sec. 214. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>			
Repair and upgrade utilities: Maple Lane School (CR-83-2-007)			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		562,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
47,000			609,000
<u>NEW SECTION, Sec. 215. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>			
Repair and upgrade utilities: Green Hill School (CR-83-2-008)			
		Reappropriation	Appropriation
GF, DSHS Constr Acct		155,000	
Project	Estimated		Estimated
Costs	Costs		Total

Through 6/30/85 152,000	7/1/87 and Thereafter	Costs 307,000
<u>NEW SECTION, Sec. 216. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Preplanning (CI-83-4-009)		
	Reappropriation 4,000	Appropriation
GF. DSHS Constr Acct	Estimated	Estimated
Project	Costs	Total
Costs		Costs
Through	7/1/87 and	
6/30/85	Thereafter	
298,000		302,000
<u>NEW SECTION, Sec. 217. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Construct three living units: Child study and treatment center (CI-83-3-012)		
	Reappropriation 50,000	Appropriation 4,650,000
GF. DSHS Constr Acct	Estimated	Estimated
Project	Costs	Total
Costs		Costs
Through	7/1/87 and	
6/30/85	Thereafter	
195,000		4,895,000
<u>NEW SECTION, Sec. 218. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Convert dormitories for school and gym: Frances H. Morgan (CR-83-R-015)		
	Reappropriation 375,000	Appropriation 27,000
GF. DSHS Constr Acct	Estimated	Estimated
Project	Costs	Total
Costs		Costs
Through	7/1/87 and	
6/30/85	Thereafter	
2,237,000	4,175,000	6,814,000
<u>NEW SECTION, Sec. 219. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Renovate wards: Eastern State Hospital (CR-83-R-016)		
	Reappropriation 2,900,000	Appropriation
GF. DSHS Constr Acct	Estimated	Estimated
Project	Costs	Total
Costs		Costs
Through	7/1/87 and	
6/30/85	Thereafter	
394,000		3,294,000
<u>NEW SECTION, Sec. 220. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Renovate wards: Western State Hospital, phase II (CR-83-R-017)		
	Reappropriation 2,900,000	Appropriation 10,998,000
GF. DSHS Constr Acct	Estimated	Estimated
Project	Costs	Total
Costs		Costs
Through	7/1/87 and	
6/30/85	Thereafter	
1,105,000		15,003,000
<u>NEW SECTION, Sec. 221. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Artwork for education building: Green Hill School (CI-83-4-020)		
	Reappropriation 10,000	Appropriation
GF. DSHS Constr Acct	Estimated	Estimated
Project	Costs	Total
Costs		Costs
Through	7/1/87 and	
6/30/85	Thereafter	
1,790,000		1,800,000
<u>NEW SECTION, Sec. 222. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Fire safety improvements: Safety (CR-84-1-017)		
	Reappropriation 850,000	Appropriation
GF. DSHS Constr Acct	Estimated	Estimated
Project	Costs	Total
Costs		Costs
Through	7/1/87 and	
6/30/85	Thereafter	
650,000		1,500,000
<u>NEW SECTION, Sec. 223. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Kitchen renovation and correct security safety hazards: Mission Creek (CR-84-1-033)		

	Reappropriation	Appropriation
GF, DSHS Constr Acct	24,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
36,000		60,000
<u>NEW SECTION, Sec. 224. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Therapy pool: Interlake School (CI-84-R-034)		
	Reappropriation	Appropriation
GF, DSHS Constr Acct	5,000	1,281,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
25,000		1,311,000
<u>NEW SECTION, Sec. 225. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Emergency and small repairs contingency (CR-86-1-010)		
	Reappropriation	Appropriation
GF, St Fac Renew Acct		977,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	2,000,000	2,977,000
<u>NEW SECTION, Sec. 226. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Minor works request: Juvenile rehabilitation (CR-86-1-020)		
	Reappropriation	Appropriation
GF, St Fac Renew Acct		2,433,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	1,859,000	4,292,000
<u>NEW SECTION, Sec. 227. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Minor works request: Mental health (CR-86-1-030)		
	Reappropriation	Appropriation
GF, St Fac Renew Acct		1,354,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	1,077,000	2,431,000
<u>NEW SECTION, Sec. 228. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Minor works request: Developmental disabilities (CR-86-1-040)		
	Reappropriation	Appropriation
GF, St Fac Renew Acct		770,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	1,700,000	2,470,000
<u>NEW SECTION, Sec. 229. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Renovate residential and training buildings: Mission Creek (CR-86-1-202)		
	Reappropriation	Appropriation
GF, St Fac Renew Acct		2,048,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		2,048,000
<u>NEW SECTION, Sec. 230. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>		
Construct and equip two new living units: Green Hill School: PROVIDED. That a study of future use of Green Hill School is completed prior to allotment of design funds (CR-86-1-203)		
	Reappropriation	Appropriation
GF, DSHS Constr Acct		2,600,000
Project	Estimated	Estimated
Costs	Costs	Total

Through 6/30/85	7/1/87 and Thereafter	Costs	
			2,600,000
<u>NEW SECTION, Sec. 231. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>			
Repair roads: Eastern State Hospital (CR-86-1-335)			
		Reappropriation	Appropriation
GF. St Fac Renew Acct			1,136,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		1,136,000
<u>NEW SECTION, Sec. 232. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>			
Construct and equip new building: Fircrest School (CI-86-1-403)			
		Reappropriation	Appropriation
GF. DSHS Constr Acct			4,098,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		4,098,000
<u>NEW SECTION, Sec. 233. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES</u>			
Prepare a comprehensive programming study for the Interlake Program and various small repairs and improvements at Interlake School (CR-86-1-408)			
		Reappropriation	Appropriation
GF. LIRA, DSHS Fac			169,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		169,000
<u>NEW SECTION, Sec. 234. FOR THE DEPARTMENT OF VETERANS AFFAIRS</u>			
Repair and improve facilities: Omnibus (CR-81-1-R01)			
		Reappropriation	Appropriation
GF. CEP & RI Acct		55,000	
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		334,000
279,000			
<u>NEW SECTION, Sec. 235. FOR THE DEPARTMENT OF VETERANS AFFAIRS</u>			
Emergency repairs (CR-86-1-001)			
		Reappropriation	Appropriation
GF. CEP & RI Acct			75,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		75,000
<u>NEW SECTION, Sec. 236. FOR THE DEPARTMENT OF VETERANS AFFAIRS</u>			
Walla Walla Veterans Center (CI-86-3-002)			
		Reappropriation	Appropriation
GF. CEP & RI Acct		170,500	
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		203,500
33,000			
<u>NEW SECTION, Sec. 237. FOR THE DEPARTMENT OF VETERANS AFFAIRS</u>			
Minor projects: Soldiers' home and veterans' home (CR-86-1-003)			
		Reappropriation	Appropriation
GF. CEP & RI Acct			498,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		498,000
<u>NEW SECTION, Sec. 238. FOR THE DEPARTMENT OF VETERANS AFFAIRS</u>			

Veterans' and soldiers' homes small repairs and improvements (CR-86-1-004)

	Reappropriation	Appropriation
GF, CEP & RI Acct		42,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		42,000

NEW SECTION, Sec. 239. FOR THE DEPARTMENT OF VETERANS AFFAIRS

Restroom renovation: Chilson Hall (CR-86-2-012)

	Reappropriation	Appropriation
GF, CEP & RI Acct		14,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		14,000

NEW SECTION, Sec. 240. FOR THE DEPARTMENT OF CORRECTIONS

Water system, Washington State Reformatory (CR-83-1-006)

	Reappropriation	Appropriation
GF, St Bldg Constr Acct	604,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
64,000		668,000

NEW SECTION, Sec. 241. FOR THE DEPARTMENT OF CORRECTIONS

Washington Corrections Center: Enlarge and remodel 600 beds (CI-83-R-029)

	Reappropriation	Appropriation
GF, St Bldg Constr Acct	2,395,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
19,379,000		21,774,000

NEW SECTION, Sec. 242. FOR THE DEPARTMENT OF CORRECTIONS

Washington State Reformatory: Facility improvements, install a boiler (CI-83-R-048)

	Reappropriation	Appropriation
GF, DSHS Constr Acct	6,279,000	7,275,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
5,196,000	13,771,000	32,521,000

NEW SECTION, Sec. 243. FOR THE DEPARTMENT OF CORRECTIONS

Washington State Reformatory: Construct intensive management unit (CI-86-R-L48)

	Reappropriation	Appropriation
GF, DSHS Constr Acct		9,100,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		9,100,000

The appropriation in this section is subject to the following conditions and limitations: Funds appropriated under this section shall not be allotted until completion and review of the long-term needs and cost benefit study of constructing the intensive management unit, to be done by the office of financial management.

NEW SECTION, Sec. 244. FOR THE DEPARTMENT OF CORRECTIONS

State-wide omnibus: Various projects (CI-83-R-049)

	Reappropriation	Appropriation
GF, St Bldg Constr Acct	595,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
1,083,000		1,678,000

NEW SECTION, Sec. 245. FOR THE DEPARTMENT OF CORRECTIONS

Clallam Bay: 500-person corrections center (CI-83-R-051)

GF, DSHS Constr Acct	Reappropriation	Appropriation
Project	7,430,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
35,567,000	Thereafter	
		42,997,000

NEW SECTION, Sec. 246. FOR THE DEPARTMENT OF CORRECTIONS
Washington State Penitentiary facility renewal projects (CR-83-R-052)

GF, DSHS Constr Acct	Reappropriation	Appropriation
Project	448,000	8,742,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
3,724,000	Thereafter	
		12,914,000

NEW SECTION, Sec. 247. FOR THE DEPARTMENT OF CORRECTIONS
Washington State Penitentiary: 300 bed prototypical housing (CI-84-R-049)

GF, St Bldg Constr Acct	Reappropriation	Appropriation
Project	255,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
11,345,000	Thereafter	
		11,600,000

NEW SECTION, Sec. 248. FOR THE DEPARTMENT OF CORRECTIONS
McNeil Island Corrections Center: Ferry slip (CR-86-R-L13)

GF, CEP & RI Acct	Reappropriation	Appropriation
Project	1,028,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
25,000	Thereafter	
		1,053,000

NEW SECTION, Sec. 249. FOR THE DEPARTMENT OF CORRECTIONS

Twin Rivers Corrections Center: Complete construction and claim defense costs (CI-81-R-01)

GF, DSHS Constr Acct	Reappropriation	Appropriation
Project	757,000	
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
33,105,300	Thereafter	
		33,862,300

The appropriation in this section is subject to the following conditions and limitations: A maximum of \$661,500 may be spent for costs incurred in preparing the state's defense.

NEW SECTION, Sec. 250. FOR THE DEPARTMENT OF CORRECTIONS
McNeil Island Corrections Center: Renovation of utilities (CR-86-1-002)

GF, St Fac Renew Acct	Reappropriation	Appropriation
Project		3,219,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
	Thereafter	
	4,361,000	7,580,000

NEW SECTION, Sec. 251. FOR THE DEPARTMENT OF CORRECTIONS
Repairs to McNeil Island transportation systems (CR-86-1-004)

GF, St Fac Renew Acct	Reappropriation	Appropriation
Project		2,245,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
	Thereafter	
	2,200,000	4,445,000

NEW SECTION, Sec. 252. FOR THE DEPARTMENT OF CORRECTIONS
State-wide minor projects (CI-86-2-005)

GF, St Fac Renew Acct	Reappropriation	Appropriation
		2,096,000

Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 508,000	Estimated Total Costs 2,604,000
<u>NEW SECTION, Sec. 253. FOR THE DEPARTMENT OF CORRECTIONS</u> State-wide small repairs and improvements (CR-86-2-006)		
Reappropriation		Appropriation 61,000
GF, St Fac Renew Acct		
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 153,000	Estimated Total Costs 214,000
<u>NEW SECTION, Sec. 254. FOR THE DEPARTMENT OF CORRECTIONS</u> McNeil Island Corrections Center building renovations (CR-86-1-008)		
Reappropriation		Appropriation 2,229,000
GF, St Fac Renew Acct		
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 3,426,000	Estimated Total Costs 5,655,000
The appropriation in this section is subject to the following conditions and limitations: Funds appropriated under this section shall not be allotted until completion and review of the facilities study to be done by the office of financial management.		
<u>NEW SECTION, Sec. 255. FOR THE DEPARTMENT OF CORRECTIONS</u> State-wide emergency repair projects (CR-86-1-010)		
Reappropriation		Appropriation 400,000
GF, St Fac Renew Acct		
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 1,250,000	Estimated Total Costs 1,650,000
<u>NEW SECTION, Sec. 256. FOR THE DEPARTMENT OF CORRECTIONS</u> State-wide code compliance: Transformers (PCB) (CR-86-1-012)		
Reappropriation		Appropriation 100,000
GF, St Fac Renew Acct		
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 400,000	Estimated Total Costs 500,000
<u>NEW SECTION, Sec. 257. FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT</u> Completion by the Seattle International District Chinatown Public Development Authority of the 'Bush Annex' for the Wing Luke Museum.		
Reappropriation		Appropriation 200,000
General Fund, State		
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 200,000
PART III EDUCATION		
<u>NEW SECTION, Sec. 301. FOR THE STATE BOARD FOR EDUCATION</u> Public school building construction: 1975 (CI-75-3-001)		
Reappropriation		Appropriation 40,000
Common School Constr Fund		
Project Costs Through 6/30/85 15,000	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 55,000
<u>NEW SECTION, Sec. 302. FOR THE STATE BOARD FOR EDUCATION</u> Public school building construction: 1977 (CI-77-3-001)		

Common School Constr Fund	Reappropriation	Appropriation
FOR THE STATE BOARD FOR EDUCATION	110,000	
Public school building construction: 1977 (CI-77-3-001)		

Common School Constr Fund	Reappropriation	Appropriation
Project	110,000	
Costs		Estimated
Through	Estimated	Total
6/30/85	Costs	Costs
80,000	7/1/87 and	
	Thereafter	190,000

NEW SECTION, Sec. 303. FOR THE STATE BOARD FOR EDUCATION
Public school building construction: 1979 (CI-79-3-002)

Common School Constr Fund	Reappropriation	Appropriation
Project	763,000	
Costs		Estimated
Through	Estimated	Total
6/30/85	Costs	Costs
370,000	7/1/87 and	
	Thereafter	1,133,000

NEW SECTION, Sec. 304. FOR THE STATE BOARD FOR EDUCATION
Public school building construction: 1981 (CI-81-3-001)

Common School Constr Fund	Reappropriation	Appropriation
Project	1,000,000	
Costs		Estimated
Through	Estimated	Total
6/30/85	Costs	Costs
41,000,000	7/1/87 and	
	Thereafter	42,000,000

NEW SECTION, Sec. 305. FOR THE STATE BOARD FOR EDUCATION
Public school building construction: 1983 (CI-83-3-001)

Common School Constr Fund	Reappropriation	Appropriation
Project	38,100,000	
Costs		Estimated
Through	Estimated	Total
6/30/85	Costs	Costs
48,298,000	7/1/87 and	
	Thereafter	86,398,000

NEW SECTION, Sec. 306. FOR THE STATE BOARD FOR EDUCATION
Public school building construction: 1985-87 (CI-86-4-001)

Common School Constr Fund	Reappropriation	Appropriation
Project		138,275,000
Costs		Estimated
Through	Estimated	Total
6/30/85	Costs	Costs
	7/1/87 and	
	Thereafter	138,275,000

NEW SECTION, Sec. 307. FOR THE STATE BOARD FOR EDUCATION
Planning grants (CI-86-4-007)

Common School Constr Fund	Reappropriation	Appropriation
Project		500,000
Costs		Estimated
Through	Estimated	Total
6/30/85	Costs	Costs
	7/1/87 and	
	Thereafter	500,000

NEW SECTION, Sec. 308. FOR THE STATE BOARD FOR EDUCATION
Artwork grants (CI-86-4-008)

Common School Constr Fund	Reappropriation	Appropriation
Project		325,000
Costs		Estimated
Through	Estimated	Total
6/30/85	Costs	Costs
	7/1/87 and	
	Thereafter	325,000

NEW SECTION, Sec. 309. FOR THE STATE BOARD FOR EDUCATION
Administrative costs (CI-86-4-009)

Common School Constr Fund	Reappropriation	Appropriation
Project	Estimated	900,000
Costs	Costs	Estimated
Through	7/1/87 and	Total
6/30/85	Thereafter	Costs
		900,000
<u>NEW SECTION. Sec. 310. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Reappropriation for 1977-79 projects (CI-77-4-R01)		
	Reappropriation	Appropriation
GF, Com Col Cap Proj Acct	68,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
118,000		186,000
<u>NEW SECTION. Sec. 311. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Handicapped access improvements (CI-79-1-R21)		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct	21,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
131,000		152,000
<u>NEW SECTION. Sec. 312. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Relocate parent education (CI-79-4-R26)		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct	123,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
80,000		203,000
<u>NEW SECTION. Sec. 313. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Construct parking facility: Seattle Community College (CI-81-3-R01)		
	Reappropriation	Appropriation
General Fund, State	146,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
206,000		352,000
<u>NEW SECTION. Sec. 314. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Nondeferrable repairs (CR-81-1-R02)		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct	31,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
100,000		131,000
<u>NEW SECTION. Sec. 315. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Minor repair and improvement projects (CI-81-3-R05)		
	Reappropriation	Appropriation
GF, Com Col Cap Proj Acct	135,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
349,000		484,000
<u>NEW SECTION. Sec. 316. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Minor improvements: State board for community college education allocation (CI-81-2-12)		
	Reappropriation	Appropriation
GF, Com Col Cap Proj Acct	50,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs

	6/30/85	Thereafter	
	2,450,000		2,500,000
<u>NEW SECTION, Sec. 317. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Minor capital improvements (CI-83-2-002)			
		Reappropriation	Appropriation
GF. St H Ed Constr Acct		560,000	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
	2,350,000		2,910,000
<u>NEW SECTION, Sec. 318. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Roof repairs (CR-83-1-003)			
		Reappropriation	Appropriation
GF. St H Ed Constr Acct		300,000	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
	1,751,000		2,051,000
<u>NEW SECTION, Sec. 319. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Code compliance (CR-83-1-004)			
		Reappropriation	Appropriation
GF. St H Ed Constr Acct		25,000	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
	32,000		57,000
<u>NEW SECTION, Sec. 320. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Electrical repairs (CR-83-1-005)			
		Reappropriation	Appropriation
GF. St H Ed Constr Acct		55,000	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
	653,000		708,000
<u>NEW SECTION, Sec. 321. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
General repairs (CR-83-1-006)			
		Reappropriation	Appropriation
GF. St H Ed Constr Acct		150,000	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
	585,000		735,000
<u>NEW SECTION, Sec. 322. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Heating, ventilation, and air conditioning repairs (CR-83-2-007)			
		Reappropriation	Appropriation
GF. St H Ed Constr Acct		230,000	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
	862,000		1,092,000
<u>NEW SECTION, Sec. 323. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Clark College heating system (CI-83-1-008)			
		Reappropriation	Appropriation
GF. St H Ed Constr Acct		2,150,000	
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
	2,566,000		4,716,000
<u>NEW SECTION, Sec. 324. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
The Evergreen State College and Clark College: Joint facility (CI-83-3-009)			

	Reappropriation	Appropriation
GF, St H Ed Constr Acct	1,450,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
50,000		1,500,000
<u>NEW SECTION, Sec. 325. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Emergency repair and repairs, maintenance, and improvements (CR-83-1-01)		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct	100,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
346,000		446,000
<u>NEW SECTION, Sec. 326. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Repairs: Various campuses (CR-84-1-10)		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct	500,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
747,000		1,247,000
<u>NEW SECTION, Sec. 327. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Repairs: Various campuses (CI-84-3-11)		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct	100,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
120,000		220,000
<u>NEW SECTION, Sec. 328. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Minor works request (repairs, maintenance, and improvements) (CR-86-1-001)		
	Reappropriation	Appropriation
GF, H Ed Reimb S/T Bonds Acct		3,100,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		3,100,000
<u>NEW SECTION, Sec. 329. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
State Board for Community College Education emergency repair fund (CR-86-1-002)		
	Reappropriation	Appropriation
GF, H Ed Reimb S/T Bonds Acct		500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		500,000
<u>NEW SECTION, Sec. 330. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Critical repair projects (CR-86-1-003)		
	Reappropriation	Appropriation
GF, H Ed Reimb S/T Bonds Acct		6,556,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		6,556,000
<u>NEW SECTION, Sec. 331. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
General repair projects (CR-86-1-004)		
	Reappropriation	Appropriation
GF, St Fac Renew Acct		9,324,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
		9,324,000

	6/30/85	Thereafter	9,324,000
<u>NEW SECTION, Sec. 332. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Energy conservation projects (CR-86-1-005)			
		Reappropriation	Appropriation
GF, St Fac Renew Acct			2,497,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
			2,497,000
<u>NEW SECTION, Sec. 333. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Minor renovations (CR-86-2-006)			
		Reappropriation	Appropriation
GF, St Fac Renew Acct			8,094,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
			8,094,000
<u>NEW SECTION, Sec. 334. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Minor remodel projects (CR-86-2-007)			
		Reappropriation	Appropriation
GF, St Fac Renew Acct			2,050,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
			2,050,000
<u>NEW SECTION, Sec. 335. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Purchase Clarkston facility (CI-86-3-008)			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct			500,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
			500,000
<u>NEW SECTION, Sec. 336. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Design and construction of vocational-science facility: Wenatchee (CI-86-3-G09)			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct			2,420,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
			2,420,000
<u>NEW SECTION, Sec. 337. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Construct main storage building: Clark (CI-86-3-009)			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct			503,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
			503,000
<u>NEW SECTION, Sec. 338. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Construct science facility: Spokane (CI-86-3-010)			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct			506,000
	Project	Estimated	Estimated
	Costs	Costs	Total
	Through	7/1/87 and	Costs
	6/30/85	Thereafter	
			506,000
<u>NEW SECTION, Sec. 339. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Minor improvements: Various campuses (CI-86-3-011)			

		Reappropriation	Appropriation
GF, St H Ed Constr Acct			6,007,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
			6,007,000
<u>NEW SECTION, Sec. 340. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Purchase Paine Field facility: Everett (CI-86-3-012)			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct			2,090,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
			2,090,000
<u>NEW SECTION, Sec. 341. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
District office and Edison North renovation: Seattle Central (CI-86-3-013)			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct			3,660,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
		4,614,000	8,274,000
<u>NEW SECTION, Sec. 342. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Purchase Wagstaff facility: Spokane (CI-86-3-014)			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct			900,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
			900,000
<u>NEW SECTION, Sec. 343. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Construct core facility and instructional space: Whatcom (CI-86-3-015)			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct		180,000	4,933,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
		40,000	5,153,000
<u>NEW SECTION, Sec. 344. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Science facility: Columbia Basin (CI-86-3-016)			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct			2,906,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
			2,906,000
<u>NEW SECTION, Sec. 345. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Replace relocatable buildings: Fort Steilacoom (CI-86-3-017)			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct			4,646,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
			4,646,000
<u>NEW SECTION, Sec. 346. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>			
Design of Puyallup extension facility: Fort Steilacoom (CI-86-3-L50)			
		Reappropriation	Appropriation
GF, St H Ed Constr Acct			275,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs

6/30/85	Thereafter	
	2,930,000	3,205,000
<u>NEW SECTION, Sec. 347. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Prior Hall renovation: Yakima Valley (CR-86-1-018)		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		1,652,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		1,652,000
<u>NEW SECTION, Sec. 348. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Food service building: Olympic (CI-86-3-019)		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		4,167,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		4,167,000
<u>NEW SECTION, Sec. 349. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION</u>		
Preplanning for 1987-89 major projects (CI-86-4-999)		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		457,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		457,000
<u>NEW SECTION, Sec. 350. FOR THE COMMISSION FOR VOCATIONAL EDUCATION</u>		
Design and construct fire training facility (CI-81-4-R01)		
	Reappropriation	Appropriation
GF, Fire Trng Constr Acct	440,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
6,131,000		6,571,000
<u>NEW SECTION, Sec. 351. FOR THE COMMISSION FOR VOCATIONAL EDUCATION</u>		
Minor works request (CI-86-4-002)		
	Reappropriation	Appropriation
GF, St Fac Renew Acct		411,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		411,000
<u>NEW SECTION, Sec. 352. FOR THE COMMISSION FOR VOCATIONAL EDUCATION</u>		
Preplanning for fire station (CI-88-4-003)		
	Reappropriation	Appropriation
GF, Fire Trng Constr Acct		16,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	1,019,000	1,035,000
<u>NEW SECTION, Sec. 353. FOR THE UNIVERSITY OF WASHINGTON</u>		
University Hospital expansion (CI-81-3-001)		
	Reappropriation	Appropriation
GF, H Ed Constr Acct	300,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
59,396,000		75,696,000
<u>NEW SECTION, Sec. 354. FOR THE UNIVERSITY OF WASHINGTON</u>		
High rise fire safety (CR-83-1-001)		

	Reappropriation	Appropriation
GF, St H Ed Constr Acct	1,040,000	
GF, UW Bldg Acct	450,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
1,260,000		2,750,000
<u>NEW SECTION, Sec. 355. FOR THE UNIVERSITY OF WASHINGTON</u>		
J Wing hazardous waste (CR-83-1-002)		
	Reappropriation	Appropriation
GF, H Ed Constr Acct	400,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
84,000		484,000
<u>NEW SECTION, Sec. 356. FOR THE UNIVERSITY OF WASHINGTON</u>		
Emergency power extension (CR-83-1-003)		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct	133,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
222,000		355,000
<u>NEW SECTION, Sec. 357. FOR THE UNIVERSITY OF WASHINGTON</u>		
Safety: General (CR-83-1-004)		
	Reappropriation	Appropriation
GF, H Ed Constr Acct	200,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
300,000		500,000
<u>NEW SECTION, Sec. 358. FOR THE UNIVERSITY OF WASHINGTON</u>		
Energy conservation (CI-83-2-011)		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct	100,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
50,000		150,000
<u>NEW SECTION, Sec. 359. FOR THE UNIVERSITY OF WASHINGTON</u>		
Roberts Hall renovation (CR-83-1-012)		
	Reappropriation	Appropriation
GF, H Ed Constr Acct	3,700,000	
GF, H Ed Reimb S/T Bonds		6,325,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
300,000		10,325,000
<u>NEW SECTION, Sec. 360. FOR THE UNIVERSITY OF WASHINGTON</u>		
Equipment (CI-83-3-999)		
	Reappropriation	Appropriation
GF, UW Bldg Acct	1,177,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
2,732,000		3,909,000
<u>NEW SECTION, Sec. 361. FOR THE UNIVERSITY OF WASHINGTON</u>		
Safety: Fire code (CR-86-1-001)		
	Reappropriation	Appropriation
GF, St H Ed Constr Acct		5,780,000

Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 14,120,000	Estimated Total Costs 19,900,000
<u>NEW SECTION</u> , Sec. 362. FOR THE UNIVERSITY OF WASHINGTON Safety: Asbestos (CR-86-1-002)		
GF, St H Ed Constr Acct	Reappropriation	Appropriation 1,000,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 3,200,000	Estimated Total Costs 4,200,000
<u>NEW SECTION</u> , Sec. 363. FOR THE UNIVERSITY OF WASHINGTON Safety: General (CR-86-1-003)		
GF, St H Ed Constr Acct	Reappropriation	Appropriation 1,000,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 2,000,000	Estimated Total Costs 3,000,000
<u>NEW SECTION</u> , Sec. 364. FOR THE UNIVERSITY OF WASHINGTON Minor works: Capital renewal (CR-86-1-004)		
GF, St Fac Renew Acct	Reappropriation	Appropriation 511,000
GF, UW Bldg Acct		3,907,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 26,200,000	Estimated Total Costs 36,170,000
<u>NEW SECTION</u> , Sec. 365. FOR THE UNIVERSITY OF WASHINGTON Minor works: Program renewal (CI-86-3-005)		
GF, St H Ed Constr Acct	Reappropriation	Appropriation 7,230,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 26,100,000	Estimated Total Costs 35,780,000
<u>NEW SECTION</u> , Sec. 366. FOR THE UNIVERSITY OF WASHINGTON SIEG computer science: Electrical (CR-86-1-007)		
GF, St Fac Renew Acct	Reappropriation	Appropriation 1,120,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 1,120,000
<u>NEW SECTION</u> , Sec. 367. FOR THE UNIVERSITY OF WASHINGTON Electrical engineering building: Electrical (CR-86-1-008)		
GF, St Fac Renew Acct	Reappropriation	Appropriation 660,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 660,000
<u>NEW SECTION</u> , Sec. 368. FOR THE UNIVERSITY OF WASHINGTON G wing renovation (CR-86-1-011)		
GF, H Ed Reimb S/T Bonds	Reappropriation	Appropriation 6,297,000
Project Costs Through	Estimated Costs 7/1/87 and	Estimated Total Costs

	6/30/85	Thereafter	6,297,000
	<u>NEW SECTION, Sec. 369. FOR THE UNIVERSITY OF WASHINGTON</u>		
	Fisheries renovation (CR-86-1-014)		
		Reappropriation	Appropriation
GF, St H Ed Constr Acct			6,000,000
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/87 and	Costs
6/30/85		Thereafter	
			6,000,000
	<u>NEW SECTION, Sec. 370. FOR THE UNIVERSITY OF WASHINGTON</u>		
	State energy audit (CI-86-4-023)		
		Reappropriation	Appropriation
GF, St H Ed Constr Acct			945,000
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/87 and	Costs
6/30/85		Thereafter	
		1,000,000	1,945,000
	<u>NEW SECTION, Sec. 371. FOR THE UNIVERSITY OF WASHINGTON</u>		
	H wing addition (CR-88-1-021)		
		Reappropriation	Appropriation
GF, H Ed Reimb S/T Bonds			176,000
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/87 and	Costs
6/30/85		Thereafter	
		8,803,000	8,979,000
	<u>NEW SECTION, Sec. 372. FOR WASHINGTON STATE UNIVERSITY</u>		
	Minor capital improvements (CI-83-1-001)		
		Reappropriation	Appropriation
GF, WSU Bldg Acct		1,500,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/87 and	Costs
6/30/85		Thereafter	
3,029,000			5,389,000
	<u>NEW SECTION, Sec. 373. FOR WASHINGTON STATE UNIVERSITY</u>		
	Electrical and mechanical engineering building (CI-83-3-002)		
		Reappropriation	Appropriation
GF, WSU Bldg Acct		8,016,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/87 and	Costs
6/30/85		Thereafter	
5,760,000			13,776,000
	<u>NEW SECTION, Sec. 374. FOR WASHINGTON STATE UNIVERSITY</u>		
	McCoy Hall remodeling, phase I (CI-83-3-005)		
		Reappropriation	Appropriation
GF, WSU Bldg Acct		160,000	
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/87 and	Costs
6/30/85		Thereafter	
			160,000
	<u>NEW SECTION, Sec. 375. FOR WASHINGTON STATE UNIVERSITY</u>		
	Minor capital improvements (CI-86-1-001)		
		Reappropriation	Appropriation
GF, WSU Bldg Acct			4,300,000
Project		Estimated	Estimated
Costs		Costs	Total
Through		7/1/87 and	Costs
6/30/85		Thereafter	
		17,040,000	24,667,000
	<u>NEW SECTION, Sec. 376. FOR WASHINGTON STATE UNIVERSITY</u>		
	Minor capital renewal (CR-86-1-002)		

GF, St Fac Renew Acct		Reappropriation	Appropriation
Project	Estimated		3,000,000
Costs	Costs	Estimated	Total
Through	7/1/87 and	Total	Costs
6/30/85	Thereafter	Costs	
	8,000,000		11,000,000

NEW SECTION, Sec. 377. FOR WASHINGTON STATE UNIVERSITY
Construct chemistry building (CI-86-1-003)

GF, H Ed Constr Acct		Reappropriation	Appropriation
GF, WSU Bldg Acct		250,000	13,791,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
649,000	3,656,000		18,346,000

NEW SECTION, Sec. 378. FOR WASHINGTON STATE UNIVERSITY
Construct food and human nutrition facility (CI-86-1-004)

GF, H Ed Constr Acct		Reappropriation	Appropriation
GF, St H Ed Constr Acct			4,454,000
GF, WSU Bldg Acct		697,000	5,850,000
Project	Estimated		1,700,000
Costs	Costs		Estimated
Through	7/1/87 and		Total
6/30/85	Thereafter		Costs
97,000	1,000,000		
			13,798,000

The appropriations in this section are subject to the following conditions and limitations:
Funds appropriated under this section shall not be allotted for fiscal year 1986.

NEW SECTION, Sec. 379. FOR WASHINGTON STATE UNIVERSITY
McCoy Hall capital renewal and addition (CI-86-1-005)

GF, H Ed Constr Acct		Reappropriation	Appropriation
Project	Estimated		2,249,000
Costs	Costs		Estimated
Through	7/1/87 and		Total
6/30/85	Thereafter		Costs
61,000	3,302,000		
			5,612,000

NEW SECTION, Sec. 380. FOR WASHINGTON STATE UNIVERSITY
Science hall renewal: Phase II and completion (CR-86-1-006)

GF, H Ed Constr Acct		Reappropriation	Appropriation
Project	Estimated		11,646,000
Costs	Costs		Estimated
Through	7/1/87 and		Total
6/30/85	Thereafter		Costs
63,000			
			11,709,000

NEW SECTION, Sec. 381. FOR WASHINGTON STATE UNIVERSITY
Feed preparation, mixing, and storage facility (CI-86-1-012)

GF, St H Ed Constr Acct		Reappropriation	Appropriation
GF, WSU Bldg Acct			500,000
Project	Estimated		1,000,000
Costs	Costs		Estimated
Through	7/1/87 and		Total
6/30/85	Thereafter		Costs
			1,500,000

NEW SECTION, Sec. 382. FOR WASHINGTON STATE UNIVERSITY
Acquisition and renewal of Neil Residence Hall (CR-86-3-007)

GF, St H Ed Constr Acct		Reappropriation	Appropriation
Project	Estimated		3,000,000
Costs	Costs		Estimated
Through	7/1/87 and		Total
6/30/85	Thereafter		Costs
			3,000,000

NEW SECTION, Sec. 383. FOR WASHINGTON STATE UNIVERSITY

Kalkus Lab fire: Reimbursement of emergency repair expenditures (CR-86-1-013)			Appropriation
Reappropriation			650,000
GF, St H Ed Constr Acct			Estimated
Project	Estimated		Total
Costs	Costs		Costs
Through	7/1/87 and		
6/30/85	Thereafter		650,000
<u>NEW SECTION, Sec. 384. FOR EASTERN WASHINGTON UNIVERSITY</u>			
Science building: Addition of laboratory space (CI-83-R-001)			Appropriation
Reappropriation			1,677,000
GF, EWU Cap Proj Acct		387,000	Estimated
Project	Estimated		Total
Costs	Costs		Costs
Through	7/1/87 and		
6/30/85	Thereafter		5,149,000
13,000	3,072,000		
<u>NEW SECTION, Sec. 385. FOR EASTERN WASHINGTON UNIVERSITY</u>			
Minor capital reappropriations (CR-83-R-003)			Appropriation
Reappropriation			800,000
GF, EWU Cap Proj Acct			Estimated
Project	Estimated		Total
Costs	Costs		Costs
Through	7/1/87 and		
6/30/85	Thereafter		1,766,000
966,000			
<u>NEW SECTION, Sec. 386. FOR EASTERN WASHINGTON UNIVERSITY</u>			
Electrical system renewal (CR-86-1-002)			Appropriation
Reappropriation			1,513,000
GF, St Fac Renew Acct			Estimated
Project	Estimated		Total
Costs	Costs		Costs
Through	7/1/87 and		
6/30/85	Thereafter		1,513,000
966,000			
<u>NEW SECTION, Sec. 387. FOR EASTERN WASHINGTON UNIVERSITY</u>			
Roof replacement (CR-86-1-003)			Appropriation
Reappropriation			600,000
GF, St H Ed Constr Acct			Estimated
Project	Estimated		Total
Costs	Costs		Costs
Through	7/1/87 and		
6/30/85	Thereafter		1,200,000
600,000			
<u>NEW SECTION, Sec. 388. FOR EASTERN WASHINGTON UNIVERSITY</u>			
Water storage and distribution (CI-86-1-004)			Appropriation
Reappropriation			1,170,000
GF, St H Ed Constr Acct			Estimated
Project	Estimated		Total
Costs	Costs		Costs
Through	7/1/87 and		
6/30/85	Thereafter		1,170,000
1,000,000			
<u>NEW SECTION, Sec. 389. FOR EASTERN WASHINGTON UNIVERSITY</u>			
Energy conservation (CI-86-2-006)			Appropriation
Reappropriation			500,000
GF, St H Ed Constr Acct			Estimated
Project	Estimated		Total
Costs	Costs		Costs
Through	7/1/87 and		
6/30/85	Thereafter		1,500,000
1,000,000			
<u>NEW SECTION, Sec. 390. FOR EASTERN WASHINGTON UNIVERSITY</u>			
Minor works projects (CR-86-1-010)			Appropriation
Reappropriation			660,000
GF, EWU Cap Proj Acct			Estimated
Project	Estimated		Total
Costs	Costs		

Through 6/30/85	7/1/87 and Thereafter 3,900,000	Costs 4,560,000
<u>NEW SECTION</u> , Sec. 391. FOR EASTERN WASHINGTON UNIVERSITY Small repairs and improvements (CR-86-1-011)		
	Reappropriation	Appropriation 76,000
GF, EWU Cap Proj Acct		Estimated
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter 1,300,000	1,376,000
<u>NEW SECTION</u> , Sec. 392. FOR EASTERN WASHINGTON UNIVERSITY Fire suppression systems (CI-88-1-005)		
	Reappropriation	Appropriation 23,000
GF, St H Ed Constr Acct		27,000
GF, EWU Cap Proj Acct		Estimated
Project	Estimated	Total
Costs	Costs	Costs
Through	7/1/87 and	
6/30/85	Thereafter 4,400,000	4,450,000
<u>NEW SECTION</u> , Sec. 393. FOR CENTRAL WASHINGTON UNIVERSITY Utility extension (CI-79-R-003)		
	Reappropriation	Appropriation 83,000
GF, CWU Cap Proj Acct		Estimated
Project	Estimated	Total
Costs	Costs	Costs
Through	7/1/87 and	
6/30/85	Thereafter	884,000
801,000		
<u>NEW SECTION</u> , Sec. 394. FOR CENTRAL WASHINGTON UNIVERSITY Handicapped modifications (CI-79-R-007)		
	Reappropriation	Appropriation 66,000
GF, St H Ed Constr Acct		Estimated
Project	Estimated	Total
Costs	Costs	Costs
Through	7/1/87 and	
6/30/85	Thereafter	532,000
466,000		
<u>NEW SECTION</u> , Sec. 395. FOR CENTRAL WASHINGTON UNIVERSITY Utilities improvement (CI-81-R-005)		
	Reappropriation	Appropriation 51,000
GF, CWU Cap Proj Acct		Estimated
Project	Estimated	Total
Costs	Costs	Costs
Through	7/1/87 and	
6/30/85	Thereafter	270,000
219,000		
<u>NEW SECTION</u> , Sec. 396. FOR CENTRAL WASHINGTON UNIVERSITY Energy savings: Boiler house (CI-81-R-006)		
	Reappropriation	Appropriation 123,000
GF, CWU Cap Proj Acct		Estimated
Project	Estimated	Total
Costs	Costs	Costs
Through	7/1/87 and	
6/30/85	Thereafter	535,000
412,000		
<u>NEW SECTION</u> , Sec. 397. FOR CENTRAL WASHINGTON UNIVERSITY Utilities improvement (CI-82-R-002)		
	Reappropriation	Appropriation 200,000
GF, CWU Cap Proj Acct		Estimated
Project	Estimated	Total
Costs	Costs	Costs
Through	7/1/87 and	
6/30/85	Thereafter	234,000
34,000		
<u>NEW SECTION</u> , Sec. 398. FOR CENTRAL WASHINGTON UNIVERSITY		

Minor capital improvements (CI-82-R-003)			
GF. CWU Cap Proj Acct		Reappropriation	Appropriation
Project		115,000	
Costs	Estimated		Estimated
Through	Costs		Total
6/30/85	7/1/87 and		Costs
219,000	Thereafter		
			334,000
<u>NEW SECTION. Sec. 399. FOR CENTRAL WASHINGTON UNIVERSITY</u>			
Minor capital improvements (CI-83-R-003)			
GF. CWU Cap Proj Acct		Reappropriation	Appropriation
Project		576,000	
Costs	Estimated		Estimated
Through	Costs		Total
6/30/85	7/1/87 and		Costs
933,000	Thereafter		
			1,509,000
<u>NEW SECTION. Sec. 400. FOR CENTRAL WASHINGTON UNIVERSITY</u>			
Bouillon Hall reroofing (CR-83-R-006)			
GF. CWU Cap Proj Acct		Reappropriation	Appropriation
Project		240,000	
Costs	Estimated		Estimated
Through	Costs		Total
6/30/85	7/1/87 and		Costs
275,000	Thereafter		
			515,000
<u>NEW SECTION. Sec. 401. FOR CENTRAL WASHINGTON UNIVERSITY</u>			
Hogue Technology and Hebler remodel (CI-83-R-007)			
GF. CWU Cap Proj Acct		Reappropriation	Appropriation
Project		750,000	
Costs	Estimated		Estimated
Through	Costs		Total
6/30/85	7/1/87 and		Costs
196,000	Thereafter		
			946,000
<u>NEW SECTION. Sec. 402. FOR CENTRAL WASHINGTON UNIVERSITY</u>			
Provide for additional staff space: Computer center (CI-83-3-063)			
GF. CWU Cap Proj Acct		Reappropriation	Appropriation
Project		182,800	
Costs	Estimated		Estimated
Through	Costs		Total
6/30/85	7/1/87 and		Costs
	Thereafter		
			182,800
<u>NEW SECTION. Sec. 403. FOR CENTRAL WASHINGTON UNIVERSITY</u>			
Improvements to instructional and support space: Nicholson (CI-86-3-001)			
GF. St H Ed Constr Acct		Reappropriation	Appropriation
			1,332,000
GF. CWU Cap Proj Acct			1,318,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
			2,650,000
<u>NEW SECTION. Sec. 404. FOR CENTRAL WASHINGTON UNIVERSITY</u>			
Energy savings projects (CR-86-2-005)			
GF. CWU Cap Proj Acct		Reappropriation	Appropriation
Project			300,000
Costs	Estimated		Estimated
Through	Costs		Total
6/30/85	7/1/87 and		Costs
	Thereafter		
	412,000		712,000
<u>NEW SECTION. Sec. 405. FOR CENTRAL WASHINGTON UNIVERSITY</u>			
Minor works request (CR-86-2-007)			
GF. CWU Cap Proj Acct		Reappropriation	Appropriation
			1,819,000

Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 4,000,000	Estimated Total Costs 5,819,000
<u>NEW SECTION, Sec. 406. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Emergency repairs (CR-86-1-012)		
	Reappropriation	Appropriation 22,000
GF. CWU Cap Proj Acct		
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 56,000	Estimated Total Costs 78,000
<u>NEW SECTION, Sec. 407. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Small repairs and improvements (CR-86-3-013)		
	Reappropriation	Appropriation 533,000
GF. CWU Cap Proj Acct		
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 890,000	Estimated Total Costs 1,423,000
<u>NEW SECTION, Sec. 408. FOR CENTRAL WASHINGTON UNIVERSITY</u>		
Renewal and utilization of campus buildings (CR-88-1-001)		
	Reappropriation	Appropriation 86,000
GF. CWU Cap Proj Acct		
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 10,374,000	Estimated Total Costs 10,460,000
<u>NEW SECTION, Sec. 409. FOR THE EVERGREEN STATE COLLEGE</u>		
Renovate fire protection system (CR-86-1-001)		
	Reappropriation	Appropriation 994,000
GF. St H Ed Constr Acct		
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 994,000
<u>NEW SECTION, Sec. 410. FOR THE EVERGREEN STATE COLLEGE</u>		
Deferred maintenance and capital renewal program (CR-86-2-002)		
	Reappropriation	Appropriation 1,200,000
GF. St Fac Renew Acct		
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 4,095,000	Estimated Total Costs 5,295,000
<u>NEW SECTION, Sec. 411. FOR THE EVERGREEN STATE COLLEGE</u>		
Replace roofing (three buildings) (CR-86-2-003)		
	Reappropriation	Appropriation 138,000
GF. St H Ed Constr Acct		
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 138,000
<u>NEW SECTION, Sec. 412. FOR THE EVERGREEN STATE COLLEGE</u>		
Emergency repairs (CR-86-1-004)		
	Reappropriation	Appropriation 60,000
GF. TESC Cap Proj Acct		
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 60,000

NEW SECTION, Sec. 413. FOR THE EVERGREEN STATE COLLEGE
 Minor works (group 1) (CI-86-3-005)

GF, St Fac Renew Acct		Reappropriation	Appropriation
Project	Estimated		309,000
Costs	Costs	Estimated	Estimated
Through	7/1/87 and	Total	Costs
6/30/85	Thereafter	Costs	
			309,000

NEW SECTION, Sec. 414. FOR THE EVERGREEN STATE COLLEGE
 Small repairs and improvements (CR-86-2-006)

GF, TESC Cap Proj Acct		Reappropriation	Appropriation
Project	Estimated		46,000
Costs	Costs	Estimated	Total
Through	7/1/87 and	Costs	Costs
6/30/85	Thereafter		
			46,000

NEW SECTION, Sec. 415. FOR THE EVERGREEN STATE COLLEGE
 Code compliance renovation (CR-86-1-007)

GF, St Fac Renew Acct		Reappropriation	Appropriation
GF, TESC Cap Proj Acct		132,000	105,000
Project	Estimated	Estimated	Total
Costs	Costs	Costs	Costs
Through	7/1/87 and		
6/30/85	Thereafter		
			237,000

NEW SECTION, Sec. 416. FOR THE EVERGREEN STATE COLLEGE
 Energy conservation projects (CR-86-2-008)

GF, St H Ed Constr Acct		Reappropriation	Appropriation
Project	Estimated		908,000
Costs	Costs	Estimated	Total
Through	7/1/87 and	Costs	Costs
6/30/85	Thereafter		
			908,000

NEW SECTION, Sec. 417. FOR THE EVERGREEN STATE COLLEGE
 Renovate roofing (four buildings) (CR-86-2-009)

GF, St H Ed Constr Acct		Reappropriation	Appropriation
Project	Estimated		394,000
Costs	Costs	Estimated	Total
Through	7/1/87 and	Costs	Costs
6/30/85	Thereafter		
			394,000

NEW SECTION, Sec. 418. FOR THE EVERGREEN STATE COLLEGE
 Minor works (group 2) (CR-86-2-010)

GF, St Fac Renew Acct		Reappropriation	Appropriation
Project	Estimated		145,000
Costs	Costs	Estimated	Total
Through	7/1/87 and	Costs	Costs
6/30/85	Thereafter		
			145,000

NEW SECTION, Sec. 419. FOR THE EVERGREEN STATE COLLEGE
 Laboratory exhaust and ventilation repairs (CR-86-1-099)

GF, St H Ed Constr Acct		Reappropriation	Appropriation
Project	Estimated		75,000
Costs	Costs	Estimated	Total
Through	7/1/87 and	Costs	Costs
6/30/85	Thereafter		
	634,000		709,000

NEW SECTION, Sec. 420. FOR WESTERN WASHINGTON UNIVERSITY
 Construct technology building and remodel art and technology building (CI-84-3-001)

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		6,500,000
GF, WWU Cap Proj Acct	200,000	
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/85	7/1/87 and Thereafter	
372,000	2,905,000	9,977,000

NEW SECTION, Sec. 421. FOR WESTERN WASHINGTON UNIVERSITY
Programming science facility needs (CI-86-1-002)

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		50,000
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/85	7/1/87 and Thereafter	
		50,000

NEW SECTION, Sec. 422. FOR WESTERN WASHINGTON UNIVERSITY
Minor works request (CI-86-2-007)

	Reappropriation	Appropriation
GF, St Fac Renew Acct		1,902,000
GF, St H Ed Constr Acct		200,000
GF, WWU Cap Proj Acct		2,707,000
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/85	7/1/87 and Thereafter	
2,419,000	6,450,000	13,678,000

NEW SECTION, Sec. 423. FOR WESTERN WASHINGTON UNIVERSITY
Small repairs and improvements (CI-86-2-008)

	Reappropriation	Appropriation
GF, WWU Cap Proj Acct	204,000	900,000
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/85	7/1/87 and Thereafter	
663,000	1,800,000	3,567,000

PART IV
NATURAL RESOURCES

NEW SECTION, Sec. 501. FOR THE DEPARTMENT OF ECOLOGY
Riverside: Connection to municipal system (CI-77-R-002)

	Reappropriation	Appropriation
GF, LIRA, Waste Disp Fac	98,000	
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/85	7/1/87 and Thereafter	
40,000		138,000

NEW SECTION, Sec. 502. FOR THE DEPARTMENT OF ECOLOGY
St. Edward water system (CI-81-R-005)

	Reappropriation	Appropriation
GF, LIRA, Water Sup Fac	220,000	
Project Costs	Estimated Costs	Estimated Total Costs
Through 6/30/85	7/1/87 and Thereafter	
		220,000

The appropriation in this section shall lapse on July 1, 1986, if substantial progress has not been made, as determined by the office of financial management, or contractual obligations have not been incurred.

NEW SECTION, Sec. 503. FOR THE DEPARTMENT OF ECOLOGY
Organic sewage treatment (CI-81-R-04A)

	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980	10,000	
Project Costs	Estimated Costs	Estimated Total Costs
Through	7/1/87 and	

6/30/85	Thereafter	
117,000		127,000
<u>NEW SECTION, Sec. 504. FOR THE DEPARTMENT OF ECOLOGY</u>		
<u>Padilla Bay (CI-81-R-096)</u>		
	Reappropriation	Appropriation
General Fund, Federal	150,000	
GF, ORA—State	150,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
1,396,000		1,696,000
<u>NEW SECTION, Sec. 505. FOR THE DEPARTMENT OF ECOLOGY</u>		
<u>Blake Island water (CR-83-1-007)</u>		
	Reappropriation	Appropriation
GF, LIRA, Water Sup Fac	30,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
58,000		88,000
<u>NEW SECTION, Sec. 506. FOR THE DEPARTMENT OF ECOLOGY</u>		
<u>Moran sewage facilities modifications (CR-83-R-015)</u>		
	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980	20,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
58,000		78,000
<u>NEW SECTION, Sec. 507. FOR THE DEPARTMENT OF ECOLOGY</u>		
<u>Ocean city sewer system modifications (CR-83-R-016)</u>		
	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980	120,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		120,000
The appropriation in this section shall lapse on July 1, 1986, if substantial progress has not been made, as determined by the office of financial management, or contractual obligations have not been incurred.		
<u>NEW SECTION, Sec. 508. FOR THE DEPARTMENT OF ECOLOGY</u>		
<u>Pacific Beach: Sewage system (CR-83-R-020)</u>		
	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980	6,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
20,000		26,000
<u>NEW SECTION, Sec. 509. FOR THE DEPARTMENT OF ECOLOGY</u>		
<u>Test observation wells (CI-86-1-001)</u>		
	Reappropriation	Appropriation
GF, State Emerg Water Proj Rev		120,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		120,000
<u>NEW SECTION, Sec. 510. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Ocean beach access, Copalis: Initial development (CI-79-R-012)</u>		
	Reappropriation	Appropriation
GF, ORA—State	50,000	
GF, ORA—Federal	50,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs

6/30/85	Thereafter	
118,000		218,000
<u>NEW SECTION, Sec. 511. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Squak Mountain: Staged acquisition (CI-79-R-022)		
	Reappropriation	Appropriation
GF, ORA—State	5,000	
GF, ORA—Federal	5,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
70,000		80,000
<u>NEW SECTION, Sec. 512. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Clallam Bay Spit: Initial development (CI-79-R-033)		
	Reappropriation	Appropriation
GF, ORA—State	80,000	
GF, ORA—Federal	80,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
20,000		180,000
<u>NEW SECTION, Sec. 513. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Fort Worden: Kitchen and small bathhouse (CI-81-R-023)		
	Reappropriation	Appropriation
GF, ORA—State	40,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
139,000		179,000
<u>NEW SECTION, Sec. 514. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Millersylvania: CCC building restoration, phase I (CR-81-R-071)		
	Reappropriation	Appropriation
GF, ORA—State	41,000	
GF, ORA—Federal	41,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
89,000		171,000
<u>NEW SECTION, Sec. 515. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Yakima Greenway: Acquisition (CI-81-3-098)		
	Reappropriation	Appropriation
GF, ORA—State	110,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
40,000		150,000
<u>NEW SECTION, Sec. 516. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Jones Island, Squaxin Island, and Sucia Island (CR-81-R-099)		
	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980	10,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
117,000		127,000
<u>NEW SECTION, Sec. 517. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
All areas emergency account (CR-83-R-001)		
	Reappropriation	Appropriation
GF, LIRA, Public Rec Fac	10,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
390,000		400,000

NEW SECTION, Sec. 518. FOR THE STATE PARKS AND RECREATION COMMISSION
 Complete 1979-81 state-wide energy conservation program (CR-83-R-005)

	Reappropriation	Appropriation
GF, LIRA, Public Rec Fac	10,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
62,000		72,000

NEW SECTION, Sec. 519. FOR THE STATE PARKS AND RECREATION COMMISSION
 Blake Island water (CR-83-1-007)

	Reappropriation	Appropriation
GF, LIRA, Water Sup Fac	30,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
58,000		88,000

NEW SECTION, Sec. 520. FOR THE STATE PARKS AND RECREATION COMMISSION
 Lake Sylvia: Dam inspection and compliance repair (CR-83-R-023)

	Reappropriation	Appropriation
GF, ORA—State	10,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
12,000		22,000

NEW SECTION, Sec. 521. FOR THE STATE PARKS AND RECREATION COMMISSION
 St. Edward: Building repairs (CR-83-R-026)

	Reappropriation	Appropriation
GF, ORA—State	150,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
200,000		350,000

NEW SECTION, Sec. 522. FOR THE STATE PARKS AND RECREATION COMMISSION
 Penrose Point (CI-83-R-027)

	Reappropriation	Appropriation
GF, ORA—State	45,000	
GF, ORA—Federal	45,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
260,000		350,000

NEW SECTION, Sec. 523. FOR THE STATE PARKS AND RECREATION COMMISSION
 Energy conservation, Fort Worden (CR-83-2-106)

	Reappropriation	Appropriation
GF, LIRA, Public Rec Fac	100,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
155,000		255,000

NEW SECTION, Sec. 524. FOR THE STATE PARKS AND RECREATION COMMISSION
 Little Spokane River: Appraise and acquire land (CI-84-R-088)

	Reappropriation	Appropriation
GF, ORA—State	100,000	
GF, ORA—Federal	100,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
900,000		1,100,000

NEW SECTION, Sec. 525. FOR THE STATE PARKS AND RECREATION COMMISSION
 Sequest: Expansion and renovation (CR-84-R-090)

	Reappropriation	Appropriation
GF, ORA—State	100.000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
185.000		285.000

NEW SECTION, Sec. 526. FOR THE STATE PARKS AND RECREATION COMMISSION
All areas: Emergencies (CI-86-1-001)

	Reappropriation	Appropriation
GF, St Bldg Constr Acct		450.000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	1.150.000	1.600.000

NEW SECTION, Sec. 527. FOR THE STATE PARKS AND RECREATION COMMISSION
Water supply facilities: State-wide (CR-86-1-002)

	Reappropriation	Appropriation
GF, St Bldg Constr Acct		604.000
GF, ORA—State		27.000
GF, ORA—Federal		3.000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	414.000	1.048.000

NEW SECTION, Sec. 528. FOR THE STATE PARKS AND RECREATION COMMISSION
Sewage treatment facilities: State-wide (CR-86-1-003)

	Reappropriation	Appropriation
GF, LIRA, Waste Fac 1980		742.000
GF, St Bldg Constr Acct		187.000
GF, ORA—State		31.000
GF, ORA—Federal		30.000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	400.000	1.390.000

NEW SECTION, Sec. 529. FOR THE STATE PARKS AND RECREATION COMMISSION
Lake Sammamish: Water ski float (CI-86-4-004)

	Reappropriation	Appropriation
GF, ORA—State		5.000
GF, ORA—Federal		4.000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		9.000

NEW SECTION, Sec. 530. FOR THE STATE PARKS AND RECREATION COMMISSION
Boating improvements: State-wide (CI-86-3-005)

	Reappropriation	Appropriation
GF, ORA—State		67.000
GF, ORA—Federal		43.000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		110.000

NEW SECTION, Sec. 531. FOR THE STATE PARKS AND RECREATION COMMISSION
Fort Worden pier repair: Add safety railing (CR-86-1-006)

	Reappropriation	Appropriation
GF, ORA—State		129.000
GF, ORA—Federal		15.000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs

6/30/85	Thereafter	
		144,000
<u>NEW SECTION, Sec. 532. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Horsethief Lake electric power revision (CR-86-1-007)</u>		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		13,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		13,000
<u>NEW SECTION, Sec. 533. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Puget Sound and San Juan Island acquisition and development (CI-86-4-014)</u>		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		50,000
GF, ORA—State		50,000
GF, ORA—Federal		50,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	450,000	600,000
<u>NEW SECTION, Sec. 534. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Park renovation state-wide: Referendum 28 (CR-86-1-018)</u>		
	Reappropriation	Appropriation
GF, LIRA, Public Rec Fac		256,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		256,000
<u>NEW SECTION, Sec. 535. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Boating repairs: State-wide (CR-86-1-020)</u>		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		62,000
GF, ORA—State		202,000
GF, ORA—Federal		18,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	828,000	1,110,000
<u>NEW SECTION, Sec. 536. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Repairs and improvements to boating facilities: State-wide (CR-86-1-021)</u>		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		34,000
GF, ORA—State		325,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	828,000	1,187,000
<u>NEW SECTION, Sec. 537. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Beacon Rock: Repair and replacement of water facilities (CR-86-1-022)</u>		
	Reappropriation	Appropriation
GF, ORA—State		140,000
GF, ORA—Federal		16,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		156,000
<u>NEW SECTION, Sec. 538. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
<u>Deception Pass: Renovate marine work pier (CR-86-1-023)</u>		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		140,000
Project	Estimated	Estimated
Costs	Costs	Total

Through 6/30/85	7/1/87 and Thereafter	Costs
		140,000
<u>NEW SECTION</u> , Sec. 539. FOR THE STATE PARKS AND RECREATION COMMISSION		
Energy conservation, landscape repairs: State-wide (CR-86-1-026)		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		541,000
GF, ORA—State		40,000
GF, ORA—Federal		40,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	2,382,000	3,003,000
<u>NEW SECTION</u> , Sec. 540. FOR THE STATE PARKS AND RECREATION COMMISSION		
Energy conservation, landscape renovation: State-wide (CR-86-1-027)		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		595,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	5,119,000	5,714,000
<u>NEW SECTION</u> , Sec. 541. FOR THE STATE PARKS AND RECREATION COMMISSION		
West Hylebos acquisition (CI-86-4-013)		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		143,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		143,000
<u>NEW SECTION</u> , Sec. 542. FOR THE STATE PARKS AND RECREATION COMMISSION		
Milwaukee road trail: Trestle safety features, acquisition (CR-86-1-030)		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		149,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		149,000
<u>NEW SECTION</u> , Sec. 543. FOR THE STATE PARKS AND RECREATION COMMISSION		
Fort Worden: Point Wilson Bank protection (CR-86-1-032)		
	Reappropriation	Appropriation
GF, ORA—State		114,000
GF, ORA—Federal		113,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		227,000
<u>NEW SECTION</u> , Sec. 544. FOR THE STATE PARKS AND RECREATION COMMISSION		
Mt. Spokane: Road improvements (CR-86-3-L34)		
	Reappropriation	Appropriation
Motor Vehicle Fund		900,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		900,000
<u>NEW SECTION</u> , Sec. 545. FOR THE STATE PARKS AND RECREATION COMMISSION		
Construction at Brooks Memorial, Central Ferry, and Lake Easton (CR-87-2-008)		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		141,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs

6/30/85	Thereafter	
	750,000	891,000
<u>NEW SECTION, Sec. 546. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Green River Gorge: Staged acquisition (CI-87-3-010)		
	Reappropriation	Appropriation
GF. St Bldg Constr Acct		300,000
GF. ORA—State		100,000
GF. ORA—Federal		100,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	2,000,000	2,500,000
<u>NEW SECTION, Sec. 547. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Auburn game farm: Consolidation and renovation (CR-87-3-012)		
	Reappropriation	Appropriation
GF. St Bldg Constr Acct		80,000
GF. ORA—State		18,000
GF. ORA—Federal		18,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		116,000
<u>NEW SECTION, Sec. 548. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Fort Worden: Building weatherization and energy conservation (CR-87-2-016)		
	Reappropriation	Appropriation
GF. St Bldg Constr Acct		511,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	500,000	1,011,000
<u>NEW SECTION, Sec. 549. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Replace breakwater, Illahee: Ramps, floats, and piling (CR-87-1-024)		
	Reappropriation	Appropriation
GF. ORA—State		276,000
GF. ORA—Federal		31,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		307,000
<u>NEW SECTION, Sec. 550. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Sacajawea: Boat launch reconstruction (CR-87-1-025)		
	Reappropriation	Appropriation
GF. ORA—State		91,000
GF. ORA—Federal		10,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		101,000
<u>NEW SECTION, Sec. 551. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Lake Sylvia: Renovate dam and seepage control (CR-87-1-028)		
	Reappropriation	Appropriation
GF. St Bldg Constr Acct		132,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		132,000
<u>NEW SECTION, Sec. 552. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Flaming geyser and Kummer redevelopment and access (CR-87-1-029)		
	Reappropriation	Appropriation
GF. ORA—State		183,000
GF. ORA—Federal		183,000

Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 366,000
<u>NEW SECTION, Sec. 553. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Kopachuck: Shoreline protection (CR-87-1-031)		
	Reappropriation	Appropriation
GF, ORA---State		52,000
GF, ORA---Federal		53,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 105,000
<u>NEW SECTION, Sec. 554. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Fort Columbia: Building dry rot repair (CR-87-2-045)		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		164,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 164,000
<u>NEW SECTION, Sec. 555. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Moran: Mountain Lake CCC building renovation (CR-87-1-049)		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		163,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 163,000
<u>NEW SECTION, Sec. 556. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Deception Pass: Renovate CCC buildings 2 and 3, Rosario (CR-87-1-050)		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		218,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 218,000
<u>NEW SECTION, Sec. 557. FOR THE STATE PARKS AND RECREATION COMMISSION</u>		
Lewis and Clark: Expand camping sites, parking and miscellaneous minor renovation		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		30,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 30,000
<u>NEW SECTION, Sec. 558. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT</u>		
Public facilities: Revolving construction loan (CR-86-1-001)		
	Reappropriation	Appropriation
GF, St Bldg Constr Acct		20,000,000
Project Costs Through 6/30/85 8,000,000	Estimated Costs 7/1/87 and Thereafter 40,000,000	Estimated Total Costs 80,000,000

The appropriations in this section are subject to the following conditions and limitations: \$4,000,000 of the appropriation shall be made available to the department of community development solely for the purpose of Substitute House Bill No. 855, the Washington state development loan fund.

NEW SECTION, Sec. 559. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

Washington State Ag-Trade Center, Spokane (CR-86-2-002)

GF, St Bldg Constr Acct		Reappropriation	Appropriation
Project			4,500,000
Costs	Estimated		Estimated
Through	Costs		Total
6/30/85	7/1/87 and		Costs
	Thereafter		
			4,500,000
<u>NEW SECTION, Sec. 560. FOR THE DEPARTMENT OF FISHERIES</u>			
Health and safety code (CR-77-R-001)			
GF, Fish Cap Proj Acct		Reappropriation	Appropriation
Project		20,000	
Costs	Estimated		Estimated
Through	Costs		Total
6/30/85	7/1/87 and		Costs
1,766,000	Thereafter		
			1,786,000
<u>NEW SECTION, Sec. 561. FOR THE DEPARTMENT OF FISHERIES</u>			
Water quality standard (CR-77-R-002)			
GF, Fish Cap Proj Acct		Reappropriation	Appropriation
Project		7,000	
Costs	Estimated		Estimated
Through	Costs		Total
6/30/85	7/1/87 and		Costs
3,992,000	Thereafter		
			3,999,000
<u>NEW SECTION, Sec. 562. FOR THE DEPARTMENT OF FISHERIES</u>			
Replacements and alterations (CR-77-R-004)			
GF, Fish Cap Proj Acct		Reappropriation	Appropriation
Project		99,000	
Costs	Estimated		Estimated
Through	Costs		Total
6/30/85	7/1/87 and		Costs
2,390,000	Thereafter		
			2,489,000
<u>NEW SECTION, Sec. 563. FOR THE DEPARTMENT OF FISHERIES</u>			
Salmon habitat enhancement program (CR-77-R-005)			
GF, Salmon Enhmt Constr Acct		Reappropriation	Appropriation
Project		1,500,000	
Costs	Estimated		Estimated
Through	Costs		Total
6/30/85	7/1/87 and		Costs
3,500,000	Thereafter		
			10,000,000
<u>NEW SECTION, Sec. 564. FOR THE DEPARTMENT OF FISHERIES</u>			
Puget Sound artificial reefs: Design and construct (CR-79-R-008)			
GF, ORA—State		Reappropriation	Appropriation
		25,000	110,000
GF, ORA—Federal		25,000	20,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
270,000	470,000		920,000
<u>NEW SECTION, Sec. 565. FOR THE DEPARTMENT OF FISHERIES</u>			
Hood Canal Bridge: Design and construction (CR-79-R-011)			
GF, ORA—State		Reappropriation	Appropriation
		100,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
280,000			380,000
<u>NEW SECTION, Sec. 566. FOR THE DEPARTMENT OF FISHERIES</u>			
Snow Creek public access: Preplanning (CR-79-R-012)			
GF, ORA—State		Reappropriation	Appropriation
		68,000	13,000
GF, ORA—Federal		68,000	13,000

Project Costs Through 6/30/85 250,000	Estimated Costs 7/1/87 and Thereafter 340,000	Estimated Total Costs 752,000
<u>NEW SECTION, Sec. 567. FOR THE DEPARTMENT OF FISHERIES</u>		
Soleduck Sill (CI-81-1-R46)		
	Reappropriation 41,000	Appropriation
GF. Fish Cap Proj Acct		
Project Costs Through 6/30/85 6,000	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 47,000
<u>NEW SECTION, Sec. 568. FOR THE DEPARTMENT OF FISHERIES</u>		
Auxiliary fuel tank (CR-81-R-001)		
	Reappropriation 30,000	Appropriation
GF. Fish Cap Proj Acct		
Project Costs Through 6/30/85 114,000	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 144,000
<u>NEW SECTION, Sec. 569. FOR THE DEPARTMENT OF FISHERIES</u>		
Adult holding and spawning: Skagit (CR-81-R-004)		
	Reappropriation 257,000	Appropriation
GF. Fish Cap Proj Acct		
Project Costs Through 6/30/85 84,000	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 341,000
<u>NEW SECTION, Sec. 570. FOR THE DEPARTMENT OF FISHERIES</u>		
Sunset Falls fishway (CR-81-R-007)		
	Reappropriation 21,000	Appropriation
GF. Fish Cap Proj Acct		
Project Costs Through 6/30/85 113,000	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 134,000
<u>NEW SECTION, Sec. 571. FOR THE DEPARTMENT OF FISHERIES</u>		
Green River hatchery: Erosion control (CR-81-R-009)		
	Reappropriation 15,000	Appropriation
GF. Fish Cap Proj Acct		
Project Costs Through 6/30/85 24,000	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 39,000
<u>NEW SECTION, Sec. 572. FOR THE DEPARTMENT OF FISHERIES</u>		
Oakland Bay tideland access: Design and construction (CR-81-R-014)		
	Reappropriation 7,000	Appropriation 72,000
GF. ORA—State		
	7,000	72,000
GF. ORA—Federal		
	7,000	72,000
Project Costs Through 6/30/85 174,000	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 332,000
<u>NEW SECTION, Sec. 573. FOR THE DEPARTMENT OF FISHERIES</u>		
Soleduck adult pond (CR-81-R-040)		
	Reappropriation 8,000	Appropriation
GF. Fish Cap Proj Acct		
Project Costs Through	Estimated Costs 7/1/87 and	Estimated Total Costs

	6/30/85	Thereafter	
	262,000		270,000
<u>NEW SECTION, Sec. 574. FOR THE DEPARTMENT OF FISHERIES</u>			
Energy projects (CI-83-2-R01)			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		20,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
95,000			115,000
<u>NEW SECTION, Sec. 575. FOR THE DEPARTMENT OF FISHERIES</u>			
Combined replacement (CI-83-3-R04)			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		40,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
60,000			100,000
<u>NEW SECTION, Sec. 576. FOR THE DEPARTMENT OF FISHERIES</u>			
Green River incubation filter (CR-83-R-008)			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		176,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
			176,000
The appropriation in this section shall lapse on July 1, 1986, if substantial progress has not been made, as determined by the office of financial management, or contractual obligations have not been incurred.			
<u>NEW SECTION, Sec. 577. FOR THE DEPARTMENT OF FISHERIES</u>			
Puyallup filter and water supply (CR-83-R-009)			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		112,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
50,000			162,000
<u>NEW SECTION, Sec. 578. FOR THE DEPARTMENT OF FISHERIES</u>			
Hatchery security (CR-83-R-012)			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		60,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
60,000			120,000
<u>NEW SECTION, Sec. 579. FOR THE DEPARTMENT OF FISHERIES</u>			
Samish adult pond (CR-84-R-001)			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct		200,000	
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
283,000			483,000
<u>NEW SECTION, Sec. 580. FOR THE DEPARTMENT OF FISHERIES</u>			
Health, safety, and code compliance (CR-86-1-020)			
		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			300,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
		500,000	800,000

NEW SECTION, Sec. 581. FOR THE DEPARTMENT OF FISHERIES

Bird predation protection: Design and construction (CI-86-3-021)

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			267,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
			267,000

NEW SECTION, Sec. 582. FOR THE DEPARTMENT OF FISHERIES

Minor capital projects: Salmon (CR-86-3-022)

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			863,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
	2,550,000		3,413,000

NEW SECTION, Sec. 583. FOR THE DEPARTMENT OF FISHERIES

Minor capital projects: Shellfish, design and construction (CR-86-3-023)

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			269,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
	200,000		469,000

NEW SECTION, Sec. 584. FOR THE DEPARTMENT OF FISHERIES

Paving and maintenance, asphalt ponds: Design and construction (CR-86-3-024)

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			556,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
	200,000		756,000

NEW SECTION, Sec. 585. FOR THE DEPARTMENT OF FISHERIES

Skykomish modifications: Design and construction (CR-86-3-025)

		Reappropriation	Appropriation
GF, Fish Cap Proj Acct			217,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
	200,000		217,000

NEW SECTION, Sec. 586. FOR THE DEPARTMENT OF FISHERIES

Bremerton public fishing pier: Design and construction (CI-86-3-027)

		Reappropriation	Appropriation
GF, ORA—State			410,000
GF, ORA—Federal			410,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
			820,000

NEW SECTION, Sec. 587. FOR THE DEPARTMENT OF FISHERIES

Langley public fishing pier: Design and construction (CI-86-3-L40)

		Reappropriation	Appropriation
GF, ORA—State			70,000
Project	Estimated		Estimated
Costs	Costs		Total
Through	7/1/87 and		Costs
6/30/85	Thereafter		
			70,000

NEW SECTION, Sec. 588. FOR THE DEPARTMENT OF FISHERIES

Towhead Island public access: Renovation (CR-86-2-028)

	Reappropriation	Appropriation
GF, ORA—State		191,000
GF, ORA—Federal		21,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		212,000
<u>NEW SECTION, Sec. 589. FOR THE DEPARTMENT OF FISHERIES</u>		
Issaquah Hatchery Interpretive Center (CI-86-2-029)		
	Reappropriation	Appropriation
GF, ORA—State		35,000
GF, ORA—Federal		35,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		70,000
<u>NEW SECTION, Sec. 590. FOR THE DEPARTMENT OF FISHERIES</u>		
Willapa Hatchery, new main pipeline: Design and construction (CI-86-3-030)		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		426,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		426,000
<u>NEW SECTION, Sec. 591. FOR THE DEPARTMENT OF FISHERIES</u>		
Energy conservation (CR-86-4-031)		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		162,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	300,000	462,000
<u>NEW SECTION, Sec. 592. FOR THE DEPARTMENT OF FISHERIES</u>		
Freezer remodel: Samish and Hood Canal (CR-86-3-032)		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		103,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		103,000
<u>NEW SECTION, Sec. 593. FOR THE DEPARTMENT OF FISHERIES</u>		
Patrol seized gear storage: Design and construction (CI-86-3-033)		
	Reappropriation	Appropriation
GF, Fish Cap Proj Acct		98,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		98,000
<u>NEW SECTION, Sec. 594. FOR THE DEPARTMENT OF FISHERIES</u>		
Hood Canal: Boat access acquisition (CI-86-3-035)		
	Reappropriation	Appropriation
GF, ORA—State		270,000
GF, ORA—Federal		30,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	150,000	450,000
<u>NEW SECTION, Sec. 595. FOR THE DEPARTMENT OF FISHERIES</u>		
Hood Canal beach access acquisition (CI-86-3-036)		

	Reappropriation	Appropriation
GF. ORA—State		150,000
GF. ORA—Federal		150,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	100,000	400,000

NEW SECTION, Sec. 596. FOR THE DEPARTMENT OF FISHERIES
Point Whitney tideland access acquisition (CI-86-3-037)

	Reappropriation	Appropriation
GF. ORA—State		128,000
GF. ORA—Federal		128,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	150,000	406,000

NEW SECTION, Sec. 597. FOR THE DEPARTMENT OF FISHERIES
Knappton public access: Design and construction (CI-86-3-038)

	Reappropriation	Appropriation
GF. ORA—State		51,000
GF. ORA—Federal		51,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		102,000

NEW SECTION, Sec. 598. FOR THE DEPARTMENT OF GAME
Relocate engineering shop and storage facilities (CI-81-R-033)

	Reappropriation	Appropriation
Game Fund	34,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
962,700		996,700

NEW SECTION, Sec. 599. FOR THE DEPARTMENT OF GAME

Rebuild fishing dock and provide parking and sanitary facilities: Mercer Island, King County (CI-81-R-037)

	Reappropriation	Appropriation
GF. ORA—State	56,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
3,000		59,000

NEW SECTION, Sec. 600. FOR THE DEPARTMENT OF GAME

Relocate or rebuild Bogachiel residence to avoid flooding: Clallam County (CI-83-R-007)

	Reappropriation	Appropriation
Game Fund	64,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
4,000		68,000

NEW SECTION, Sec. 601. FOR THE DEPARTMENT OF GAME

Acquire access to stream bank: Mitigation for Wells dam, Okanogan County (CI-83-R-044)

	Reappropriation	Appropriation
Game Fund—Game Special Wildlife Acct	62,900	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		62,900

The appropriation in this section shall lapse on July 1, 1986, if substantial progress has not been made, as determined by the office of financial management, or contractual obligations have not been incurred.

NEW SECTION, Sec. 602. FOR THE DEPARTMENT OF GAME

Redevelop access areas: Amber Lake, Spokane County (CI-83-R-026)

	Reappropriation	Appropriation
GF, ORA—State	42,000	
GF, ORA—Federal	42,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		84,000

The appropriation in this section shall lapse on July 1, 1986, if substantial progress has not been made, as determined by the office of financial management, or contractual obligations have not been incurred.

NEW SECTION, Sec. 603. FOR THE DEPARTMENT OF GAME

Construct facilities on Big and Little Green Lakes: Okanogan County (CI-83-R-029)

	Reappropriation	Appropriation
GF, ORA—State	46,000	
GF, ORA—Federal	46,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		93,200

NEW SECTION, Sec. 604. FOR THE DEPARTMENT OF GAME

Construct public access: Stillaguamish River, Snohomish County (CI-83-R-030)

	Reappropriation	Appropriation
GF, ORA—State	32,000	
GF, ORA—Federal	32,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
3,000		67,000

NEW SECTION, Sec. 605. FOR THE DEPARTMENT OF GAME

Redevelop public access: Jamison Lake, Douglas County (CI-83-R-037)

	Reappropriation	Appropriation
GF, ORA—State	132,000	
GF, ORA—Federal	132,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
9,200		282,400

NEW SECTION, Sec. 606. FOR THE DEPARTMENT OF GAME

Clear Lake (CI-81-R-041)

	Reappropriation	Appropriation
GF, ORA—State	20,000	
GF, ORA—Federal	9,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		29,000

The appropriation in this section shall lapse on July 1, 1986, if substantial progress has not been made, as determined by the office of financial management, or contractual obligations have not been incurred.

NEW SECTION, Sec. 607. FOR THE DEPARTMENT OF GAME

Snake River compensation (CI-83-R-009)

	Reappropriation	Appropriation
Game Fund—Federal	11,223,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		11,223,000

NEW SECTION, Sec. 608. FOR THE DEPARTMENT OF GAME

I-82 development (CI-83-R-013)

	Reappropriation	Appropriation
GF, ORA—State	186,000	
GF, ORA—Federal	186,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		372,000

The appropriation in this section shall lapse on July 1, 1986, if substantial progress has not been made, as determined by the office of financial management, or contractual obligations have not been incurred.

NEW SECTION, Sec. 609. FOR THE DEPARTMENT OF GAME
Okanogan River natural area (McLaughlin Falls) (CI-83-R-016)

	Reappropriation	Appropriation
Game Fund—State	350,000	18,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		368,000

NEW SECTION, Sec. 610. FOR THE DEPARTMENT OF GAME
Wenas inholdings: Acquisition (CI-83-R-018)

	Reappropriation	Appropriation
Game Fund—State	132,000	72,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		204,000

NEW SECTION, Sec. 611. FOR THE DEPARTMENT OF GAME
Skagit habitat management area inholdings acquisition (CI-83-R-020)

	Reappropriation	Appropriation
Game Fund—State	435,000	9,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		444,000

NEW SECTION, Sec. 612. FOR THE DEPARTMENT OF GAME
Chehalis Valley habitat management area acquisition (CI-83-R-021)

	Reappropriation	Appropriation
Game Fund—State	510,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		510,000

The appropriation in this section shall lapse on July 1, 1986, if substantial progress has not been made, as determined by the office of financial management, or contractual obligations have not been incurred.

NEW SECTION, Sec. 613. FOR THE DEPARTMENT OF GAME
Aeneas Valley (CI-83-R-025)

	Reappropriation	Appropriation
GF, ORA—State	53,000	
GF, ORA—Federal	53,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		106,000

The appropriation in this section shall lapse on July 1, 1986, if substantial progress has not been made, as determined by the office of financial management, or contractual obligations have not been incurred.

NEW SECTION, Sec. 614. FOR THE DEPARTMENT OF GAME
Diamond Lake (CI-83-R-031)

	Reappropriation	Appropriation
GF, ORA—State	27,000	
GF, ORA—Federal	27,000	

Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs
		54,000

The appropriation in this section shall lapse on July 1, 1986, if substantial progress has not been made, as determined by the office of financial management, or contractual obligations have not been incurred.

NEW SECTION, Sec. 615. FOR THE DEPARTMENT OF GAME

Repairs and replacements (CR-86-1-001)

Game Fund—State	Reappropriation	Appropriation
Project		150,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
	Thereafter	
	400,000	550,000

NEW SECTION, Sec. 616. FOR THE DEPARTMENT OF GAME

Facility maintenance and repair (CR-86-2-002)

Game Fund—State	Reappropriation	Appropriation
Project		409,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
	Thereafter	
	1,200,000	1,609,000

NEW SECTION, Sec. 617. FOR THE DEPARTMENT OF GAME

Access area toilet replacement (CR-86-1-004)

Game Fund—State	Reappropriation	Appropriation
Project		150,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
	Thereafter	
	400,000	550,000

NEW SECTION, Sec. 618. FOR THE DEPARTMENT OF GAME

State-wide fencing (CR-86-2-005)

Game Fund—State	Reappropriation	Appropriation
Project		266,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
	Thereafter	
	1,200,000	1,466,000

NEW SECTION, Sec. 619. FOR THE DEPARTMENT OF GAME

Administrative offices: Remodel (CR-86-3-006)

Game Fund—State	Reappropriation	Appropriation
Project		160,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
	Thereafter	
		160,000

NEW SECTION, Sec. 620. FOR THE DEPARTMENT OF GAME

Naches Hatchery water supply (CI-86-2-007)

Game Fund—State	Reappropriation	Appropriation
Project		40,000
Costs	Estimated	Estimated
Through	Costs	Total
6/30/85	7/1/87 and	Costs
	Thereafter	
		40,000

NEW SECTION, Sec. 621. FOR THE DEPARTMENT OF GAME

West Valley acquisition (CI-86-4-012)

Game Fund—State	Reappropriation	Appropriation
Project		31,000
Costs	Estimated	Estimated
	Costs	Total

Through 6/30/85	7/1/87 and Thereafter	Costs	
			31,000
<u>NEW SECTION, Sec. 622. FOR THE DEPARTMENT OF GAME</u>			
Hedt property: Acquisition (CI-86-4-014)			
	Reappropriation	Appropriation	
Game Fund—State		383,000	
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		383,000
<u>NEW SECTION, Sec. 623. FOR THE DEPARTMENT OF GAME</u>			
E. N. Stone inholding: Klickitat habitat management area (CI-86-4-017)			
	Reappropriation	Appropriation	
Game Fund—State		19,000	
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		19,000
<u>NEW SECTION, Sec. 624. FOR THE DEPARTMENT OF GAME</u>			
Lake Goodwin redevelopment (CR-86-2-021)			
	Reappropriation	Appropriation	
GF. ORA—State		81,000	
GF. ORA—Federal		9,000	
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		90,000
<u>NEW SECTION, Sec. 625. FOR THE DEPARTMENT OF GAME</u>			
Vancouver Lake: Access road improvements (CR-86-2-022)			
	Reappropriation	Appropriation	
GF. ORA—State		109,000	
GF. ORA—Federal		12,000	
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		121,000
<u>NEW SECTION, Sec. 626. FOR THE DEPARTMENT OF GAME</u>			
Oak Creek headquarters (CR-86-2-023)			
	Reappropriation	Appropriation	
GF. ORA—State		69,000	
GF. ORA—Federal		69,000	
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		138,000
<u>NEW SECTION, Sec. 627. FOR THE DEPARTMENT OF GAME</u>			
Newman Lake access area (CR-86-2-024)			
	Reappropriation	Appropriation	
GF. ORA—State		99,000	
GF. ORA—Federal		11,000	
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		110,000
<u>NEW SECTION, Sec. 628. FOR THE DEPARTMENT OF GAME</u>			
Wind River boat access (CI-86-3-025)			
	Reappropriation	Appropriation	
GF. ORA—State		83,000	
GF. ORA—Federal		9,000	
Project	Estimated	Estimated	
Costs	Costs	Total	

Through 6/30/85	7/1/87 and Thereafter	Costs	
			92,000
<u>NEW SECTION, Sec. 629. FOR THE DEPARTMENT OF GAME</u> Langlois Lake improvements (CR-86-2-026)			
		Reappropriation	Appropriation
GF, ORA—State			56,000
GF, ORA—Federal			6,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		62,000
<u>NEW SECTION, Sec. 630. FOR THE DEPARTMENT OF GAME</u> Pipe Lake public fishing access (CI-86-4-027)			
		Reappropriation	Appropriation
GF, ORA—State			85,000
GF, ORA—Federal			10,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		95,000
<u>NEW SECTION, Sec. 631. FOR THE DEPARTMENT OF GAME</u> Mineral Lake site improvements (CI-86-3-028)			
		Reappropriation	Appropriation
GF, ORA—State			115,000
GF, ORA—Federal			13,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		128,000
<u>NEW SECTION, Sec. 632. FOR THE DEPARTMENT OF GAME</u> Satsop River redevelopment (CR-86-2-029)			
		Reappropriation	Appropriation
GF, ORA—State			76,000
GF, ORA—Federal			9,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		85,000
<u>NEW SECTION, Sec. 633. FOR THE DEPARTMENT OF GAME</u> West Medical Lake redevelopment (CR-86-2-030)			
		Reappropriation	Appropriation
GF, ORA—State			81,000
GF, ORA—Federal			9,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		90,000
<u>NEW SECTION, Sec. 634. FOR THE DEPARTMENT OF GAME</u> Lake Retreat public fishing access (CI-86-4-031)			
		Reappropriation	Appropriation
GF, ORA—State			86,000
GF, ORA—Federal			9,000
Project	Estimated	Estimated	
Costs	Costs	Total	
Through	7/1/87 and	Costs	
6/30/85	Thereafter		95,000
<u>NEW SECTION, Sec. 635. FOR THE DEPARTMENT OF GAME</u> Engineering capital budget: Preplanning and design (CI-87-4-003)			
		Reappropriation	Appropriation
Game Fund—State			25,000

Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 25,000
<u>NEW SECTION, Sec. 636. FOR THE DEPARTMENT OF GAME</u>		
Whitestone irrigation district and Blue Lake inholding acquisition (CI-87-4-011)		Reappropriation
Game Fund—State		Appropriation 320,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 320,000
<u>NEW SECTION, Sec. 637. FOR THE DEPARTMENT OF GAME</u>		
McConnell inholding Sinlahekin habitat management area (CI-87-4-013)		Reappropriation
Game Fund—State		Appropriation 112,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 112,000
<u>NEW SECTION, Sec. 638. FOR THE DEPARTMENT OF GAME</u>		
Robinson Canyon acquisition (CI-87-4-016)		Reappropriation
Game Fund—State		Appropriation 204,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 204,000
<u>NEW SECTION, Sec. 639. FOR THE DEPARTMENT OF GAME</u>		
Dalles Mountain land acquisition (CI-87-4-018)		Reappropriation
Game Fund—State		Appropriation 510,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 510,000
<u>NEW SECTION, Sec. 640. FOR THE DEPARTMENT OF GAME</u>		
Samish River easement acquisition (CI-87-4-019)		Reappropriation
Game Fund—State		Appropriation 58,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 58,000
<u>NEW SECTION, Sec. 641. FOR THE DEPARTMENT OF GAME</u>		
Klickitat habitat management area: G. Layman acquisition (CI-87-4-020)		Reappropriation
Game Fund—State		Appropriation 444,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 444,000
<u>NEW SECTION, Sec. 642. FOR THE DEPARTMENT OF GAME</u>		
Shady Lake improvements (CR-87-2-032)		Reappropriation
GF. ORA—State		Appropriation 59,000
GF. ORA—Federal		6,000
Project Costs Through	Estimated Costs 7/1/87 and	Estimated Total Costs

6/30/85	Thereafter	65,000
<u>NEW SECTION, Sec. 643. FOR THE DEPARTMENT OF GAME</u>		
Methow River: Averill (CI-87-2-033)		
	Reappropriation	Appropriation
GF, ORA—State		59,000
GF, ORA—Federal		7,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		66,000
<u>NEW SECTION, Sec. 644. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Construct and improve campsites, roads, trails, and other recreation projects (CI-77-4-R16)		
	Reappropriation	Appropriation
General Fund—ORV Account	210,400	
GF, ORA—State	97,800	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
4,183,800	1,379,000	5,871,000
<u>NEW SECTION, Sec. 645. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Construct and improve campsites, roads, and trails: State-wide (CI-77-3-A16)		
	Reappropriation	Appropriation
General Fund—ORV Account	63,200	
GF, ORA—State	86,600	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
95,400		245,200
<u>NEW SECTION, Sec. 646. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Acquire fragile and endangered natural lands for conservancy (CI-84-3-R92)		
	Reappropriation	Appropriation
GF, ORA—State	965,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
35,000		1,000,000
<u>NEW SECTION, Sec. 647. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Construct and improve roads and bridges: State-wide (CI-77-4-L16)		
	Reappropriation	Appropriation
General Fund—ORV Account	273,300	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
480,200		753,500
<u>NEW SECTION, Sec. 648. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Commercial land development (CI-77-R-002)		
	Reappropriation	Appropriation
GF, Res Mgmt Cost Act	1,057,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
168,000		1,225,000
<u>NEW SECTION, Sec. 649. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Irrigation development (CI-77-4-003)		
	Reappropriation	Appropriation
GF, Res Mgmt Cost Act	765,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		765,000

NEW SECTION, Sec. 650. FOR THE DEPARTMENT OF NATURAL RESOURCES

Right of way acquisition (CI-86-3-001)

	Reappropriation	Appropriation
GF, For Dev Acct		265,000
GF, Res Mgmt Cost Acct		887,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		1,152,000

NEW SECTION, Sec. 651. FOR THE DEPARTMENT OF NATURAL RESOURCES

Irrigation development (CI-86-3-002)

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		150,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		150,000

NEW SECTION, Sec. 652. FOR THE DEPARTMENT OF NATURAL RESOURCES

Forest land bank (CI-86-4-003)

	Reappropriation	Appropriation
GF, For Dev Acct	2,940,000	3,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		5,946,000

NEW SECTION, Sec. 653. FOR THE DEPARTMENT OF NATURAL RESOURCES

Commercial development and electronic sites (CI-86-3-004)

	Reappropriation	Appropriation
GF, Res Mgmt Cost Acct		127,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		127,000

NEW SECTION, Sec. 654. FOR THE DEPARTMENT OF NATURAL RESOURCES

Transition land bank (CI-86-3-005)

	Reappropriation	Appropriation
GF, For Dev Acct		4,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		4,000,000

NEW SECTION, Sec. 655. FOR THE DEPARTMENT OF NATURAL RESOURCES

Tiger Mountain 4000 road betterment (CI-86-3-006)

	Reappropriation	Appropriation
General Fund—ORV Account		100,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		100,000

NEW SECTION, Sec. 656. FOR THE DEPARTMENT OF NATURAL RESOURCES

Fire control projects (CR-86-1-010)

	Reappropriation	Appropriation
General Fund, State		77,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		77,000

NEW SECTION, Sec. 657. FOR THE DEPARTMENT OF NATURAL RESOURCES

Minor works (CR-86-3-011)

	Reappropriation	Appropriation
General Fund, State		26,000

Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 26,000
<u>NEW SECTION, Sec. 658. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Bulk fuel facilities (CI-86-4-012)		
	Reappropriation	Appropriation
General Fund, State		123,000
GF, For Dev Acct		49,000
GF, Res Mgmt Cost Acct		156,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 410,000
<u>NEW SECTION, Sec. 659. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Capital Forest recreation storage building (CR-86-4-014)		
	Reappropriation	Appropriation
General Fund, State		17,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 17,000
<u>NEW SECTION, Sec. 660. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Recreation projects (CR-86-3-018)		
	Reappropriation	Appropriation
General Fund—ORV Account		971,000
GF, ORA—State		298,000
GF, ORA—Federal		126,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter 1,230,000	Estimated Total Costs 2,625,000
<u>NEW SECTION, Sec. 661. FOR THE DEPARTMENT OF NATURAL RESOURCES</u>		
Aquatic land enhancement (CI-86-3-020)		
	Reappropriation	Appropriation
GF, Aquatic Lands Acct		1,470,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 1,470,000
<u>NEW SECTION, Sec. 662. FOR THE STATE CONVENTION AND TRADE CENTER</u>		
Washington State Convention and Trade Center (CI-83-R-001)		
	Reappropriation	Appropriation
GF, Convention Center Acct	85,418,000	
Project Costs Through 6/30/85 10,832,000	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 96,250,000
PART V MISCELLANEOUS		
<u>NEW SECTION, Sec. 701. FOR THE WASHINGTON STATE HISTORICAL SOCIETY</u>		
Minor works request (CR-86-1-001)		
	Reappropriation	Appropriation
GF, St Fac Renew Acct		49,000
Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs 56,000
<u>NEW SECTION, Sec. 702. FOR THE WASHINGTON STATE HISTORICAL SOCIETY</u>		
New air conditioning (CR-86-1-002)		

	Reappropriation	Appropriation
GF, St Fac Renew Acct		125,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		125,000

NEW SECTION, Sec. 703. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
Museum interior remodeling (CI-88-3-004)

	Reappropriation	Appropriation
GF, St Fac Renew Acct		26,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
2,000	3,250,000	3,317,000

NEW SECTION, Sec. 704. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY
Cheney Cowles Memorial Museum: Remodel (CR-86-1-001)

	Reappropriation	Appropriation
GF, St Fac Renew Acct		633,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
1,068,000		1,701,000

NEW SECTION, Sec. 705. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY
Campbell House property: Restoration (CR-86-1-002)

	Reappropriation	Appropriation
GF, St Fac Renew Acct		342,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	619,000	969,000

NEW SECTION, Sec. 706. FOR THE DEPARTMENT OF TRANSPORTATION
Acquisition of dredge spoil sites (chapter 1, Laws of 1983 1st ex. sess.)

	Reappropriation	Appropriation
GF, St Bldg Constr Acct	3,620,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
1,400,000		5,020,000

NEW SECTION, Sec. 707. FOR THE ARTS COMMISSION

Artwork allowance pooling: Up to one-half of one percent of moneys appropriated in this act shall be spent as provided in RCW 28A.58.055, 28B.10.027, and 43.17.200.

NEW SECTION, Sec. 708. To carry out effectively the provisions of this act, the governor may assign responsibility for planning, engineering, construction, and other related activities to any appropriate agency.

NEW SECTION, Sec. 709. Reappropriations shall be limited to the unexpended balances remaining June 30, 1985, in the current appropriation for each project.

NEW SECTION, Sec. 710. As part of the annual six year update to the State Facilities and Capital Plan, agencies shall, beginning with the January 1986 update, provide lease development projects to the office of financial management.

NEW SECTION, Sec. 711. If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with any moneys available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the committees on ways and means of the senate and house of representatives.

NEW SECTION, Sec. 712. Notwithstanding any other provisions of law, for the 1985-87 biennium, state treasurer transfers of reimbursement to the general fund from the community college capital projects account for debt service payments made under the provisions of Title 28B RCW shall occur only after such debt service payment has been made and only to the extent that funds are actually available in the account. Any unpaid reimbursements shall be a continuing obligation against the community college capital projects account until paid. The state board for community college education need not accumulate any specific balance in the

community college capital projects account in anticipation of transfers to reimburse the general fund.

NEW SECTION. Sec. 713. Any capital improvements or capital project involving construction or major expansion of a state office facility, including district headquarters, detachment offices, and off-campus faculty offices, shall be reviewed by the department of general administration for possible consolidation and compliance with state office standards prior to allotment of funds. The intent of the requirement imposed by this section is to eliminate duplication and reduce total office space requirements where feasible, while ensuring proper service to the public.

NEW SECTION. Sec. 714. The governor, through the director of financial management, may authorize a transfer of appropriation authority provided for a capital project which is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer shall be used to expand the capacity of any facility beyond that intended by the legislature in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects which are funded from the same fund or account.

A report of any transfer effected under this section shall be filed with the legislative auditor by the director of financial management within thirty days of the date the transfer is effected. The legislative auditor shall review and compile these filings and periodically report thereon to the legislative budget committee and the appropriate standing committees of the senate and house of representatives.

NEW SECTION. Sec. 715. To carry out effectively, efficiently, and economically the provisions of this act, each agency shall establish a start date and completion date on each project which has an estimated total cost which exceeds five hundred thousand dollars and for which a start or completion date is not specified in this act. This information shall be furnished to the office of financial management and the legislative auditor no later than the date the allotment request is filed with the office of financial management. If a project cannot start on or before the indicated start date or be completed by the indicated completion date, the director of the agency shall document and file with the office of financial management and the legislative budget committee the reason for the delay and indicate the new start and/or completion date(s). The legislative auditor shall review these filings and report thereon to the legislative budget committee and the appropriate standing committees of the senate and house of representatives.

As a result of these filings, agency directors may be required to appear before the legislative budget committee for further explanation of a project delay.

NEW SECTION. Sec. 716. (1) A maximum of \$121,800,000 of the appropriations and reappropriations provided in sections 301 through 309 of this act may be disbursed during the 1985-87 biennium.

(2) Reappropriations in sections 301 through 305 of this act are reauthorizations of appropriations from section 887, chapter 57, Laws of 1983 1st ex. sess. Proceeds of the sale of bonds authorized by chapter 266, Laws of 1984 may be used for the support of these projects.

NEW SECTION. Sec. 717. The appropriations of moneys and the designation of funds and accounts by this and other acts of the 1985 legislature shall be construed in a manner consistent with legislation enacted by the 1985 legislature to conform state funds and accounts with generally accepted accounting principles.

NEW SECTION. Sec. 718. (1) The legislature finds:

(a) Estimates of capital project costs are prepared in a manner to ensure sufficient funds are available for the completion of projects.

(b) Actual project costs are influenced by variations in cost factors, changing unit price levels, available inventories, inflation rates, gross construction volume at the time of project bid, and other factors that cannot be predicted at the time of estimating capital project costs.

(c) Due to funding limitations, necessary capital projects are deferred to ensuing biennia.

(d) The deferral of capital projects results in increased project costs due to the effects of inflation and increased deterioration of facilities.

(e) No statutory authority currently exists to allow project cost savings to be used to implement necessary capital projects that were deferred to ensuing biennia due to lack of funds.

(2) There is hereby authorized a capital projects cost control incentive program for the 1985-87 biennium.

(3) Appropriations not required by an agency to complete capital projects authorized in this act, may be expended to implement, in priority sequence, those capital renewal projects of the agency listed in the Governor's Six-Year Capital and Facility Plan for the 1987-89 Biennium, as that list exists in the Governor's final 1986 update of the six-year plan. Expenditures under this section are subject to the following conditions:

(a) No expenditure may be made without the prior allotment approval of the office of financial management.

(b) The office of financial management shall notify the senate and house ways and means committees prior to authorizing any project for implementation under this section.

(c) No project may be authorized under this section by the office of financial management unless sufficient funds are available to complete a project's design phase, construction phase, or both.

(d) Appropriations in this act for a capital project shall not be expended under this section unless:

(i) All contracts associated with the performance of the project have been completed and accepted by the state of Washington;

(ii) The statutory thirty-day lien period for each project has expired;

(iii) All claims of lien against project contracts have been satisfied;

(iv) There are no outstanding claims against the state of Washington by any contracted party to the project construction contract; and

(v) Any and all negotiated settlements or settlements arising from the findings of an arbitration board or court of jurisdiction have been satisfied.

NEW SECTION, Sec. 719. 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. 720. 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 July 1, 1985."

Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Brekke, Bristow, Hastings, Hine, Holland, J. King, Long, Madsen, G. Nelson, Niemi, Sanders, Silver, L. Smith, Smitherman, Sommers, Taylor, Tilly, Vander Stoep and B. Williams.

Voting nay: Representatives Basich, Rust and Sayan.

MOTION

On motion of Mr. Appelwick, the rules were suspended, and Engrossed Substitute Senate Bill No. 3654 was placed at the top of the second reading calendar.

The Speaker called on Mr. O'Brien to preside.

Representative J. King appeared at the bar of the House.

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

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3654, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Adopting the capital budget.

The bill was read the second time. Mr. Braddock moved adoption of the committee amendment.

Mr. Sayan moved adoption of the following amendment by Representatives Sayan, Vander Stoep and Belcher to the committee amendment:

On page 11 of the amendment, beginning on line 8, strike all material through "center." on page 12, line 19 and insert the following:

NEW SECTION, Sec. 130. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
Former Thurston County Courthouse renovation (CI-86-2-028)

GF, St Bldg Constr Acct Project Costs Through 6/30/85	Reappropriation Estimated Costs 7/1/87 and Thereafter	Appropriation
		520,000 Estimated Total Costs 520,000*

Representatives Sayan, Vander Stoep and Belcher spoke in favor of the amendment to the amendment, and Representatives B. Williams, Braddock and Zellinsky spoke against it.

Mr. Sayan spoke again in favor of the amendment to the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sayan and others to page 11 of the committee amendment to Engrossed Substitute

Senate Bill No. 3654, and the amendment to the amendment was adopted by the following vote: Yeas, 51; nays, 46; excused, 1.

Voting yea: Representatives Allen, Armstrong, Barrett, Basich, Baugher, Belcher, Brekke, Brough, Cole, Crane, Dellwo, Dobbs, Ebersole, Fisch, Haugen, Hine, Jacobsen, King J, King P, King R, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Rayburn, Rust, Sanders, Sayan, Scott, Smitherman, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Wang, West, Wilson K, Wineberry - 51.

Voting nay: Representatives Addison, Appelwick, Ballard, Barnes, Betzoff, Bond, Braddock, Bristow, Brooks, Chandler, Day, Doty, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Holland, Isaacson, Kremen, Lundquist, May, Nealey, Padden, Patrick, Peery, Prince, Schmidt, Schoon, Silver, Smith L, Sommers, Thomas, Tilly, van Dyke, Van Luven, Walk, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 46.

Excused: Representative Smith C - 1.

Ms. Leonard moved adoption of the following amendment by Representatives Leonard, Armstrong, Brekke, Belcher, Jacobsen, McMullen, Ebersole, Wang and Hine to the committee amendment:

On page 12, after line 29 insert a new section as follows:

*NEW SECTION. Sec. 132. FOR THE DEPARTMENT OF PERSONNEL

State employees pilot day care project

GF, St Bldg Constr Acct	Reappropriation		Appropriation
	Project	Estimated	Estimated
Costs	Costs	Total	90,000
Through	7/1/87 and	Costs	
6/30/85	Thereafter		90,000*

Renumber remaining sections consecutively and correct internal references accordingly.

Representatives Leonard and Braddock spoke in favor of the amendment to the amendment and it was adopted.

Mr. Smitherman moved adoption of the following amendment by Representatives Smitherman and Wang to the committee amendment:

On page 15 of the amendment, after line 30, insert the following:

*NEW SECTION. Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Referendum 39 projects (CR-85-1-R03)

GF, LIRA, DSHS Fac Acct	Reappropriation		Appropriation
	Project	Estimated	Estimated
Costs	Costs	Total	78,000
Through	7/1/87 and	Costs	
6/30/85	Thereafter		78,000*

Renumber the remaining sections consecutively and correct any internal references accordingly.

Mr. Smitherman spoke in favor of the amendment to the amendment, and Mr. Braddock opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Smitherman and Wang to page 15 of the committee amendment to Engrossed Substitute Senate Bill No. 3654, and the amendment to the amendment was not adopted by the following vote: Yeas, 38; nays, 59; excused, 1.

Voting yea: Representatives Appelwick, Basich, Baugher, Bristow, Brough, Cole, Crane, Dellwo, Ebersole, Fisch, Fisher, Hargrove, Hine, Holland, Jacobsen, King P, King R, Leonard, Lewis, Locke, Long, Lux, Madsen, Nelson G, O'Brien, Patrick, Rayburn, Sayan, Scott, Smitherman, Tanner, Taylor, Todd, Valle, Walk, Wang, Wineberry, Zellinsky - 38.

Voting nay: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Belcher, Betzoff, Bond, Braddock, Brekke, Brooks, Chandler, Day, Dobbs, Doty, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Isaacson, King J, Kremen, Lundquist, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, Padden, Peery, Prince, Rust, Sanders, Schmidt, Schoon, Silver, Smith L, Sommers, Sutherland, Thomas, Tilly, Unsoeld, van Dyke, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, and Mr. Speaker - 59.

Excused: Representative Smith C - 1.

Mr. Basich moved adoption of the following amendment to the committee amendment:

On page 29 of the amendment, after line 42, insert the following:

NEW SECTION, Sec. 310. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
Design tech building and related remodeling: Skagit Valley (CI-86-3-021)

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		200,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	4,217,000	4,417,000

NEW SECTION, Sec. 311. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
Design of the Learning Resource Center instructional facility: South Puget Sound

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		375,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	6,043,000	6,418,000

NEW SECTION, Sec. 312. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
Design of the heavy equipment building: Grays Harbor (CI-86-3-L04)

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		60,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
	755,000	755,000*

ReNUMBER the remaining sections consecutively and correct any internal references accordingly.

Representatives Basich, McMullen, Lundquist and Allen spoke in favor of the amendment to the committee amendment, and Mr. Braddock opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Basich to page 29 of the committee amendment to Engrossed Substitute Senate Bill No. 3654, and the amendment to the amendment was adopted by the following vote: Yeas, 69; nays, 28; excused, 1.

Yoting yea: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Brekke, Brough, Chandler, Cole, Crane, Dellwo, Dobbs, Doty, Ebersole, Fisch, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, May, McMullen, Miller, Nelson D, Nelson G, O'Brien, Padden, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley - 69.

Yoting nay: Representatives Armstrong, Bond, Braddock, Bristow, Brooks, Day, Fisher, Fuhrman, Gallagher, Grimm, King J, Madsen, Nealey, Niemi, Nutley, Patrick, Peery, Sanders, Sommers, Sutherland, Thomas, Van Luvén, Walk, Walker, Wang, Williams J, Zellinsky, and Mr. Speaker - 28.

Excused: Representative Smith C - 1.

Ms. Valle moved adoption of the following amendment by Representatives Valle, Lux, O'Brien, Addison, Jacobsen, Leonard, Fisch and Basich to the committee amendment:

On page 38, after line 23 insert a new section:

NEW SECTION, Sec. 348. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION.

Design of the heavy equipment building: South Seattle

	Reappropriation	Appropriation
GF, St H Ed Constr Acct		166,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs

6/30/85

Thereafter

4,383,000*

4,217,000

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Valle, Addison and Schoon spoke in favor of the amendment to the amendment, and Mr. Braddock opposed it.

The amendment to the committee amendment was adopted.

On motion of Mr. Braddock, the following amendments were adopted:

On page 39, line 42 strike "450,000" and insert "790,000"
 On page 40, line 2 strike "1,260,000" and insert "920,000"
 On page 40, line 15 strike "133,000" and insert "295,000"
 On page 40, line 20 strike "222,000" and insert "60,000"
 On page 40, line 24 strike "200,000" and insert "250,000"
 On page 40, line 29 strike "300,000" and insert "250,000"
 On page 40, line 42 strike "3,700,000" and insert "3,750,000"
 On page 41, line 5 strike "300,000" and insert "250,000"
 On page 41, after line 14 add a new section:

"NEW SECTION. Sec. 361. FOR THE UNIVERSITY OF WASHINGTON MINOR REPAIRS (CR-81-1-005)

GF. UW Bld Acct	Reappropriation		Appropriation
	Project Costs Through 6/30/85	Estimated Costs 7/1/87 and Thereafter	Estimated Total Costs
288,000	265,000		553,000*

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 55, line 13 strike "10,000" and insert "36,000"
 On page 55, line 18 strike "117,000" and insert "91,000"
 On page 57, line 24 strike "40,000" and insert "80,000"
 On page 57, line 29 strike "139,000" and insert "99,000"
 On page 59, line 35 strike "100,000" and insert "150,000"
 On page 59, line 40 strike "155,000" and insert "105,000"

Ms. Hine moved adoption of the following amendments by Representatives Hine and Brough to the committee amendment:

On page 63, line 45 after "acquisition" insert "and development"
 On page 64, line 1 strike "143,000" and insert "296,000"
 On page 64, line 6 strike "143,000" and insert "296,000"

Representatives Hine, Schoon, Brough, Miller, and Lux spoke in favor of the amendments to the amendment, and Representatives Braddock, Hargrove, J. Williams and Nealey spoke against them.

Representatives Hine and Schoon spoke again in favor of the amendments to the committee amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Hine and Brough to pages 63 and 64 of the committee amendment to Engrossed Substitute Senate Bill No. 3654, and the amendments to the amendment were adopted by the following vote: Yeas, 71; nays, 26; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Brekke, Brough, Chandler, Cole, Crane, Dellwo, Doty, Ebersole, Fisch, Fisher, Hankins, Hastings, Haugen, Hine, Holland, Isacson, Jacobsen, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, May, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Prince, Rayburn, Rust, Sanders, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Walker, Wang, West, Wilson K, Wilson S, Wineberry, Winsley - 71.

Voting nay: Representatives Braddock, Bristow, Brooks, Day, Dobbs, Fuhrman, Gallagher, Grimm, Hargrove, King J, King P, Madsen, McMullen, Nealey, Peery, Sayan, Schmidt, Sutherland, Thomas, Van Luven, Vekich, Walk, Williams B, Williams J, Zellinsky, and Mr. Speaker - 26.

Excused: Representative Smith C - 1.

Mr. Wineberry moved adoption of the following amendment by Representatives Wineberry, Braddock, O'Brien and McMullen to the committee amendment:
On page 68, line 6 after "limitations:" strike "\$4,000,000" and insert "\$5,000,000"

Representatives Wineberry and Braddock spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Baugher moved adoption of the following amendment by Representatives Baugher, Doty, Rayburn and Lewis to the committee amendment:

On page 68 of the amendment, after line 19, insert the following:

"NEW SECTION. Sec. 560. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

Feasibility study for reconstruction, economic development, and expanded use of the state fairgrounds at Yakima

	Reappropriation	Appropriation
GF, St Bldg Constr Acct		105,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/87 and	Costs
6/30/85	Thereafter	
		105,000"

Re-number the remaining sections consecutively and correct any internal references accordingly.

Representatives Baugher, Lewis and Taylor spoke in favor of the amendment to the amendment, and Mr. Braddock opposed it.

The amendment to the committee amendment was adopted.

The committee amendment as amended was adopted.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3654 as amended by the House, and the bill passed the House by the following vote: Yeas, 81; nays, 16; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristol, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Peery, Rayburn, Sanders, Sayan, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson S, Wineberry, Winsley, and Mr. Speaker - 81.

Voting nay: Representatives Berozoff, Chandler, Fuhrman, Hargrove, Lux, Nealey, Patrick, Prince, Rust, Schmidt, Sutherland, Thomas, Van Luven, Williams J, Wilson K, Zellinsky - 16.

Excused: Representative Smith C - 1.

Engrossed Substitute Senate Bill No. 3654 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 25, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3066, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Warnke, McDonald, Moore, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Wang, the House granted the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 3066.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Wang, R. King and Patrick as conferees on Engrossed Substitute Senate Bill No. 3066.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 4231, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Owen, Metcalf, Halsan, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Sutherland, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 4231.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives McMullen, Sanders and Sutherland as conferees on Substitute Senate Bill No. 4231.

REPORT OF CONFERENCE COMMITTEE

April 24, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3254, revising certain provisions of domestic violence prevention laws, 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.

Signed by Senators Talmadge, Metcalf, Halsan; Representatives Crane, Scott, Patrick.

MOTION

On motion of Mr. Appelwick, the House adopted the report of the Conference Committee and granted the committee powers of Free Conference.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3877, and failed to pass the bill as amended by the House.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. J. King, the Rules Committee was relieved of HOUSE BILL NO. 1246, and the bill was placed on the second reading calendar.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 7:30 p.m.

EVENING SESSION

The House was called to order at 7:30 p.m. by the Speaker.

MESSAGES FROM THE SENATE

April 25, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO.	23,
SUBSTITUTE HOUSE BILL NO.	36,

SUBSTITUTE HOUSE BILL NO. 39,
 HOUSE BILL NO. 58,
 SUBSTITUTE HOUSE BILL NO. 61,
 SUBSTITUTE HOUSE BILL NO. 62,
 SUBSTITUTE HOUSE BILL NO. 68,
 SUBSTITUTE HOUSE BILL NO. 91,
 HOUSE BILL NO. 139,
 SUBSTITUTE HOUSE BILL NO. 150,
 SUBSTITUTE HOUSE BILL NO. 178,
 SUBSTITUTE HOUSE BILL NO. 179,
 SUBSTITUTE HOUSE BILL NO. 187,
 SUBSTITUTE HOUSE BILL NO. 199,
 SUBSTITUTE HOUSE BILL NO. 203,
 SUBSTITUTE HOUSE BILL NO. 214,
 HOUSE BILL NO. 228,
 SUBSTITUTE HOUSE BILL NO. 254,
 SUBSTITUTE HOUSE BILL NO. 262,
 SUBSTITUTE HOUSE BILL NO. 270,
 SUBSTITUTE HOUSE BILL NO. 297,
 SUBSTITUTE HOUSE BILL NO. 323,
 SUBSTITUTE HOUSE BILL NO. 435,
 SUBSTITUTE HOUSE BILL NO. 466,
 SUBSTITUTE HOUSE BILL NO. 543,
 SUBSTITUTE HOUSE BILL NO. 550,
 SUBSTITUTE HOUSE BILL NO. 606,
 SUBSTITUTE HOUSE BILL NO. 622,
 HOUSE BILL NO. 629,
 SUBSTITUTE HOUSE BILL NO. 781,
 HOUSE BILL NO. 808,
 SUBSTITUTE HOUSE BILL NO. 815,
 SUBSTITUTE HOUSE BILL NO. 846,
 SUBSTITUTE HOUSE BILL NO. 865,
 SUBSTITUTE HOUSE BILL NO. 877,
 SUBSTITUTE HOUSE BILL NO. 891,
 SUBSTITUTE HOUSE BILL NO. 932,
 SUBSTITUTE HOUSE BILL NO. 957,
 SUBSTITUTE HOUSE BILL NO. 974,
 SECOND SUBSTITUTE HOUSE BILL NO. 975,
 HOUSE BILL NO. 999,
 SUBSTITUTE HOUSE BILL NO. 1003,
 SUBSTITUTE HOUSE BILL NO. 1046,
 SUBSTITUTE HOUSE BILL NO. 1060,
 SUBSTITUTE HOUSE BILL NO. 1061,
 SUBSTITUTE HOUSE BILL NO. 1084,
 SUBSTITUTE HOUSE BILL NO. 1116,
 SUBSTITUTE HOUSE BILL NO. 1170,
 SUBSTITUTE HOUSE BILL NO. 1207,
 SUBSTITUTE HOUSE BILL NO. 1269.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 25, 1985

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3176,
 SUBSTITUTE SENATE BILL NO. 3220,
 SUBSTITUTE SENATE BILL NO. 3307,
 SUBSTITUTE SENATE BILL NO. 3333,
 SUBSTITUTE SENATE BILL NO. 3346,
 SUBSTITUTE SENATE BILL NO. 3356,
 SENATE BILL NO. 3357,
 SUBSTITUTE SENATE BILL NO. 3388.

SENATE BILL NO. 3420,
 SUBSTITUTE SENATE BILL NO. 3438,
 SENATE BILL NO. 3445,
 SENATE BILL NO. 3456,
 SUBSTITUTE SENATE BILL NO. 3468,
 SUBSTITUTE SENATE BILL NO. 3540,
 SENATE BILL NO. 3762,
 SENATE BILL NO. 3765,
 SUBSTITUTE SENATE BILL NO. 3786,
 SUBSTITUTE SENATE BILL NO. 3792,
 SUBSTITUTE SENATE BILL NO. 3797,
 SENATE BILL NO. 3829,
 SENATE BILL NO. 3851,
 SENATE BILL NO. 3852,
 SUBSTITUTE SENATE BILL NO. 3856,
 SUBSTITUTE SENATE BILL NO. 3898,
 SUBSTITUTE SENATE BILL NO. 3904,
 SENATE BILL NO. 3906,
 SUBSTITUTE SENATE BILL NO. 3911,
 SUBSTITUTE SENATE BILL NO. 3920,
 SUBSTITUTE SENATE BILL NO. 4041,
 SUBSTITUTE SENATE BILL NO. 4107,
 SENATE BILL NO. 4140,
 SENATE BILL NO. 4155,
 SENATE BILL NO. 4206,
 SUBSTITUTE SENATE BILL NO. 4267,
 SENATE BILL NO. 4302,
 SUBSTITUTE SENATE BILL NO. 4361,
 SUBSTITUTE SENATE BILL NO. 4386,
 SUBSTITUTE SENATE BILL NO. 4399,
 SENATE JOINT MEMORIAL NO. 109,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 25, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3189, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 25, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on HOUSE JOINT RESOLUTION NO. 23, and the President has appointed the following members as conferees: Senators Goltz, McCaslin, McManus.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3176,
 SUBSTITUTE SENATE BILL NO. 3220,
 SUBSTITUTE SENATE BILL NO. 3307,
 SUBSTITUTE SENATE BILL NO. 3333,
 SUBSTITUTE SENATE BILL NO. 3346,
 SUBSTITUTE SENATE BILL NO. 3356,
 SENATE BILL NO. 3357,
 SUBSTITUTE SENATE BILL NO. 3388,
 SENATE BILL NO. 3420,
 SUBSTITUTE SENATE BILL NO. 3438,
 SENATE BILL NO. 3445,
 SENATE BILL NO. 3456,
 SUBSTITUTE SENATE BILL NO. 3468.

SUBSTITUTE SENATE BILL NO. 3540,
SENATE BILL NO. 3762,
SENATE BILL NO. 3765,
SUBSTITUTE SENATE BILL NO. 3786,
SUBSTITUTE SENATE BILL NO. 3792,
SUBSTITUTE SENATE BILL NO. 3797,
SENATE BILL NO. 3829,
SENATE BILL NO. 3851,
SENATE BILL NO. 3852,
SUBSTITUTE SENATE BILL NO. 3856,
SUBSTITUTE SENATE BILL NO. 3898,
SUBSTITUTE SENATE BILL NO. 3904,
SENATE BILL NO. 3906,
SUBSTITUTE SENATE BILL NO. 3911,
SUBSTITUTE SENATE BILL NO. 3920,
SUBSTITUTE SENATE BILL NO. 4041,
SUBSTITUTE SENATE BILL NO. 4107,
SENATE BILL NO. 4140,
SENATE BILL NO. 4155,
SENATE BILL NO. 4206,
SUBSTITUTE SENATE BILL NO. 4267,
SENATE BILL NO. 4302,
SUBSTITUTE SENATE BILL NO. 4361,
SUBSTITUTE SENATE BILL NO. 4386,
SUBSTITUTE SENATE BILL NO. 4399,
SENATE JOINT MEMORIAL NO. 109.

MOTIONS

On motion of Ms. Hine, the House dispensed with further business under the Call of the House.

On motion of Mr. Appelwick, the House was adjourned until 9:30 a.m., Friday, April 26, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

ONE HUNDRED-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 26, 1985.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Bond, Braddock, Isaacson, Locke, Niemi, C. Smith and Vekich. Representative C. Smith was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Demian Barnes and La Nae Reinsertsen. Prayer was offered by Reverend Levi B. Baldwin, Jr., of Seattle.

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

MESSAGE FROM THE GOVERNOR

April 25, 1985

To the Honorable,
The House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to one section, ENGROSSED HOUSE BILL NO. 99, entitled:

"AN ACT Relating to the taxation of fish farms."

Section 5 of this bill attempts to assure that the previous sections could not be construed to imply that fish farmers were taxable as extractors for B&O taxes and liable for sales and use taxes on their feed purchases prior to the effective date of this bill.

This section would weaken the state's position if fish farmers attempted to avoid payment of back taxes by legal action.

With the exception of Section 5, Engrossed House Bill No. 99 is approved.

Respectfully submitted,
BOOTH GARDNER, Governor.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 3827,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

E3SSB 3827 by Committee on Ways & Means (originally sponsored by Senators Kreidler, Talmadge, Bluechel, Moore, McManus, Stratton, Warnke, Bender, Fleming, Rasmussen, Williams, Vognild, Cantu, Saling, Granlund, Goltz, Kiskaddon, Gaspard, Johnson, Conner, Bailey, Lee, Garrett, von Reichbauer, Zimmerman and Bauer; by Governor request)

Authorizing bonds for water pollution control facilities.

Referred to Committee on Rules.

SENATE AMENDMENT TO HOUSE BILL

April 19, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 46 with the following amendment:

On page 1, line 26 after "per se" strike all material down to and including "arrangements" on line 27.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House concurred in the Senate amendment to Substitute House Bill No. 46.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 46 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 46 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 86; absent, 11; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Baugher, Belcher, Betzoff, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 86.

Absent: Representatives Basich, Bond, Braddock, Brække, Isaacson, King J, Locke, Niemi, Tanner, Todd, Vekich - 11.

Excused: Representative Smith C - 1.

Substitute House Bill No. 46 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, 1985

Mr. Speaker:

The Senate insists on its position and refuses to grant a conference on HOUSE BILL NO. 593, and once again asks the House to concur in the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Armstrong, the House receded from its position on House Bill No. 593, and concurred in the Senate amendments.

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. 593 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 593 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; absent, 8; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G,

Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Absent: Representatives Bond, Braddock, Isaacson, Locke, Niemi, Tanner, Todd, Vekich - 8.

Excused: Representative Smith C - 1.

House Bill No. 593 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, 1985

Mr. Speaker:

The President has ruled the House amendments to SENATE BILL NO. 3173 beyond the scope and object of the bill, and the Senate asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Sutherland, the House receded from its amendments to Senate Bill No. 3173.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Senate Bill No. 3173 without the House amendments.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3173 without the House amendments, and the bill passed the House by the following vote: Yeas, 90; absent, 7; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Bond, Braddock, Isaacson, Locke, Niemi, Tanner, Vekich - 7.

Excused: Representative Smith C - 1.

Senate Bill No. 3173 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.

SENATE AMENDMENTS TO HOUSE BILL

April 16, 1985

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 116 with the following amendments:

On page 6, line 9 after "chapter" strike all material down to and including "agency" on line 14.

On page 12, line 27 after "chapter" strike all material down to and including "board" on line 33.

On page 13, line 2 after "board" strike all material down to and including "board" on line 8.

On page 17, line 1 after "section" strike "8" and insert "7"
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Belcher, the House refused to concur in the Senate amendments to Engrossed House Bill No. 116 and asked the Senate to recede therefrom.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3012, enacting penalties and procedures to prevent harassment, 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.

Signed by Senators Talmadge, Pullen, Halsan; Representatives Crane, Van Luven, Scott.

MOTION

On motion of Mr. Armstrong, the House adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3012, and granted the committee the powers of Free Conference.

The Speaker declared the House to be at ease until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker. Representatives Bond, Isaacson, Locke and Vekich appeared at the bar of the House.

SENATE AMENDMENTS TO HOUSE BILL

April 23, 1985

Mr. Speaker:

After returning the bill to second reading under suspension of the rules, the Senate has repassed SUBSTITUTE HOUSE BILL NO. 890 with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. As used in this chapter, the terms defined in this section have the meanings indicated unless the context clearly requires otherwise.

(1) 'Agricultural product,' 'conditioner,' 'consignor,' 'person,' 'processor,' and 'producer' have the meanings defined in RCW 20.01.010.

(2) 'Preparer' means a person engaged in the business of feeding livestock or preparing livestock products for market.

NEW SECTION. Sec. 2. Starting on the date a producer delivers any agricultural product to a processor or conditioner, the producer has a first priority statutory lien, referred to as a 'processor lien.' This processor lien shall continue until twenty days after payment for the product is due and remains unpaid, without filing any notice of lien, for the contract price, if any, or the fair market value of the products delivered. The processor lien attaches to the agricultural products delivered, to the processor's or conditioner's inventory, and to the processor's or conditioner's accounts receivable. However, no processor lien may attach to agricultural products delivered by a producer, or on the producer's behalf, to a processor which is organized and operated on a cooperative basis and of which the producer is a member, nor may such lien attach to such processor's inventory or accounts receivable.

NEW SECTION. Sec. 3. Starting on the date a producer delivers grain, hay, or straw to a preparer, the producer has a first priority statutory lien, referred to as a 'preparer lien.' This preparer lien shall continue twenty days after payment for the product is due and remains unpaid, without filing any notice of lien, for the contract price, if any, or the fair market value of the products delivered. The preparer lien attaches to the agricultural products delivered by the producer to the preparer, and to the preparer's accounts receivable.

NEW SECTION. Sec. 4. (1) A producer claiming a processor or preparer lien may file a statement evidencing the lien with the department of licensing after payment from the processor, conditioner, or preparer to the producer is due and remains unpaid. For purposes of this subsection and section 5 of this act, payment is due on the date specified in the contract, or if not specified, then within thirty days from time of delivery.

(2) The statement shall be in writing, verified by the producer, and shall contain in substance the following information:

(a) A true statement of the amount demanded after deducting all credits and offsets;

(b) The name of the processor, conditioner, or preparer who received the agricultural product to be charged with the lien;

(c) A description sufficient to identify the agricultural product to be charged with the lien;

(d) A statement that the amount claimed is a true and bona fide existing debt as of the date of the filing of the notice evidencing the lien; and

(e) The date on which payment was due for the agricultural product to be charged with the lien.

NEW SECTION. Sec. 5. (1) (a) If a statement is filed pursuant to section 4 of this act within twenty days of the date upon which payment from the processor, conditioner, or preparer to the producer is due and remains unpaid, the processor or preparer lien evidenced by the statement continues its priority over all other liens or security interests upon agricultural products, inventory, and accounts receivable, except as provided in (b) of this subsection. Such priority is without regard to whether the other liens or security interests attached before or after the date on which the processor or preparer lien attached.

(b) The processor or preparer lien shall be subordinate to liens for taxes or labor perfected before filing of the processor or preparer lien.

(2) If the statement provided for in section 4 of this act is not filed within twenty days of the date payment is due and remains unpaid, the processor or preparer lien shall thereupon become subordinate to:

(a) A lien that has attached to the agricultural product, inventory, or accounts receivable before the date on which the processor or preparer lien attaches; and

(b) A perfected security interest in the agricultural product, inventory, or accounts receivable.

NEW SECTION. Sec. 6. (1) The processor lien shall terminate six months after, and the preparer lien shall terminate fifty days after, the later of the date of attachment or filing, unless a suit to foreclose the lien has been filed before that time as provided in section 7 of this act.

(2) If a statement has been filed as provided in section 4 of this act and the producer has received payment for the obligation secured by the lien, the producer shall promptly file with the department of licensing a statement declaring that full payment has been received and that the lien is discharged. If, after payment, the producer fails to file such statement of discharge within ten days following a request to do so, the producer shall be liable to the processor, conditioner, or preparer in the sum of one hundred dollars plus actual damages caused by the failure.

NEW SECTION. Sec. 7. (1) The processor or preparer liens may be foreclosed and enforced by civil action in superior court.

(2) In all suits to enforce processor or preparer liens, the court shall, upon entering judgment, allow to the prevailing party as a part of the costs, all moneys paid for the filing and recording of the lien and reasonable attorney fees.

Sec. 8. Section 1, chapter 139, Laws of 1959 as last amended by section 1, chapter 305, Laws of 1983 and RCW 20.01.010 are each amended to read as follows:

As used in this title the terms defined in this section have the meanings indicated unless the context clearly requires otherwise.

(1) 'Director' means the director of agriculture or his duly authorized representative.

(2) 'Person' means any natural person, firm, partnership, exchange, association, trustee, receiver, corporation, and any member, officer, or employee thereof or assignee for the benefit of creditors.

(3) 'Agricultural product' means any unprocessed horticultural, vermicultural and its byproducts, viticultural, berry, poultry, poultry product, grain, bee, or other agricultural products, and includes mint or mint oil processed by or for the producer thereof and hay and straw baled or prepared for market in any manner or form and livestock. When used in ~~((this chapter under the provisions of RCW 20.01.020))~~ section 2 of this 1985 act, 'agricultural product' means horticultural, viticultural, and berry products, hay and straw, and turf and forage seed and applies only when such products are delivered to a processor or conditioner in an unprocessed form.

(4) 'Producer' means any person engaged in the business of growing or producing any agricultural product, whether as the owner of the products, or producing the products for others holding the title thereof.

(5) 'Consignor' means any producer, person, or his agent who sells, ships, or delivers to any commission merchant, dealer, cash buyer, or agent, any agricultural product for processing, handling, sale, or resale.

(6) 'Commission merchant' means any person who receives on consignment for sale or processing and sale from the consignor thereof any agricultural product for sale on commission on behalf of the consignor, or who accepts any farm product in trust from the consignor thereof for the purpose of resale, or who sells or offers for sale on commission any agricultural product, or who in any way handles for the account of or as an agent of the consignor thereof, any agricultural product.

(7) 'Dealer' means any person other than a cash buyer, as defined in subsection (10) of this section, who solicits, contracts for, or obtains from the consignor thereof for reselling or processing, title, possession, or control of any agricultural product, or who buys or agrees to buy any agricultural product from the consignor thereof for sale or processing and includes any person, other than one who acts solely as a producer, who retains title in an agricultural

product and delivers it to a producer for further production or increase. For the purposes of this chapter, the term dealer includes any person who purchases livestock on behalf of and for the account of another, or who purchases cattle in another state or country and imports these cattle into this state for resale.

(8) 'Limited dealer' means any person operating under the alternative bonding provision in RCW 20.01.211.

(9) 'Broker' means any person other than a commission merchant, dealer, or cash buyer who negotiates the purchase or sale of any agricultural product, but no broker may handle the agricultural products involved or proceeds of the sale.

(10) 'Cash buyer' means any person other than a commission merchant, dealer, or broker, who obtains from the consignor thereof for the purpose of resale or processing, title, possession, or control of any agricultural product or who contracts for the title, possession, or control of any agricultural product, or who buys or agrees to buy any agricultural product by paying to the consignor at the time of obtaining possession or control of any agricultural product the full agreed price of the agricultural product, in coin or currency, lawful money of the United States. However, a cashier's check, certified check, or bankdraft may be used for the payment.

(11) 'Agent' means any person who, on behalf of any commission merchant, dealer, broker, or cash buyer, acts as liaison between a consignor and a principal, or receives, contracts for, or solicits any agricultural product from the consignor thereof or who negotiates the consignment or purchase of any agricultural product on behalf of any commission merchant, dealer, broker, or cash buyer and who transacts all or a portion of that business at any location other than at the principal place of business of his employer. With the exception of an agent for a commission merchant or dealer handling horticultural products, an agent may operate only in the name of one principal and only to the account of that principal.

(12) 'Retail merchant' means any person operating from a bona fide or established place of business selling agricultural products twelve months of each year. Any retailer may occasionally wholesale any agricultural product which he has in surplus; however, such wholesaling shall not be in excess of two percent of the retailer's gross business.

(13) 'Fixed or established place of business' for the purpose of this chapter means any permanent warehouse, building, or structure, at which necessary and appropriate equipment and fixtures are maintained for properly handling those agricultural products generally dealt in, and at which supplies of the agricultural products being usually transported are stored, offered for sale, sold, delivered, and generally dealt in in quantities reasonably adequate for and usually carried for the requirements of such a business, and that is recognized as a permanent business at such place, and carried on as such in good faith and not for the purpose of evading this chapter, and where specifically designated personnel are available to handle transactions concerning those agricultural products generally dealt in, which personnel are available during designated and appropriate hours to that business, and shall not mean a residence, barn, garage, tent, temporary stand or other temporary quarters, any railway car, or permanent quarters occupied pursuant to any temporary arrangement.

(14) 'Processor' means any person, firm, company, or other organization that purchases agricultural crops from a consignor and that cans, freezes, dries, dehydrates, cooks, presses, powders, or otherwise processes those crops in any manner whatsoever for eventual resale.

(15) 'Pooling contract' means any written agreement whereby a consignor delivers a horticultural product to a commission merchant under terms whereby the commission merchant may commingle the consignor's horticultural products for sale with others similarly agreeing, which must include all of the following:

(a) A delivery receipt for the consignor that indicates the variety of horticultural product delivered, the number of containers, or the weight and tare thereof;

(b) Horticultural products received for handling and sale in the fresh market shall be accounted for to the consignor with individual pack-out records that shall include variety, grade, size, and date of delivery. Individual daily packing summaries shall be available within forty-eight hours after packing occurs. However, platform inspection shall be acceptable by mutual contract agreement on small deliveries to determine variety, grade, size, and date of delivery;

(c) Terms under which the commission merchant may use his judgment in regard to the sale of the pooled horticultural product;

(d) The charges to be paid by the consignor as filed with the state of Washington;

(e) A provision that the consignor shall be paid for his pool contribution when the pool is in the process of being marketed in direct proportion, not less than eighty percent of his interest less expenses directly incurred, prior liens, and other advances on the grower's crop unless otherwise mutually agreed upon between grower and commission merchant.

(16) 'Date of sale' means the date agricultural products are delivered to the person buying the products.

(17) 'Boom loader' means a person who owns or operates, or both, a mechanical device mounted on a vehicle and used to load hay or straw for compensation.

(18) 'Conditioner' means any person, firm, company, or other organization that receives turf, forage, or vegetable seeds from a consignor for drying or cleaning.

(19) 'Seed bailment contract' means any contract meeting the requirements of chapter 15.48 RCW.

(20) 'Proprietary seed' means any seed that is protected under the Federal Plant Variety Protection Act.

Sec. 9. Section 1, chapter 264, Laws of 1961 and RCW 60.22.010 are each amended to read as follows:

(1) Any person who furnishes commercial fertilizer, and/or pesticide, and/or weed killer to another for use on the lands owned, contracted to be purchased, used or rented by him, may have a lien upon all the crops on which the fertilizer, and/or pesticide, and/or weed killer are used to secure the payment of the purchase price thereof: PROVIDED, That if the commercial fertilizer, and/or pesticide, and/or weed killer is furnished to any tenant farmer, the lien shall apply only to the tenant farmer's interest in the crops unless written consent of the owner of the premises is obtained (~~(-PROVIDED FURTHER, That such lien shall be subordinate to any crop lien or crop mortgage which has been filed for record prior to the furnishing of such materials or products)~~). This lien shall take first priority over any other security interest in crops for which no new value was provided if such materials or services were given to enable the debtor to produce crops during the production season.

(2) If the crop, or any part thereof, is sold subsequent to the filing of the lien, or possession delivered to an agent, broker, cooperative agency or other person to be sold or otherwise disposed of and its identity lost, or the crop commingled with other property so that it cannot be segregated, and if the purchaser, agent, broker, cooperative agency or other person is notified of the filing of the lien by being served with a certified copy thereof, the lien shall attach to the proceeds of the sale of the crop or part thereof remaining in the possession of the purchaser, agent, broker, cooperative agency or other person at the time of the notice and to any proceeds of such sale that may thereafter come into the possession of any of such persons and the lien shall be as effective against such proceeds as against the crop itself.

Sec. 10. Section 9-310, chapter 157, Laws of 1965 ex. sess. as amended by section 76, chapter 305, Laws of 1983 and RCW 62A.9-310 are each amended to read as follows:

(1) When a person in the ordinary course of his business furnishes services or materials with respect to goods subject to a security interest, a lien upon goods in the possession of such person given by statute or rule of law for such materials or services takes priority over a perfected security interest only if the lien is statutory and the statute expressly provides for such priority.

(2) A preparer lien or processor lien created pursuant to chapter (~~(20-01)~~) 60.-- RCW (sections 1 through 7 of this 1985 act) or a depositor's lien created pursuant to chapter 22.09 RCW takes priority over any perfected or unperfected security interest.

(3) A commercial fertilizer, pesticide, or weed killer lien takes priority over any perfected or unperfected security interest for which no new value was provided if materials or services were given to enable the debtor to produce the crops during the production season.

Sec. 11. Section 9-104, chapter 157, Laws of 1965 ex. sess. as last amended by section 75, chapter 305, Laws of 1983 and RCW 62A.9-104 are each amended to read as follows:

This Article does not apply

(a) to a security interest subject to any statute of the United States to the extent that such statute governs the rights of parties to and third parties affected by transactions in particular types of property; or

(b) to a landlord's lien; or

(c) to a lien given by statute or other rule of law for services or materials or to a lien created under chapter (~~(20-01)~~) 60.-- (sections 1 through 7 of this 1985 act) or 22.09 RCW except as provided in RCW 62A.9-310 on priority of such liens; or

(d) to a transfer of a claim for wages, salary or other compensation of an employee; or

(e) to a transfer by a government or governmental subdivision or agency; or

(f) to a sale of accounts or chattel paper as part of a sale of the business out of which they arose, or an assignment of accounts or chattel paper which is for the purpose of collection only, or a transfer of a right to payment under a contract to an assignee who is also to do the performance under the contract or a transfer of a single account to an assignee in whole or partial satisfaction of a preexisting indebtedness; or

(g) to a transfer of an interest or claim in or under any policy of insurance, except as provided with respect to proceeds (RCW 62A.9-306) and priorities in proceeds (RCW 62A.9-312); or

(h) to a right represented by a judgment (other than a judgment taken on a right to payment which was collateral); or

(i) to any right of set-off; or

(j) except to the extent that provision is made for fixtures in RCW 62A.9-313, to the creation or transfer of an interest in or lien on real estate, including a lease or rents thereunder; or

(k) to a transfer in whole or in part of any claim arising out of tort; or

(l) to a transfer of an interest in any deposit account (subsection (1) of RCW 62A.9-105), except as provided with respect to proceeds (RCW 62A.9-306) and priorities in proceeds (RCW 62A.9-312).

Sec. 12. Section 9-203, chapter 157, Laws of 1965 ex. sess. as last amended by section 1, chapter 186, Laws of 1982 and RCW 62A.9-203 are each amended to read as follows:

(1) Subject to the provisions of RCW 62A.4-208 on the security interest of a collecting bank and RCW 62A.9-113 on a security interest arising under the Article on Sales, a security interest is not enforceable against the debtor or third parties with respect to the collateral and does not attach unless

(a) the collateral is in the possession of the secured party pursuant to agreement, or the debtor has signed a security agreement which contains a description of the collateral and in addition, when the security interest covers crops growing or to be grown or timber to be cut, a description of the land concerned; and

(b) value has been given; and

(c) the debtor has rights in the collateral.

(2) A security interest attaches when it becomes enforceable against the debtor with respect to the collateral. Attachment occurs as soon as all of the events specified in subsection (1) have taken place unless explicit agreement postpones the time of attaching.

(3) Unless otherwise agreed a security agreement gives the secured party the rights to proceeds provided by RCW 62A.9-306.

(4) A transaction, although subject to this Article, is also subject to chapters 31.04, 31.08, 31.12, 31.16, 31.20, and 31.24 RCW, and in the case of conflict between the provisions of this Article and any such statute, the provisions of such statute control. Failure to comply with any applicable statute has only the effect which is specified therein.

Sec. 13. Section 9-307, chapter 157, Laws of 1965 ex. sess. as amended by section 20, chapter 41, Laws of 1981 and RCW 62A.9-307 are each amended to read as follows:

(1) A buyer in ordinary course of business (subsection (9) of RCW 62A.1-201) other than a person buying farm products from a person engaged in farming operations takes free of a security interest created by his seller even though the security interest is perfected and even though the buyer knows of its existence.

(2) In the case of consumer goods, a buyer takes free of a security interest even though perfected if he buys without knowledge of the security interest, for value and for his own personal, family or household purposes unless prior to the purchase the secured party has filed a financing statement covering such goods.

(3) A buyer other than a buyer in ordinary course of business (subsection (1) of this section) takes free of a security interest to the extent that it secures future advances made after the secured party acquires knowledge of the purchase, unless made pursuant to a commitment entered into without knowledge of the purchase.

(4) Notwithstanding subsection (1) of this section, any person registered under the Federal Packers and Stockyard Act, 7 U.S.C. 181, who sells livestock for another for a fee or commission or who purchases livestock or livestock byproducts with the intent to resell takes free of a security interest created by the seller, even though the security interest is perfected, when such person is without knowledge of the security interest. For the purposes of this subsection, a person has 'knowledge' if:

(a) Notice is furnished by the seller as provided in RCW 16.57.240; or

(b) A statement of the security interest is filed pursuant to chapter 16,--- RCW (sections 14 through 20 of this 1985 act).

NEW SECTION. Sec. 14. For the purposes of this chapter:

(1) 'Department' means the department of agriculture of the state of Washington.

(2) 'Director' means the director of the department or a duly authorized representative.

(3) 'Secured party' means a lender, seller or other person in whose favor there is a security interest, including a person to whom accounts or chattel paper have been sold. When the holders of obligations issued under an indenture of trust, equipment trust agreement or the like are represented by a trustee or other person, the representative is the secured party.

NEW SECTION. Sec. 15. Any secured party who obtains or maintains a security interest in livestock situated in this state may file copies of an effective financing statement with the department. The provisions of chapter 62A.9 RCW apply to the filing of statements under this section as that chapter relates to the form, content, duration, and times for filing of the statements.

NEW SECTION. Sec. 16. A secured party who has filed a statement of security interest in livestock with the department shall, upon the termination of the security interest, promptly file a notice of termination with the department. If, after termination of the security interest, the secured party fails to file a statement of discharge within ten days following a request to do so, the secured party shall be liable to the debtor in the sum of one hundred dollars plus actual damages caused by the failure.

NEW SECTION. Sec. 17. A statement filed under section 15 of this act shall be accompanied by a filing fee from the secured party in an amount established by the director in accordance with chapter 34.04 RCW. The fee may differ by the type of statement and an additional fee may be required for each separate name or trade name under which the statement is filed or indexed.

NEW SECTION. Sec. 18. Upon receiving a statement and filing fee, the department shall index the statement according to the name and trade name, if any, of the debtor. The department shall regularly publish a listing of the filings of effective financing statements and statements of assignment. The department shall furnish the listings on a subscription basis.

NEW SECTION. Sec. 19. Neither the director nor any employee of the department is personally liable to any secured party, debtor, public livestock market operator, livestock dealer, or any other person for the administration of this chapter.

NEW SECTION. Sec. 20. The livestock security interest fund is hereby established in the custody of the state treasurer. The department shall deposit in the fund all moneys received from livestock security interest filing fees. Moneys in the fund shall be spent only for carrying out the purpose and provisions of this chapter. The fund is subject to the allotment procedure provided under chapter 43.88 RCW and an appropriation is required for disbursements.

NEW SECTION. Sec. 21. The following acts or parts of acts are each repealed:

- (1) Section 9, chapter 305, Laws of 1983 and RCW 20.01.620;
- (2) Section 10, chapter 305, Laws of 1983 and RCW 20.01.630;
- (3) Section 11, chapter 305, Laws of 1983 and RCW 20.01.640;
- (4) Section 12, chapter 305, Laws of 1983 and RCW 20.01.650;
- (5) Section 13, chapter 305, Laws of 1983 and RCW 20.01.660; and
- (6) Section 14, chapter 305, Laws of 1983 and RCW 20.01.670.

NEW SECTION. Sec. 22. Sections 1 through 7 of this act shall constitute a new chapter in Title 60 RCW.

NEW SECTION. Sec. 23. Sections 14 through 20 of this act shall constitute a new chapter in Title 16 RCW.

NEW SECTION. Sec. 24. Sections 13 through 20 of this act shall take effect on October 1, 1985, and shall apply to any then existing or future security interests."

On page 1, line 1 of the title, after "liens;" strike the remainder of the title and insert "amending RCW 20.01.010, 60.22.010, 62A.9-203, 62A.9-307, 62A.9-310, and 62A.9-104; adding a new chapter to Title 16 RCW; adding a new chapter to Title 60 RCW; repealing RCW 20.01.620, 20.01.630, 20.01.640, 20.01.650, 20.01.660, and 20.01.670; prescribing penalties; and providing an effective date."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Dellwo, the House concurred in the Senate amendments to Substitute House Bill No. 890.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 890 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 890 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 83; nays, 12; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Belcher, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dobbs, Doty, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luvan, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, and Mr. Speaker - 83.

Voting nay: Representatives Appelwick, Armstrong, Basich, Brekke, Dellwo, Ebersole, Rust, Smitherman, Tanner, Vekich, Wilson K, Zellinsky - 12.

Absent: Representatives Braddock, Niemi - 2.

Excused: Representative Smith C - 1.

Substitute House Bill No. 890 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, 1985

Mr. Speaker:

The Senate has ruled the House amendments are beyond the scope and object of SUBSTITUTE SENATE BILL NO. 3029, and the Senate refuses to grant the request of the House for a conference, and once again asks the House to recede from its amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Lux moved that the House recede from its amendments to Substitute Senate Bill No. 3029.

Representative Lux spoke in favor of the motion and Representatives Barnes and Winsley spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House recede from its amendments to Substitute Senate Bill No. 3029, and the motion was lost by the following vote: Yeas, 40; nays, 55; absent, 2; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Brekke, Cole, Crane, Day, Dellwo, Fisch, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King R, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Nutley, O'Brien, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wineberry, and Mr. Speaker - 40.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Ebersole, Fisher, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, King P, Kremen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Peery, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Smitherman, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky - 55.

Absent: Representatives Braddock, Niemi - 2.

Excused: Representative Smith C - 1.

Representatives Niemi and Braddock appeared at the bar of the House.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to SENATE BILL NO. 3120, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Walk, the House refused to recede from its amendments to Senate Bill No. 3120, and again asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 23, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3261, and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Thompson, Zimmerman, Rinehart, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Belcher, the House insisted on its position on Engrossed Substitute Senate Bill No. 3261, and again asked the Senate to concur therein.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4209, with the exception of the amendment to page 1, line 12, and passed the bill as amended by the House with said exception, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

FINAL PASSAGE OF SENATE BILL WITH CERTAIN HOUSE AMENDMENTS

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 4209 without the House amendment to page 1, line 12.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4209 without the House amendment to page 1, line 12, and the bill passed the House by the following vote: Yeas, 93; nays, 2; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Fuhrman, Sanders - 2.

Absent: Representatives Appelwick, Wang - 2.

Excused: Representative Smith C - 1.

Engrossed Substitute Senate Bill No. 4209 with certain 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 25, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SENATE BILL NO. 3812, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SENATE BILL NO. 3812, modifying penalty provisions on the violation of water pollution control statutes, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. By January 1, 1986, the department of ecology shall report to the legislature all enforcement actions initiated from 1983 through November, 1985 regarding the protection of Puget Sound water quality. The report shall include the number and type of complaints received, the number of inspections conducted, the number of violations cited, the number of variances granted, the amount of penalties collected, the number of times maximum fines were collected, the number of penalties that were rescinded, and the number of criminal actions that were taken. The department of ecology shall also hold public hearings in December, 1985 in accordance with the administrative procedure act, chapter 34.04 RCW, regarding the adequacy of current enforcement activities. A report summarizing the testimony presented shall also be prepared for the legislature by February 15, 1986.

Sec. 2. Section 14, chapter 139, Laws of 1967 ex. sess. as last amended by section 9, chapter 155, Laws of 1973 and RCW 90.48.144 are each amended to read as follows:

Every person who:

(1) Violates the terms or conditions of a waste discharge permit issued pursuant to RCW 90.48.180 or this amendatory act, or

(2) Conducts a commercial or industrial operation or other point source discharge operation without a waste discharge permit as required by RCW 90.48.160 or this amendatory act, or

(3) Violates the provisions of RCW 90.48.080, or other sections of this chapter or regulations or orders adopted or issued pursuant thereto, shall incur, in addition to any other penalty as provided by law, a penalty in an amount of up to ~~((five))~~ ten thousand dollars a day for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation. Every act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the penalty herein provided for. The penalty amount shall be set in consideration of the previous history of the violator and the severity of the violation's impact on public health and/or the environment in addition to other relevant factors. The penalty herein provided for shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the same from the director of the department or his authorized delegate describing such violation with reasonable particularity. The director or his authorized delegate may, upon written application therefor received within fifteen days after notice imposing any penalty is received by the person incurring the penalty, and when deemed in the best interest to carry out the purposes of this chapter, remit or mitigate any penalty provided for in this section upon such terms as he in his discretion shall deem proper, and shall have authority to ascertain the facts upon all such applications in such manner and under such regulations as he may deem proper. The director shall remit or mitigate penalties only upon a demonstration of extraordinary circumstances such as the presence of information or factors not considered in setting the original penalty. Any person incurring any penalty hereunder may appeal the same to the hearings board as provided for in chapter 43.21B RCW. Such appeals shall be filed within thirty days of receipt of notice imposing any penalty unless an application for remission or mitigation is made to the department. When an application for remission or mitigation is made, such appeals shall be filed within thirty days of receipt of notice from the director or his authorized delegate setting forth the disposition of the application. Any penalty imposed hereunder shall become due and payable thirty days after receipt of a notice imposing the same unless application for remission or mitigation is made or an appeal is filed. When an application for remission or mitigation is made, any penalty incurred hereunder shall become due and payable thirty days after receipt of notice setting forth the disposition of the application unless an appeal is filed from such disposition. Whenever an appeal of any penalty incurred hereunder is filed, the penalty shall become due and payable only upon completion of all review proceedings and the issuance of a final order confirming the penalty in whole or in part. If the amount of any penalty is not paid to the department within thirty days after it becomes due and payable, the attorney general, upon the request of the director, shall bring an action in the name of the state of Washington in the superior court of Thurston county or of any county in which such violator may do business, to recover such penalty. In all such actions the procedure and rules of evidence shall be the same as an ordinary civil action except as otherwise in this chapter provided. All penalties recovered under this section shall be paid into the state treasury and credited to the general fund.

Sec. 3. Section 18, chapter 216, Laws of 1945 as last amended by section 2, chapter 155, Laws of 1973 and RCW 90.48.120 are each amended to read as follows:

(1) Whenever, in the opinion of the department, any person shall violate or ~~((is about))~~ creates a substantial potential to violate the provisions of this chapter, or fails to control the polluting content of waste discharged or to be discharged into any waters of the state, the department shall notify such person of its determination by registered mail. Such determination shall not constitute an order or directive under RCW 90.48.135. Within thirty days from the receipt of notice of such determination, such person shall file with the department a full report stating what steps have been and are being taken to control such waste or pollution or to otherwise comply with the determination of the department. Whereupon the department shall issue such order or directive as it deems appropriate under the circumstances, and shall notify such person thereof by registered mail.

(2) Whenever the department deems immediate action is necessary to accomplish the purposes of chapter 90.48 RCW, it may issue such order or directive, as appropriate under the circumstances, without first issuing a notice or determination pursuant to subsection (1) of this section. An order or directive issued pursuant to this subsection shall be served by registered mail or personally upon any person to whom it is directed.

Sec. 4. Section 5, chapter 133, Laws of 1969 ex. sess. as amended by section 10, chapter 88, Laws of 1970 ex. sess. and RCW 90.48.340 are each amended to read as follows:

The director shall investigate each activity or project conducted under RCW 90.48.330 to determine, if possible, the circumstances surrounding the entry of oil into waters of the state and the person or persons allowing said entry or responsible for the act or acts which result in said entry. Whenever it appears to the director, after investigation, that a specific person or persons are responsible for the necessary expenses incurred by the state pertaining to a project

or activity as specified in RCW 90.48.335, the director shall notify said person or persons by appropriate order: PROVIDED, That no order may be issued pertaining to a project or activity which was completed more than five years prior to the date of the proposed issuance of the order. Said order shall state the findings of the director, the amount of necessary expenses incurred by the commission in conducting the project or activity, and a notice that said amount is due and payable immediately upon receipt of said order. The commission may, upon application from the recipient of an order received within thirty days from the receipt of the order, reduce or set aside in its entirety the amount due and payable, when it appears from the application, and from any further investigation the commission may desire to undertake, that a reduction or setting aside is just and fair under all the circumstances. If the amount specified in the order issued by the director notifying said person or persons is not paid within thirty days after receipt of notice imposing the same, or if an application has been made within thirty days as herein provided and the amount provided in the order issued by the commission subsequent to such application is not paid within fifteen days after receipt thereof, the attorney general, upon request of the director, shall bring an action on behalf of the state in the superior court of Thurston county or any county in which the person to which the order is directed does business to recover the amount specified in the final order of the director or the commission, as appropriate. No order issued under this section shall be construed as an order within the meaning of RCW 90.48.135. In any action to recover necessary expenses as herein provided said person shall be relieved from liability for necessary expenses if he can prove that the oil to which the necessary expenses relate entered the waters of the state by causes set forth in RCW 90.48.320(3). ~~((For purposes of this section "necessary expenses" shall not include expenses relating to investigation or the performance of surveillance.))~~

Sec. 5. Section 10, chapter 133, Laws of 1969 ex. sess. as last amended by section 1, chapter 180, Laws of 1971 ex. sess. and RCW 90.48.315 are each amended to read as follows:

For purposes of RCW 90.48.315 through 90.48.365 and RCW 78.52.020, 78.52.125, 82.36.330, 90.48.315, 90.48.370 through 90.48.410, 90.48.903, 90.48.906 and 90.48.907 the following definitions shall apply unless the context indicates otherwise:

- (1) 'Board' shall mean the pollution control hearings board.
- (2) 'Department' shall mean the department of ecology.
- (3) 'Director' shall mean the director of the department of ecology.

(4) 'Discharge' shall mean any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(5) 'Fund' shall mean the state coastal protection fund as provided in RCW 90.48.390 and 90.48.400.

(6) 'Having control over oil' shall include but not be limited to any person using, storing, or transporting oil immediately prior to entry of such oil into the waters of the state, and shall specifically include carriers and bailees of such oil.

(7) 'Necessary expenses' means the expenses incurred by the department for (a) investigating the source of the discharge; (b) investigating the extent of the environmental damage caused by the discharge; and (c) conducting actions necessary to clean up the discharge.

(8) 'Oil' or 'oils' shall mean oil, including gasoline, crude oil, fuel oil, diesel oil, lubricating oil, sludge, oil refuse, or any other petroleum related product.

~~((9))~~ (9) 'Person' shall mean any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever and any owner, operator, master, officer, or employee of a ship.

~~((10))~~ (10) 'Ship' shall mean any boat, ship, vessel, barge, or other floating craft of any kind.

~~((11))~~ (11) 'Waters of the state' shall include lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Sec. 6. Section 13, chapter 139, Laws of 1967 ex. sess. as amended by section 12, chapter 88, Laws of 1970 ex. sess. and RCW 90.48.142 are each amended to read as follows:

Any person who violates any of the provisions of this chapter, or fails to perform any duty imposed by this chapter, or violates an order or other determination of the commission or the director made pursuant to the provisions of this chapter, including the conditions of a waste discharge permit issued pursuant to RCW 90.48.160, and in the course thereof causes the death of, or injury to, fish, animals, vegetation or other resources of the state, or otherwise causes a reduction in the quality of the state's waters below the standards set by the commission or, if no standards have been set, causes significant degradation of water quality, thereby damaging the same, shall be liable to pay the state damages in an amount equal to the sum of money necessary to restock such waters, replenish such resources, and otherwise restore the stream, lake or other water source to its condition prior to the injury, as such condition is determined by the commission. Such damages shall be recoverable in an action brought by the attorney general on behalf of the people of the state of Washington in the superior court of the county in which such damages occurred: PROVIDED, That if damages occurred in more than one county the attorney general may bring action in any of the counties where the damages occurred.

Any money so recovered by the attorney general shall be transferred to either the state game fund or the department of fisheries to use for food fish or shellfish management purposes and propagation, or to any other agency of the state having jurisdiction over the resource damaged and for which said moneys were recovered, as appropriate: PROVIDED, That the agency receiving such money shall utilize not less than one-half of said money on activities or projects within the county where the action was brought by the attorney general. No action shall be authorized under this section against any person operating in compliance with the conditions of a waste discharge permit issued pursuant to RCW 90.48.160.

Sec. 7. Section 7, chapter 133, Laws of 1969 ex. sess. as amended by section 9, chapter 88, Laws of 1970 ex. sess. and RCW 90.48.350 are each amended to read as follows:

Any person who intentionally or negligently discharges oil, or causes or permits the entry of the same, shall incur, in addition to any other penalty as provided by law, a penalty in an amount of up to twenty thousand dollars for every such violation, and for each day of a continuing violation; said amount to be determined by the director of the commission after taking into consideration the gravity of the violation, the previous record of the violator in complying, or failing to comply, with the provisions of chapter 90.48 RCW, and such other considerations as the director deems appropriate. Every act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the penalty herein provided for. The penalty herein provided for shall become due and payable when the person incurring the same receives a notice in writing from the director of the commission describing such violation with reasonable particularity and advising such person that the penalty is due. The director may, upon written application therefor, received within fifteen days, and when deemed in the best interest of the state in carrying out the purposes of this chapter, remit or mitigate any penalty provided for in this section or discontinue any prosecution to recover the same upon such terms as he in his discretion shall deem proper, and shall have the authority to ascertain the facts upon all such applications in such manner and under such regulations as he may deem proper. If the amount of such penalty is not paid to the commission within fifteen days after the receipt of notice imposing the same, or if an application for remission or mitigation has been made within fifteen days as herein provided and the amount provided in the order issued by the director subsequent to such application is not paid within fifteen days after the receipt thereof, the attorney general, upon the request of the director, shall bring an action in the name of the state of Washington in the superior court of Thurston county or any other county in which such violator may do business, to recover the amount specified in the final order of the director. In all such actions the procedure and rules of evidence shall be the same as an ordinary civil action except as otherwise in this chapter provided. All penalties recovered under this section shall be paid into the state treasury and credited to the general fund. No order issued under this section shall be construed as an order within the meaning of RCW 90.48.135."

On page 1, line 1 of the title, after "control;" strike the remainder of the title and insert "amending RCW 90.48.144, 90.48.120, 90.48.340, 90.48.315, 90.48.142, and 90.48.350; and creating a new section."

Signed by Senators Kreidler, Bluechel, Talmadge; Representatives Hine, Rust, G. Nelson.

MOTION

On motion of Ms. Rust, the House adopted the report of the Free Conference Committee on Senate Bill No. 3812.

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 Senate Bill No. 3812 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3812 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Senate Bill No. 3812 as amended by 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.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 327, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 327, restricting the use of optical strobe light devices to publicly-owned emergency and law enforcement vehicles, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by the Free Conference Committee do pass:

On page 2, line 29 after "1968," strike all material through "RCW 46.16.315" on line 34 and insert "The owner of a vehicle considered by the owner to be a collector's item may retain and use the pre-1968 plates, notwithstanding any other provisions of chapter 46.16 RCW to the contrary, provided the plates are legible"

Signed by Senators Peterson, Bluechel, Vognild; Representatives Walk, Baugher, Prince.

MOTION

On motion of Mr. Walk, the House adopted the report of the Free Conference Committee on Engrossed House Bill No. 327.

FINAL PASSAGE OF HOUSE BILL AS AMENDED
BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 327 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 327 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed House Bill No. 327 as amended by 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.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3207, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3207, providing for prison work programs, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds and declares that the establishment of prison work programs that allow prisoners to undertake food fish, shellfish, and game fish rearing projects and game bird and game animal improvement, restoration, and protection projects is needed to reduce idleness, promote the growth of prison industries, and provide prisoners with skills necessary for their successful reentry into society.

NEW SECTION. Sec. 2. The departments of corrections, fisheries, and game shall establish at or near appropriate state institutions, as defined in RCW 72.65.010, prison work programs that use prisoners to undertake state food fish, shellfish, and game fish rearing projects and state game bird and game animal improvement, restoration, and protection projects and that meet the requirements of RCW 72.09.100.

The department of corrections shall seek to identify a group of prisoners at each appropriate state institution, as defined by RCW 72.65.010, that are interested in participating in prison work programs established by this chapter.

If the department of corrections is unable to identify a group of prisoners to participate in work programs authorized by this chapter, it may enter into an agreement with the departments of fisheries or game for the purpose of designing projects for any institution. Costs under this section shall be borne by the department of corrections.

The departments of corrections, fisheries, and game shall use prisoners, where appropriate, to perform work in state projects that may include the following types:

(1) Food fish, shellfish, and game fish rearing projects, including but not limited to egg planting, egg boxes, juvenile planting, pen rearing, pond rearing, raceway rearing, and egg taking;

(2) Game bird and game animal projects, including but not limited to habitat improvement and restoration, replanting and transplanting, nest box installation, pen rearing, game protection, and supplemental feeding; PROVIDED, That no project shall be established at the department of game's south Tacoma game farm;

(3) Manufacturing of equipment for use in fish and game volunteer cooperative projects permitted by the department of fisheries or the department of game, or for use in prison work programs with fish and game; and

(4) Maintenance, repair, restoration, and redevelopment of facilities operated by the departments of game and fisheries.

NEW SECTION. Sec. 3. (1) The departments of fisheries and game, as appropriate, shall provide professional assistance from biologists, fish culturists, pathologists, engineers, habitat managers, and other departmental staff to assist the development and productivity of prison work programs under section 2 of this act, upon agreement with the department of corrections.

(2) The departments of fisheries and game shall identify and describe potential and pilot projects that are compatible with the goals of the various departments involved and that are particularly suitable for prison work programs.

(3) The departments of fisheries or game, or both, as appropriate, may make available surplus hatchery rearing space, net pens, egg boxes, portable rearing containers, incubators, and any other departmental facilities or property that are available for loan to the department of corrections to carry out prison work programs under section 2 of this act.

(4) The departments of fisheries or game, or both, as appropriate, shall provide live fish eggs, bird eggs, juvenile fish, game animals, or other appropriate seed stock, juveniles, or brood stock of acceptable disease history and genetic composition for the prison work projects at no cost to the department of corrections, to the extent that such resources are available. Fish food, bird food, or animal food may be provided by the departments of fisheries and game to the extent that funding is available.

(5) The department of natural resources shall assist in the implementation of the program where project sites are located on public beaches or state owned aquatic lands.

NEW SECTION. Sec. 4. The costs of implementation of the projects prescribed by this chapter shall be supported to the extent that funds are available under the provisions of chapter 75.52 RCW, and from institutional industries funds.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act shall constitute a new chapter in Title 72 RCW."

Signed by Senators Granlund, Johnson, Bottiger; Representatives Brekke, Day, Walker.

MOTION

On motion of Ms. Brekke, the House adopted the report of the Free Conference Committee on Substitute Senate Bill No. 3207.

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 Substitute Senate Bill No. 3207 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3207 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Nelson G - 1.

Excused: Representative Smith C - 1.

Substitute Senate Bill No. 3207 as amended by 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.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3254, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3254, revising certain provisions of domestic violence prevention laws, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 3, chapter 263, Laws of 1984 and RCW 26.50.020 are each amended to read as follows:

(1) Any person may seek relief under this chapter by filing a petition with a court alleging that the person has been the victim of domestic violence committed by the respondent. The person may petition for relief on behalf of himself or herself and on behalf of minor family or household members.

(2) The courts defined in RCW 26.50.010(3) have jurisdiction over proceedings under this chapter. ~~((If a proceeding under chapter 26.09, 26.12, or 26.26 RCW is commenced in a superior court before or after the filing of an action in a district or municipal court under this chapter, then the superior court shall have exclusive jurisdiction over proceedings under this chapter. Any municipal or district court order entered while that court had jurisdiction remains valid until superseded by a superior court order.))~~ The jurisdiction of district or municipal courts under this chapter shall be limited to the issuance and enforcement of temporary orders for protection provided for in RCW 26.50.070 if: (a) A superior court has exercised or is exercising jurisdiction over a proceeding under this title or chapter 13.34 RCW involving the parties; (b) the petition for relief under this chapter presents a child custody or visitation issue; or (c) the petition for relief under this chapter requests the court to exclude a party from the dwelling which the parties share. When the jurisdiction of a district or municipal court is limited to the

issuance and enforcement of a temporary order, the district or municipal court shall set the full hearing provided for in RCW 26.50.050 in superior court and transfer the case. If the notice and order are not served on the respondent in time for the full hearing, the issuing court shall have concurrent jurisdiction with the superior court to extend the order for protection.

(3) An action under this chapter shall be filed in the county or the municipality where the petitioner resides, unless the petitioner has left the residence or household to avoid abuse. In that case, the petitioner may bring an action in the county or municipality of the previous or the new household or residence.

(4) A person's right to petition for relief under this chapter is not affected by the person leaving the residence or household to avoid abuse.

~~((5)) If an action under this chapter is commenced in a district or municipal court and a petitioner or respondent contests custody or visitation rights, then, upon the motion of either party containing proof that the petition for relief under this chapter has been filed with the superior court, the district or municipal court shall dismiss the action.))~~

Sec. 2. Section 4, chapter 263, Laws of 1984 and RCW 26.50.030 are each amended to read as follows:

There shall exist an action known as a petition for an order for protection in cases of domestic violence.

(1) A petition for relief shall allege the existence of domestic violence, and shall be accompanied by an affidavit made under oath stating the specific facts and circumstances from which relief is sought.

(2) A petition for relief may be made regardless of whether or not there is a pending lawsuit, complaint, petition, or other action between the parties except in cases where the court realigns petitioner and respondent in accordance with RCW 26.50.060(3).

(3) All court clerk's offices shall make available simplified forms and instructional brochures. Any assistance or information provided by clerks under this section does not constitute the practice of law and clerks are not responsible for incorrect information contained in a petition.

(4) A filing fee of twenty dollars shall be charged for proceedings under this section. No filing fee may be charged for: (a) A petition filed in an existing action or under an existing cause number brought under this chapter in the jurisdiction where the relief is sought; or (b) the transfer of a case from district or municipal court to superior court under RCW 26.50.020(2). Forms and instructional brochures shall be provided free of charge.

(5) A person is not required to post a bond to obtain relief in any proceeding under this section.

Sec. 3. Section 31, chapter 263, Laws of 1984 and RCW 26.50.035 are each amended to read as follows:

The administrator for the courts shall develop and prepare, in consultation with interested persons, the forms and instructional brochures required under RCW 26.50.030(3). ~~((These forms shall be distributed to and available for use by the court clerks before September 1, 1984.))~~ The administrator for the courts shall distribute a master copy of the forms and instructional brochures to all court clerks.

Sec. 4. Section 5, chapter 263, Laws of 1984 and RCW 26.50.040 are each amended to read as follows:

(1) Persons seeking relief under this chapter may file an application for leave to proceed in forma pauperis on forms supplied by the court. If the court determines that a petitioner lacks the funds to pay the costs of filing, the petitioner shall be granted leave to proceed in forma pauperis and no filing fee or any other court related fees shall be charged by the court to the petitioner for relief sought under this chapter. If the petitioner is granted leave to proceed in forma pauperis, then no fees for service may be charged to the petitioner.

(2) For the purpose of determining whether a petitioner has the funds available to pay the costs of filing an action under this chapter, the income of the household or family member named as the respondent is not considered.

Sec. 5. Section 7, chapter 263, Laws of 1984 and RCW 26.50.060 are each amended to read as follows:

(1) Upon notice and after hearing, the court may provide relief as follows:

~~((1))~~ (a) Restrain a party from committing acts of domestic violence;

~~((2))~~ (b) Exclude the respondent from the dwelling which the parties share or from the residence of the petitioner;

~~((3))~~ (c) On the same basis as is provided in chapter 26.09 RCW, award temporary custody and establish temporary visitation with regard to minor children of the parties, and restrain any party from interfering with the custody of the minor children;

~~((4))~~ (d) Order the respondent to participate in treatment or counseling services;

~~((5))~~ (e) Order other relief as it deems necessary for the protection of a family or household member, including orders or directives to a peace officer, as allowed under this chapter; and

~~((6))~~ (f) Require the respondent to pay the filing fee and court costs, including service fees, and to reimburse the petitioner for costs incurred in bringing the action, including a reasonable attorney's fee. If the petitioner has been granted leave to proceed in forma pauperis, the court may require the respondent to pay the filing fee and costs, including services fees, to the county or municipality incurring the expense.

(2) Any relief granted by the order for protection, other than a judgment for costs, shall be for a fixed period not to exceed one year.

(3) In providing relief under this chapter, the court may realign the designation of the parties as 'petitioner' and 'respondent' where the court finds that the original petitioner is the abuser and the original respondent is the victim of domestic violence.

Sec. 6. Section 10, chapter 263, Laws of 1984 and RCW 26.50.090 are each amended to read as follows:

(1) An order issued under this chapter shall be personally served upon the respondent, except as provided in subsection (6) of this section.

(2) The sheriff of the county or the peace officers of the municipality in which the respondent resides shall serve the respondent personally unless the petitioner elects to have the respondent served by a private party.

(3) If service by a sheriff or municipal peace officer is to be used, the clerk of the court shall have a copy of any order issued under this chapter forwarded on or before the next judicial day to the appropriate law enforcement agency specified in the order for service upon the respondent. Service of an order issued under this chapter shall take precedence over the service of other documents unless they are of a similar emergency nature.

(4) If the sheriff or municipal peace officer cannot complete service upon the respondent within ten days, the sheriff or municipal peace officer shall notify the petitioner. The petitioner shall provide information sufficient to permit notification.

(5) Returns of service under this chapter shall be made in accordance with the applicable court rules.

(6) If an order entered by the court recites that the respondent appeared in person before the court, the necessity for further service is waived and proof of service of that order is not necessary.

(7) Except in cases where the petitioner is granted leave to proceed in forma pauperis, municipal police departments serving documents as required under this chapter may collect the same fees for service and mileage authorized by RCW 36.18.040 to be collected by sheriffs.

Sec. 7. Section 15, chapter 263, Laws of 1984 and RCW 26.50.200 are each amended to read as follows:

Nothing in this ((act)) chapter may affect the title to real estate; PROVIDED, That a judgment for costs or fees awarded under this chapter shall constitute a lien on real estate to the extent provided in chapter 4.56 RCW.

Sec. 8. Section 9A.36.040, chapter 260, Laws of 1975 1st ex. sess. as amended by section 18, chapter 263, Laws of 1984 and RCW 9A.36.040 are each amended to read as follows:

(1) Every person who shall commit an assault or an assault and battery not amounting to assault in either the first, second, or third degree shall be guilty of simple assault.

(2) Simple assault is a gross misdemeanor.

~~((3) Every person convicted of three offenses under this section against a family or household member as defined in RCW 10.99.020 is guilty of a class C felony.))~~

Sec. 9. Section 1, chapter 198, Laws of 1969 ex. sess. as last amended by section 19, chapter 263, Laws of 1984 and RCW 10.31.100 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of the officer, except as provided in subsections (1) through (4) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 10.99.040(2), 10.99.050, 26.09.060, chapter 26.26 RCW, or chapter 26.50 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence or excluding the person from a residence; or

(b) The person is eighteen years or older and within the preceding four hours has assaulted that person's spouse, former spouse, or ((other)) a person eighteen years or older with whom the person resides or has formerly resided and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the

victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that spouses, former spouses, or other persons who reside together or formerly resided together have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW 10.99.010; (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence between the persons involved.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

- (a) RCW 46.52.010, relating to duty on striking an unattended car or other property;
- (b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;
- (c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;
- (d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;
- (e) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;
- (f) RCW 46.61.525, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5) Except as specifically provided in subsections (2), (3), and (4) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

(6) No police officer may be held criminally or civilly liable for making an arrest pursuant to RCW 10.31.100(2) if the police officer acts in good faith and without malice.

Sec. 10, Section 4, chapter 105, Laws of 1979 ex. sess. as last amended by section 22, chapter 263, Laws of 1984 and RCW 10.99.040 are each amended to read as follows:

(1) Because of the serious nature of domestic violence, the court in domestic violence actions:

- (a) Shall not dismiss any charge or delay disposition because of concurrent dissolution or other civil proceedings;
- (b) Shall not require proof that either party is seeking a dissolution of marriage prior to instigation of criminal proceedings;
- (c) Shall waive any requirement that the victim's location be disclosed to any person, other than the attorney of a criminal defendant, upon a showing that there is a possibility of further violence: PROVIDED, That the court may order a criminal defense attorney not to disclose to his client the victim's location; and
- (d) Shall identify by any reasonable means on docket sheets those criminal actions arising from acts of domestic violence.

(2) Because of the likelihood of repeated violence directed at those who have been victims of domestic violence in the past, when any ((defendant)) person charged with or arrested for a crime involving domestic violence is released from custody before arraignment or trial on bail or personal recognizance, the court authorizing the release may prohibit ((the defendant)) that person from having any contact with the victim. The ((arresting)) jurisdiction authorizing the release shall determine whether ((the defendant)) that person should be prohibited from having any contact with the victim. If there is no outstanding restraining or protective order prohibiting ((the defendant)) that person from having contact with the victim, the court authorizing release may issue, by telephone, a no-contact order prohibiting the ((defendant)) person charged or arrested from having contact with the victim. The no-contact order shall also be issued in writing as soon as possible. If the court has probable cause to believe that the ((defendant)) person charged or arrested is likely to use or display or threaten to use a deadly weapon as defined in RCW 9A.04.110 in any further acts of violence, the court may also require ((the defendant)) that person to surrender any deadly weapon in ((the defendant's)) that person's immediate possession or control, or subject to ((the defendant's)) that person's immediate possession or control, to the sheriff of the county or chief of police of the municipality in which ((the defendant)) that person resides or to the defendant's counsel for safekeeping.

(3) At the time of arraignment the court shall determine whether a no-contact order shall be issued or extended.

(4) Willful violation of a court order issued under subsection (2) or (3) of this section is a misdemeanor. The written order releasing the ((defendant)) person charged or arrested shall contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 10.99 RCW and will subject a violator to arrest. A certified copy of the

order shall be provided to the victim. If a no-contact order has been issued prior to charging, that order shall expire at arraignment or within seventy-two hours if charges are not filed. Such orders need not be entered into the computer information system in this state which is used by law enforcement agencies to list outstanding warrants.

((4)) (5) Whenever an order prohibiting contact is issued, modified, or terminated under subsection (2) or (3) of this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall forthwith enter the order for one year or until the expiration date specified on the order into any ((computer-based criminal intelligence)) computer information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the law enforcement information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state.

Sec. 11. Section 46.64.015, chapter 12, Laws of 1961 as last amended by section 2, chapter 28, Laws of 1979 ex. sess. and RCW 46.64.015 are each amended to read as follows:

Whenever any person is arrested for any violation of the traffic laws or regulations which is punishable as a misdemeanor or by imposition of a fine, the arresting officer may serve upon him a traffic citation and notice to appear in court. Such citation and notice shall conform to the requirements of RCW 46.64.010, and in addition, shall include spaces for the name and address of the person arrested, the license number of the vehicle involved, the driver's license number of such person, if any, the offense or violation charged, the time and place where such person shall appear in court, and a place where the person arrested may sign. Such spaces shall be filled with the appropriate information by the arresting officer. The arrested person, in order to secure release, and when permitted by the arresting officer, must give his written promise to appear in court as required by the citation and notice by signing in the appropriate place the written citation and notice served by the arresting officer. An officer may not serve or issue any traffic citation or notice for any offense or violation except either when the offense or violation is committed in his presence or when a person may be arrested pursuant to RCW 10.31.100, as now or hereafter amended. The detention arising from an arrest under this section may not be for a period of time longer than is reasonably necessary to issue and serve a citation and notice, except that the time limitation does not apply under any of the following circumstances:

(1) Where the arrested person refuses to sign a written promise to appear in court as required by the citation and notice provisions of this section;

(2) Where the arresting officer has probable cause to believe that the arrested person has committed any of the offenses enumerated in RCW 10.31.100((2))(3), as now or hereafter amended.

Sec. 12. Section 5, chapter 105, Laws of 1979 ex. sess. as amended by section 24, chapter 263, Laws of 1984 and RCW 10.99.050 are each amended to read as follows:

(1) When a defendant is found guilty of a crime and a condition of the sentence restricts the defendant's ability to have contact with the victim, such condition shall be recorded and a written certified copy of that order shall be provided to the victim.

(2) Wilful violation of a court order issued under this section is a misdemeanor. The written order shall contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 10.99 RCW and will subject a violator to arrest.

(3) Whenever an order prohibiting contact is issued pursuant to this section, the clerk of the court shall forward a copy of the order on or before the next judicial day to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order the law enforcement agency shall forthwith enter the order for one year into any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. Entry into the law enforcement information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any jurisdiction in the state.

Sec. 13. Section 37, chapter 299, Laws of 1961 and RCW 3.46.030 are each amended to read as follows:

A municipal department shall have exclusive jurisdiction of matters arising from ordinances of the city, and no jurisdiction of other matters except as conferred by statute.

Sec. 14. Section 51, chapter 299, Laws of 1961 as last amended by section 104, chapter 258, Laws of 1984 and RCW 3.50.020 are each amended to read as follows:

The municipal court shall have exclusive original jurisdiction over traffic infractions arising under city ordinances and exclusive original criminal jurisdiction of all violations of city ordinances duly adopted by the city in which the municipal court is located and shall have original jurisdiction of all other actions brought to enforce or recover license penalties or forfeitures declared or given by such ordinances or by state statutes. The municipal court shall also have the jurisdiction as conferred by statute. The municipal court is empowered to forfeit cash bail or bail bonds and issue execution thereon; and in general to hear and determine all causes, civil or criminal, including traffic infractions, arising under such ordinances and to pronounce judgment in accordance therewith.

NEW SECTION. Sec. 15. Sections 1 and 2 of this act shall take effect September 1, 1985.*

On page 1, on line 1 of the title, after "violence," strike the remainder of the title and insert "amending RCW 26.50.020, 26.50.030, 26.50.035, 26.50.040, 26.50.060, 26.50.090, 26.50.200, 9A.36.040, 10.31.100, 10.99.040, 46.64.015, 10.99.050, 3.46.030, and 3.50.020; and providing an effective date."

Signed by Senators Talmadge, Metcalf, Halsan; Representatives Crane, Scott, Patrick.

MOTION

On motion of Mr. Crane, the House adopted the report of the Free Conference Committee on Substitute Senate Bill No. 3254.

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 Substitute Senate Bill No. 3254 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3254 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute Senate Bill No. 3254 as amended by 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.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 190, and has granted the powers of Free Conference, and the report is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 23, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 190, revising provisions relating to escrow agents, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Moore, Cantu, Bender; Representatives Wang, Cole, Patrick.

MOTION

On motion of Mr. Wang, the House adopted the report of the Conference Committee on Substitute House Bill No. 190, and granted the committee powers of Free Conference.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 718, and has granted the powers of Free Conference, and the report is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 24, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 718, clarifying taxation and assessments provisions pertaining to mobile homes, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators McDermott, Zimmerman, Warnke; Representatives Appelwick, Barnes, Todd.

MOTION

On motion of Mr. Appelwick, the House adopted the report of the Conference Committee on Engrossed House Bill No. 718, and granted the committee powers of Free Conference.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 848, and has granted the powers of Free Conference, and the report is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 24, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 848, requiring the department of corrections to notify certain people of the disposition of inmates convicted of violent offenses, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Talmadge, Newhouse, Halsan; Representatives K. Wilson, G. Nelson, Locke.

MOTION

On motion of Ms. K. Wilson, the House adopted the report of the Conference Committee on Substitute House Bill No. 848, and granted the committee powers of Free Conference.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on HOUSE BILL NO. 832, and has granted the powers of Free Conference, and the report is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 24, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 832, authorizing the acceptance of gifts by the world fair commission, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Williams, Cantu, Wojahn; Representatives Kremen, Silver, McMullen.

MOTION

On motion of Mr. Wang, the House adopted the report of the Conference Committee on House Bill No. 832, and granted the committee powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4424, reopening the certification period of the pollution control board for certain parties to the Yakima adjudication, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Hansen, Benitz, Goltz; Representatives Vekich, Madsen, Doty.

MOTION

On motion of Mr. Wang, the House adopted the report of the Conference Committee on Substitute Senate Bill No. 4424, and granted the committee powers of Free Conference.

MOTION

On motion of Mr. Barrett, the Rules Committee was relieved of SENATE BILL NO. 3165, and it was placed at the bottom of today's second reading calendar.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MESSAGES FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 3630, and the President has appointed the following members as conferees: Senators Gaspard, Cantu, Bauer, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 26, 1985

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3189,

SENATE BILL NO. 3202,

SUBSTITUTE SENATE BILL NO. 3684,

SUBSTITUTE SENATE BILL NO. 4263,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 26, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3927,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ESSB 3927 by Committee on Transportation (originally sponsored by Senator Peterson)

Adjusting fees for drivers' services.

Referred to Committee on Transportation.

The Speaker declared the House to be at ease until 7:00 p.m.

EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

	SUBSTITUTE HOUSE BILL NO.	101,
	HOUSE BILL NO.	107,
SECOND	SUBSTITUTE HOUSE BILL NO.	141,
	HOUSE BILL NO.	153,
	HOUSE BILL NO.	357,
	SUBSTITUTE HOUSE BILL NO.	379,
	SUBSTITUTE HOUSE BILL NO.	380,
	SUBSTITUTE HOUSE BILL NO.	396,
	SUBSTITUTE HOUSE BILL NO.	760,
	SUBSTITUTE HOUSE BILL NO.	814,
SECOND	SUBSTITUTE HOUSE BILL NO.	1078,
	SUBSTITUTE HOUSE BILL NO.	1082,
	SUBSTITUTE HOUSE BILL NO.	1085,
	SUBSTITUTE HOUSE BILL NO.	1169.

MESSAGES FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has receded from its amendments to SUBSTITUTE HOUSE BILL NO. 272, and has passed the bill without said amendments, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 26, 1985

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 318,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 26, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 799 with amendments to page 1, line 20 and page 2, line 12 and passed the bill as amended, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 3207, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SENATE BILL NO. 3812, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 26, 1985

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 4228, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE BILL NO. 3189,

SENATE BILL NO. 3202,

SUBSTITUTE SENATE BILL NO. 3684,

SUBSTITUTE SENATE BILL NO. 4263.

REPORT OF CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3376, establishing a higher education coordinating board, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Gaspard, Patterson, Rinehart; Representatives Sommers, Prince, Jacobsen.

MOTION

On motion of Ms. Sommers, the House adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3376, and granted the committee powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3066, modifying provisions relating to gambling, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Warnke, Moore; Representatives Wang, R. King.

MOTION

On motion of Mr. Wang, the House adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3066, and granted the committee powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 4142, revising laws regulating the organization of school districts, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Gaspard, Bender; Representatives Ebersole, Wang, Holland.

MOTION

On motion of Mr. Ebersole, the House adopted the report of the Conference Committee on Senate Bill No. 4142, and granted the committee powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3516, providing for instruction in Spanish and Japanese in grades one through six, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Gaspard, Craswell, Bauer; Representatives Valle, Peery, L. Smith.

MOTION

On motion of Mr. Ebersole, the House adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3516, and granted the committee powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3235, providing programs for educational excellence, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Gaspard, Bender; Representatives Ebersole, Appelwick, Betrozoff.

MOTION

On motion of Mr. Ebersole, the House adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3235, and granted the committee powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 3400, changing provisions relating to state mineral, oil, and gas leases, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Owen, Patterson, Peterson; Representatives K. Wilson, Sutherland, Lundquist.

MOTION

On motion of Mr. Appelwick, the House adopted the report of the Conference Committee on Engrossed Senate Bill No. 3400, and granted the committee powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3500, regulating tourist and agricultural directional signs along state highways, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Peterson, Hansen; Representatives Zellinsky, Schmidt, Fisher.

MOTION

On motion of Mr. Appelwick, the House adopted the report of the Conference Committee on Substitute Senate Bill No. 3500, and granted the committee powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3184, providing state-owned housing for certain state employees, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Thompson, Zimmerman, Rinehart; Representatives Belcher, Peery, Hankins.

MOTION

On motion of Mr. Appelwick, the House adopted the report of the Conference Committee on Substitute Senate Bill No. 3184, and granted the committee powers of Free Conference.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate again refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 3134, and insists on its position, and again asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Ms. Sommers, the House insisted on its position on Engrossed Senate Bill No. 3134, and again asked the Senate to concur therein.

SENATE AMENDMENTS TO HOUSE BILL

April 24, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1089 with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 39, chapter 289, Laws of 1971 ex. sess. as amended by section 5, chapter 224, Laws of 1975 1st ex. sess. and RCW 51.28.025 are each amended to read as follows:

(1) Whenever an employer has notice or knowledge of an injury or occupational disease sustained by any workman in his employment who has received treatment from a physician, has been hospitalized, disabled from work or has died as the apparent result of such injury or

occupational disease, he shall immediately report the same to the department on forms prescribed by it. The report shall include:

- (a) The name, address, and business of the employer;
- (b) The name, address, and occupation of the workman;
- (c) The date, time, cause, and nature of the injury or occupational disease;
- (d) Whether the injury or occupational disease arose in the course of the injured workman's employment;
- (e) All available information pertaining to the nature of the injury or occupational disease including but not limited to any visible signs, any complaints of the workman, any time lost from work, and the observable effect on the workman's bodily functions, so far as is known; and
- (f) Such other pertinent information as the department may prescribe by regulation.

(2) Failure or refusal to file the report required by subsection (1) shall subject the offending employer to a penalty (~~of one hundred~~) determined by the director but not to exceed two hundred fifty dollars for each offense, to be collected in a civil action in the name of the department and paid into the supplemental pension fund.

Sec. 2. Section 51.48.010, chapter 23, Laws of 1961 as last amended by section 20, chapter 63, Laws of 1982 and RCW 51.48.010 are each amended to read as follows:

Every employer shall be liable for the penalties described in this title and may also be liable if an injury or occupational disease has been sustained by a worker prior to the time he or she has secured the payment of such compensation to a penalty in a sum not less than fifty percent nor more than one hundred percent of the cost for such injury or occupational disease. Any employer who has failed to secure payment of compensation for his or her workers covered under this title may also be liable to a maximum penalty in a sum of ~~((two))~~ five hundred dollars or in a sum double the amount of premiums incurred prior to securing payment of compensation under this title, whichever is greater, for the benefit of the medical aid fund.

Sec. 3. Section 66, chapter 289, Laws of 1971 ex. sess. and RCW 51.48.017 are each amended to read as follows:

If a self-insurer unreasonably delays or refuses to pay benefits as they become due there shall be paid by the self-insurer upon order of the director an additional amount equal to five hundred dollars or twenty-five percent of the amount then due, whichever is greater, which shall accrue for the benefit of the claimant and shall be paid to him with the benefits which may be assessed under this title. The director shall issue an order determining whether there was an unreasonable delay or refusal to pay benefits within thirty days upon the request of the claimant. Such an order shall conform to the requirements of RCW 51.52.050.

Sec. 4. Section 51.48.030, chapter 23, Laws of 1961 as last amended by section 21, chapter 63, Laws of 1982 and RCW 51.48.030 are each amended to read as follows:

Every employer who fails to keep the records required by this title or fails to make the reports provided in this title shall be subject to a penalty (~~of~~) determined by the director but not to exceed two hundred fifty dollars or two hundred percent of the quarterly premium for each such offense, whichever is greater.

Sec. 5. Section 51.48.040, chapter 23, Laws of 1961 and RCW 51.48.040 are each amended to read as follows:

The books, records and payrolls of the employer pertinent to the administration of this title shall always be open to inspection by the department or its traveling auditor, agent or assistant, for the purpose of ascertaining the correctness of the payroll, the men employed, and such other information as may be necessary for the department and its management under this title. Refusal on the part of the employer to submit his books, records and payrolls for such inspection to the department, or any assistant presenting written authority from the director, shall subject the offending employer to a penalty (~~of one hundred~~) determined by the director but not to exceed two hundred fifty dollars for each offense and the individual who personally gives such refusal shall be guilty of a misdemeanor.

Sec. 6. Section 51.48.060, chapter 23, Laws of 1961 as last amended by section 71, chapter 350, Laws of 1977 ex. sess. and RCW 51.48.060 are each amended to read as follows:

Any physician who fails, neglects or refuses to file a report with the director, as required by this title, within five days of the date of treatment, showing the condition of the injured worker at the time of treatment, a description of the treatment given, and an estimate of the probable duration of the injury, or who fails or refuses to render all necessary assistance to the injured worker, as required by this title, shall be subject to a civil penalty (~~of one hundred~~) determined by the director but not to exceed two hundred fifty dollars.

Sec. 7. Section 51.48.080, chapter 23, Laws of 1961 and RCW 51.48.080 are each amended to read as follows:

Every person, firm or corporation who violates or fails to obey, observe or comply with any rule of the department promulgated under authority of this title, shall be subject to a penalty of not to exceed ~~((two hundred and fifty))~~ five hundred dollars.

NEW SECTION. Sec. 8. A new section is added to chapter 51.48 RCW to read as follows:

(1) No employer may discharge or in any manner discriminate against any employee because such employee has filed or communicated to the employer an intent to file a claim for

compensation or exercises any rights provided under this title. However, nothing in this section prevents an employer from taking any action against a worker for other reasons including, but not limited to, the worker's failure to observe health or safety standards adopted by the employer, or the frequency or nature of the worker's job-related accidents.

(2) Any employee who believes that he or she has been discharged or otherwise discriminated against by an employer in violation of this section may file a complaint with the director alleging discrimination within ninety days of the date of the alleged violation. Upon receipt of such complaint, the director shall cause an investigation to be made as the director deems appropriate. Within ninety days of the receipt of a complaint filed under this section, the director shall notify the complainant of his or her determination. If upon such investigation, it is determined that this section has been violated, the director shall bring an action in the superior court of the county in which the violation is alleged to have occurred.

(3) If the director determines that this section has not been violated, the employee may institute the action on his or her own behalf.

(4) In any action brought under this section, the superior court shall have jurisdiction, for cause shown, to restrain violations of subsection (1) of this section and to order all appropriate relief including rehiring or reinstatement of the employee with back pay."

On page 1, line 1 of the title, after "penalties;" strike the remainder of the title and insert "and amending RCW 51.28.025, 51.48.010, 51.48.017, 51.48.030, 51.48.040, 51.48.060, and 51.48.080; and adding a new section to chapter 51.48 RCW." and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Wang, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1089.

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. 1089 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1089 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 1089 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 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3012, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3012, enacting penalties and procedures to prevent harassment, have had the same under consideration, and we recommend that the House Committee amendment be adopted with the following amendments by the Free Conference Committee and the bill do pass as amended:

On page 3, line 28 of the House committee amendment after "a" strike "gross"

On page 6, line 22 of the House committee amendment after "court," insert "Willful violation of a court order issued under this section is a misdemeanor. The written order shall contain the court's directives and shall bear the legend: Violation of this order is a criminal offense under chapter 9A.-- RCW (sections 1 through 10 of this act) and will subject a violator to arrest."

Signed by Senators Talmadge, Pullen, Halsan; Representatives Crane, Van Luven, Scott.

MOTION

On motion of Mr. Crane the House adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 3012.

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 Substitute Senate Bill No. 3012 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3012 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Substitute Senate Bill No. 3012 as amended by 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.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 4424, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4424, reopening the certification period of the pollution control board for certain parties to the Yakima adjudication, have had the same under consideration, and we recommend that Substitute Senate Bill No. 4424 be amended as follows and that the bill do pass as amended:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 4, chapter 216, Laws of 1979 ex. sess. and RCW 90.14.043 are each amended to read as follows:

(1) Notwithstanding any time restrictions imposed by the provisions of chapter 90.14 RCW, a person may file a claim pursuant to RCW 90.14.041 if such person obtains a certification from the pollution control hearings board as provided in this section.

(2) A certification shall be issued by the pollution control hearings board if, upon petition to the board, it is shown to the satisfaction of the board that:

(a) Waters of the state have been applied to beneficial use continuously (with no period of nonuse exceeding five consecutive years) in the case of surface water beginning not later than June 7, 1917, and in the case of ground water beginning not later than June 7, 1945, or

(b) Waters of the state have been applied to beneficial use continuously (with no period of nonuse exceeding five consecutive years) from the date of entry of a court decree confirming a water right and any failure to register a claim resulted from a reasonable misinterpretation of the requirements as they related to such court decreed rights.

(3) The board shall have jurisdiction to accept petitions for certification from any person through (~~December 31, 1979~~) September 1, 1985, and not thereafter.

(4) A petition for certification shall include complete information on the claim pursuant to RCW 90.14.051 (1) through (8), and any such information as the board may require.

(5) The department of ecology is directed to accept for filing any claim certified by the board as provided in subsection (2) of this section. The department of ecology, upon request of the board, may provide assistance to the board pertinent to any certification petition.

(6) A certification by the pollution control hearings board or a filing with the department of ecology of a claim under this section shall not constitute a determination or confirmation that a water right exists.

(7) The provisions of RCW 90.14.071 shall have no applicability to certified claims filed pursuant to this section.

(8) This section shall have no applicability to ground waters resulting from the operations of reclamation projects.

NEW SECTION, Sec. 2. A new section is added to chapter 90.14 RCW to read as follows:

The provisions of this 1985 amendatory act authorizing the acceptance of a petition for certification filed during the period beginning on the effective date of this 1985 amendatory act and ending on midnight, September 1, 1985, shall not affect or impair in any respect whatsoever any water right existing prior to the effective date of this 1985 act.

NEW SECTION, Sec. 3. 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, on line 1 of the title, after "RCW 90.14.043;" insert "adding a new section to chapter 90.14 RCW;"

Signed by Senators Hansen, Benitz, Goltz; Representatives Vekich, Madsen, Doty.

MOTION

Mr. Vekich moved that the House adopt the report of the Free Conference Committee on Substitute Senate Bill No. 4424.

Representatives Vekich and Doty spoke in favor of the motion, and it was carried.

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 Substitute Senate Bill No. 4424 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4424 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nulley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander

Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute Senate Bill No. 4424 as amended by 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.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 625, and has passed the bill as recommended by the Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

April 24, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 625, establishing a department of trade and economic development, have had the same under consideration, and we recommend that the Senate amendment be adopted and that the amended bill do pass.

Signed by Senators Warnke, Pullen, Fleming; Representatives McMullen, Hargrove.

MOTION

On motion of Mr. McMullen, the report of the Conference Committee on Substitute House Bill No. 625 was adopted.

FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 625 as recommended by the Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 625 as recommended by Conference Committee, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Cole, Vander Stoep - 2.

Excused: Representative Smith C - 1.

Substitute House Bill No. 625 as recommended by 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.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 627, and has passed the bill as recommended by the Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 627, establishing the Washington state economic development board, have had the same under consideration, and we recommend that the Senate amendment be adopted and that the bill do pass as amended. Signed by Senators Warnke, Pullen, Vognilid; Representatives McMullen, Tanner, Thomas.

MOTION

On motion of Mr. McMullen, the House adopted the report of the Conference Committee on Engrossed Second Substitute House Bill No. 627.

FINAL PASSAGE OF HOUSE BILL
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 627 as recommended by the Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 627 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Sanders - 1.

Excused: Representative Smith C - 1.

Engrossed Second Substitute House Bill No. 627 as recommended 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.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 843, and has passed the bill as recommended by the Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 843, modifying provisions relating to livestock, have had the same under consideration, and we recommend that the bill be amended as follows: That the Senate amendments be adopted to:

Page 1, line 4; page 8, line 24; and page 3, line 24;

and the amendments to page 8, line 27 be adopted except for sections 19, 21, 26, 27, 28, and 32; and

title amendments necessary pertaining to the adopted portion of the amendments to page 8 be adopted, and the bill do pass as amended.

Signed by Senators Hansen, Barr, Goltz; Representatives Bristow, Madsen, Nealey.

MOTION

On motion of Mr. Madsen, the report of the Conference Committee on Substitute House Bill No. 843 was adopted.

FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 843 as recommended by the Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 843 as recommended by Conference Committee, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Gallagher - 1.

Excused: Representative Smith C - 1.

Substitute House Bill No. 843 as recommended by 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.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 804, and has passed the bill as recommended by the Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 804, establishing a program to recycle auto and truck tires, have had the same under consideration, and we recommend that the amended amendment by Senate Parks & Ecology Committee be adopted and that the bill do pass as amended.

Signed by Senators Kreidler, McDonald, Vognild; Representatives Scott, Rust, Allen.

MOTION

On motion of Ms. Rust, the report of the Conference Committee on Engrossed Substitute House Bill No. 804 was adopted.

FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 804 as recommended by the Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 804 as recommended by Conference Committee, and the bill passed the House by the following vote: Yeas, 84; nays, 13; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsöld, Valle, van Dyke, Vander Sloep, Vekich, Walk, Walker, Wang, West, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Barnes, Bond, Bristow, Dobbs, Fuhrman, Hastings, Isaacson, Padden, Sanders, Sutherland, Van Luven, Williams B, Williams J - 13.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 804 as recommended by 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.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 1107, and has passed the bill as recommended by the Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1107, requiring a valid driver's license for issuance of a vehicle license, have had the same under consideration, and we recommend that the Senate committee amendment not be adopted and that the bill do pass without the Senate committee amendment.

Signed by Senators Peterson, Vognild; Representatives Armstrong, Long.

MOTION

On motion of Mr. Armstrong, the report of the Conference Committee on Substitute House Bill No. 1107 was adopted.

FINAL PASSAGE OF HOUSE BILL
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1107 as recommended by the Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1107 as recommended by Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsöld, Valle, van Dyke, Van Luven, Vander Sloep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1107 as recommended by 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.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 103, establishing procedures for the adoption of county home rule charters, have had the same under consideration, and we recommend that the bill be passed as amended by the House.

Signed by Senators Thompson, Granlund; Representatives Haugen, Baugher, Brough.

MOTION

On motion of Mr. Appelwick, the report of the Conference Committee on Engrossed Substitute Senate Joint Resolution No. 103 was adopted.

FINAL PASSAGE OF SENATE JOINT RESOLUTION
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Joint Resolution No. 103 as recommended by the Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 103 as recommended by Conference Committee, and the resolution passed the House by the following vote: Yeas, 93; nays, 4; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Bond, Chandler, Padden, Sanders - 4.

Excused: Representative Smith C - 1.

Engrossed Substitute Senate Joint Resolution No. 103 as recommended by Free Conference Committee, having received the constitutional majority, was declared passed.

REPORT OF CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4241, authorizing the state employees' insurance board to disapprove certain panel medicine group plans, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Sellar, McDermott; Representatives Niemi, B. Williams, Braddock.

MOTION

On motion of Ms. Niemi, the report of the Conference Committee on Substitute Senate Bill No. 4241 was adopted and the committee was granted powers of Free Conference.

The Speaker called on Mr. O'Brien to preside.

REPORT OF CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3146, updating the names and capacities of corrections institutions, have had the same under consideration, and we recommend that the House recede from its amendment, and that the bill be passed without said amendment.

Signed by Senators Granlund, Bailey, Peterson; Representatives Brekke, Lewis.

MOTION

On motion of Mr. Appelwick, the report of the Conference Committee on Substitute Senate Bill No. 3146 was adopted.

FINAL PASSAGE OF SENATE BILL
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute Senate Bill No. 3146 as recommended by the Conference Committee.

Representative K. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3146 as recommended by Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Waik, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute Senate Bill No. 3146 as recommended by 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.

The House resumed consideration of the message from the Senate regarding SUBSTITUTE SENATE BILL NO. 3029.

MOTION

On motion of Mr. Lux, the House insisted on its position on Substitute Senate Bill No. 3029, and asked the Senate for a conference thereon.

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 7, by Representatives Jacobsen, Armstrong, Long, Unsoeld, D. Nelson, Nealey and Todd

Extending the Joint Select Committee on Telecommunications.

The resolution was read the second time. Committee on Energy & Utilities recommendation: Majority; do pass as amended. (For amendments, see Journal, 52nd Day, March 6, 1985.)

On motion of Mr. D. Nelson, the committee amendments were adopted.

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

Representatives Jacobsen, Long and D. Nelson spoke in favor of passage of the resolution, and Mr. B. Williams opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Concurrent Resolution No. 7, and the resolution passed was adopted by the following vote: Yeas, 67; nays, 30; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Addison, Ballard, Barrett, Bond, Brooks, Chandler, Dobbs, Fuhrman, Hankins, Hastings, Isaacson, Lewis, Lundquist, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Walker, West, Williams B, Williams J, Wilson S - 30.

Excused: Representative Smith C - 1.

Engrossed House Concurrent Resolution No. 7, having received the constitutional majority, was declared adopted.

SUBSTITUTE SENATE BILL NO. 4189, by Committee on Commerce & Labor (originally sponsored by Senators Newhouse, Deccio, Warnke, Vognild and Cantu; by Joint Select Committee on Workers' Compensation request)

Revising provisions relating to appellate jurisdiction in industrial insurance tax assessment actions.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Patrick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4189, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute Senate Bill No. 4189, having received the 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 CONCURRENT RESOLUTION NO. 114, by Senators Warnke, Newhouse, Vognild, Conner, Barr, Lee, Deccio, Cantu and Johnson; by Joint Select Committee on Workers' Compensation request

Establishing the joint select committee on industrial insurance.

The resolution was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For amendments, see Journal, 82nd Day, April 5, 1985.)

On motion of Mr. Wang, the committee amendments were adopted.

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

Representatives Wang and Chandler spoke in favor of passage of the resolution, and Mr. Hastings spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 114 as amended by the House, and the resolution was adopted by the following vote: Yeas, 84; nays, 13; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsöld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Betrozoff, Bond, Dobbs, Fuhrman, Hastings, Lewis, Lundquist, Nealey, Padden, Prince, Smith L, van Dyke, Van Luven - 13.

Excused: Representative Smith C - 1.

Senate Concurrent Resolution No. 114 as amended by the House, having received the constitutional majority, was declared adopted.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 1079, and has passed the bill as recommended by the Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 23, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 1079, authorizing sales tax deferrals for investment projects, have had the same under consideration, and we recommend that the Senate amendments be adopted to page 2, line 6; page 2, line 7 and page 6, line 3; and the Senate amendments not be adopted to page 1, line 11; page 1, line 13; page 1, line 14; page 1, line 19 and page 1, line 27.

Signed by Senators Bottiger, Halsan; Representatives McMullen, Peery.

MOTION

On motion of Mr. McMullen, the report of the Conference Committee on Substitute House Bill No. 1079 was adopted.

FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1079 as recommended by the Conference Committee.

Representative Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1079 as recommended by Conference Committee, and the bill passed the House by the following vote: Yeas, 90; nays, 7; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly,

Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Betrozoff, Chandler, Lux, Patrick, Prince, Van Luven, Williams J - 7.

Excused: Representative Smith C - 1.

Substitute House Bill No. 1079 as recommended by 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.

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

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTION SENATE BILL NO. 3254, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

The House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-72, by Representatives Vander Stoep, Unsoeld, Vekich, Sayan, Dobbs and Belcher

WHEREAS, The pursuit of academic excellence and the attainment of knowledge, simply for the sake of that knowledge, are extremely worthy endeavors; and

WHEREAS, Young men and women sacrifice a substantial amount of their time outside the classroom for academic and competitive preparation; and

WHEREAS, The Knowledge Bowl competition symbolizes the diligent pursuit of educational excellence; and

WHEREAS, A group of young competitors from Olympia's Capital High School worked arduously to qualify for the State Knowledge Bowl Tournament; and

WHEREAS, On April 20, 1985 Capital High School Knowledge Bowl participants Karen Lewis, Mike Lopez, Shea Wilson, Tim Gulden, Sarah Leisenring, Jack Pinnix and Coach John Seeley won for their school the honor of the Washington State Knowledge Bowl Tournament Championship;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That congratulations be extended to the State Knowledge Bowl participants from Capital High School for their hard work, diligence and pursuit of excellence inherent in winning such a prestigious award; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives is hereby directed to send copies of this Resolution to the members and coach of the Capital High School Knowledge Bowl Team.

Mr. Vander Stoep moved adoption of the resolution. Representatives Vander Stoep and Sayan spoke in favor of the resolution, and it was adopted.

MOTION

On motion of Mr. Appelwick, the House adjourned until 9:30 a.m., Saturday, April 27, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

ONE HUNDRED FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, April 27, 1985.

The House was called to order at 9:30 a.m. by the Speaker (Ms. Hine presiding). The Clerk called the roll and all members were present except Representatives C. Smith and Vander Stoep. Representative C. Smith was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Elva Gonzales and Michelle Quiroz. Prayer was offered by Sister Cecile Uhlorn, Director of Campus Ministry, St. Martin's College, Lacey.

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

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-74, by Representatives Sayan, Long, B. Williams, Betrozoff, K. Wilson, Leonard, Rayburn and Nutley

WHEREAS, The smooth, efficient functioning of the state and its institutions depends upon the employees of the state and its institutions; and

WHEREAS, Effective management of these employees is vital to enable the employees to work to their fullest capacity; and

WHEREAS, Duplicative functions of different agencies may not be cost effective and may also be counterproductive; and

WHEREAS, In these lean economic years, streamlining state government may be crucial to the development of this state; and

WHEREAS, The improved functioning of government is of the utmost concern to the governor; and

WHEREAS, Dual systems govern personnel in this state, the Higher Education Chapter Board under chapter 28B.16 RCW, and the State Personnel Board under chapter 41.06 RCW;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Legislative Budget Committee be requested to study the two different personnel systems and the potential cost savings and improvement of services which might occur from one combined personnel system; and

BE IT FURTHER RESOLVED, That the Legislative Budget Committee be requested to submit its findings and recommendations to the appropriate standing committees of the House of Representatives by December 1, 1985; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives immediately transmit copies of this Resolution to the Legislative Budget Committee.

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

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 718, clarifying taxation and assessment provisions pertaining to mobile homes, have had the same under consideration, and we recommend that the Senate amendments be adopted to:

Page 1, line 2;

Page 2, line 7; and the amendment to page 7, line 6 not be adopted;

On page 7, line 3 strike all material through "inventory." on line 11 and insert:

"NEW SECTION, Sec. 7. A new section is added to chapter 84.36 RCW to read as follows:

Any mobile home which is a part of a dealer's inventory and held solely for sale in the ordinary course of the dealer's business and is not used for any other purpose shall be exempt

from property taxation: PROVIDED, That this exemption shall not apply to property taxes already levied or delinquent on such mobile home at the time it becomes part of a dealer's inventory."

Signed by Senators McDermott, Zimmerman, Warnke; Representatives Appelwick, Barnes, Todd.

MOTION

On motion of Mr. Appelwick, the House adopted the report of the Free Conference Committee on Engrossed House Bill No. 718.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Ms. Hine presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 718 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 718 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Vander Stoep - 1.

Excused: Representative Smith C - 1.

Engrossed House Bill No. 718 as amended by 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 27, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3678,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 805, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 805, requiring training in recognizing potential victims of child abuse, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Gaspard, Bender; Representatives Scott, Ebersole, Walker.

MOTION

On motion of Mr. Ebersole, the report of the Conference Committee was adopted, and the committee was granted powers of Free Conference.

Representative Vander Stoep appeared at the bar of the House.

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

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3165, by Committee on Judiciary (originally sponsored by Senators Bottiger, Thompson, Vognild, Bauer, von Reichbauer and Bailey)

Creating new superior court judicial positions.

The bill was read the second time. Committee on Ways & Means recommendation: Majority, do pass as amended. (For amendments, see Journal, 75th Day, March 29, 1985.)

Mr. Appelwick moved adoption of the committee amendment.

Ms. Niemi moved adoption of the following amendments by Representatives Niemi, Scott, K. Wilson, Wang, J. King, G. Nelson and Nutley to the committee amendment:

On page 1, line 16 strike "fourteen" and insert "fifteen"

On page 2, beginning on line 2 of the amendment, strike all material down to and including line 2, on page 3 and insert the following:

"Sec. 2. Section 4, chapter 125, Laws of 1951 as last amended by section 2, chapter 202, Laws of 1979 ex. sess. and RCW 2.08.062 are each amended to read as follows:

There shall be in the counties of Chelan and Douglas jointly, two judges of the superior court; in the county of Clark ~~((five))~~ six judges of the superior court; in the county of Grays Harbor two judges of the superior court; in the county of Kitsap five judges of the superior court; in the county of Kittitas one judge of the superior court; in the county of Lewis two judges of the superior court (~~(- PROVIDED: That the additional office herein created for the county of Kitsap shall be effective January 1, 1984)~~).

Sec. 3. Section 6, chapter 125, Laws of 1951 as last amended by section 2, chapter 139, Laws of 1982 and RCW 2.08.064 are each amended to read as follows:

There shall be in the counties of Benton and Franklin jointly, five judges of the superior court; in the county of Clallam, two judges of the superior court; in the county of Jefferson, one judge of the superior court; in the county of Snohomish, ~~((eight))~~ nine 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, three judges of the superior court; in the counties of Klickitat and Skamania jointly, one judge of the superior court.

NEW SECTION. Sec. 4. (1) Sections 1 and 2 of this act shall take effect January 1, 1987. The additional judicial positions created by sections 1 and 2 of this act in Pierce and Clark counties shall be effective only if, prior to January 1, 1987, each county through its duly constituted legislative authority documents its approval of the additional positions and its agreement that it will pay out of county funds, without reimbursement from the state, the expenses of such additional judicial positions as provided by statute. The additional expenses include, but are not limited to, expenses incurred for court facilities.

(2) Section 3 of this act shall take effect January 1, 1986. The additional judicial position created by section 3 of this act in Snohomish county shall be effective only if, prior to January 1, 1986, the county through its duly constituted legislative authority documents its approval of the additional position and its agreement that it will pay out of county funds, without reimbursement from the state, the expenses of such additional judicial position as provided by statute. The additional expenses include, but are not limited to, expenses incurred for court facilities.

NEW SECTION. Sec. 5. A new section is added to chapter 2.08 RCW to read as follows:

All judicial positions created by the legislature after the effective date of this act, including the additional judicial positions created by sections 1, 2, and 3 of this act, shall be authorized only for counties that have implemented a mandatory arbitration program for civil claims to the maximum extent permitted by law."

Representatives Niemi and G. Nelson spoke in favor of the amendments.

POINT OF INQUIRY

Ms. Niemi yielded to question by Ms. K. Wilson.

Representative K. Wilson: "Representative Niemi, there was some question last night about whether or not there was a restriction on this bill that has to do with another bill being passed relative to judges' retirement. Is that restriction in this committee amendment?"

Ms. Niemi: "There's no reference in the committee amendment to judges' retirement."

Mr. Appelwick spoke in favor of the amendment to the amendment, and it was adopted.

The committee amendment as amended was adopted.

Mr. Appelwick moved adoption of the committee amendment to the title of the bill.

On motion of Ms. Niemi, the following amendment to the title amendment was adopted:

On page 3, line 9 of the title amendment after "2.08.061" and before the semicolon insert ", 2.08.062, and 2.08.064"

On page 3, beginning on line 11 of the title amendment strike "an effective date" and insert "effective dates"

The committee amendment as amended to the title was adopted.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3165 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 5; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Betzoff, Chandler, Prince, Van Luven, West - 5.

Excused: Representative Smith C - 1.

Substitute Senate Bill No. 3165 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 assumed the Chair.

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 3827, by Committee on Ways & Means (originally sponsored by Senators Kreidler, Talmadge, Bluechel, Moore, McManus, Stratton, Warnke, Bender, Fleming, Rasmussen, Williams, Vognild, Cantu, Saling, Granlund, Goltz, Kiskaddon, Gaspard, Johnson, Conner, Bailey, Lee, Garrett, von Reichbauer, Zimmerman and Bauer; by Governor request)

Authorizing bonds for water pollution control facilities.

The bill was read the second time.

Mr. Nealey moved adoption of the following amendments by Representatives Nealey and Baugher:

On page 2, line 19 after "pollution" insert ", including soil conservation programs"

On page 2, line 19 after "to" insert "research activities and"

On page 4, after line 11 insert a new paragraph as follows:

"Not less than four percent of the total amounts of these moneys from the effective date of this act until December 31, 1995 shall be transferred by the department to the state conservation commission for such purposes, of which one percent shall be used for research."

Mr. Nealey spoke in favor of the amendments, and Mr. Bristow opposed them.

The amendments were not adopted.

Mr. Bristow moved adoption of the following amendments by Representatives Bristow and Miller:

On page 2, line 21 after "activities;" strike "and (f)" and insert "(f) to research activities that prevent pollution of critical water resources; and (g)"

On page 4, line 11 after "department;" insert "From the effective date of this act until December 31, 1985, not more than two and one-half percent of the total distribution of grants

and loans authorized by this chapter may be transferred by the department to the state conservation commission for water pollution control facilities or activities, of which one-half percent shall be used for research."

Representatives Bristow, Miller, Nealey and Prince spoke in favor of the amendments, and they were adopted.

Mr. Barnes moved adoption of the following amendments:

On page 3, line 24 after "than" strike "fifty" and insert "fifty-three"

On page 3, line 27 after "than" strike "five" and insert "ten"

On page 3, line 31 after "than" strike "two" and insert "three"

On page 3, line 34 after "than" strike "ten" and insert "eleven"

Mr. Barnes spoke in favor of the amendments, and Mr. Barrett spoke against them.

The amendments were not adopted.

Ms. Unsoeld moved adoption of the following amendment by Representatives Unsoeld, Miller, Hine, Sommers, Madsen, Allen, Leonard, Braddock and Prince:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The long-range health and environmental goals for the state of Washington must include the protection of the state's critical water bodies and supplies for the health, safety, and enjoyment of its people, and the economic use of water by providing water pollution control facilities and activities. The purpose of this chapter is to provide financial assistance to the state and local governments in the achievement of federal and state water pollution control requirements for the protection of the state's critical water resources. It is further the purpose of this chapter to provide this financial assistance without further indebting the state. It is the policy of this state that the responsibility of paying for the costs of that portion of capacity of water pollution control facilities designed to deal with future growth is a local responsibility and that grants and loans made under this chapter shall not be used to finance such capacities.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Account' means the 1985 water pollution control account.

(2) 'City' means a city or town.

(3) 'Critical water resource' means those significant surface or subterranean water bodies in jeopardy of further degradation causing irreparable deterioration.

(4) 'Department' means the department of ecology.

(5) 'Eligible cost' means that portion of the cost of a water pollution control facility that can be financed in part by a grant or loan under this chapter. The term does not include any portion of a facility's cost attributable to capacity that is in excess of that reasonably required to address one hundred ten percent of the water pollution control facility needs existing at the time application is made for a loan or grant. The department shall adopt rules to further define 'eligible cost' and these policies shall be designed to fairly finance water pollution control facilities and to assure that the taxpayers in some areas of the state are not disproportionately called upon to pay for costs of addressing future pollution control needs in other parts of the state attributable to projected growth occurring in such other parts of the state.

(6) 'Public body' means the state of Washington or any agency, county, city, political subdivision, municipal corporation, or quasi-municipal corporation thereof, an agency of the federal government, and those Indian tribes now or hereafter recognized as such by the federal government.

(7) 'Water pollution control activities' means: (a) Actions to remove pollutants from or prevent pollution of critical water resources; (b) actions to clean up hazardous waste spills that threaten critical water resources; (c) the development of plans to prevent pollution of critical water resources and to specify needs for water pollution control facilities and other water pollution control activities; (d) research into activities that prevent pollution of critical water resources; and (e) the development of plans and designs specific to particular water pollution control facilities.

(8) 'Water pollution control facilities' means facilities owned or operated by a public body for: (a) Preventing pollution to, or mitigating the deterioration of, critical water resources used for drinking purposes, but not including individual hookups; (b) secondary treatment of sewage or greater than secondary treatment of sewage, and related interceptors and outfalls; (c) facilities for treating stormwater; and (d) facilities for storing sewage and stormwater until it can be treated.

NEW SECTION, Sec. 3. The 1985 water pollution control account is hereby created in the state treasury. The following moneys shall be placed in the account: (1) Tax receipts from the tax imposed in section 7 of this act; (2) moneys appropriated to this account; (3) principal and interest from the repayment of loans made pursuant to this chapter; and (4) investment income obtained from the investment of these moneys.

NEW SECTION. Sec. 4. Moneys in the account shall be administered by the department of ecology subject to legislative appropriation. The department may use or permit the use of any moneys in the account to make grants or loans to public bodies, including grants to public bodies as cost-sharing moneys in any case where federal, local, or other moneys are made available on a cost-sharing basis, for water pollution control facilities and activities within the purposes of this chapter, and for related administrative expenses. Moneys in the account may also be used by the department to finance water pollution control activities within the purposes of this chapter.

The department shall ensure that grants of moneys authorized under this chapter do not constitute more than fifty percent of the total eligible cost of any water pollution control facility, and that the grants and loans of moneys authorized under this chapter do not constitute more than seventy-five percent of the total eligible cost of any water pollution control facility. The department shall also ensure that the combination of grants and loans of moneys authorized under this chapter and federal grants do not exceed seventy-five percent of the eligible cost of any water pollution control facility. The department shall insure that grants and loans made to a public body for water pollution control activities do not constitute more than fifty percent of the costs of the water pollution control activity. The department shall not provide grants for planning or design of water pollution control facilities, but may provide loans for such purposes that constitute up to one hundred percent of such costs.

Not more than three percent of the moneys in the account may be used by the department of ecology to pay for the administration of the grant and loan program established under this chapter.

Loans shall not be for a term in excess of ten years and shall bear interest at rates determined by the department in consultation with the state treasurer.

The department shall present a progress report on use of moneys from the account to the legislature no later than November 30th of each year.

NEW SECTION. Sec. 5. The department shall distribute grants and loans over the period from the effective date of this act until December 31, 1995, in the following manner:

(1) Not more than fifty-three percent for water pollution control facilities or activities that remove pollutants from or prevent the pollution of Puget Sound, including Hood Canal;

(2) Not more than ten percent for water pollution control facilities or activities that remove pollutants from or prevent the pollution of the straits of Juan de Fuca, Georgia, and Rosario, and marine embayments immediately adjacent to these straits;

(3) Not more than three percent for water pollution control facilities or activities that remove pollutants from or prevent the pollution of other marine water in the state;

(4) Not more than eleven percent for water pollution control facilities or activities that remove pollutants from or prevent the pollution of freshwater lakes and rivers, including but not limited to Lake Chelan and the Yakima and Columbia rivers;

(5) Not more than sixteen percent for water pollution control facilities or activities that remove pollutants from or prevent the pollution of sole source aquifers, including but not limited to not more than fourteen percent for water pollution control facilities or activities that remove pollutants from or prevent the pollution of the Spokane Rathdrum Prairie aquifer; and

(6) Not more than twenty-one percent for water pollution control facilities or activities as prescribed by the department.

These distribution percentages shall not restrict distributions in any single year. Not more than two and one-half percent of the total amounts of these moneys from the effective date of this act until December 31, 1995, may be transferred by the department to the state conservation commission for such purposes, of which one-half percent shall be used for research.

NEW SECTION. Sec. 6. When making grants or loans for water pollution control facilities, the department shall take into consideration the following:

(1) The protection of water quality and public health;

(2) The cost to household ratepayers if they had to finance the water pollution control facilities without state assistance;

(3) Regulatory actions established in federal and state compliance orders;

(4) The recommendations of the Puget Sound water quality authority and any other board, council, commission, or group established by the legislature to study water pollution control issues around the state;

(5) Geographical distribution;

(6) The extent to which the recipient county or city, or if the recipient is another public body, the extent to which the county or city in which the recipient public body is located, has established programs to mitigate nonpoint pollution of the surface or subterranean body of water sought to be protected by the water pollution control facilities or activities that would be partially financed by the grant or loan; and

(7) The level of local fiscal effort by household ratepayers since 1972 in financing water pollution control facilities.

When allocating moneys in the account for water pollution control activities, the department shall take into consideration subsections (1), (3), (4), (5), (6), and (7) of this section.

Within two years after the Puget Sound water quality authority has made its recommendations on nonpoint pollution, no grant or loan, or distribution of grant or loan moneys, may be made to any public body located within a county from which nonpoint pollution enters Puget Sound unless the director of the department of ecology finds that the Puget Sound water quality authority's recommendations on nonpoint pollution have been implemented by each public entity within the county, to the extent that the entity has the implementing authority.

NEW SECTION, Sec. 7. A state-wide property tax is hereby annually imposed at a rate equal to twenty-five cents per thousand dollars of assessed valuation adjusted to the state equalized ratio fixed by the department of revenue to be used exclusively for purposes provided for in this chapter. Receipts from this tax shall be placed directly in the 1985 water pollution control account. This property tax shall be imposed in 1985 for collection in 1986, and thereafter through the 1994 taxes to be collected in 1995. This property tax shall be in addition to the state property tax imposed in RCW 84.52.043.

NEW SECTION, Sec. 8. Sections 1 through 7 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION, Sec. 9. A new section is added to chapter 84.55 RCW to read as follows: This chapter does not apply to the first levy under section 7 of this act.

NEW SECTION, Sec. 10. A new section is added to chapter 84.52 RCW to read as follows:

The tax imposed under section 7 of this act is not subject to the limitations imposed under RCW 84.52.043.

NEW SECTION, Sec. 11. There is appropriated from the 1985 water pollution control account to the department of ecology for the biennium ending June 30, 1987, the sum of sixty-three million three hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act."

Representatives Unsoeld, Rust, Sommers and Miller spoke in favor of the amendment, and Representatives May, Lewis, Isaacson, Fuhrman and Hargrove spoke against it.

Ms. Long moved adoption of the following amendment by Representatives Long, Miller and Haugen to the Unsoeld amendment:

On page 3, line 35 strike "but not including" and insert "including interceptor, trunk and main sewer lines, but not including local sewage collection lines, side sewer lines, or"

Representatives Long, Miller and Lundquist spoke in favor of the amendment to the amendment, and Representatives Taylor, Hine and Padden spoke against it.

Ms. Long spoke again in favor of the amendment to the amendment, and Mr. Taylor again opposed it.

The amendment to the amendment was not adopted.

Representatives S. Wilson, Barnes and Nealey spoke against the amendment, and Representative Hine spoke in favor of it.

Ms. Unsoeld spoke again in favor of the amendment.

Mr. Crane demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Unsoeld to Engrossed Third Substitute Senate Bill No. 3827 and the amendment was adopted by the following vote: Yeas, 51; nays, 46; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Prince, Rust, Sayan, Scott, Sommers, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Baugher, Betrozoff, Bond, Bristow, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Isaacson, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Peery, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith L, Smitherman, Sutherland, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 46.

Excused: Representative Smith C - 1.

On motion of Ms. Unsoeld, the following amendment to the title was adopted:

On page 1, line 2 of the title after "systems;" strike the remainder of the title and insert "adding a new chapter to Title 43 RCW; adding a new section to chapter 84.52 RCW; adding a new section to chapter 84.55 RCW; creating a new section; and making an appropriation."

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

Representatives Appelwick, May and Braddock spoke in favor of passage of the bill, and Representatives Zellinsky and Chandler spoke against it.

The House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 26, 1985

ESSB 3927 Prime Sponsor, Committee on Transportation: Adjusting fees for drivers' services. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 46.20.070, chapter 12, Laws of 1961 as last amended by section 4, chapter 61, Laws of 1979 and RCW 46.20.070 are each amended to read as follows:

Upon receiving a written application on a form provided by the director for permission for a person under the age of eighteen years to operate a motor vehicle over and upon the public highways of this state in connection with farm work, the director may issue a limited driving permit containing a photograph to be known as a juvenile agricultural driving permit, such issuance to be governed by the following procedure:

- (1) The application must be signed by the applicant and by the applicant's father, mother, or legal guardian.
- (2) Upon receipt of the application, the director shall cause an examination of the applicant to be made as by law provided for the issuance of a motor vehicle driver's license.
- (3) The director shall cause an investigation to be made of the need for the issuance of such operation by the applicant.

Such permit authorizes the holder to operate a motor vehicle over and upon the public highways of this state within a restricted farming locality which shall be described upon the face thereof.

A permit issued under this section shall expire one year from date of issue, except that upon reaching the age of eighteen years such person holding a juvenile agricultural driving permit shall be required to make application for a motor vehicle driver's license.

The director shall charge a fee of ~~((one))~~ three dollars for each such permit and renewal thereof to be paid as by law provided for the payment of motor vehicle driver's licenses and deposited to the credit of the ~~((traffic))~~ highway safety ~~((education account in the general))~~ fund.

The director may transfer this permit from one farming locality to another, but this does not constitute a renewal of the permit.

The director may deny the issuance of a juvenile agricultural driving permit to any person whom the director determines to be incapable of operating a motor vehicle with safety to himself or herself and to persons and property.

The director may suspend, revoke, or cancel the juvenile agricultural driving permit of any person when in the director's sound discretion the director has cause to believe such person has committed any offense for which mandatory suspension or revocation of a motor vehicle driver's license is provided by law.

The director may suspend, cancel, or revoke a juvenile agricultural driving permit when in the director's sound discretion the director is satisfied the restricted character of the permit has been violated.

Sec. 2. Section 8, chapter 121, Laws of 1965 ex. sess. as amended by section 2, chapter 63, Laws of 1979 and RCW 46.20.091 are each amended to read as follows:

(1) Every application for an instruction permit or for an original driver's license shall be made upon a form prescribed and furnished by the department which shall be sworn to and signed by the applicant before a person authorized to administer oaths. Every application for an instruction permit containing a photograph shall be accompanied by a fee of ~~((two))~~ seven dollars ~~((and fifty cents))~~. The department shall forthwith transmit the fees collected for instruction permits and temporary drivers' permits to the state treasurer.

(2) Every ~~((said))~~ such application shall state the full name, date of birth, sex, and residence address of the applicant, and briefly describe the applicant, and shall state whether the applicant has theretofore been licensed as a driver or chauffeur, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation, or refusal, and shall state such additional information as the department shall require.

(3) Whenever application is received from a person previously licensed in another jurisdiction, the department shall request a copy of such driver's record from such other jurisdiction. When received, the driving record shall become a part of the driver's record in this state.

(4) Whenever the department receives request for a driving record from another licensing jurisdiction, the record shall be forwarded without charge(~~(--PROVIDED, HOWEVER, THAT)~~) if the other licensing jurisdiction extends the same privilege to the state of Washington(~~(;)~~). Otherwise there shall be a reasonable charge for transmittal of the record, the amount to be fixed by the director of the department.

Sec. 3. Section 4, chapter 155, Laws of 1969 ex. sess. as last amended by section 2, chapter 92, Laws of 1981 and RCW 46.20.117 are each amended to read as follows:

(1) The department shall issue 'identicards(~~(;)~~),' containing a picture, to nondrivers for a fee of (~~(three)~~) five dollars(~~(--such fee shall be deposited in the highway safety fund; PROVIDED, THAT)~~). However, the fee shall be the actual cost of production to recipients of continuing public assistance grants under Title 74 RCW who are referred in writing to the department by the secretary of social and health services. The fee shall be deposited in the highway safety fund. To be eligible, each applicant shall produce evidence (~~((commensurate to))~~) as required by the ((regulations)) rules adopted by the director that positively proves identity. The 'identocard' shall be distinctly designed so that it will not be confused with the official driver's license. The identocard shall be valid for five years.

(2) The department may cancel an 'identocard' upon a showing by its records or other evidence that the holder of such 'identocard' has committed a violation relating to 'identicards' defined in RCW 46.20.336.

Sec. 4. Section 46.20.120, chapter 12, Laws of 1961 as last amended by section 6, chapter 61, Laws of 1979 and RCW 46.20.120 are each amended to read as follows:

No new driver's license may be issued and no previously issued license may be renewed until the applicant therefor has successfully passed a driver licensing examination: PROVIDED, That the department may waive all or any part of the examination of any person applying for the renewal of a driver's license except when the department determines that an applicant for a driver's license is not qualified to hold a driver's license under this title. For a new license examination a fee of (~~(three)~~) ten dollars shall be paid by each applicant, in addition to the fee charged for issuance of the license. A new license is one issued to a driver who has not been previously licensed in this state or to a driver whose last previous Washington license has expired.

Any person who is outside the state at the time his or her driver's license expires or who is unable to renew the license due to any incapacity may renew the license within sixty days after returning to this state or within sixty days after the termination of any such incapacity without the payment of a new license examination fee. In such case the department may waive all or any part of the examination as in the case of renewal of driver licenses.

The department shall provide for giving examinations at places and times reasonably available to the people of this state.

Sec. 5. Section 46.20.200, chapter 12, Laws of 1961 as last amended by section 5, chapter 191, Laws of 1975 1st ex. sess. and RCW 46.20.200 are each amended to read as follows:

~~((in the event that))~~ (1) If an instruction permit, identocard, or a driver's license ((shall be)) is lost or destroyed, the person to whom ((the same)) it was issued may obtain a duplicate ((thereof)) of it upon furnishing proof of such fact satisfactory to the department ((without reexamination upon)) and payment of a fee of ((two)) six dollars ((and fifty cents)) to the department.

(2) A replacement permit, identocard, or driver's license may be obtained to change or correct material information upon payment of a fee of five dollars and surrender of the permit, identocard, or driver's license being replaced.

Sec. 6. Section 27, chapter 121, Laws of 1965 ex. sess. as last amended by section 325, chapter 258, Laws of 1984 and RCW 46.20.311 are each amended to read as follows:

(1) The department shall not suspend a driver's license or privilege to drive a motor vehicle on the public highways for a fixed period of more than one year, except as permitted under RCW 46.20.342 or 46.61.515. Whenever the license of any person is suspended by reason of a conviction, a finding that a traffic infraction has been committed, or pursuant to RCW 46.20.291, the suspension shall remain in effect and the department shall not issue to the person any new, duplicate, or renewal license until the person pays a reinstatement fee of (~~(twenty))~~ thirty dollars and gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. If the suspension is the result of a violation of RCW 46.61.502 or 46.61.504 or was imposed under RCW 46.20.610(1) (a) or (b), the reinstatement fee shall be (~~(fifty))~~ sixty dollars.

(2) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked, unless the revocation was for a cause which has been removed, is not entitled to have the license or privilege renewed or restored until: (a) After the expiration of one year from the date on which the revoked license was surrendered to and received by the department; (b) after the expiration of the applicable revocation period provided by RCW 46.61.515(3) (b) or (c); (c) after the expiration of two years for persons convicted of vehicular homicide; (d) after the expiration of one year in cases of revocation for the first refusal within five years to submit to a chemical test under RCW 46.20.308; or (e) after the expiration of two years in cases of revocation for the second refusal within five years to submit to a chemical test

under RCW 46.20.308. After the expiration of the appropriate period, the person may make application for a new license as provided by law together with a reinstatement fee in the amount of ~~((twenty))~~ thirty dollars, but if the revocation is the result of a violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reinstatement fee shall be ~~((fifty))~~ sixty dollars. The department shall not then issue a new license unless it is satisfied after investigation of the driving ability of the person that it will be safe to grant the privilege of driving a motor vehicle on the public highways, and until the person gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. A resident without a license or permit whose license or permit was denied under RCW 46.20.610 shall give and thereafter maintain proof of financial responsibility for the future as provided in chapter 46.29 RCW.

(3) Whenever the driver's license of any person is suspended pursuant to Article IV of the nonresident violators compact or RCW 46.23.020, the suspension shall remain in effect and the department shall not issue to the person any new or renewal license until the person pays a reinstatement fee of ~~((twenty))~~ thirty dollars. If the suspension is the result of a violation of the laws of another state, province, or other jurisdiction involving (a) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (b) the refusal to submit to a chemical test of the driver's blood alcohol content, the reinstatement fee shall be ~~((fifty))~~ sixty dollars.

Sec. 7. Section 46.20.380, chapter 12, Laws of 1961 as last amended by section 12, chapter 61, Laws of 1979 and RCW 46.20.380 are each amended to read as follows:

No person may file an application for an occupational driver's license as provided in RCW 46.20.391 unless he or she first pays to the director or other person authorized to accept applications and fees for driver's licenses a fee of ~~((ten))~~ twenty-five dollars. The applicant shall receive upon payment an official receipt for the payment of such fee. All such fees shall be forwarded to the director who shall transmit such fees to the state treasurer in the same manner as other driver's license fees.

Sec. 8. Section 4, chapter 20, Laws of 1967 ex. sess. as amended by section 3, chapter 68, Laws of 1969 ex. sess. and RCW 46.20.470 are each amended to read as follows:

There shall be an additional fee for the special endorsement for each class of vehicle in addition to the prescribed fee required for the issuance of the original driver's license. The additional fee for each endorsement shall not exceed ten dollars for the original endorsement nor more than three dollars for subsequent endorsement renewals. The ~~((said))~~ fee shall be deposited in the highway safety fund.

Sec. 9. Section 50, chapter 145, Laws of 1967 ex. sess. as last amended by section 2, chapter 77, Laws of 1982 and RCW 46.20.505 are each amended to read as follows:

Every person applying for a special endorsement or a new category of endorsement of a driver's license authorizing such person to drive a motorcycle or a motor-driven cycle shall pay a motorcycle examination fee which is not refundable. The director of licensing shall prescribe the examination fee at an amount equal to the cost of administering such examination, but in no event more than four dollars for the initial or new category examination nor more than two dollars for a subsequent renewal examination. ~~((One))~~ Two dollars of the initial or new category examination fee and ~~((one))~~ two dollars of any subsequent fee for a renewal shall be deposited in the motorcycle safety education account of the highway safety fund.

Sec. 10. Section 3, chapter 77, Laws of 1982 and RCW 46.20.510 are each amended to read as follows:

(1) There shall be three categories for the special motorcycle endorsement of a driver's license. Category one shall be for motorcycles or motor-driven cycles having an engine displacement of one hundred fifty cubic centimeters or less. Category two shall be for motorcycles having an engine displacement of five hundred cubic centimeters or less. Category three shall include categories one and two, and shall be for motorcycles having an engine displacement of five hundred one cubic centimeters or more.

(2) A motorcycle endorsement issued prior to June 10, 1982, is deemed to be for category three. Thereafter, a person first seeking a motorcycle endorsement or a person seeking an endorsement to operate a motorcycle with an engine displacement of a higher category than the one covered by his or her existing endorsement, shall obtain an endorsement for the appropriate category pursuant to RCW 46.20.505 through 46.20.515.

(3) The department may issue an instruction permit to an individual who wishes to learn to ride a motorcycle or obtain an endorsement of a larger endorsement category for a period not to exceed ninety days. This motorcycle instruction permit may be renewed for an additional ninety days. The director shall collect a two dollar and fifty cent fee for the motorcycle instruction permit or renewal, and the fee shall be deposited in the motorcycle safety education account of the highway safety fund. This permit and a valid driver's license with current endorsement, if any, shall be carried when operating a motorcycle. An individual with an instruction permit may not carry passengers, may not operate a motorcycle during the hours of darkness or on a fully-controlled, limited-access facility, and shall be under the direct visual supervision of a person with a motorcycle endorsement of the appropriate category.

Sec. 11. Section 5, chapter 169, Laws of 1963 as last amended by section 63, chapter 136, Laws of 1979 ex. sess. and RCW 46.29.050 are each amended to read as follows:

(1) The department shall upon request furnish any person or his attorney a certified abstract of his driving record, which abstract shall include enumeration of any motor vehicle accidents in which such person has been involved. Such abstract shall (a) indicate the total number of vehicles involved(;;), whether the vehicles were legally parked or moving, and(;;) whether ((such)) the vehicles were occupied at the time of the accident; and (b) contain reference to any convictions of ((said)) the person for violation of the motor vehicle laws as reported to the department((-and)); reference to any findings that the person has committed a traffic infraction which have been reported to the department(;;); and a record of any vehicles registered in the name of ((such)) the person. The department shall collect for each abstract the sum of ((one)) three dollars ((and fifty cents)) which shall be deposited in the highway safety fund.

(2) The department shall upon request furnish any person who may have been injured in person or property by any motor vehicle, with an abstract of all information of record in the department pertaining to the evidence of the ability of any driver or owner of any motor vehicle to respond in damages. The department shall collect for each abstract the sum of ((one)) three dollars ((and fifty cents)) which shall be deposited in the highway safety fund.

Sec. 12. Section 27, chapter 21, Laws of 1961 ex. sess. as last amended by section 84, chapter 136, Laws of 1979 ex. sess. and RCW 46.52.130 are each amended to read as follows:

Any request for a certified abstract must specify which part is requested, and only the part requested shall be furnished. The employment driving record part shall be furnished only to the individual named in the abstract, an employer, the insurance carrier that has insurance in effect covering ((such)) the employer, or a prospective employer. The other part shall be furnished only to the individual named in the abstract, the insurance carrier that has insurance in effect covering ((such)) the named individual, or the insurance carrier to which ((such)) the named individual has applied. The director, upon proper request, shall furnish a certified abstract covering the period of not more than the last three years ((last past)), and ((such)) the abstract, whenever possible, shall include an enumeration of motor vehicle accidents in which ((such)) the person was involved; the total number of vehicles involved; whether the vehicles were legally parked or moving; whether ((such)) the vehicles were occupied at the time of the accident; and any reported convictions, forfeitures of bail, or findings that an infraction was committed based upon a violation of any motor vehicle law. ((Such)) The enumeration shall include any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served upon ((such person)) the named individual by an arresting officer.

The abstract ((herein)) provided to an insurance company shall have excluded ((therefrom)) from it any information pertaining to any occupational driver's license when the ((same)) license is issued to any person employed by another or self-employed as a motor vehicle driver who during the five years preceding the request has been issued such a license by reason of a conviction or finding of a traffic infraction involving a motor vehicle offense outside the scope of his principal employment, and who has during ((such)) that period been principally employed as a motor vehicle driver deriving the major portion of his income therefrom. The abstract provided to the insurance company shall also exclude any information pertaining to law enforcement officers or fire fighters as defined in RCW 41.26.030, or any member of the Washington state patrol, while driving official vehicles in the performance of occupational duty during an emergency situation if the chief of the officer's or fire fighter's department certifies on the accident report that the actions of the officer or fire fighter were reasonable under the circumstances as they existed at the time of the accident.

The director shall collect for each ((such)) abstract the sum of ((one)) three dollars ((fifty cents)) which shall be deposited in the highway safety fund.

Any insurance company or its agent receiving ((such)) the certified abstract shall use it exclusively for its own underwriting purposes and shall not divulge any of the information ((therein)) contained in it to a third party((-PROVIDED, That)). No policy of insurance ((shall)) may be canceled on the basis of such information unless the policyholder was determined to be at fault((-PROVIDED FURTHER, That)). No insurance company or its agent for underwriting purposes relating to the operation of commercial motor vehicles ((shall)) may use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment.

Any employer or prospective employer receiving ((such)) the certified abstract shall use it exclusively for his own purpose to determine whether the licensee should be permitted to operate a commercial vehicle or school bus upon the public highways of this state and shall not divulge any information ((therein)) contained in it to a third party.

Any violation of this section ((shall be)) is a gross misdemeanor.

Sec. 13. Section 4, chapter 25, Laws of 1965 as last amended by section 3, chapter 245, Laws of 1981 and RCW 46.68.041 are each amended to read as follows:

(1) The department shall forward all funds accruing under the provisions of chapter 46.20 RCW together with a proper identifying, detailed report to the state treasurer who shall deposit such moneys to the credit of the highway safety fund except as otherwise provided in this section.

(2) ~~((One dollar and forty cents of each fee collected for a temporary instruction permit shall be deposited in the traffic safety education account in the general fund:~~

(3)) Out of each fee of fourteen dollars collected for a driver's license, the sum of ten dollars and twenty cents shall be deposited in the highway safety fund, and three dollars and eighty cents shall be deposited in the general fund.

~~((Out of each fee of seven dollars collected for any two-year license renewal during the period July 1, 1981, through June 30, 1983, the sum of five dollars and ten cents shall be deposited in the highway safety fund and one dollar and ninety cents shall be deposited in the general fund:))~~

NEW SECTION. Sec. 14. Section 51, chapter 145, Laws of 1967 ex. sess., section 2, chapter 155, Laws of 1969 ex. sess., section 1, chapter 191, Laws of 1975 1st ex. sess., section 148, chapter 158, Laws of 1979 and RCW 46.20.115 are each repealed.

Sec. 15. Section 19, chapter 121, Laws of 1965 ex. sess. as amended by section 55, chapter 136, Laws of 1979 ex. sess. and RCW 46.20.171 are each amended to read as follows:

(1) The department shall file every application for a license received by it and shall maintain suitable indexes containing the following:

(a) All applications denied and on each thereof note the reasons for such denial;

(b) All applications granted; and

(c) The name of every licensee whose license has been suspended or revoked by the department and after each such name shall note the reasons for such action.

(2) The department shall also maintain a record for every licensed driver which shall include all ~~((accident))~~ reports of accidents in which the driver was found to be at fault and abstracts of court records of convictions and findings that a traffic infraction has been committed received by it under the laws of this state and in connection therewith maintain convenient records in order that an individual record of each licensee showing the licensee's convictions, the findings that he has committed a traffic infraction, the traffic accidents in which he has been ~~((involved))~~ found to be at fault by a civil proceeding, a criminal conviction, or a finding that he has committed a traffic infraction, and any prior actions taken by the department in connection with his driving record shall be readily ascertainable for the consideration of the department.

Sec. 16. Section 2, chapter 11, Laws of 1979 as last amended by section 1, chapter 30, Laws of 1981 and RCW 46.52.030 are each amended to read as follows:

(1) The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to the property of any one person to an apparent extent of ~~((three))~~ five hundred dollars or more, shall, within twenty-four hours after such accident, make a written report of such accident to the chief of police of the city or town if such accident occurred within an incorporated city or town or the county sheriff or state patrol if such accident occurred outside incorporated cities and towns.

(2) ~~((if such accident was not investigated by a law enforcement officer:))~~ The original of such report shall be immediately forwarded by the authority receiving such report to the chief of the Washington state patrol at Olympia, Washington, and the second copy of such report to be forwarded to the department of licensing at Olympia, Washington.

(3) ~~((if such accident was investigated by a law enforcement officer, the original of each driver's report required by subsection (1) of this section shall be retained by the local law enforcement agency where the accident occurred, and the second copy shall be forwarded to the department of licensing at Olympia, Washington:~~

~~(4) Any law enforcement officer who investigates an accident for which a driver's report is required under subsection (1) of this section shall submit an investigator's report as required by RCW 46.52.070.~~

(5)) The chief of the Washington state patrol may require any driver of any vehicle involved in an accident, of which report must be made as provided in this section, to file supplemental reports whenever the original report in his opinion is insufficient, and may likewise require witnesses of any such accident to render reports. For this purpose, the chief of the Washington state patrol shall prepare and, upon request, supply to any police department, coroner, sheriff, and any other suitable agency or individual, sample forms of accident reports required ~~((hereunder))~~ under this section, which reports shall be upon a form devised by the chief of the Washington state patrol and shall call for sufficiently detailed information to disclose all material facts with reference to the accident to be reported thereon, including the location, the cause, the conditions then existing, and the persons and vehicles involved, personal injury or death, if any, the amounts of property damage claimed, the total number of vehicles involved, whether the vehicles were legally parked, legally standing, or moving, and whether such vehicles were occupied at the time of the accident. Every required accident report shall be made on a form prescribed by the chief of the Washington state patrol, and each authority charged with the duty of receiving such reports shall provide sufficient report forms in compliance with the form devised. The report forms shall be designated so as to provide that a copy may be retained by the reporting person.

Sec. 17. Section 46.52.120, chapter 12, Laws of 1961 as last amended by section 1, chapter 99, Laws of 1984 and RCW 46.52.120 are each amended to read as follows:

(1) The director shall keep a case record on every motor vehicle driver licensed under the laws of this state, together with information on each driver, showing all the convictions and findings of traffic infractions certified by the courts, together with an index cross-reference record of each report of an accident (~~reported relating to~~) in which such individual was found to be at fault by a civil proceeding, a criminal conviction, or a finding that the driver has committed a traffic infraction, along with a brief statement of the cause of the accident. The chief of the Washington state patrol shall furnish the index cross-reference record to the director, with reference to each driver involved in the reported accidents.

(2) The case record shall be maintained in two parts.

(a) One part shall be the employment driving record of the person. This part shall include all motor vehicle accidents in which the person is involved while the person is driving a commercial motor vehicle as an employee of another or an owner-operator and in which the person is found to be at fault in accordance with subsection (1) of this section, all convictions of the person for violation of the motor vehicle laws while the person is driving a commercial motor vehicle as an employee of another or an owner-operator, and all findings that the person has committed a traffic infraction while the person is driving a commercial motor vehicle as an employee of another or an owner-operator. The same reports shall be entered when the person is a law enforcement officer or fire fighter as defined in RCW 41.26.030, or a state patrol officer, and is driving an official police, state patrol, or fire department vehicle in the course of their official duties.

(b) The other part shall include all other accidents in which the person is found to be at fault in accordance with subsection (1) of this section, convictions, and findings that the person has committed a traffic infraction.

(3) Such records shall be for the confidential use of the director and the chief of the Washington state patrol and for such police officers or other cognizant public officials as may be designated by law. Such case records shall not be offered as evidence in any court except in case appeal is taken from the order of the director, suspending, revoking, canceling, or refusing a vehicle driver's license.

(4) The director shall tabulate and analyze vehicle driver's case records and suspend, revoke, cancel, or refuse a vehicle driver's license to a person when it is deemed from facts contained in the case record of such person that it is for the best interest of public safety that such person be denied the privilege of operating a motor vehicle. Whenever the director orders the vehicle driver's license of any such person suspended, revoked, or canceled, or refuses the issuance of a vehicle driver's license, such suspension, revocation, cancellation, or refusal is final and effective unless appeal from the decision of the director is taken as provided by law.

NEW SECTION. Sec. 18. 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 July 1, 1985."

On page 1, line 1 of the title, after "licensing;" strike the remainder of the title and insert "amending RCW 46.20.070, 46.20.091, 46.20.117, 46.20.120, 46.20.200, 46.20.311, 46.20.380, 46.20.470, 46.20.505, 46.20.510, 46.29.050, 46.52.130, 46.68.041, 46.20.171, 46.52.030, and 46.52.120; repealing RCW 46.20.115; declaring an emergency; and providing an effective date."

Signed by Representatives Walk, Chair; Baugher, Brough, Fisch, Fisher, Gallagher, Hankins, Haugen, Lundquist, McMullen, Prince, Schmidt, Tanner, Valle, Van Luven, J. Williams, K. Wilson and Zellinsky.

Voting nay: Representatives Betrozoff, Bond, Sutherland and Thomas.

Absent: Representatives Brough, McMullen, Patrick and C. Smith.

April 26, 1985

ESB 4146 Prime Sponsor, Senator Thompson: Revising provisions relating to the effects of the eruption of Mount St. Helens. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Grimm, Chair; Braddock, Vice Chair; Appelwick, Bristow, Hastings, Hine, Holland, Locke, Madsen, G. Nelson, Niemi, Rust, Sanders, Sayan, Silver, Smitherman, Taylor, Tilly and B. Williams.

Absent: Representatives Basich, Brekke, J. King, Long, G. Nelson, Niemi, Sommers and Vander Stoep.

MOTION

On motion of Mr. Appelwick, the rules were suspended and Engrossed Substitute Senate Bill No. 3927 and Engrossed Senate Bill No. 4146 were advanced to second reading and placed at the bottom of today's second reading calendar.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 660, and insists on its position and once again asks the House to concur therein, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Walk, the House insisted on its position on Substitute House Bill No. 660, and again asked the Senate to recede therefrom.

REPORT OF CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4231, adjusting hunting and fishing license fees, 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.

Signed by Senators Owen, Metcalf, Halsan; Representatives Sutherland, Sanders, McMullen.

MOTION

On motion of Mr. Sutherland, the report of the Conference Committee on Substitute Senate Bill No. 4231 was adopted, and the committee was granted powers of Free Conference.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3066, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Wang, Joint Rule 11 was suspended to allow consideration of the Free Conference Report on Engrossed Substitute Senate Bill No. 3066.

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3066, modifying provisions relating to gambling, have had the same under consideration, and we recommend that the House amendment as amended by the Free Conference Committee be adopted and the bill do pass as amended:

On page 3 of the House amendment, beginning on line 1 strike ~~"(which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and))"~~ and insert "which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and"

Signed by Senators Warnke, Moore; Representatives Wang, R. King.

MOTION

On motion of Mr. Wang, the Free Conference Committee Report on Engrossed Substitute Senate Bill No. 3066 was not adopted.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has refused to recede from its amendments to ENGROSSED HOUSE BILL NO. 116, and insists on its position and once again asks the House to concur in the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Belcher, the House adhered to its position on Engrossed House Bill No. 116 and again asked the Senate to recede from its amendments.

The Speaker declared the House to be at ease until 2:30 p.m.

AFTERNOON SESSION

The House was called to order at 2:30 p.m. by the Speaker.

MESSAGES FROM THE SENATE

April 27, 1985

Mr. Speaker:

The President has signed:

	SUBSTITUTE HOUSE BILL NO.	101,
	HOUSE BILL NO.	107,
SECOND	SUBSTITUTE HOUSE BILL NO.	141,
	HOUSE BILL NO.	153,
	HOUSE BILL NO.	357,
	SUBSTITUTE HOUSE BILL NO.	379,
	SUBSTITUTE HOUSE BILL NO.	380,
	SUBSTITUTE HOUSE BILL NO.	396,
	SUBSTITUTE HOUSE BILL NO.	760,
	SUBSTITUTE HOUSE BILL NO.	814,
SECOND	SUBSTITUTE HOUSE BILL NO.	1078,
	SUBSTITUTE HOUSE BILL NO.	1082,
	SUBSTITUTE HOUSE BILL NO.	1085,
	SUBSTITUTE HOUSE BILL NO.	1169,
	SENATE BILL NO.	3173,
	SUBSTITUTE SENATE BILL NO.	3207,
	SUBSTITUTE SENATE BILL NO.	3254,
	SENATE BILL NO.	3812,
	SUBSTITUTE SENATE BILL NO.	4189,
	SUBSTITUTE SENATE BILL NO.	4209,
	SUBSTITUTE SENATE BILL NO.	4228,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3146, and has passed the bill as recommended by the Conference Committee.

Sidney R. Snyder, Secretary.

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3012, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

	HOUSE BILL NO.	66.
	SUBSTITUTE HOUSE BILL NO.	69.
	HOUSE BILL NO.	318.
	SUBSTITUTE HOUSE BILL NO.	358.
	SUBSTITUTE HOUSE BILL NO.	546.
	SUBSTITUTE SENATE BILL NO.	3207.
	SUBSTITUTE SENATE BILL NO.	4189.
	SUBSTITUTE SENATE BILL NO.	4209.
	SUBSTITUTE SENATE BILL NO.	4228.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-66, by Representatives Prince, Hankins, Lewis, Doty, West, Bond, Lundquist, Taylor, Chandler, Brooks, Nealey, Rayburn, Bristow, Baugher, Madsen, Vekich, Ballard, Hastings, Tilly, C. Smith, Barnes and Peery

WHEREAS, The International Flying Farmers are conscientious citizens involved in farming, ranching and other agriculture related businesses within the North American Continent; and

WHEREAS, There are more than eight thousand members involved in forty-two chapters in the United States, Canada and Mexico; and

WHEREAS, The Washington Flying Farmers are among the men and women who own and operate the airplanes used in their farming and ranching operations and agriculture related businesses; and

WHEREAS, Throughout the State of Washington, the Flying Farmers take pride in utilizing the soil to its best advantage for raising crops as well as livestock and in encouraging the conservation of our soil and water resources through education; and

WHEREAS, Victor Franz of Ritzville, Washington is President of the International Flying Farmers and has done an outstanding job in the leadership position; and

WHEREAS, Victor Franz, on behalf of the International Flying Farmers, is a proponent of general aviation and the practical use of the airplane in the agricultural industry;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That Victor Franz, President of the International Flying Farmers, be commended for his exceptional service to the agriculture business community and the State of Washington; and

BE IT FURTHER RESOLVED, That the House of Representatives extend a warm welcome to the International Flying Farmers when they convene in Washington as guests of Victor Franz on June 2, 1985; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Victor Franz, Catherine Scherler and the other members of the International Flying Farmer's Executive Board.

On motion of Mr. Prince the resolution was adopted.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3390, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3390, changing nursing home auditing standards, have had the same under consideration, and we recommend that the bill do pass as amended by the House and with the amendment by the Free Conference Committee to the House amendment:

On page 22, after line 10 strike sections 15, 16, 17, and 18.

On page 28, line 6 after "and)" strike all material through "act" on line 8.

On page 33, line 21 after "(14)" strike all material through line 33 and renumber the succeeding subsections accordingly.

On page 40, line 18 after "allowance" strike all material through "act" on line 21.

On page 44, line 21 after "(2)" strike all material through line 28 and renumber succeeding subsections accordingly.

Signed by Senators Fleming, Deccio, McDermott; Representatives Brekke, Braddock, B. Williams.

MOTION

Ms. Brekke moved that the report of the Free Conference Committee on Substitute Senate Bill No. 3390 be adopted.

Representatives Brekke and B. Williams spoke in favor of the motion, and it was carried.

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 Substitute Senate Bill No. 3390 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3390 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute Senate Bill No. 3390 as amended by 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 27, 1985

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 3029, and the President has appointed the following members as conferees: Senators Williams, Deccio, Moore, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 4424, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 27, 1985

Mr. Speaker:

The Senate adheres to its position on ENGROSSED SUBSTITUTE SENATE BILL NO. 3261, and once again asks the House for a Conference thereon. The conferees remain the same as previously appointed by the President on April 23, 1985: Senators Thompson, Zimmerman, Rinehart, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Belcher, the House granted the request of the Senate for a conference on Substitute Senate Bill No. 3261.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Todd, Belcher and Sanders as conferees on Substitute Senate Bill No. 3261.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SENATE BILL NO. 3167, and has granted powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SENATE BILL NO. 3167, extending timeshare regulation, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

On page 2, after line 20, insert the following:

*Sec. 2. Section 36, chapter 22, Laws of 1983 1st ex. sess. and RCW 64.36.902 are each amended to read as follows:

This act shall take effect August 1, 1983 and shall terminate June 30, ((1987)) 1989 as provided in RCW 64.36.903.

Sec. 3. Section 37, chapter 22, Laws of 1983 1st ex. sess. and RCW 64.36.903 are each amended to read as follows:

Sections 1 through 35, chapter 22, Laws of 1983 1st ex. sess., as now existing or hereafter amended, and corresponding RCW sections are each repealed, effective June 30, ((1987)) 1989."

On page 2, beginning on line 21, strike everything through "64.36.903." on line 26

On page 1, line 1 of the title, after "timeshares;" insert "and" and after "64.36.010" strike the remainder of the title and insert ", 64.36.902, and 64.36.903."

Signed by Senators Talmadge, Newhouse, Halsan; Representatives Armstrong, Hargrove, Van Luven.

MOTION

On motion of Mr. Armstrong, the House adopted the Report of the Free Conference Committee on Senate Bill No. 3167.

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 Senate Bill No. 3167 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3167 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Barnes, Bond, Sanders - 3.

Excused: Representative Smith C - 1.

Senate Bill No. 3167 as amended by 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.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3367, and has granted powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3367, revising public disclosure laws, have had the same under consideration, and we recommend that the bill do pass as amended by the House with the following amendments by the Free Conference Committee to the House amendment:

On page 16, beginning on line 7 of the House amendment, after "of" strike "fifty dollars or more" and insert "more than fifty dollars"

On page 16, beginning on line 26 after "of" strike "fifty dollars or more" and insert "more than fifty dollars"

On page 26, beginning after line 1, strike all material through "prescribe." on line 6 and insert:

"(e) Such other information relevant to lobbying activities as the commission shall by rule prescribe. Information supporting such activities as are required to be reported is subject to audit by the commission."

Signed by Senators Talmadge, Pullen, Halsan; Representatives Fisher, Fisch, Barnes.

MOTION

On motion of Ms. Fisher, the report of the Free Conference Committee was adopted.

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 Substitute Senate Bill No. 3367 as amended by Free Conference Committee.

Mr. Barnes 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. 3367 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P., King R., Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D., Nelson G., Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L., Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B., Williams J., Wilson K., Wilson S., Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Substitute Senate Bill No. 3367 as amended by 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.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3516, and has granted powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3516, providing for instruction in Spanish and Japanese in grades one through six, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by the Free Conference Committee to pass:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature recognizes that it is important for the students and future citizens of our state to become fluent in a foreign language, particularly the languages of Pacific Rim countries and Latin American countries.

NEW SECTION, Sec. 2. The superintendent of public instruction may grant funds to five selected school districts to conduct a foreign language pilot program in Spanish or Japanese in one elementary school within each of the selected districts. The pilot program shall be conducted for two school years after this section takes effect in grades one through six. The superintendent of public instruction in selecting five school districts for participation in the pilot program shall select five diverse school districts at least two of which shall teach Spanish and two of which shall teach Japanese.

NEW SECTION, Sec. 3. The superintendent of public instruction shall establish a procedure for accepting applications from districts wishing to participate in the foreign language pilot program and establish criteria for selecting districts to receive funding. In selecting districts to participate, the superintendent shall consider the following factors:

(1) The availability of existing district resources for the foreign language pilot project including certificated teachers already employed by the district as instructors or consultants;

(2) The availability of volunteers, who are native speakers of the language, as instructors;

(3) Use of secondary school and foreign language students as tutors or aides; and

(4) Diversity in the format of the pilot program to assure that various methods on instruction will be able to be evaluated.

NEW SECTION, Sec. 4. The superintendent of public instruction shall evaluate the effectiveness of the foreign language pilot program and report to the legislature on the program and its effectiveness in January, 1988.

Sec. 5. Section 28A.67.020, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 340, Laws of 1977 ex. sess. and RCW 28A.67.020 are each amended to read as follows:

No person, who is not a citizen of the United States of America, shall be permitted to teach in the common schools in this state: PROVIDED, That the superintendent of public instruction

may grant to an alien a permit to teach in the common schools of this state if such teacher has all the other qualifications required by law, and has declared his or her intention of becoming a citizen of the United States of America: PROVIDED FURTHER, That after a one year probationary period the superintendent of public instruction, at the request of the school district which employed such teacher on a permit, may grant to an alien whose qualifications have been approved by the state board of education a standard certificate to teach in the common schools of this state: PROVIDED FURTHER, That the superintendent of public instruction may grant to a nonimmigrant alien whose qualifications have been approved by the state board of education a temporary permit to teach foreign language for a period to be defined by the superintendent of public instruction or a one-year temporary permit which is renewable only once for no more than one year to teach as an exchange teacher in the common schools of this state.

Before such alien shall be granted a temporary permit he or she shall be required to subscribe to an oath or affirmation in writing as follows: I do solemnly swear (or affirm) that 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. All oaths or affirmations subscribed as herein provided shall be filed in the office of the superintendent of public instruction and shall be there retained for a period of five years. Such permits shall at all times be subject to revocation by the superintendent of public instruction.

NEW SECTION. Sec. 6. If specific funding for purposes of this act, referencing this act by bill number is not provided in the omnibus appropriations act enacted before July 1, 1986, sections 1, 2, 3, and 4 of this act shall be null and void. Sections 1, 2, 3, and 4 of this act shall be of no effect unless such specific funding is so provided. If such funding is so provided, sections 1, 2, 3, and 4 of this act shall take effect when the legislation providing the funding takes effect."

On page 1, line 1 of the title, after "languages;" strike the remainder of the title, and insert "amending RCW 28A.67.020; and creating new sections."

Signed by Senators Gaspard, Craswell, Bauer; Representatives Valle, Peery, L. Smith.

MOTION

On motion of Ms. Valle, the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 3516 was adopted.

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 Substitute Senate Bill No. 3516 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3516 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 91; nays, 6; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristol, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Ballard, Chandler, Holland, Long, Silver, van Dyke - 6.
Excused: Representative Smith C - 1.

Engrossed Substitute Senate Bill No. 3516 as amended by 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.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SENATE BILL NO. 4142, and has granted powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SENATE BILL NO. 4142, revising laws regulating the organization of school districts, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by the Free Conference Committee do pass:

On page 6, after line 22, strike all the material down to and including "facilities," on page 9, line 31 and insert the following:

"Sec. 9. Section 2, chapter 15, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 6, Laws of 1985 and RCW 28A.57.050 are each amended to read as follows:

The powers and duties of ~~((the county))~~ each regional committee shall be:

(1) To initiate, on its own motion and whenever it deems such action advisable, proposals or alternate proposals for changes in the organization and extent of school districts in the ~~((county))~~ educational service district; to receive, consider, and revise, whenever in its judgment revision is advisable, proposals initiated by petition or presented to the committee by the educational service district superintendent as provided for in this chapter; to prepare and submit to the state board any of the aforesaid proposals that are found by the ~~((county))~~ regional committee to provide for satisfactory improvement in the school district system of the ~~((county))~~ educational service district and state; to prepare and submit with the aforesaid proposals, a map showing the boundaries of existing school districts affected by any proposed change and the boundaries, including a description thereof, of each proposed new school district or of each existing school district as enlarged or diminished by any proposed change, or both, and a summary of the reasons for the proposed change; and such other reports, records, and materials as the state board may request. The committee may utilize as a basis of its proposals and changes that comprehensive plan for changes in the organization and extent of the school districts of the county prepared and submitted to the state board prior to September 1, 1956, or, if the then county committee found, after considering the factors listed in RCW 28A.57.055, that no changes in the school district organization of the county were needed, the report to this effect submitted to the state board.

(2) (a) To make an equitable adjustment of the property and other assets and of the liabilities, including bonded indebtedness, as to the old school districts and the new district or districts, if any, involved in or affected by a proposed change in the organization and extent of the school districts; and (b) to make an equitable adjustment of the bonded indebtedness outstanding against any of the aforesaid districts whenever in its judgment such adjustment is advisable, as to all of the school districts involved in or affected by any change heretofore or hereafter effected; and (c) to submit to the state board the proposed terms of adjustment and a statement of the reasons therefor in each case. In making the adjustments herein provided for, the ~~((county))~~ regional committee shall consider the number of children of school age resident in and the assessed valuation of the property located in each school district and in each part of a district involved or affected; the purpose for which the bonded indebtedness of any school district was incurred; the value, location, and disposition of all improvements located in the school districts involved or affected; and any other matters which in the judgment of the committee are of importance or essential to the making of an equitable adjustment.

(3) To hold and keep a record of a public hearing or public hearings (a) on every proposal for the formation of a new school district or for the transfer from one existing district to another of any territory in which children of school age reside or for annexation of territory when the conditions set forth in RCW 28A.57.190 or 28A.57.200 prevail; and (b) on every proposal for adjustment of the assets and of the liabilities of school districts provided for in this chapter. Three members of the ~~((county))~~ regional committee or two members of the committee and the educational service district superintendent may be designated by the committee to hold any public hearing that the committee is required to hold. The ~~((county))~~ regional committee shall cause notice to be ~~((posted))~~ given, at least ten days prior to the date appointed for any such hearing, ~~((a written or printed notice thereof (a) in at least three public places in the territory of each proposed new district or of each established district when such district is involved in a question of adjustment of bonded indebtedness, (b) in at least one public place in territory proposed to be transferred or annexed to an existing school district, (c) on a commonly-used schoolhouse door of each district involved in or affected by any proposed change~~

or adjustment upon which a public hearing is required, and (d) at the place or places of holding the hearing)) in one or more newspapers of general circulation within the geographical boundaries of the school districts affected by the proposed change or adjustment. In addition notice may be given by ((newspaper,)) radio((:)) and television, or either thereof, when in the committee's judgment the public interest will be served thereby.

(4) To divide into five school directors' districts all first and second class school districts now in existence and not heretofore so divided and all first and second class school districts hereafter established: PROVIDED, That no first or second class school district not heretofore so divided and no first or second class school district hereafter created containing a city with a population in excess of seven thousand according to the latest population certificate filed with the secretary of state by the office of financial management shall be divided into directors' districts unless a majority of the registered voters voting thereon at an election shall approve a proposition authorizing the division of the district into directors' districts. The boundaries of each directors' district shall be so established that each such district shall comprise as nearly as practicable an equal portion of the population of the school district.

(5) To rearrange at any time the committee deems such action advisable in order to correct inequalities caused by changes in population and changes in school district boundaries, the boundaries of any of the directors' districts of any school district heretofore or hereafter so divided: PROVIDED, That a petition therefor, shall be required for rearrangement in order to correct inequalities caused by changes in population. Said petition shall be signed by at least ten registered voters residing in the aforesaid school district, and shall be presented to the educational service district superintendent. A public hearing thereon shall be held by the ((county)) regional committee, which hearing shall be called and conducted in the manner prescribed in subsection (3) of this section((:except that notice thereof shall be posted in some public place in each directors' district of the school district and on a commonly used school-house door of the district and at the place of holding the hearing. In addition notice may be given by newspaper, radio, and television, or either thereof, when in the committee's judgment the public interest will be served thereby)).

(6) To prepare and submit to the superintendent of public instruction from time to time or, upon his or her request, reports and recommendations respecting the urgency of need for school plant facilities, the kind and extent of the facilities required, and the development of improved local school administrative units and attendance areas in the case of school districts that seek state assistance in providing school plant facilities."

On page 21, line 28, strike "two pupils" and insert "((two)) five kindergarten through eighth grade pupils during the preceding school year, including the 1984-85 school year and any subsequent school year."

On page 27, after line 19, strike all the material down to and including "plan." on page 28, line 5 and insert the following:

"Sec. 33. Section 28A.56.020, chapter 223, Laws of 1969 ex. sess. as amended by section 91, chapter 7, Laws of 1985 and RCW 28A.56.020 are each amended to read as follows:

The ((said county)) regional committee on school district organization shall give consideration to:

- (1) The report submitted by the board of directors as stated above;
- (2) The exclusion from the plan of nonhigh school districts because of remoteness or isolation or because they are so situated with respect to location, present and/or clearly foreseeable future population, and other pertinent factors as to warrant the establishment of a high school therein within a period of two years or the inclusion of their territory in some other non-high school district within which the establishment of a high school within a period of two years is warranted;

(3) The assessed valuation of the school districts involved;

(4) The cash balance, if any, in the capital projects fund of the district submitting the request which is designated for high school building construction purposes, together with the sources of such balance; and

(5) Any other factors found by the committee to have a bearing on the preparation of an equitable plan."

On page 30, line 20, strike "(... Bill No. ...)" and insert "(Senate Bill No. 4142)"

On page 30, after line 28, insert the following:

"NEW SECTION. Sec. 39. Each educational service district superintendent shall review the enrollment of all school districts within their educational service district and make any report required by RCW 28A.57.200 within thirty days of the effective date of this section.

This section shall expire December 31, 1985.

NEW SECTION. Sec. 40. Sections 24 and 39 of this act 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."

Renumber remaining section.

On page 1, beginning on line 8 of the title, strike "and adding new sections to chapter 28A.57 RCW" and insert "adding new sections to chapter 28A.57 RCW; creating a new section; and declaring an emergency"

Signed by Senators Gaspard, Bender; Representatives Ebersole, Wang, Holland.

MOTION

On motion of Mr. Ebersole, the House adopted the report of the Free Conference Committee on Senate Bill No. 4142.

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 Senate Bill No. 4142 as amended by Free Conference Committee.

Representatives Todd and Schoon spoke against passage of the bill, and Representatives Ebersole, Holland, Taylor and Wang spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 4142 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 89; nays, 8; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Bond, Braddock, Brekke, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Unsoeld, Valle, Van Luvan, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Baugher, Bristow, Cole, Lundquist, Sayan, Schoon, Todd, van Dyke - 8.

Excused: Representative Smith C - 1.

Senate Bill No. 4142 as amended by 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.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3235, and has granted powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3235, providing programs for educational excellence, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The superintendent of public instruction shall by December 1, 1985, recommend to the legislature a basic education allocation formula which provides adequate but not excessive funding for districts having less than twenty-five full time equivalent students.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.58 RCW to read as follows:

Each school district board of directors shall develop a schedule and process by which each public school within its jurisdiction shall undertake self-study procedures on a regular basis: PROVIDED, That districts may allow two or more elementary school buildings in the district to undertake jointly the self-study process. Each school may follow the accreditation process developed by the state board of education under RCW 28A.04.120(4), although no school

is required to file for actual accreditation, or the school may follow a self-study process developed locally. Whatever process is used must focus upon the quality and appropriateness of the school's educational program and the results of its operational efforts.

Any self-study process must include the participation of staff, parents, members of the community, and students, where appropriate to their age.

Emphasis throughout the process shall be placed upon:

- (1) Achieving educational excellence and equity;
- (2) Building stronger links with the community; and
- (3) Reaching consensus upon educational expectations through community involvement and corresponding school management.

The initial self-study process within each district shall begin by September 1, 1986, and should be completed for all schools within a district by the end of the 1990-91 school year.

The state board of education shall develop rules and regulations governing procedural criteria. Such rules and regulations should be flexible so as to accommodate local goals and circumstances. Rules and regulations may allow for waiver of the self-study for economic reasons and may also allow for waiver of the initial self-study if a district or its schools have participated successfully in an official accreditation process or in a similar assessment of educational programs within the last three years. The self-study process shall be conducted on a cyclical basis every seven years following the initial 1990-91 period.

The superintendent of public instruction shall provide training to assist districts in their self-studies.

Each district shall annually report to the superintendent of public instruction on the scheduling and implementation of their self-study activities.

NEW SECTION. Sec. 3. The legislature recognizes the need to keep and attract quality teachers in our public schools. The legislature intends to examine the effectiveness of a career ladder in our public schools. To improve the quality of teaching and foster a professional climate which encourages creativity and cooperation among teachers and enhances the intrinsic rewards teachers experience from helping students learn, the legislature intends to locally test ways in which the goal of attracting and retaining excellent teachers might be accomplished. The legislature recognizes that a career ladder system is one means of enhancing the attractiveness of teaching; however, the legislature wishes to investigate this concept further prior to determining whether to develop such a system.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.67 RCW to read as follows:

(1) The superintendent of public instruction is hereby authorized to grant funds for selected school improvement and research projects, including improvements in curriculum, instruction, and classroom management developed by teachers.

(2) The superintendent shall appoint an advisory committee on research and development composed of certificated and noncertificated staff, administrators, curriculum specialists, parents, school directors, postsecondary educators, business persons, and others as the superintendent finds necessary. The committee shall propose criteria to the superintendent to evaluate proposed school improvement and research projects proposed by educational employees. The criteria approved by the superintendent shall: (a) Assure to the extent possible that projects will be chosen which represent the various geographical locations, school or district sizes, and grade levels existent in the state; (b) provide for evaluation of each project upon completion; and (c) include such other requirements as the superintendent finds necessary. The committee shall recommend to the superintendent of public instruction the awarding of grants to fund those proposals showing the most potential for developing knowledge which will be helpful to local districts in their efforts to enhance educational equity and excellence. Projects may involve the collaboration of personnel from higher education institutions and kindergarten through grade twelve educators.

(3) The superintendent of public instruction shall award grants to selected project participants in such amounts as determined by the superintendent of public instruction, who shall take into consideration grant amounts as recommended by the advisory committee on research and development under subsection (2) of this section. The sum of all grants awarded per year shall not exceed that amount appropriated by the legislature for such purposes. Grants may be awarded to individual teachers or teams of teachers including teacher's aides and volunteers.

(4) The superintendent of public instruction shall maintain a clearinghouse of information on these research projects for the use of local districts.

Sec. 5. Section 14, chapter 244, Laws of 1969 ex. sess. as last amended by section 1, chapter 229, Laws of 1983 and RCW 28A.41.140 are each amended to read as follows:

The basic education allocation for each annual average full time equivalent student shall be determined in accordance with the following procedures:

The governor shall and the superintendent of public instruction may recommend to the legislature a formula based on a ratio of students to staff for the distribution of a basic education allocation for each annual average full time equivalent student enrolled in a common school. The distribution formula shall have the primary objective of equalizing educational

opportunities and shall provide appropriate recognition of the following costs among the various districts within the state:

- (1) Certificated staff and their related costs;
- (2) Classified staff and their related costs;
- (3) Nonsalary costs;
- (4) Extraordinary costs of remote and necessary schools and small high schools; and
- (5) The attendance of students pursuant to RCW 28A.58.075 and 28A.58.245, each as now or hereafter amended, who do not reside within the servicing school district.

This formula for distribution of basic education funds shall be reviewed biennially by the superintendent and governor. The recommended formula shall be subject to approval, amendment or rejection by the legislature. Commencing with the 1980-81 school year, the formula adopted by the legislature shall reflect a ratio of not less than fifty certificated personnel to one thousand annual average full time equivalent students and one classified person to three certificated personnel. In the event the legislature rejects the distribution formula recommended by the governor, without adopting a new distribution formula, the distribution formula for the previous school year shall remain in effect: PROVIDED, That the distribution formula developed pursuant to this section shall be for state apportionment and equalization purposes only and shall not be construed as mandating specific operational functions of local school districts other than those program requirements identified in RCW 28A.58.754. The enrollment of any district shall be the annual average number of full time equivalent students and part time students as provided in RCW 28A.41.145, as now or hereafter amended, enrolled on the first school day of each month. The definition of full time equivalent student shall be determined by rules and regulations of the superintendent of public instruction: PROVIDED, That the definition shall be included as part of the superintendent's biennial budget request: PROVIDED, FURTHER, That any revision of the present definition shall not take effect until approved by the house appropriations committee and the senate ways and means committee: PROVIDED, FURTHER, That the office of financial management shall make a monthly review of the superintendent's reported full time equivalent students in the common schools in conjunction with RCW 43.62.050.

Certificated staff shall include those persons employed by a school district in a teaching, instructional, educational staff associate, learning resources specialist, administrative or supervisory capacity and who hold positions as certificated employees as defined under RCW 28A.01.130, as now or hereafter amended, and every school district superintendent, and any person hired in any manner to fill a position designated as, or which is in fact, that of deputy superintendent or assistant superintendent: PROVIDED, That in exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision: PROVIDED, FURTHER, That the hiring of such noncertificated people shall not occur during a labor dispute and such noncertificated people shall not be hired to replace certificated employees during a labor dispute. Each annual average full time equivalent certificated classroom teacher's direct classroom contact hours shall average at least twenty-five hours per week. Direct classroom contact hours shall be exclusive of time required to be spent for preparation, conferences, or any other nonclassroom instruction duties. Up to two hundred minutes per week may be deducted from the twenty-five contact hour requirement, at the discretion of the school district board of directors, to accommodate authorized teacher/parent-guardian conferences, recess, passing time between classes, and informal instructional activity. Implementing rules to be adopted by the state board of education pursuant to RCW 28A.58.754(6) shall provide that compliance with the direct contact hour requirement shall be based upon teachers' normally assigned weekly instructional schedules, as assigned by the district administration. Additional record-keeping by classroom teachers as a means of accounting for contact hours shall not be required. However, upon request from the board of directors of any school district, the provisions relating to direct classroom contact hours for individual teachers in that district may be waived by the state board of education if the waiver is necessary to implement a locally approved plan for educational excellence and the waiver is limited to those individual teachers approved in the local plan for educational excellence. The state board of education shall develop criteria to evaluate the need for the waiver. Granting of the waiver shall depend upon verification that: (a) The students' classroom instructional time will not be reduced; and (b) the teacher's expertise is critical to the success of the local plan for excellence.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.04 RCW to read as follows:

The state board of education may grant waivers to school districts from the provisions of RCW 28A.58.750 through 28A.58.754 on the basis that such waiver or waivers are necessary to implement successfully a local plan to provide for all students in the district an effective education system that is designed to enhance the educational program for each student. The local plan may include alternative ways to provide effective educational programs for students who experience difficulty with the regular education program.

The state board shall adopt criteria to evaluate the need for the waiver or waivers.

NEW SECTION. Sec. 7. A new section is added to chapter 28A.58 RCW to read as follows:

School boards may by separate contract with certificated instructional and classified staff provide supplemental compensation for additional days or additional duties as set forth in the

bargaining agreement or agreements as negotiated between the district and the respective bargaining representatives, if the district does not incur obligations for the supplements beyond the current school year and if such supplements do not cause the state to incur any present or future funding obligations. Additional days for certificated instructional staff and classified staff shall be those days beyond their respective work year. Such separate contracts shall be subject to the collective bargaining provisions of chapters 41.59 and 41.56 RCW. Such supplemental compensation shall not be deemed an increase in salary or compensation for purposes of RCW 28A.58.095. Separate contracts shall be subject to the provision of RCW 28A.67.074, shall not exceed one year, and if not renewed shall not constitute adverse change in accordance with RCW 28A.58.450 through RCW 28A.58.515.

NEW SECTION, Sec. 8. (1) The sum of one hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1987, from the general fund to the superintendent of public instruction for the purposes of section 2 of this act.

(2) The sum of one hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1987, from the general fund to the superintendent of public instruction for the purposes of section 4 of this act.

NEW SECTION, Sec. 9. 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 page 1, line 1 of the title, after "excellence," strike the remainder of the title and insert "amending RCW 28A.41.140; adding a new section to chapter 28A.04 RCW; adding new sections to chapter 28A.58 RCW; adding a new section to chapter 28A.67 RCW; creating new sections; and making appropriations."

Signed by Senators Gaspard, Bender; Representatives Ebersole, Appelwick, Betrozoff.

MOTION

On motion of Mr. Ebersole, the House adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 3235.

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 Substitute Senate Bill No. 3235 as amended by Free Conference Committee.

Representatives Ebersole and Betrozoff 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. 3235 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Substitute Senate Bill No. 3235 as amended by Free Conference Committee, have received the 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 he was signing:

SENATE BILL NO. 3173,
SUBSTITUTE SENATE BILL NO. 3254,
SENATE BILL NO. 3812.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 848, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 848, requiring the department of corrections to notify certain people of the disposition of inmates convicted of violent offenses, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. A new section is added to chapter 9.94A RCW to read as follows:

(1) At the earliest possible date, and in no event later than ten days before release except in the event of escape or emergency furloughs as defined in RCW 72.66.010, the department of corrections shall send written notice of parole, work release placement, furlough, or escape, if such notice has been requested in writing about a specific inmate convicted of a violent offense, to all of the following:

(a) The chief of police of the city, if any, in which the inmate will reside, if known, or in which placement will be made in a work release program;

(b) The sheriff of the county in which the inmate will reside, if known, or in which placement will be made in a work release program;

(c) The victim, if any, of the crime for which the inmate was convicted or the victim's next of kin if the crime was a homicide;

(d) Any witnesses who testified against the inmate in any court proceedings involving the violent offense; and

(e) Any person specified in writing by the prosecuting attorney.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the inmate.

(2) If an inmate convicted of a violent offense escapes from a correctional facility, the department of corrections shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the inmate resided immediately before the inmate's arrest and conviction. If previously requested, the department shall also notify the witnesses and the victim, if any, of the crime for which the inmate was convicted or the victim's next of kin if the crime was a homicide. If the inmate is recaptured, the department shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(3) The department of corrections shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(4) For purposes of this section the following terms have the following meanings:

(a) 'Violent offense' means a violent offense under RCW 9.94A.030;

(b) 'Next of kin' means a person's spouse, parents, siblings and children.

(5) Nothing in this section shall impose any liability upon a chief of police of a city or sheriff of a county for failing to request in writing a notice as provided in subsection (1) of this section.

NEW SECTION, Sec. 2. A new section is added to chapter 9.94A RCW to read as follows:

The department of corrections shall provide the victims and next of kin in the case of a homicide and witnesses involved in violent offense cases where a judgment and sentence was entered after October 1, 1983, a statement of the rights of victims and witnesses to request and receive notification under sections 1 and 3 of this act.

NEW SECTION, Sec. 3. A new section is added to chapter 9.94A RCW to read as follows:

Requests for notification under section 1 of this act shall be made by sending a written request by certified mail directly to the department of corrections and giving the defendant's name, the name of the county in which the trial took place, and the month of the trial. Notification information and necessary forms shall be available through the department of corrections, county prosecutors' offices, and other agencies as deemed appropriate by the department of corrections.

NEW SECTION, Sec. 4. A new section is added to chapter 9.94A RCW to read as follows:

The notification requirements of section 1 of this act are in addition to any requirements in RCW 43.43.745 or other law.

Sec. 5. Section 3, chapter 137, Laws of 1981 as last amended by section 3, chapter 209, Laws of 1984 and RCW 9.94A.030 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Commission' means the sentencing guidelines commission.

(2) 'Community corrections officer' means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(3) 'Community service' means compulsory service, without compensation, performed for the benefit of the community by the offender.

(4) 'Community supervision' means a period of time during which a convicted offender is subject to crime-related prohibitions and other sentence conditions imposed pursuant to this chapter by a court. For first-time offenders, the supervision may include crime-related prohibitions and other conditions imposed pursuant to RCW 9.94A.120(5).

(5) 'Confinement' means total or partial confinement as defined in this section.

(6) 'Conviction' means an adjudication of guilt pursuant to Titles 10 or 13 RCW.

(7) 'Crime-related prohibition' means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct.

(8) (a) 'Criminal history' means the list of a defendant's prior convictions, whether in this state, in federal court, or elsewhere. The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) 'Criminal history' includes a defendant's convictions or pleas of guilty in juvenile court if: (i) The guilty plea or conviction was for an offense which is a felony and is criminal history as defined in RCW 13.40.020(6)(a); and (ii) the defendant was fifteen years of age or older at the time the offense was committed; and (iii) the defendant had not reached his or her twenty-third birthday at the time the offense for which he or she is being sentenced was committed.

(9) 'Department' means the department of corrections.

(10) 'Determinate sentence' means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community supervision, the number of actual hours or days of community service work, or dollars or terms of a fine or restitution. The fact that an offender through 'earned early release' can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(11) 'Fines' means the requirement that the offender pay a specific sum of money over a specific period of time to the court.

(12) 'First-time offender' means any person convicted of a felony not classified as a violent offense under this chapter, who previously has never been convicted of a felony in this state, federal court, or another state, and who has never participated in a program of deferred prosecution for a felony offense.

(13) 'Offender' means a person who has committed a felony established by state law and is eighteen years of age or older or is less than eighteen years of age but whose case has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. Throughout this chapter, the terms 'offender' and 'defendant' are used interchangeably.

(14) 'Partial confinement' means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, for a substantial portion of each day with the balance of the day spent in the community.

(15) 'Restitution' means the requirement that the offender pay a specific sum of money over a specific period of time to the court as payment of damages. The sum may include both public and private costs. The imposition of a restitution order does not preclude civil redress.

(16) 'Sentence range' means the sentencing court's discretionary range in imposing a non-appealable sentence.

(17) 'Total confinement' means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

(18) 'Victim' means any person who has sustained physical or financial injury to person or property as a direct result of the crime charged.

(19) 'Violent offense' means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, rape in the second degree, kidnapping in the second degree, arson in the second

degree, assault in the second degree, extortion in the first degree, robbery in the second degree, and vehicular homicide:

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in subsection ~~((+†#))~~ (19)(a) of this section; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under subsection ~~((+†#))~~ (19)(a) or (b) of this section.

Sec. 6. Section 10, chapter 152, Laws of 1972 ex. sess. as amended by section 1, chapter 20, Laws of 1973 and RCW 43.43.745 are each amended to read as follows:

(1) It shall be the duty of the sheriff or director of public safety of every county, of the chief of police of each city or town, or of every chief officer of other law enforcement agencies operating within this state, to record the fingerprints of all persons held in or remanded to their custody when convicted of any crime as provided for in RCW 43.43.735 for which the penalty of imprisonment might be imposed and to disseminate and file such fingerprints in the same manner as those recorded upon arrest pursuant to RCW 43.43.735 and 43.43.740.

(2) Every time the secretary authorizes a furlough as provided for in RCW 72.66.012 the department of ~~((social and health services))~~ corrections shall notify, forty-eight hours prior to the beginning of such furlough, the section that the named prisoner has been granted a furlough, the place to which furloughed, and the dates and times during which the prisoner will be on furlough status. In the case of an emergency furlough the forty-eight hour time period shall not be required but notification shall be made as promptly as possible and before the prisoner is released on furlough. Upon receipt of furlough information pursuant to the provisions of this subsection the section shall notify the sheriff or director of public safety of the county to which the prisoner is being furloughed, the nearest attachment of the Washington state patrol in the county wherein the furloughed prisoner shall be residing and such other criminal justice agencies as the section may determine should be so notified.

(3) Disposition of the charge for which the arrest was made shall be reported to the section at whatever stage in the proceedings a final disposition occurs by the arresting law enforcement agency, county prosecutor, city attorney, or court having jurisdiction over the offense: PROVIDED, That the chief shall promulgate rules pursuant to chapter 34.04 RCW to carry out the provisions of this subsection.

(4) Whenever a person serving a sentence for a term of confinement in a state correctional facility for convicted felons, pursuant to court commitment, is released on an order of the state board of prison terms and paroles, or is discharged from custody on expiration of sentence, the department of ~~((social and health services))~~ corrections shall promptly notify the section that the named person has been released or discharged, the place to which such person has been released or discharged, and the conditions of his release or discharge, and shall additionally notify the section of change in residence or conditions of release or discharge of persons on active parole supervision, and shall notify the section when persons are discharged from active parole supervision.

No city, town, county, or local law enforcement authority or other agency thereof may require that a convicted felon entering, sojourning, visiting, in transit, or residing in such city, town, county, or local area report or make himself known as a convicted felon or make application for and/or carry on his person a felon identification card or other registration document. Nothing herein shall, however, be construed to prevent any local law enforcement authority from recording the residency and other information concerning any convicted felon or other person convicted of a criminal offense when such information is obtained from a source other than from such requirement which source may include any officer or other agency or subdivision of the state.

NEW SECTION. Sec. 7. A new section is added to chapter 9.94A RCW to read as follows:

Civil liability shall not result from failure to provide notice required under sections 1 through 6 of this act unless the failure is the result of gross negligence."

Signed by Senators Talmadge, Newhouse, Halsan; Representatives K. Wilson, G. Nelson, Locke.

MOTION

On motion of Ms. K. Wilson, the House adopted the Report of the Free Conference Committee on Substitute House Bill No. 848.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 848 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 848 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 848 as amended by 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.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3184, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3184, providing state-owned housing for certain state employees, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature recognizes that significant benefits accrue to the state and that certain types of state operations are more efficient when personnel services are available on an extended basis. Such operations include certain types of facilities managed by agencies such as the departments of natural resources, corrections, fisheries, game, social and health services, transportation, veterans affairs, and the parks and recreation commission.

The means of assuring that such personnel are available on an extended basis is through the establishment of on-site state-owned or leased living facilities. The legislature also recognizes the restrictions and hardship placed upon those personnel who are required to reside in such state-owned or leased living facilities in order to provide extended personnel services.

The legislature further recognizes that there are instances where it is to the benefit of the state to have state-owned or leased living facilities occupied even though such occupancy is not required by the agency as a condition of employment.

NEW SECTION. Sec. 2. (1) Whenever an agency requires that an employee reside in state-owned or leased living facilities as a condition of employment, such living facilities shall be made available to the employee under the conditions set forth in sections 3 and 4 of this act.

(2) Whenever an agency determines that (a) a living facility owned or leased by the agency is not occupied by employees under subsection (1) of this section and (b) it would be to the agency's benefit to have the facility occupied by an employee of the agency whose duties involve extended personnel services associated with the work site upon which the living facility is located or at work site near to where the living facility is located, the agency may make the facility available to such employee.

(3) Whenever an agency determines that (a) a living facility owned or leased by the agency is not occupied by employees under subsection (1) of this section and (b) the facility has been made available to employees under subsection (2) of this section and that no such employees have opted to reside in the facility, the agency may make the facility available for occupancy to other interested parties.

NEW SECTION. Sec. 3. (1) No rent may be charged to persons living in facilities provided under section 2 (1) and (2) of this act. Such employees shall pay the costs of utilities associated with the living facility.

(2) Rent and utility charges to residents of living facilities under section 2(3) of this act shall be established by the agency responsible for managing the living facility.

(3) Utility charges required by this section shall be based upon six cents per month per square foot to a maximum of thirteen hundred square feet, outside dimension. Utility costs may be adjusted by the department of general administration on a yearly basis to reflect an average of utility rate changes affecting all state-owned housing in the state. Individuals residing in living facilities available under section 2 of this act shall pay all utility costs attributable to the personal enhancements of the individual.

(4) Any person occupying state-owned or leased living facilities shall do so with the understanding that he or she assumes custodial housekeeping responsibility as directed by the agency. Such responsibility shall not include maintenance, repairs, or improvements to the facilities. An occupant of a state-owned or leased facility is liable for damages to the facility in excess of normal wear and tear.

NEW SECTION. Sec. 4. The state shall maintain living facilities occupied under section 2 of this act in a safe, healthful condition.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act shall constitute a new chapter in Title 43 RCW.

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 its existing public institutions, and shall take effect immediately."

Signed by Senators Thompson, Zimmerman, Rinehart; Representatives Belcher, Peery, Hankins.

MOTION

On motion of Ms. Belcher, the House adopted the Report of the Free Conference Committee on Substitute Senate Bill No. 3184.

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 Substitute Senate Bill No. 3184 as amended by Free Conference Committee.

Representative Sanders opposed passage of the bill, and Representative Sayan spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3184 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 65; nays, 32; excused, 1.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Basich, Baugher, Belcher, Braddock, Brekke, Brooks, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Haugen, Hine, King J. King P., King R., Kremen, Leonard, Lundquist, Lux, Madsen, McMullen, Miller, Nelson D., Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Scott, Smith L., Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, Wilson K., Wilson S., Wineberry, Winsley, and Mr. Speaker - 65.

Voting nay: Representatives Addison, Ballard, Barrett, Betrozoff, Bond, Bristow, Brough, Chandler, Dobbs, Doly, Hargrove, Hastings, Holland, Isaacson, Jacobsen, Lewis, Locke, Long, May, Nealey, Nelson G., Padden, Sanders, Schmidt, Schoon, Silver, van Dyke, Van Luven, West, Williams B., Williams J., Zellinsky - 32.

Excused: Representative Smith C - 1.

Substitute Senate Bill No. 3184 as amended by 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.

SENATE AMENDMENTS TO HOUSE BILL

April 25, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 174, with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The superintendent of public instruction shall adopt rules to establish and operate a beginning teachers assistance pilot program to operate during the first year after this section takes effect for one hundred mentor teachers and during the second year after this section takes effect for up to one thousand mentor teachers. The results of the program shall

be reported to the legislature not later than two and one-half years from the effective date of this section. The program shall provide for:

(1) Assistance by a mentor teacher who will provide a source of continuing and sustained support to a beginning teacher, both in and outside the classroom. Mentor teachers shall be selected so as to represent a reasonable distribution throughout all nine educational service districts;

(2) Stipends for mentor teachers which shall not be deemed compensation for the purposes of salary and compliance under RCW 28A.58.095: PROVIDED, That stipends shall not be subject to the continuing contract provisions of Title 28A RCW;

(3) Workshops for the training of mentor teachers;

(4) The use of substitutes to give the mentor teacher and beginning teacher opportunities to jointly observe and evaluate teaching situations and to give the mentor teacher opportunities to observe and assist the beginning teacher in the classroom; and

(5) A mentor teacher to be a superior teacher based on his or her evaluation and to hold a valid continuing certificate.

NEW SECTION, Sec. 2. A new section is added to chapter 28A.58 RCW to read as follows:

The board of directors of any school district may establish a commendable employee service and recognition award program for certificated and classified school employees. The program shall be designed to recognize exemplary service, special achievements, or outstanding contributions by an individual in the performance of his or her duties as an employee of the school district. The board of directors of the school district shall determine the extent and type of any nonmonetary award. The value of any nonmonetary award shall not be deemed salary or compensation for the purposes of RCW 28A.58.095 or chapter 41.32 RCW.

NEW SECTION, Sec. 3. If specific funding for the purposes of section 1 of this act, referencing this act by bill number, is not provided by the legislature by July 1, 1987, section 1 of this act shall be null and void. Section 1 of this act shall be of no effect unless such specific funding is so provided. If such funding is so provided, section 1 of this act shall take effect when the legislation providing the funding takes effect.

On page 1, line 1 of the title, after "excellence," insert "adding a new section to chapter 28A.58 RCW;"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

Mr. Ebersole moved that the House do concur in the Senate amendments to Engrossed Second Substitute House Bill No. 174.

Representatives Ebersole and Betrozoff spoke in favor of the motion, and it 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 Second Substitute House Bill No. 174 as amended by the Senate.

Representatives Ebersole, Betrozoff and Valle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 174 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Second Substitute House Bill No. 174 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

April 25, 1985

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 849, with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature recognizes the importance of teachers in the educational system. Teachers are the fundamental element in assuring a quality education for the state's and the nation's children. Teachers, through their direct contact with children, have a great impact on the development of the child. The legislature finds that this important role of the teacher requires an assurance that teachers are as successful as possible in attaining the goal of a well-educated society. The legislature finds, therefore, that the evaluation of those persons seeking to enter the teaching profession is no less important than the evaluation of those persons currently teaching. The evaluation of persons seeking teaching credentials should be strenuous while making accommodations uniquely appropriate to the applicants. Strenuous teacher training and preparation should be complemented by examinations of prospective teachers prior to candidates being granted official certification by the state board of education. Teacher preparation program entrance evaluations, teacher training, teacher preparation program exit examinations, official certification, in-service training, and ongoing evaluations of individual progress and professional growth are all part of developing and maintaining a strong precertification and postcertification professional education system.

The legislature further finds that an evaluation system for teachers has the following elements, goals, and objectives: (1) An evaluation system must be meaningful, helpful, and objective; (2) an evaluation system must encourage improvements in teaching skills, techniques, and abilities by identifying areas needing improvement; (3) an evaluation system must provide a mechanism to make meaningful distinctions among teachers and to acknowledge, recognize, and encourage superior teaching performance; and (4) an evaluation system must encourage respect in the evaluation process by the persons conducting the evaluations and the persons subject to the evaluations through recognizing the importance of objective standards and minimizing subjectivity.

NEW SECTION. Sec. 2. The state board of education shall conduct a comprehensive study of teacher preparation issues, in cooperation with institutions of higher education offering teacher preparation programs, the council for postsecondary education or its successor agency, and other groups or organizations having an interest in teacher preparation issues, and report its findings and recommendations to the legislature by January 1 in the year following the effective date of this act. The report shall include any proposed legislation and costs required to implement any recommendations and shall also include a list of any recommendations that can be implemented without legislative action. The study shall include but not be limited to:

(1) Development of a recommended plan for an undergraduate five-year teacher preparation program that provides for one full year of full time student teaching experience or equivalent supervised field experience and which includes alternatives for compensating students for the period they are engaged in student teaching;

(2) Examining explicit criteria for entrance into and exit from teacher preparation programs including, as precertification requirements, testing and assessments of competency in:

(a) Various subjects with an analysis of how many tests would be needed for current or revised endorsement areas and a determination of cost on use of state-developed tests or use of existing tests;

(b) Pedagogy, including the ability to encourage students to learn and relate to others in a mutually respectful manner; or

(c) Requiring the institutions of higher education offering teacher preparation programs to certify to the state board of education, under state board rules adopted pursuant to chapter 34.04 RCW, that graduates from the respective teacher preparation programs are qualified in their major field of academic study;

(3) A review of issues relating to endorsements on certificates including consideration of the feasibility of modifying the criteria and requirements for granting endorsements to recognize:

(a) Successful teaching experience in a field in which the teacher does not hold an endorsement, as evidenced by successful evaluations and other relevant factors as determined by the state board of education;

(b) Credit for work completed through an in-service training program approved under RCW 28A.71.210;

(c) Successful completion of courses offered through educational service districts, community colleges, private business, and other cooperative arrangements or through the innovative use of communications technologies;

(d) Successful completion of subject area tests as may be validated and approved by the state board of education; or

- (e) Other factors as determined by the state board of education;
- (4) A review of breadth and depth of subject matter and program requirements including a determination of what curriculum, inclusive of current generic competencies, is essential to prepare candidates for initial certification;
- (5) An examination of ways to strengthen the role of program units;
- (6) Developing means to better evaluate and assist student teachers including development of a model for team evaluation of student teachers and including training of persons responsible for supervising student teachers;
- (7) Reviewing continuing education requirements for teachers and the relationship of requirements for continuing education to in-service training requirements and the salary schedule developed by the legislative evaluation and accountability program committee;
- (8) Reviewing assignment policies for teachers;
- (9) Reviewing policies for granting certificates to persons from out-of-state;
- (10) Developing strategies to attract more students to teacher preparation programs and to generally promote awareness of and interest in teaching as a career alternative and to enhance the image of teaching;

(11) Looking at ways to assist higher education institutions offering teacher preparation programs to conduct follow-up studies of their graduates to assess the strengths and weaknesses of the respective teacher preparation programs; and

(12) An evaluation of recent, current, and anticipated activities by institutions offering teacher preparation programs and the state board of education to respectively improve individual programs and the state-wide system for teacher preparation.

NEW SECTION, Sec. 3. A new section is added to chapter 28A.67 RCW to read as follows:

School districts shall require each administrator, each principal, or other supervisory personnel who has responsibility for evaluating classroom teachers to have training in evaluation procedures. The superintendent of public instruction shall provide technical assistance to the local school districts and to the educational service districts in providing training to evaluators.

NEW SECTION, Sec. 4. A new section is added to chapter 28A.67 RCW to read as follows:

No administrator, principal, or other supervisory personnel may evaluate a teacher without having received training in evaluation procedures.

NEW SECTION, Sec. 5. A new section is added to chapter 28A.67 RCW to read as follows:

After an evaluation conducted pursuant to RCW 28A.67.065, the school district may require the teacher to take in-service training provided by the district in the area of teaching skills needing improvement.

Sec. 6. Section 22, chapter 34, Laws of 1969 ex. sess. as last amended by section 3, chapter 114, Laws of 1975-76 2nd ex. sess. and RCW 28A.67.065 are each amended to read as follows:

(1) The superintendent of public instruction shall (~~on or before January 1, 1977;~~) establish and may amend from time to time minimum criteria for the evaluation of the professional performance capabilities and development of certificated classroom teachers and certificated support personnel. For classroom teachers the criteria shall be developed in the following categories: instructional skill; classroom management, professional preparation and scholarship; effort toward improvement when needed; the handling of student discipline and attendant problems; and interest in teaching pupils and knowledge of subject matter. (~~Such criteria shall be subject to review by November 1, 1976, by four members of the legislature, one from each caucus of each house, including the chairpersons of the respective education committees.~~)

Every board of directors shall, in accordance with procedure provided in RCW 41.59.010 through 41.59.170, 41.59.910 and 41.59.920, establish evaluative criteria and procedures for all certificated classroom teachers and certificated support personnel. The evaluative criteria must contain as a minimum the criteria established by the superintendent of public instruction pursuant to this section and must be prepared within six months following adoption of the superintendent of public instruction's minimum criteria. The district must certify to the superintendent of public instruction that evaluative criteria have been so prepared by the district.

Except as provided in subsection (5) of this section, it shall be the responsibility of a principal or his or her designee to evaluate all certificated personnel in his or her school. During each school year all classroom teachers and certificated support personnel, hereinafter referred to as 'employees' in this section, shall be observed for the purposes of evaluation at least twice in the performance of their assigned duties. Total observation time for each employee for each school year shall be not less than sixty minutes. Following each observation, or series of observations, the principal or other evaluator shall promptly document the results of the evaluation in writing, and shall provide the employee with a copy thereof within three days after such report is prepared. New employees shall be observed at least once for a total observation time of thirty minutes during the first ninety calendar days of their employment period.

Every employee whose work is judged unsatisfactory based on district evaluation criteria shall be notified in writing of stated specific areas of deficiencies along with a suggested specific and reasonable program for improvement on or before February 1st of each year. A probationary period shall be established beginning on or before February 1st and ending no later than May 1st. The purpose of the probationary period is to give the employee opportunity to

demonstrate improvements in his or her areas of deficiency. The establishment of the probationary period and the giving of the notice to the employee of deficiency shall be by the school district superintendent and need not be submitted to the board of directors for approval. During the probationary period the evaluator shall meet with the employee at least twice monthly to supervise and make a written evaluation of the progress, if any, made by the employee. The evaluator may authorize one additional certificated employee to evaluate the probationer and to aid the employee in improving his or her areas of deficiency; such additional certificated employee shall be immune from any civil liability that might otherwise be incurred or imposed with regard to the good faith performance of such evaluation. The probationer may be removed from probation if he or she has demonstrated improvement to the satisfaction of the principal in those areas specifically detailed in his or her initial notice of deficiency and subsequently detailed in his or her improvement program. Lack of necessary improvement shall be specifically documented in writing with notification to the probationer and shall constitute grounds for a finding of probable cause under RCW 28A.58.450 or 28A.67.070, as now or hereafter amended.

The establishment of a probationary period shall not be deemed to adversely affect the contract status of an employee within the meaning of RCW 28A.58.450, as now or hereafter amended.

(2) Every board of directors shall establish evaluative criteria and procedures for all superintendents, principals, and other administrators. It shall be the responsibility of the district superintendent or his or her designee to evaluate all administrators. Such evaluation shall be based on the administrative position job description. Such criteria, when applicable, shall include at least the following categories: Knowledge of, experience in, and training in recognizing good professional performance, capabilities and development; school administration and management; school finance; professional preparation and scholarship; effort toward improvement when needed; interest in pupils, employees, patrons and subjects taught in school; leadership; and ability and performance of evaluation of school personnel.

(3) Each certificated employee shall have the opportunity for confidential conferences with his or her immediate supervisor on no less than two occasions in each school year. Such confidential conference shall have as its sole purpose the aiding of the administrator in his or her professional performance.

(4) The failure of any evaluator to evaluate or supervise or cause the evaluation or supervision of certificated employees or administrators in accordance with this section, as now or hereafter amended, when it is his or her specific assigned or delegated responsibility to do so, shall be sufficient cause for the nonrenewal of any such evaluator's contract under RCW 28A.67.070, as now or hereafter amended, or the discharge of such evaluator under RCW 28A.58.450, as now or hereafter amended.

(5) After an employee has four years of satisfactory evaluations under subsection (1) of this section, a school district may use a short form of evaluation. The short form of evaluation shall include either a thirty minute observation during the school year with a written summary or a final annual written evaluation based on the criteria in subsection (1) of this section and based on at least two observation periods during the school year totaling at least sixty minutes without a written summary of such observations being prepared. However, the evaluation process set forth in subsection (1) of this section shall be followed at least once every three years and an employee or evaluator may request that the evaluation process set forth in subsection (1) of this section be conducted in any given school year. The short form evaluation process may not be used as a basis for determining that an employee's work is unsatisfactory under subsection (1) of this section nor as probable cause for the nonrenewal of an employee's contract under RCW 28A.67.070.

NEW SECTION. Sec. 7. A new section is added to chapter 28A.67 RCW to read as follows:

(1) The superintendent of public instruction shall develop and test in local districts minimum standards based on available research to be used by local districts in evaluations conducted pursuant to RCW 28A.67.065. The superintendent of public instruction shall compensate any district participating in such tests for the actual expenses incurred by the district. The minimum standards for evaluation shall include: (a) A statement of the purpose of evaluations; (b) the frequency of evaluations, with recognition of the need for more frequent evaluations for beginning teachers; (c) the conduct of the evaluation; (d) the procedure to be used in making the evaluation; and (e) the use of the results of the evaluation.

In developing the minimum standards, the superintendent of public instruction shall consider a variety of proposals, such as proposals providing for peer review and evaluation, input by parents, input by students in appropriate circumstances, instructional assistance teams, and outside professional evaluation.

The superintendent of public instruction shall adopt the minimum standards not later than July 1, 1986. This subsection shall not preclude a local district from adopting local procedures or alternative programs which exceed the minimum standards.

(2) The superintendent of public instruction shall develop or purchase and test in local districts model evaluation programs, including standardized evaluation instruments, which meet the minimum standards established pursuant to subsection (1) of this section and the minimum

criteria established pursuant to RCW 28A.67.065. Such programs shall include specific indicators of performance or detailed work expectations against which performance can be measured. The superintendent of public instruction shall compensate any district participating in such tests for the actual expenses incurred by the district. Not later than July 1, 1988, the superintendent of public instruction shall select from one to five model evaluation programs which may be used by local districts in conducting evaluations pursuant to RCW 28A.67.065. Local school districts shall establish an evaluation program by selecting one of the models approved by the superintendent of public instruction or by adopting an evaluation program pursuant to the bargaining process set forth in chapters 41.56 and 41.59 RCW. Local school districts may adopt an evaluation program which contains criteria and standards in excess of the minimum criteria and standards established by the superintendent of public instruction.

NEW SECTION. Sec. 8. A new section is added to chapter 28A.67 RCW to read as follows:

The superintendent of public instruction shall provide technical assistance to local districts for implementation of the minimum standards and model evaluation programs selected under section 7 of this act.

NEW SECTION. Sec. 9. The superintendent of public instruction shall report to the legislature not later than January 1, in the year following the effective date of this act on any additional legislation or other action necessary to implement this act.

NEW SECTION. Sec. 10. Section 4 of this act shall take effect September 1, 1986.

NEW SECTION. Sec. 11. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by the legislature by July 1, 1987, sections 1 through 5 and 7 through 10 of this act shall be null and void. This act shall be of no effect unless such specific funding is so provided. If such funding is so provided, this act shall take effect when the legislation providing the funding takes effect.

NEW SECTION. Sec. 12. 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. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ebersole, the House concurred in the Senate amendment to Engrossed Second Substitute House Bill No. 849.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 849 as amended by the Senate.

Representatives Ebersole and Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 849 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Engrossed Second Substitute House Bill No. 849 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 25, 1985

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1056, with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 28A.58 RCW to read as follows:

(1) The legislature believes that teachers, principals and other school administrators, parents, students, school district personnel, school board members, and members of the community, utilizing the results of continuing research on effective education, can best identify the educational goals, needs, and conditions of the community and develop and implement a basic education program that will provide excellence.

(2) To meet the goals set forth in this section, it is the intent and purpose of the legislature to encourage improvement of Washington's public school system by returning more control over the operation of local education programs to local districts through a program of pilot projects in school-based management.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.03 RCW to read as follows:

To carry out the school-based management pilot projects of section 3 of this act, the superintendent of public instruction shall:

(1) Grant funds to local school districts that apply for funding on a grant proposal or other basis, to establish pilot projects in school-based management: PROVIDED, That in at least one project every building in a district shall use school-based management;

(2) Develop guidelines, in consultation with school districts, for school-based management programs;

(3) Assist districts and schools, upon request, to design, implement, or evaluate school improvement programs authorized by section 3 of this act;

(4) Submit a report to the legislature not later than two and one-half years after the effective date of this act, on the results of the pilot projects, any other similar programs being used in local districts, and any recommendations;

(5) These school-based management pilot projects are not part of the program of basic education which the state must fund under Article IX of the state Constitution.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.58 RCW to read as follows:

(1) Each pilot project school that participates in the school-based management program authorized by section 2 of this act shall be required to establish a school site council. The council shall be minimally composed of the school principal, teachers, other school personnel, parents of pupils attending the school, nonparent community members from the school's service area, and, in secondary schools, pupils. Existing school-wide advisory groups or school support groups may be used as the school site council if such groups conform to the general membership requirements of this section.

(2) The exact size of the council and the term and method of selection and replacement of council members shall be specified in the school improvement plan developed pursuant to subsection (3) of this section.

(3) Each school site council shall be required to develop an annual school improvement plan containing improvement objectives as established by the council under guidelines developed by the superintendent of public instruction.

(4) The board of directors of each school district in which a school is participating in the school-based management program authorized by section 2 of this act shall review and approve or disapprove planning applications and school improvement plans consistent with, but not limited to, rules and regulations adopted by the superintendent of public instruction. No school improvement plan may be approved unless it was developed and recommended by a school site council. The board of directors shall notify the school site council in writing of specific reasons for not approving the school improvement plan. Modifications to the plan shall be developed and recommended by the council and approved or disapproved by the board of directors.

NEW SECTION. Sec. 4. This act shall expire two years after the effective date of this act.

NEW SECTION. Sec. 5. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by the legislature by July 1, 1987, this act shall be null and void. This act shall be of no effect until such specific funding is provided. If such funding is so provided, this act shall take effect when the legislation providing the funding takes effect."

On page 1, line 2 of the title, after "28A.58 RCW;" insert "creating a new section;" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ebersole, the House concurred in the Senate amendments to Second Substitute House Bill NO. 1056.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 1056 as amended by the Senate.

Representatives Ebersole and Betrozoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1056 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 3; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Dobbs, Fuhrman, Lundquist - 3.

Excused: Representative Smith C - 1.

Second Substitute House Bill No. 1056 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

April 25, 1985

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1065, with the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The climate for learning within our schools is an important ingredient in a child's education. It is essential that teachers have the knowledge and skills to effectively manage the classroom environment to maximize the use of time for educational purposes.

NEW SECTION. Sec. 2. (1) The superintendent of public instruction, in consultation with school districts, shall develop and administer an in-service training program designed to provide to two individuals per public school building during the two years after the effective date of this act, up to three days of training in techniques to identify and improve current levels of academic efficiency and of effective classroom management: PROVIDED, That for school buildings with enrollment of two hundred fifty full time equivalent students or fewer, one person shall be selected to receive the in-service training: PROVIDED FURTHER, That the in-service program created under this section shall be separate from any other in-service training program the legislature may establish or fund. School districts shall use existing models relating to techniques for enhancing classroom management and academic efficiency to provide the in-service training.

(2) Individuals eligible to attend are teachers, administrators, and teachers' aides. Each school is free to determine the makeup of its team. School building administrators are encouraged to use the individuals who receive the training as trainers to present an in-service training session for other school staff.

(3) The in-service training program authorized by subsection (1) of this section shall not be part of the program of basic education required under Article IX of the state Constitution.

This section shall expire two years after the effective date of this act.

NEW SECTION. Sec. 3. The superintendent of public instruction shall report to the legislature not later than two and one-half years from the effective date of this act, on the results of the in-service program created under section 2 of this act.

NEW SECTION. Sec. 4. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by the legislature by July 1, 1987, this act shall be null and void. This act shall be of no effect unless such specific funding is so provided. If such funding is so provided, this act shall take effect when the legislation providing the funding takes effect." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Ebersole, the House concurred in the Senate amendment to Second Substitute House Bill No. 1065.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 1065 as amended by the Senate.

Representatives Ebersole, Betrozoff, Rayburn and Basich spoke in favor of the bill.

Mr Ebersole spoke again in favor of the bill, and Mr. Schoon opposed it.

Mr. Lewis spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1065 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Fuhrman, van Dyke - 2.

Excused: Representative Smith C - 1.

Second Substitute House Bill No. 1065 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 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 242, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 242, modifying provisions concerning rights of crime victims, their survivors, and witnesses of crimes, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Talmadge, Newhouse, Halsan; Representatives Locke, Niemi, Tilly.

MOTION

On motion of Mr. Locke, the report of the Conference Committee on Substitute House Bill No. 242 was adopted, and the committee was granted powers of Free Conference.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on HOUSE JOINT RESOLUTION NO. 23, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 25, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred HOUSE JOINT RESOLUTION NO. 23, authorizing ad valorem taxing districts for public improvements, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Goltz, McManus; Representatives McMullen, Tanner, Dobbs.

MOTION

On motion of Mr. McMullen, the report of the Conference Committee on House JOINT RESOLUTION NO. 23 was adopted, and the committee was granted powers of Free Conference.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 461, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 24, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 461, modifying provisions on loans and grants to political subdivisions for public facilities, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Bottiger, Vognild; Representatives McMullen, J. King.

MOTION

On motion of Mr. McMullen, the report of the Conference Committee on Substitute House Bill No. 461 was adopted, and the committee was granted powers of Free Conference.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on HOUSE BILL NO. 832, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred HOUSE BILL NO. 832, authorizing the acceptance of gifts by the world fair commission, have had the same under consideration, and we recommend that the Senate amendment be adopted with the following amendment:

On line 12 after "grants," strike "loans," and on line 24 after the period insert "As used in this section, gifts, grants and endowments may be temporary or permanent."

Signed by Senators Williams, Cantu, Wojahn; Representatives Kremen, McMullen.

MOTION

On motion of Mr. Kremen, the House adopted the Report of the Free Conference Committee on House Bill No. 832.

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of House Bill No. 832 as amended by Free Conference Committee.

Mr. Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 832 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristol, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Loven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

House Bill No. 832 as amended by 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.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 805, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 805, requiring training in recognizing potential victims of child abuse, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. A new section is added to chapter 28A.04 RCW to read as follows:

The legislature finds that learning is more difficult for many children because they are the victims of child abuse. Educators are often in a position to identify and assist these children in coping with their unfortunate circumstances. Educators should be trained to deal with this responsibility. The legislature, therefore, encourages the state board of education to include in its program standards for professional preparation programs instruction in child abuse issues.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.71 RCW to read as follows:

The superintendent of public instruction, the educational service districts, and local school districts are encouraged to devise programs of in-service training for public school certificated and classified personnel who come into contact with students in grades kindergarten through twelve for the purpose of providing instruction on how to effectively teach children the skills to resist and report attempts to abuse them.

Sec. 3. Section 2, chapter 92, Laws of 1974 ex. sess. as last amended by section 1, chapter 16, Laws of 1985 and RCW 28A.02.201 are each amended to read as follows:

The legislature hereby recognizes that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students in the state and to insure a sufficient basic education to meet usual graduation requirements. The state, any

agency or official thereof, shall not restrict or dictate any specific educational or other programs for private schools except as hereinafter in this section provided.

Principals of private schools or superintendents of private school districts shall file each year with the state superintendent of public instruction a statement certifying that the minimum requirements hereinafter set forth are being met, noting any deviations. After review of the statement, the state superintendent will notify schools or school districts of those deviations which must be corrected. In case of major deviations, the school or school district may request and the state board of education may grant provisional status for one year in order that the school or school district may take action to meet the requirements. Minimum requirements shall be as follows:

(1) The minimum school year for instructional purposes shall consist of no less than one hundred eighty school days or the equivalent in annual minimum program hour offerings as prescribed in RCW 28A.58.754.

(2) The school day shall be the same as that required in RCW 28A.01.010 and 28A.58.754, each as now or hereafter amended, except that the percentages of total program hour offerings as prescribed in RCW 28A.58.754 for basic skills, work skills, and optional subjects and activities shall not apply to private schools or private sectarian schools.

(3) All classroom teachers shall hold appropriate Washington state certification except as follows:

(a) Teachers for religious courses or courses for which no counterpart exists in public schools shall not be required to obtain a state certificate to teach those courses.

(b) In exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances.

(4) Appropriate measures shall be taken to safeguard all permanent records against loss or damage.

(5) The physical facilities of the school or district shall be adequate to meet the program offered by the school or district: PROVIDED, That each school building shall meet reasonable health and fire safety requirements.

(6) Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health with special reference to the prevention of child abuse, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements.

(7) Each school or school district shall be required to maintain up-to-date policy statements related to the administration and operation of the school or school district.

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.

Sec. 4. Section 28A.05.010, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 71, Laws of 1969 and RCW 28A.05.010 are each amended to read as follows:

All common schools shall give instruction in reading, penmanship, orthography, written and mental arithmetic, geography, English grammar, physiology and hygiene with special reference to the effects of alcoholic stimulants and narcotics on the human system and the prevention of child abuse, the history of the United States, and such other studies as may be prescribed by rule or regulation of the state board of education. All teachers shall stress the importance of the cultivation of manners, the fundamental principles of honesty, honor, industry and economy, the minimum requisites for good health including the beneficial effect of physical exercise, and the worth of kindness to all living creatures.

NEW SECTION. Sec. 5. If specific funding for the purpose of the amendment to RCW 28A.05.010 by section 4 of this act referencing this act by bill number, is not provided by the legislature by July 1, 1985, the amendments to RCW 28A.02.201 by section 3 of this act and to RCW 28A.05.010 by section 4 of this act shall be null and void.

NEW SECTION. Sec. 6. The legislature recognizes that its intent to require that specific subject matter be taught in the common schools of this state must be accompanied by a commitment to provide the funding to train teachers in every school in that particular curriculum. Therefore, if sections 3 and 4 of this act are not implemented during 1985 as required in section 5 of this act, the legislature directs the superintendent of public instruction to conduct a study of available staff trained in the prevention of child abuse curriculum in all two hundred ninety-nine school districts and one thousand six hundred ninety-eight school buildings in the state and to report back to the legislature prior to the 1986 session as to the means and cost associated with providing adequate training to meet staff needs in this area.

NEW SECTION. Sec. 7. 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 page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28A.02.201 and 28A.05.010; adding a new section to chapter 28A.04 RCW; adding a new section to chapter 28A.71 RCW; and creating new sections."

Signed by Senators Gaspard, Bender; Representatives Scott, Ebersole, Walker.

MOTION

On motion of Ms. Scott, the House adopted the Report of the Free Conference Committee on Substitute House Bill No. 805.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 805 as amended by Free Conference Committee.

Representatives Scott and Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 805 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute House Bill No. 805 as amended by 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.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has rejected the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3066, and refused to adopt such report, and returned the bill to the Free Conference Committee.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3066, modifying provisions relating to gambling, 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.

Signed by Senators Warnke, Moore; Representatives Wang, R. King, Patrick.

MOTION

On motion of Mr. Wang, the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3066 was adopted, and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has refused to adopt the Conference Committee report on SUBSTITUTE SENATE BILL NO. 3384, and has refused to grant the powers of Free Conference to amend the bill as recommended by the Conference Committee.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3384, establishing a salmon and steelhead rehabilitation and enhancement policy board, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Owen, Stratton; Representatives Lundquist, Sayan, Sutherland.

MOTION

On motion of Mr. Sutherland, the report of the Conference Committee on Substitute Senate Bill No. 3384 was adopted, and the committee was granted powers of Free Conference.

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

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3712,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SSB 3712 by Committee on Ways & Means (originally sponsored by Senator McDermott)

Setting fee amounts at state institutions of higher education.

Referred to Committee on Ways & Means.

Representative Ballard was excused.

MESSAGES FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SENATE BILL NO. 3167, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3367, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 3390, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 24, 1985

Mr. Speaker:

The Senate refuses to grant a conference on SUBSTITUTE HOUSE BILL NO. 227, and insists on its position, and once again asks the House to concur in the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Lux, the House refused to concur in the Senate amendments to Substitute House Bill No. 227, and again asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Lux, Winsley and Crane as conferees on Substitute House Bill No. 227.

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

THIRD READING

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 3827 AS AMENDED BY THE HOUSE, by Committee on Ways & Means (originally sponsored by Senators Kreidler, Talmadge, Bluechel, Moore, McManus, Stratton, Warnke, Bender, Fleming, Rasmussen, Williams, Vognild, Cantu, Saling, Granlund, Goltz, Kiskaddon, Gaspard, Johnson, Conner, Bailey, Lee, Garrett, von Reichbauer, Zimmerman and Bauer; by Governor request)

Authorizing bonds for water pollution control facilities.

The House resumed consideration of the bill on third reading.

Representatives Barrett, G. Nelson, Long, Isaacson and Lundquist spoke against passage of the bill, and Representatives Lux, Miller, Taylor, Hine and Smitherman spoke in favor of it.

Mr. Padden demanded an oral roll vote and the demand was sustained.

Mr. Locke spoke in favor of passage of the bill, and Mr. Lewis spoke against it.

Mr. J. King 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 Allen, Ballard, Brooks, Chandler, McMullen, Sayan, C. Smith and Tanner.

On motion of Mr. J. King, the absent members were excused and the House proceeded with business under the Call of the House.

MOTION

On motion of Mr. J. King, the House dispensed with further business under the Call of the House.

Representatives Allen, Brooks, Chandler, McMullen, Sayan and Tanner appeared at the bar of the House.

The Speaker stated the question before the House to be the final passage of Engrossed Third Substitute Senate Bill No. 3827 as amended by the House.

There being no objection, Mr. Padden withdrew the motion for an oral roll call vote.

Ms. Unsoeld spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Third Substitute Senate Bill No. 3827 as amended by the House, and the bill passed the House by the following vote: Yeas, 51; nays, 45; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Basich, Belcher, Braddock, Brekke, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Haugen, Hine, Jacobsen, King J, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Rust, Sayan, Scott, Smitherman, Sommers, Tanner, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 51.

Voting nay: Representatives Addison, Barrett, Baugher, Betzozoff, Bond, Bristow, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hargrove, Hastings, Holland, Isaacson, King P, Lewis, Long, Lundquist, May, Nealey, Nelson G, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith L, Sutherland, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 45.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Third Substitute Senate Bill No. 3827 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. J. King, Engrossed Third Substitute House Bill No. 3827 was ordered immediately transmitted to the Senate.

The Speaker declared the House to be at ease until 7:45 p.m.

EVENING SESSION

The House was called to order at 7:45 p.m. by the Speaker.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-71, by Representatives Ebersole and Betzozoff

WHEREAS, The Washington State public school system is composed of 299 school districts, 1,690 schools, 740,886 students and 61,274 employees; and

WHEREAS, The public school system is funded by over forty-two percent of the Washington State general fund; and

WHEREAS, Our school system is one of the best in the nation, if not the best; and

WHEREAS, Public schools are rapidly changing, reflective of a changing society; and

WHEREAS, Any institution, however outstanding, is always subject to improvements; and

WHEREAS, The educational reforms and improvements suggested during the Regular Session of the Legislature in 1985 cannot all be approved because of their complexity and their costs; and

WHEREAS, The decisions made by the Legislature have a direct and long-lasting effect on hundreds of thousands of our citizens;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That all members of the House of Representatives will make every effort to visit, to spend time and even to request permission to teach in their local schools during the interim before the legislative session in 1986; and

BE IT FURTHER RESOLVED, That the educational decisions to be made by the House of Representatives in 1986 will be sound, wise and timely, due in part to this first-hand interim experience by all members of the House of Representatives.

Mr. Ebersole moved adoption of the resolution. Representatives Ebersole, Cole, Betzozoff and Wineberry spoke in favor of the resolution, and it was adopted.

MESSAGES FROM THE SENATE

April 27, 1985

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 66,
 SUBSTITUTE HOUSE BILL NO. 69,
 HOUSE BILL NO. 318,
 SUBSTITUTE HOUSE BILL NO. 358,
 SUBSTITUTE HOUSE BILL NO. 546,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 3400, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 3400, changing provisions relating to state mineral, oil and gas leases, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 167, chapter 255, Laws of 1927 and RCW 79.01.668 are each amended to read as follows:

At any time during the life of the option contract, the holder thereof may apply to the commissioner of public lands for a coal mining lease of the lands included therein, or such portion thereof as he may specify, for the purpose of mining and extraction of coal therefrom. Such coal mining lease shall be for such term, not more than twenty years, and in such form as may be prescribed by the commissioner of public lands, shall entitle the lessee to mine and sell and dispose of all coal underlying said lands and to occupy and use so much of the surface thereof as may be necessary for bunkers and other outside works, and for railroads, buildings, appliances and appurtenances in connection with the mining operations. Such lease shall provide for the payment to the state of a royalty, according to the grade of coal, for each ton of two thousand ~~((two hundred and forty))~~ pounds of merchantable coal taken from the lands, as follows: For lignite coal of the class commonly found in Lewis and Thurston counties, not less than ten cents per ton; for subbituminous coal, not less than fifteen cents per ton; for high grade bituminous and coking coals, not less than twenty cents per ton; but such lease shall provide for the payment each year of a minimum royalty of not less than one nor more than ten dollars an acre for the lands covered thereby: PROVIDED, That the commissioner of public lands may agree with the lessee that said minimum royalty shall be graduated for the different years of said lease so that a lower minimum royalty shall be paid during the earlier years of the term. The minimum royalty fixed in the lease shall be paid in advance each year, and the lessee, at stated periods during the term of the lease, fixed by the commissioner, shall furnish to the commissioner of public lands a written report under oath showing the amount of merchantable coal taken from the land during the period covered by such report and shall remit therewith such sum in excess of the minimum royalty theretofore paid for the current year as may be payable as royalty for the period covered by such report.

~~((Failure on the part of any lessee to comply with the foregoing provisions, or of his lease, shall work a forfeiture of the lease, and no such forfeiture may be waived;))~~ The commissioner shall incorporate in every lease such provisions and conditions not inconsistent with the provisions of this chapter and not inconsistent with good coal mining practice as he shall deem necessary and proper for the protection of the state, and, in addition thereto, the commissioner shall be empowered to prescribe such rules and regulations, not inconsistent with this chapter and not inconsistent with good mining practice, governing the manner and methods of mining as in his judgment are necessary and proper.

Sec. 2. Section 2, chapter 131, Laws of 1955 and RCW 79.14.020 are each amended to read as follows:

The commissioner is authorized to lease public lands for the purpose of prospecting for, developing and producing oil, gas or other hydrocarbon substances. Each such lease is to be composed of not more than six hundred forty acres, except a lease on river bed, lake bed, tide and submerged lands which is to be composed of not more than one thousand nine hundred twenty acres. All leases shall contain such terms and conditions as may be prescribed by the rules and regulations adopted by the commissioner in accordance with the provisions of this chapter. (All) Leases (shall) may be for an initial term(s) of from five up to ten years and may be extended for so long thereafter as lessee shall comply with the provisions hereof and (1) shall produce any of said substances from the leased lands, ((and shall comply with the provisions hereof;)) or (2) shall be engaged in drilling, deepening, repairing, or redrilling any well thereon, or be thereafter excused therefrom but not to exceed a period of twenty years((: The lessee shall have preferential right to a new lease covering such lands for an additional twenty-year period on the same terms and conditions as set forth in such previous lease)), except the lease shall be continued for a producing well as long as it is producing or is covered by a unit plan to which the commissioner has consented to participate in under RCW 78.52.450.

Sec. 3. Section 3, chapter 131, Laws of 1955 as amended by section 1, chapter 151, Laws of 1980 and RCW 79.14.030 are each amended to read as follows:

The department of natural resources shall require as a prerequisite to the issuing of any lease a rental as set by the board of natural resources but not less than one dollar and twenty-five cents per acre or such prorated share of the rental per acre as the state's mineral rights ownership for the first year of such lease, payable in advance to the department of natural resources at the time the lease is awarded and a like rental annually in advance thereafter so long as such lease remains in force: PROVIDED, That such rental shall cease at such time as royalty accrues to the state from production from such lease. Commencing with the lease year beginning on or after oil, gas or other hydrocarbon substances are first produced in quantities deemed paying quantities by lessee on the land subject to such lease, lessee shall pay a minimum royalty as set by the board of natural resources but not less than five dollars per acre or fraction thereof or such prorated share of the rental per acre as the state's mineral rights ownership at the expiration of each year. Royalties payable by the lessee shall be the royalties from production as provided for in RCW 79.14.070 or the minimum royalty provided herein, whichever is greater: PROVIDED, That if such lease is unitized, the minimum royalty shall be payable only on the leased acreage after production is obtained in such paying quantities from such lease.

Sec. 4. Section 5, chapter 131, Laws of 1955 and RCW 79.14.050 are each amended to read as follows:

All leases shall provide that if oil, gas or other hydrocarbon substances are not encountered on or before the end of the initial ((five-year)) term, the lease shall not terminate if the lessee is then prosecuting drilling operations on the leased lands with due diligence, in which event the same shall remain in force so long as lessee shall keep one string of tools in operation on the leased lands, allowing not to exceed ninety days between the completion of one well and the commencement of the next until such substances are encountered in quantities deemed paying quantities by lessee. All leases shall further provide that if oil, gas or other hydrocarbon substances in paying quantities shall have been discovered on the leased lands prior to the expiration of the initial ((five-year)) term, then in the event at any time after the expiration of the initial ((five-year)) term production on the leased land shall cease from any cause, the lease shall not terminate provided lessee resumes operations for the drilling of a well or the restoration of production within ninety days from such cessation. The lease shall remain in force during the prosecution of such operations, and if production results therefrom, then so long as production continues.

Sec. 5. Section 12, chapter 64, Laws of 1970 ex. sess. as amended by section 4, chapter 215, Laws of 1984 and RCW 78.44.110 are each amended to read as follows:

The permit fees required under this chapter shall be as follows:

(1) The basic fee for the permit shall be two hundred fifty dollars per permit year for each separate location, payable with submission of the application and annually thereafter with submission of the report required in RCW 78.44.130: PROVIDED, That permits for land not engaged in surface mining on or before June 7, 1984, shall be twenty-five dollars per permit year. A twenty-five dollar permit shall not constitute an operating permit. If a person holding a twenty-five dollar permit begins surface mining during the year, that person shall pay the remainder of the two hundred fifty dollar fee.

(2) In addition, there shall be a five dollar per acre fee for all acreage exceeding ten acres which was newly disturbed by surface mining during the previous permit year, which acreage fee shall be paid at the time of submission of the report required in RCW 78.44.130.

(3) All fees collected shall be deposited in the general fund.

NEW SECTION, Sec. 6. A new section is added to chapter 38.52 RCW to read as follows:

The department of emergency management shall consult with appropriate local, state, federal, and private sector officials in developing a comprehensive state mine rescue plan.

The plan shall identify mine rescue resources, set forth a framework for a coordinated response to mine rescue emergencies, identify shortfalls, and recommend solutions.

The draft of the comprehensive state mine rescue plan and a schedule for submittal of the final plan shall be submitted to the legislature on January 13, 1986.

NEW SECTION, Sec. 7. A new section is added to chapter 43.12 RCW to read as follows:

The department of natural resources shall work with federal officials and private mine owners to ensure the prompt sealing of open holes and mine shafts that constitute a threat to safety.

NEW SECTION, Sec. 8. A new section is added to chapter 43.12 RCW to read as follows:

The owner of each mine shall make a map of the surface of the property. The owner of each active mine shall make a map of the underground workings. All maps shall be filed with the department of natural resources. The department shall establish by rule the scale and contents required for the maps.

NEW SECTION, Sec. 9. A new section is added to chapter 38.52 RCW to read as follows:

No person engaged in mine rescue or recovery work who, in good faith, renders emergency care, rescue, assistance, or recovery services at the scene of any emergency at or in a mine in this state or who employs, sponsors, or represents any person rendering emergency care, rescue, assistance, or recovery services shall be liable for any civil damages as a result of any act or omission by any person in rendering emergency care, rescue, assistance, or recovery service.

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 page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "the exploration and extraction of nonrenewable resources; amending RCW 79.01.668, 79.14.020, 79.14.030, 79.14.050, and 78.44.110; adding new sections to chapter 38.52 RCW; and adding new sections to chapter 43.12 RCW."

Signed by Senators Owen, Patterson, Peterson; Representatives K. Wilson, Sutherland, Lundquist.

MOTION

On motion of Mr. Sutherland, the House adopted the Report of the Free Conference Committee on Engrossed Senate Bill No. 3400.

FINAL PASSAGE OF HOUSE 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. 3400 as amended by Free Conference Committee.

Representatives K. Wilson and Lundquist spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3400 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 93; nays, 3; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Lewis, Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Hastings, Leonard, Lux - 3.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Senate Bill No. 3400 as amended by 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.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3376, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3376, establishing a higher education coordinating board, have had the same under consideration, and we recommend that the bill be amended as follows and the bill as amended by Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. There is hereby created the Washington higher education coordinating board.

NEW SECTION, Sec. 2. For the purposes of this chapter:

(1) 'Board' means the higher education coordinating board; and

(2) 'Four-year institutions' means the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College.

NEW SECTION, Sec. 3. The purpose of the board is to provide planning, coordination, monitoring, and policy analysis for higher education in the state of Washington in cooperation and consultation with the institutions' autonomous governing boards and with all other segments of postsecondary education, including but not limited to the state board for community college education and the commission for vocational education. The legislature intends that the board represent the broad public interest above the interests of the individual colleges and universities.

NEW SECTION, Sec. 4. The board shall perform the following planning duties in consultation with the four-year institutions, the community college system, and when appropriate the commission for vocational education, the superintendent of public instruction for the vocational-technical institutes, and the independent higher educational institutions:

(1) Develop and establish role and mission statements for each of the four-year institutions and for the community college system;

(2) Identify the state's higher education goals, objectives, and priorities;

(3) Prepare a comprehensive master plan which includes but is not limited to:

(a) Assessments of the state's higher education needs. These assessments may include, but are not limited to: The basic and continuing needs of various age groups; business and industrial needs for a skilled workforce; analyses of demographic, social, and economic trends; consideration of the changing ethnic composition of the population and the special needs arising from such trends; college attendance, retention, and dropout rates, and the needs of recent high school graduates and placebound adults. The board should consider the needs of residents of all geographic regions, but its initial priorities should be applied to heavily populated areas underserved by public institutions;

(b) Recommendations on enrollment and other policies and actions to meet those needs;

(c) Guidelines for continuing education, adult education, public service, and other higher education programs.

The initial plan shall be submitted to the governor and the legislature by December 1, 1987. Comments on the plan from the board's advisory committees and the institutions shall be submitted with the plan.

The plan shall be updated biennially, and presented to the governor and the appropriate legislative policy committees. Following public hearings, the legislature shall, by concurrent resolution, approve or recommend changes to the initial plan, and the biennial updates. The plan shall then become state higher education policy unless legislation is enacted to alter the policies set forth in the plan.

(4) Review, evaluate, and make recommendations on operating and capital budget requests from four-year institutions and the community college system, based on the elements outlined in subsections (1), (2), and (3) of this section, and on guidelines which outline the board's fiscal priorities. These guidelines shall be distributed to the institutions and the community college board by December of each odd-numbered year. The institutions and the community college board shall submit an outline of their proposed budgets, identifying major components, to the board no later than August 1 of each even-numbered year. The board

shall submit recommendations on the proposed budgets and on the board's budget priorities to the office of financial management before October 15 of each even-numbered year, and to the legislature by January 1 of each odd-numbered year;

(5) Recommend legislation affecting higher education;

(6) Recommend tuition and fees policies and levels based on comparisons with peer institutions;

(7) Establish priorities and develop recommendations on financial aid based on comparisons with peer institutions;

(8) Prepare recommendations on merging or closing institutions; and

(9) Develop criteria for identifying the need for new baccalaureate institutions.

NEW SECTION. Sec. 5. The board shall perform the following program responsibilities, in consultation with the institutions and with other interested agencies and individuals:

(1) Approve the creation of any new degree programs at the four-year institutions and prepare fiscal notes on any such programs;

(2) Review, evaluate, and make recommendations for the modification, consolidation, initiation, or elimination of on-campus programs, at the four-year institutions;

(3) Review and evaluate and approve, modify, consolidate, initiate, or eliminate off-campus programs at the four-year institutions;

(4) Approve, and adopt guidelines for, higher education centers and consortia;

(5) Approve purchase or lease of major off-campus facilities for the four-year institutions and the community colleges;

(6) Establish campus service areas and define on-campus and off-campus activities and major facilities; and

(7) Approve contracts for off-campus educational programs initiated by the state's four-year institutions individually, in concert with other public institutions, or with independent institutions.

NEW SECTION. Sec. 6. The board shall coordinate educational activities among all segments of higher education taking into account the educational programs, facilities, and other resources of both public and independent two and four-year colleges and universities. The four-year institutions, the state board for community college education, and the commission for vocational education shall coordinate information and activities with the board. The board shall have the following additional responsibilities:

(1) Promote interinstitutional cooperation;

(2) Establish minimum admission standards for four-year institutions;

(3) Establish transfer policies;

(4) Adopt rules implementing statutory residency requirements;

(5) Develop and administer reciprocity agreements with bordering states and the province of British Columbia;

(6) Review and recommend compensation practices and levels for administrative employees, exempt under chapter 28B.16 RCW, and faculty using comparative data from peer institutions;

(7) Monitor higher education activities for compliance with all relevant state policies for higher education;

(8) Arbitrate disputes between and among four-year institutions or between and among four-year institutions and community colleges at the request of one or more of the institutions involved, or at the request of the governor, or from a resolution adopted by the legislature. The decision of the board shall be binding on the participants in the dispute;

(9) Establish and implement a state system for collecting, analyzing, and distributing information;

(10) Recommend to the governor and the legislature ways to remove any economic incentives to use off-campus program funds for on-campus activities; and

(11) Make recommendations to increase minority participation, and monitor and report on the progress of minority participation in higher education.

NEW SECTION. Sec. 7. The board shall perform the following administrative responsibilities:

(1) Administer the programs set forth in the following statutes: Chapter 28A.58 RCW (Washington scholars); chapter 28B.04 RCW (displaced homemakers); chapter 28B.05 RCW (education registration); RCW 28B.10.210 through 28B.10.220 (blind students subsidy); RCW 28B.10.800 through 28B.10.824 (student financial aid program); chapter 28B.12 RCW (work study); RCW 28B.15.067 through 28B.15.076 (educational costs for establishing tuition and fees); RCW 28B.15.543 (tuition waivers for Washington scholars); RCW 28B.15.760 through 28B.15.766 (math and science loans); RCW 28B.80.150 through 28B.80.170 (student exchange compact); RCW 28B.80.240 (student aid programs); and RCW 28B.80.210 (federal programs).

(2) Study the delegation of the administration of the following: RCW 28B.65.040 through 28B.65.060 (high technology board); RCW 28B.80.150 through 28B.80.170 (student exchange compact programs); RCW 28B.80.200 (state commission for federal law purposes); RCW 28B.80.210 (enumerated federal programs); RCW 28B.80.230 (receipt of federal funds); RCW 28B.80.240 (student financial aid programs); RCW 28A.58.824 through 28A.58.832 (Washington scholars);

RCW 28B.15.543 (Washington scholars); RCW 28B.04.020 through 28B.04.110 (displaced homemakers); RCW 28B.10.215 and 28B.10.220 (blind students); RCW 28B.10.790, 28B.10.792, and 28B.10.802 through 28B.10.844 (student financial aid); RCW 28B.12.040 through 28B.12.070 (student work study); RCW 28B.15.100 (reciprocity agreement); RCW 28B.15.730 through 28B.15.736 (Oregon reciprocity); RCW 28B.15.750 through 28B.15.754 (Idaho reciprocity); RCW 28B.15.756 and 28B.15.758 (British Columbia reciprocity); and RCW 28B.15.760 through 28B.15.764 (math/science loans). The board shall report the results of its study and recommendations to the legislature.

NEW SECTION. Sec. 8. The board shall have authority to adopt rules as necessary to implement this chapter.

NEW SECTION. Sec. 9. The board shall establish advisory committees composed of members representing faculty, administrators, students, regents and trustees, and staff of the public institutions, the superintendent of public instruction, and the independent institutions.

NEW SECTION. Sec. 10. The board shall consist of nine members who are representative of the public, including women and the racial minority community. All members shall be appointed at large by the governor and approved by the senate. The governor shall appoint the chair, who shall serve at the governor's pleasure.

NEW SECTION. Sec. 11. The members of the board, except the chair, shall serve for terms of four years, the terms expiring on June 30th of the fourth year of the term except that in the case of initial members, two shall be appointed to two-year terms, three shall be appointed to three-year terms, and three shall be appointed to four-year terms.

NEW SECTION. Sec. 12. Any vacancies among board members shall be filled by the governor subject to confirmation by the senate then in session, or if not in session, at the next session. Board members appointed under this section shall have full authority to act as such prior to the time the senate acts on their confirmation. Appointments to fill vacancies shall be only for such terms as remain unexpired.

NEW SECTION. Sec. 13. The board shall adopt bylaws and shall meet at least four times each year and at such other times as determined by the chair who shall give reasonable prior notice to the members.

Board members are expected to consistently attend board meetings. The chair of the board may ask the governor to remove any member who misses more than two meetings in any calendar year without cause.

NEW SECTION. Sec. 14. The board shall employ a director and may delegate agency management to the director. The director shall serve at the pleasure of the board, shall be the executive officer of the board, and shall, under the board's supervision, administer the provisions of this chapter. The executive director shall, with the approval of the board: (1) Employ necessary deputy and assistant directors and other exempt staff under chapter 28B.16 RCW who shall serve at his or her pleasure on such terms and conditions as he or she determines and (2) subject to the provisions of chapter 28B.16 RCW, appoint and employ such other employees as may be required for the proper discharge of the functions of the board. In fulfilling the duties under this chapter, the board shall make extensive use of those state agencies with responsibility for implementing and supporting postsecondary education plans and policies including but not limited to appropriate legislative groups, the postsecondary education institutions, the office of financial management, the commission for vocational education, and the state board for community college education. Outside consulting and service agencies may also be employed. The board may compensate these groups and consultants in appropriate ways.

NEW SECTION. Sec. 15. All employees of the council for postsecondary education classified under chapter 28B.16 RCW are assigned to the board to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state higher education personnel.

All employees of the council for postsecondary education exempt under chapter 28B.16 RCW and below the level of executive and deputy coordinator are assigned to the board to perform their usual duties upon the same terms as formerly. Such employees shall serve at the pleasure of and subject to the terms and conditions of the board or the director, if the authority is delegated to the director. By December 31, 1986, the director shall evaluate such employees.

Sec. 16. Section 12, chapter 277, Laws of 1969 ex. sess. as last amended by section 65, chapter 287, Laws of 1984 and RCW 28B.80.110 are each amended to read as follows:

Members of the ((council)) board shall be compensated in accordance with RCW 43.03.240 and shall receive travel expenses in accordance with RCW 43.03.050 and 43.03.060.

Sec. 17. Section 3, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.150 are each amended to read as follows:

((In addition to the functions delegated to the council by RCW 28B.80.030.)) The ((council)) board is hereby specifically directed to develop such state plans as are necessary to coordinate the state of Washington's participation within the student exchange compact programs under the auspices of the Western Interstate Commission for Higher Education, as provided by

chapter 28B.70 RCW. In addition to establishing such plans the ((council)) board shall designate the state certifying officer for student programs.

Sec. 18. Section 4, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.160 are each amended to read as follows:

In the development of any such plans as called for within RCW 28B.80.150, the ((council)) board shall use at least the following criteria:

(1) Students who are eligible to attend compact-authorized programs in other states shall meet the Washington residency requirements of chapter 28B.15 RCW prior to being awarded tuition assistance grants;

(2) If appropriations are insufficient to fund all students qualifying under subsection (1) ((hereof)) of this section, then the plans shall include criteria for student selection that would be in the best interest in meeting the state's educational needs, as well as recognizing the financial needs of students.

Sec. 19. Section 5, chapter 4, Laws of 1974 ex. sess. and RCW 28B.80.170 are each amended to read as follows:

The ((council)) board shall periodically advise the governor and the legislature of the policy implications of the state of Washington's participation in the Western Interstate Commission for Higher Education student exchange programs as they affect long-range planning for post-secondary education, together with recommendations on the most efficient way to provide high cost or special educational programs to Washington residents.

Sec. 20. Section 9, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.200 are each amended to read as follows:

The ((council)) higher education coordinating board is designated as the state commission as provided for in Section 1202 of the education amendments of 1972 (Public Law 92-318), as now or hereafter amended; and shall perform such functions as is necessary to comply with federal directives pertaining to the provisions of such law: PROVIDED, That notwithstanding the provisions of RCW 28B.80.050, all members of the ((council)) board shall have full voting powers in taking actions related to federal postsecondary educational planning functions as provided for in this section and RCW 28B.80.210 through 28B.80.240.

Sec. 21. Section 12, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.210 are each amended to read as follows:

The ((council)) board shall administer ~~((the following programs: Title IV-B and VI of the Higher Education Act of 1965; Title I of the Higher Education Facilities Act of 1963; and))~~ any ((other)) federal act pertaining to higher education which is not administered by another state agency.

Sec. 22. Section 14, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.230 are each amended to read as follows:

The ((council)) board is authorized to receive and expend federal funds and any private gifts or grants, such federal funds or private funds to be expended in accordance with the conditions contingent in such grant thereof.

Sec. 23. Section 15, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.240 are each amended to read as follows:

The ((council)) board shall administer any state program or state-administered federal program of student financial aid now or hereafter established.

Sec. 24. Section 27, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.250 are each amended to read as follows:

Unless the context clearly requires otherwise, the definition in this section applies throughout this chapter.

'Management employees' mean administrative exempt personnel of the ((council for post-secondary education)) higher education coordinating board who are specified by the ((council)) board as management.

Sec. 25. Section 28, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.260 are each amended to read as follows:

(1) The ((council)) board shall develop performance evaluation procedures and forms which shall be used for the appraisal of management employees.

(2) The performance evaluation shall measure management employees' performance within at least five performance rating categories.

(3) The ((council)) board shall adopt rules designed to insure that performance evaluations of management employees do not result in unrealistic concentration in any performance rating category.

Sec. 26. Section 29, chapter 53, Laws of 1982 1st ex. sess. and RCW 28B.80.270 are each amended to read as follows:

~~((Beginning on July 1, 1984.))~~ Management employees of the ((council)) board shall be subject to performance evaluation using the procedures developed under RCW 28B.80.260. Such employees may be granted merit increases in salary based on performance as determined by the ((council)) board for its employees.

Sec. 27. Section 1, chapter 304, Laws of 1983 and RCW 28B.80.280 are each amended to read as follows:

The ~~((council))~~ board shall, in cooperation with the state institutions of higher education and the state board for community college education, establish and maintain a state-wide transfer of credit policy and agreement. The policy and agreement shall, where feasible, include course and program descriptions consistent with state-wide interinstitutional guidelines. The institutions of higher education shall provide support and staff resources as necessary to assist in developing and maintaining this policy and agreement. The state-wide transfer of credit policy and agreement shall be effective beginning with the 1985-86 academic year. The ~~((council))~~ board shall report on developments toward that objective at ~~((both))~~ the ~~((1984 and 1985))~~ 1987 regular session(s) of the legislature.

NEW SECTION. Sec. 28. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the council for postsecondary education shall be delivered to the custody of the higher education coordinating board. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the council for postsecondary education shall be made available to the higher education coordinating board. All funds, credits, or other assets held by the council for postsecondary education shall be assigned to the higher education coordinating board.

Any appropriations made to the council for postsecondary education shall, on the effective date of this section, be transferred and credited to the higher education coordinating board. The council for postsecondary education shall provide such funds as are necessary to the board for activities necessary to implement this act on its effective date.

Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION. Sec. 29. All rules and all pending business before the council for postsecondary education shall be continued and acted upon by the higher education coordinating board. All existing contracts and obligations shall remain in full force and shall be performed by the higher education coordinating board.

NEW SECTION. Sec. 30. The transfer of the powers, duties, and functions of the council for postsecondary education shall not affect the validity of any act performed prior to the effective date of this section.

NEW SECTION. Sec. 31. If apportionments of budgeted funds are required because of the transfers directed by sections 15, 28, and 29 of this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

Sec. 32. Section 3, chapter 54, Laws of 1981 and RCW 28A.58.824 are each amended to read as follows:

The ~~((council for postsecondary education))~~ higher education coordinating board shall have the responsibility for administration of the Washington scholars program. The program will be developed cooperatively with the Washington association of secondary school principals, a voluntary professional association of secondary school principals. The cooperation of other state agencies and private organizations having interest and responsibility in public and private education shall be sought for planning assistance.

Sec. 33. Section 4, chapter 54, Laws of 1981 and RCW 28A.58.826 are each amended to read as follows:

The ~~((council for postsecondary education))~~ higher education coordinating board shall establish a planning committee to develop criteria for screening and selection of the Washington scholars each year in accordance with RCW 28A.58.822(1). It is the intent that these criteria shall emphasize scholastic achievement but not exclude such criteria as leadership ability and community contribution in final selection procedures. The Washington scholars planning committee shall have members from selected state agencies and private organizations having an interest and responsibility in education, including but not limited to, the state board of education, the office of superintendent of public instruction, the council of presidents, the state board for community college education, and the Washington friends of higher education.

Sec. 34. Section 5, chapter 54, Laws of 1981 and RCW 28A.58.828 are each amended to read as follows:

Each year on or before March 1st, the Washington association of secondary school principals shall submit to the ~~((council for postsecondary education))~~ higher education coordinating board the names of graduating senior high school students who have been identified and recommended to be outstanding in academic achievement by their school principals based on criteria to be established under RCW 28A.58.826.

Sec. 35. Section 6, chapter 54, Laws of 1981 and RCW 28A.58.830 are each amended to read as follows:

Washington scholars annually shall be selected from among the students so identified. The ~~((council for postsecondary education))~~ higher education coordinating board shall notify the

students so designated, their high school principals, the legislators of their respective districts, and the governor when final selections have been made.

The ((council)) board, in conjunction with the governor's office, shall prepare appropriate certificates to be presented to the Washington scholars recipients. An awards ceremony at an appropriate time and place shall be planned by the ((council)) board in cooperation with the Washington association of secondary school principals, and with the approval of the governor.

Sec. 36. Section 2, chapter 73, Laws of 1979 as amended by section 1, chapter 15, Laws of 1982 1st ex. sess. and RCW 28B.04.020 are each amended to read as follows:

The legislature finds that homemakers are an unrecognized part of the work force who make an invaluable contribution to the strength, durability, and purpose of our state.

The legislature further finds that there is an increasing number of persons in this state who, having fulfilled a role as homemaker, find themselves 'displaced' in their middle years through divorce, death of spouse, disability of spouse, or other loss of family income of a spouse. As a consequence, displaced homemakers are very often left with little or no income; they are ineligible for categorical welfare assistance; they are subject to the highest rate of unemployment of any sector of the work force; they face continuing discrimination in employment because of their age and lack of recent paid work experience; they are ineligible for unemployment insurance because they have been engaged in unpaid labor in the home; they are ineligible for social security benefits because they are too young, and many never qualify because they have been divorced from the family wage earner; they may have lost beneficiaries' rights under employer's pension and health plans through divorce or death of spouse; and they are often unacceptable to private health insurance plans because of their age.

It is the purpose of this chapter to establish guidelines under which the ((council for postsecondary education)) higher education coordinating board shall contract to establish multipurpose service centers and programs to provide necessary training opportunities, counseling, and services for displaced homemakers so that they may enjoy the independence and economic security vital to a productive life.

Sec. 37. Section 3, chapter 73, Laws of 1979 and RCW 28B.04.030 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) ((Council means the council for postsecondary education)) Board means the higher education coordinating board.

(2) Center means a multipurpose service center for displaced homemakers as described in RCW 28B.04.040.

(3) Program means those programs described in RCW 28B.04.050 which provide direct, outreach, and information and training services which serve the needs of displaced homemakers.

(4) Displaced homemaker means an individual who:

(a) Has worked in the home for ten or more years providing unsalaried household services for family members on a full-time basis; and

(b) Is not gainfully employed;

(c) Needs assistance in securing employment; and

(d) Has been dependent on the income of another family member but is no longer supported by that income, or has been dependent on federal assistance but is no longer eligible for that assistance, or is supported as the parent of minor children by public assistance or spousal support but whose children are within two years of reaching their majority.

Sec. 38. Section 4, chapter 73, Laws of 1979 as amended by section 2, chapter 15, Laws of 1982 1st ex. sess. and RCW 28B.04.040 are each amended to read as follows:

(1) The ((council)) board, in consultation with state and local governmental agencies, community groups, and local and national organizations concerned with displaced homemakers, shall receive applications and may contract with public or private nonprofit organizations to establish multipurpose service centers for displaced homemakers. In determining sites and administering agencies or organizations for the centers, the ((council)) board shall consider the experience and capabilities of the public or private nonprofit organizations making application to provide services to a center.

(2) ((Not later than ninety days after June 7, 1979)) The ((council)) board shall issue rules prescribing the standards to be met by each center in accordance with the policies set forth in this chapter. Continuing funds for the maintenance of each center shall be contingent upon the determination by the ((council)) board that the center is in compliance with the contractual conditions and with the rules prescribed by the ((council)) board.

Sec. 39. Section 5, chapter 73, Laws of 1979 as amended by section 3, chapter 15, Laws of 1982 1st ex. sess. and RCW 28B.04.050 are each amended to read as follows:

(1) Each center contracted for under this chapter shall include or provide information and referral to the following services:

(a) Job counseling services which shall:

(i) Be specifically designed for displaced homemakers;

(ii) Counsel displaced homemakers with respect to appropriate job opportunities; and

- (iii) Take into account and build upon the skills and experience of a homemaker and emphasize job readiness as well as skill development;
- (b) Job training and job placement services which shall:
- (i) Emphasize short-term training programs and programs which expand upon homemaking skills and volunteer experience and which lead to gainful employment;
- (ii) Develop, through cooperation with state and local government agencies and private employers, model training and placement programs for jobs in the public and private sectors;
- (iii) Assist displaced homemakers in gaining admission to existing public and private job training programs and opportunities, including vocational education and apprenticeship training programs; and
- (iv) Assist in identifying community needs and creating new jobs in the public and private sectors;
- (c) Health counseling services, including referral to existing health programs, with respect to:
- (i) General principles of preventative health care;
- (ii) Health care consumer education, particularly in the selection of physicians and health care services, including, but not limited to, health maintenance organizations and health insurance;
- (iii) Family health care and nutrition;
- (iv) Alcohol and drug abuse; and
- (v) Other related health care matters;
- (d) Financial management services which provide information and assistance with respect to insurance, taxes, estate and probate problems, mortgages, loans, and other related financial matters;
- (e) Educational services, including:
- (i) Outreach and information about courses offering credit through secondary or postsecondary education programs, and other re-entry programs, including bilingual programming where appropriate; and
- (ii) Information about such other programs as are determined to be of interest and benefit to displaced homemakers by the ~~((council))~~ board;
- (f) Legal counseling and referral services; and
- (g) Outreach and information services with respect to federal and state employment, education, health, public assistance, and unemployment assistance programs which the ~~((council))~~ board determines would be of interest and benefit to displaced homemakers.
- (2) The staff positions of each multipurpose center contracted for in accordance with RCW 28B.04.040, including supervisory, technical, and administrative positions, shall, to the maximum extent possible, be filled by displaced homemakers.
- Sec. 40. Section 6, chapter 73, Laws of 1979 as amended by section 4, chapter 15, Laws of 1982 1st ex. sess. and RCW 28B.04.060 are each amended to read as follows:
- The ~~((council))~~ board may contract, where appropriate, with public or private nonprofit groups or organizations serving the needs of displaced homemakers for programs designed to:
- (1) Provide direct services to displaced homemakers, including job counseling, job training and placement, health counseling, financial management, educational counseling, legal counseling, and referral services as described in RCW 28B.04.050;
- (2) Provide state-wide outreach and information services for displaced homemakers; and
- (3) Provide training opportunities for persons serving the needs of displaced homemakers, including those persons in areas not directly served by programs and centers established under this chapter.
- Sec. 41. Section 7, chapter 73, Laws of 1979 as amended by section 5, chapter 15, Laws of 1982 1st ex. sess. and RCW 28B.04.070 are each amended to read as follows:
- The ~~((council))~~ board shall submit to the legislature ~~((an evaluation at the end of the first two years and))~~ a biennial evaluation ~~((beginning))~~ in January ~~((1984))~~ of each even-numbered year. The evaluations may include recommendation for future programs as determined by the ~~((council))~~ board.
- Sec. 42. Section 8, chapter 73, Laws of 1979 as amended by section 6, chapter 15, Laws of 1982 1st ex. sess. and RCW 28B.04.080 are each amended to read as follows:
- (1) The ~~((council))~~ board shall consult and cooperate with the department of social and health services; the state board for community college education; the superintendent of public instruction; the commission for vocational education; the employment security department; the department of labor and industries; sponsoring agencies under the federal comprehensive employment and training act (87 Stat. 839; 29 U.S.C. Sec. 801 et seq.), and any other persons or agencies as the ~~((council))~~ board deems appropriate to facilitate the coordination of centers established under this chapter with existing programs of a similar nature.
- (2) Annually on July 1st, each agency listed in subsection (1) of this section shall submit a description of each service or program under its jurisdiction which would support the programs and centers established by this chapter and the funds available for such support.

(3) The ~~((council))~~ board shall serve as a clearinghouse for displaced homemaker information and resources and shall compile and disseminate state-wide information to the centers, related agencies, and interested persons upon request.

Sec. 43. Section 11, chapter 73, Laws of 1979 and RCW 28B.04.110 are each amended to read as follows:

The ~~((council))~~ board may, in carrying out this chapter, accept, use, and dispose of contributions of money, services, and property: PROVIDED, That funds generated within individual centers may be retained and utilized by those centers. All moneys received by the ~~((council))~~ board or any employee thereof pursuant to this section shall be deposited in a depository approved by the state treasurer. Disbursements of such funds shall be on authorization of the ~~((council))~~ board or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control such funds shall be subject in all respects to chapter 43.88 RCW, but no appropriation shall be required to permit expenditure of such funds.

Sec. 44. Section 3, chapter 188, Laws of 1979 ex. sess. as amended by section 1, chapter 283, Laws of 1981 and RCW 28B.05.030 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter, unless the context clearly indicates to the contrary:

(1) 'Educational institution' includes, but is not limited to, an academic, vocational, technical, home study, business, professional, or other school, institution, college, or university, or other organization or person not exempted under RCW 28B.05.040, offering educational credentials, instruction, or services primarily to persons who have completed or terminated their secondary education, or who are beyond the age of compulsory high school attendance, for attainment of educational, professional, or vocational objectives.

(2) 'To operate', means to establish, keep, or maintain any facility or location in this state where, from, or through which education is offered or educational credentials are offered or granted, and includes contracting for the performance of any such act.

(3) 'To offer' includes, in addition to its usual meanings, to advertise, or publicize. 'To offer' shall also mean to solicit or encourage any person, directly or indirectly, to perform the act described.

(4) 'To grant' includes to award, issue, sell, confer, bestow, or give.

(5) 'Education' or 'educational services' includes but is not limited to, any class, course, or program of training, instruction, or study.

(6) 'Chief administrative officer' means the person designated by the institution under RCW 28B.05.070.

(7) 'Agent' means a person owning an interest in, employed by, or representing for remuneration an educational institution within or without this state, who enrolls or personally attempts to secure the enrollment in such school of a resident of this state, offers to award educational credentials for remuneration on behalf of any such school, or holds himself or herself out to residents of this state as representing an educational institution for any such purpose.

(8) 'Educational credentials' means degrees, diplomas, certificates, transcripts, reports, documents, or letters of designation, marks, appellations, series of letters, numbers, or words which signify or appear to signify enrollment, attendance, progress, or satisfactory completion of the requirements or prerequisites for any educational program.

(9) 'Entity' includes but is not limited to a person, company, firm, society, association, partnership, corporation, and trust.

(10) 'Degree granting institution' shall mean an educational institution, which offers educational credentials, instruction, or services prerequisite to or indicative of an academic or professional degree or certificate beyond the secondary level.

(11) 'Private vocational school' shall mean an educational institution, the objective of which is to prepare persons to enter, continue in, or upgrade themselves in gainful employment in recognized occupations which are not designated as professional or requiring a baccalaureate or higher degree.

(12) 'Private nonvocational school' shall mean any educational institution that is not a 'degree granting institution' or a 'private vocational school.'

(13) 'Dual purpose institution' shall mean any educational institution which satisfies the definitions of both (a) 'degree-granting institution' and (b) 'private vocational school' or 'private nonvocational school.' Either the ~~((council for postsecondary education))~~ higher education coordinating board or the commission for vocational education may be selected by the 'dual purpose institution' for purposes of complying with the requirements of RCW 28B.05.080, 28B.05.090, 28B.05.100 and 28B.05.110.

(14) 'Agency' shall mean the ~~((council for postsecondary education))~~ higher education coordinating board in the case of degree granting institutions and the commission for vocational education in the case of private vocational schools and private nonvocational schools.

Sec. 45. Section 5, chapter 188, Laws of 1979 ex. sess. and RCW 28B.05.050 are each amended to read as follows:

The commission for vocational education with respect to private vocational schools, the ~~((council for postsecondary education))~~ higher education coordinating board with respect to degree granting institutions, shall:

- (1) Establish more detailed criteria to implement the standards set forth in RCW 28B.05.060;
- (2) Maintain a list of educational institutions registered in this state under this chapter, which list shall separately identify dual purpose institutions and be available to the public; upon the registration of a 'dual purpose institution' insure that such registration is communicated to the council for postsecondary education and the commission for vocational education;
- (3) Adopt reasonable rules and regulations in accordance with chapter 34.04 RCW, the administrative procedure act, for enforcing and carrying out the provisions and purposes of this chapter;

(4) Investigate on its own initiative or in response to any complaint filed with it, any person, group, or entity subject to, or reasonably believed by the agency to be subject to, the jurisdiction of this chapter; and in connection therewith, to administer oaths and affirmations, issue subpoenas, and compel attendance, take evidence and require the production of any books, papers, correspondence, memorandums, or other records which the agency deems relevant or material to such investigation;

(5) Coordinate the policies and rules developed under subsections (1) and (3) of this section so as to develop where possible consistent procedures and standards applicable to degree-granting institutions, private vocational school, and dual purpose institutions.

Sec. 46. Section 13, chapter 188, Laws of 1979 ex. sess. as amended by section 3, chapter 283, Laws of 1981 and RCW 28B.05.130 are each amended to read as follows:

The executive director or executive coordinator of the agency may suspend or modify any of the registration or other requirements contained in this chapter in a particular case if the executive director or executive coordinator finds (1) that such suspension or modification will not frustrate the purposes of this chapter and (2) that the educational services to be offered address a substantial, demonstrated need among residents of the state of Washington or that literal application of this chapter works a manifestly unreasonable hardship on the educational institution: PROVIDED, That the chief administrative officer of the institution, after hearing, shall be entitled to appeal the decision of the executive director or executive coordinator to the commission for vocational education or the ~~((council for postsecondary education))~~ higher education coordinating board.

Sec. 47. Section 2, chapter 169, Laws of 1983 and RCW 28B.07.020 are each amended to read as follows:

As used in this chapter, the following words and terms shall have the following meanings, unless the context otherwise requires:

(1) 'Authority' means the Washington higher education facilities authority created under RCW 28B.07.030 or any board, body, commission, department or officer succeeding to the principal functions of the authority or to whom the powers conferred upon the authority shall be given by law.

(2) 'Bonds' means bonds, notes, commercial paper, certificates of indebtedness, or other evidences of indebtedness of the authority issued under this chapter.

(3) 'Bond resolution' means any resolution of the authority, adopted under this chapter, authorizing the issuance and sale of bonds.

(4) 'Higher education institution' means a private, nonprofit educational institution, the main campus of which is permanently situated in the state, which is open to residents of the state, which neither restricts entry on racial or religious grounds, which provides programs of education beyond high school leading at least to the baccalaureate degree, and which is accredited by the Northwest Association of Schools and Colleges or by an accrediting association recognized by the ~~((council for postsecondary education))~~ higher education coordinating board.

(5) 'Participant' means a higher education institution which, under this chapter, undertakes the financing of a project or projects or undertakes the refunding or refinancing of obligations, mortgages, or advances previously incurred for a project or projects.

(6) 'Project' means any land or any improvement, including, but not limited to, buildings, structures, fixtures, utilities, machinery, excavations, paving, and landscaping, and any interest in such land or improvements, and any personal property pertaining or useful to such land and improvements, which are necessary, useful, or convenient for the operation of a higher education institution, including but not limited to, the following: Dormitories or other multi-unit housing facilities for students, faculty, officers, or employees; dining halls; student unions; administration buildings; academic buildings; libraries; laboratories; research facilities; computer facilities; classrooms; athletic facilities; health care facilities; maintenance, storage, or utility facilities; parking facilities; or any combination thereof, or any other structures, facilities, or equipment so related.

(7) 'Project cost' means any cost related to the acquisition, construction, improvement, alteration, or rehabilitation by a participant or the authority of any project and the financing of the project through the authority, including, but not limited to, the following costs paid or incurred: Costs of acquisition of land or interests in land and any improvement; costs of contractors, builders, laborers, materialmen, and suppliers of tools and equipment; costs of surety and performance bonds; fees and disbursements of architects, surveyors, engineers, feasibility consultants, accountants, attorneys, financial consultants, and other professionals; interest on

bonds issued by the authority during any period of construction; principal of and interest on interim financing of any project; debt service reserve funds; depreciation funds, costs of the initial start-up operation of any project; fees for title insurance, document recording, or filing; fees of trustees and the authority; taxes and other governmental charges levied or assessed on any project; and any other similar costs. Except as specifically set forth in this definition, the term 'project cost' does not include books, fuel, supplies, and similar items which are required to be treated as a current expense under generally accepted accounting principles.

(8) 'Trust indenture' means any agreement, trust indenture, or other similar instrument by and between the authority and one or more corporate trustees.

Sec. 48. Section 3, chapter 169, Laws of 1983 as amended by section 62, chapter 287, Laws of 1984 and RCW 28B.07.030 are each amended to read as follows:

(1) The Washington higher education facilities authority is hereby established as a public body corporate and politic, with perpetual corporate succession, constituting an agency of the state of Washington exercising essential governmental functions. The authority is a 'public body' within the meaning of RCW 39.53.010.

(2) The authority shall consist of seven members as follows: The governor, lieutenant governor, executive (~~coordinator~~) director of the (state council for postsecondary education) higher education coordinating board, and four public members, one of whom shall be the president of a higher education institution at the time of appointment. The public members shall be residents of the state and appointed by the governor, subject to confirmation by the senate, on the basis of their interest or expertise in the provision of higher education and the financing of higher education. The public members of the authority shall serve for terms of four years. The initial terms of the public members shall be staggered in a manner determined by the governor. In the event of a vacancy on the authority due to death, resignation, or removal of one of the public members, and upon the expiration of the term of any public member, the governor shall appoint a successor for a term expiring on the fourth anniversary of the successor's date of the appointment. If any of the state offices are abolished, the resulting vacancy on the authority shall be filled by the state officer who shall succeed substantially to the power and duties of the abolished office. Any public member of the authority may be removed by the governor for misfeasance, malfeasance, wilful neglect of duty, or any other cause after notice and a public hearing, unless such notice and hearing shall be expressly waived in writing.

(3) The governor shall serve as chairperson of the authority. The authority shall elect annually one of its members as secretary. If the governor shall be absent from a meeting of the authority, the secretary shall preside. However, the governor may designate an employee of the governor's office to act on the governor's behalf in all other respects during the absence of the governor at any meeting of the authority. If the designation is in writing and is presented to the person presiding at the meetings of the authority who is included in the designation, the vote of the designee has the same effect as if cast by the governor.

(4) Any person designated by resolution of the authority shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute book or a journal of the authority, and the authority's official seal, if any. The person may cause copies to be made of all minutes and other records and documents of the authority, and may give certificates to the effect that such copies are true copies. All persons dealing with the authority may rely upon the certificates.

(5) Four members of the authority constitute a quorum. The authority may act on the basis of a motion except when authorizing the issuance and sale of bonds, in which case the authority shall act by resolution. Bond resolutions and other resolutions shall be adopted upon the affirmative vote of four members of the authority, and shall be signed by those members voting yes. Motions shall be adopted upon the affirmative vote of a majority of a quorum of members present at any meeting of the authority. All actions taken by the authority shall take effect immediately without need for publication or other public notice. A vacancy in the membership of the authority does not impair the power of the authority to act under this chapter.

(6) The members of the authority shall be compensated in accordance with RCW 43.03.240 and shall be entitled to reimbursement, solely from the funds of the authority, for travel expenses as determined by the authority incurred in the discharge of their duties under this chapter.

Sec. 49. Section 4, chapter 169, Laws of 1983 and RCW 28B.07.040 are each amended to read as follows:

The authority is authorized and empowered to do the following, on such terms, with such security and undertakings, subject to such conditions, and in return for such consideration, as the authority shall determine in its discretion to be necessary, useful, or convenient in accomplishing the purposes of this chapter:

- (1) To promulgate rules in accordance with chapter 34.04 RCW;
- (2) To adopt an official seal and to alter the same at pleasure;
- (3) To maintain an office at any place or places as the authority may designate;
- (4) To sue and be sued in its own name, and to plead and be pleaded;
- (5) To make and execute agreements with participants and others and all other instruments necessary, useful, or convenient for the accomplishment of the purposes of this chapter;

(6) To provide long-term or short-term financing or refinancing to participants for project costs, by way of loan, lease, conditional sales contract, mortgage, option to purchase, or other financing or security device or any such combination;

(7) If, in order to provide to participants the financing or refinancing of project costs described in subsection (6) of this section, the authority deems it necessary or convenient for it to own a project or projects or any part of a project or projects, for any period of time, it may acquire, contract, improve, alter, rehabilitate, repair, manage, operate, mortgage, subject to a security interest, lease, sell, or convey the project;

(8) To fix, revise from time to time, and charge and collect from participants and others rates, rents, fees, charges, and repayments as necessary to fully and timely reimburse the authority for all expenses incurred by it in providing the financing and refinancing and other services under this section and for the repayment, when due, of all the principal of, redemption premium, if any, and interest on all bonds issued under this chapter to provide the financing, refinancing, and services;

(9) To accept and receive funds, grants, gifts, pledges, guarantees, mortgages, trust deeds, and other security instruments, and property from the federal government or the state or other public body, entity, or agency and from any public or private institution, association, corporation, or organization, including participants. It shall not accept or receive from the state or any taxing agency any money derived from taxes, except money to be devoted to the purposes of a project of the state or of a taxing agency;

(10) To open and maintain a bank account or accounts in one or more qualified public depositories in this state and to deposit all or any part of authority funds therein;

(11) To employ consulting engineers, architects, attorneys, accountants, construction and financial experts, superintendents, managers, an executive director, and such other employees and agents as may be necessary in its judgment to carry out the purposes of this chapter, and to fix their compensation;

(12) To provide financing or refinancing to two or more participants for a single project or for several projects in such combinations as the authority deems necessary, useful, or convenient;

(13) To charge to and equitably apportion among participants the administrative costs and expenses incurred in the exercise of the powers and duties conferred by this chapter;

(14) To consult with the (~~council for postsecondary education~~) higher education coordinating board to determine project priorities under the purposes of this chapter; and

(15) To do all other things necessary, useful, or convenient to carry out the purposes of this chapter.

In the exercise of any of these powers, the authority shall incur no expense or liability which shall be an obligation, either general or special, of the state, or a general obligation of the authority, and shall pay no expense or liability from funds other than funds of the authority. Funds of the state shall not be used for such purpose.

Sec. 50. Section 28B.10.020, chapter 223, Laws of 1969 ex. sess. as amended by section 7, chapter 169, Laws of 1977 ex. sess. and RCW 28B.10.020 are each amended to read as follows:

The boards of regents of the University of Washington and Washington State University, respectively, and the boards of trustees of Central Washington University, Eastern Washington University, Western Washington University, and The Evergreen State College, respectively, shall have the power and authority to acquire by exchange, gift, purchase, lease, or condemnation in the manner provided by chapter 8.04, RCW for condemnation of property for public use, such lands, real estate and other property, and interests therein as they may deem necessary for the use of said institutions respectively. However, the purchase or lease of major off-campus facilities is subject to the approval of the higher education coordinating board under section 5 of this 1985 act.

Sec. 51. Section 28B.10.215, chapter 223, Laws of 1969 ex. sess. as last amended by section 6, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.10.215 are each amended to read as follows:

There is allocated to each and every blind student attending any institution of higher education within the state a sum not to exceed two hundred dollars per quarter, or so much thereof as may be necessary in the opinion of the (~~council for postsecondary education~~) higher education coordinating board in the state of Washington, to provide said blind student with readers, books, recordings, recorders, or other means of reproducing and imparting ideas, while attending said institution of higher education: PROVIDED, That said allocation shall be made out of any moneys in the general fund not otherwise appropriated.

Sec. 52. Section 28B.10.220, chapter 223, Laws of 1969 ex. sess. as last amended by section 7, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.10.220 are each amended to read as follows:

All blind student assistance shall be distributed under the supervision of the (~~council for postsecondary education~~) higher education coordinating board in the state of Washington. The moneys or any part thereof allocated in the manner referred to in RCW 28B.10.215 shall, for furnishing said books or equipment or supplying said services, be paid by said (~~council~~)

board directly to the state institution of higher education, directly to such blind student, heretofore mentioned, or to ~~(his)~~ the student's parents, guardian, or some adult person, if the blind student is a minor, designated by said blind student to act as trustee of said funds, as shall be determined by the ~~((council))~~ board.

The ~~((council))~~ board shall have power to prescribe and enforce all rules and regulations necessary to carry out the provisions of this section and RCW 28B.10.215.

Sec. 53. Section 3, chapter 14, Laws of 1979 as last amended by section 1, chapter 113, Laws of 1981 and RCW 28B.10.650 are each amended to read as follows:

It is the intent of the legislature that when the state and regional universities, The Evergreen State College, and community colleges grant professional leaves to faculty and exempt staff, such leaves be for the purpose of providing opportunities for study, research, and creative activities for the enhancement of the institution's instructional and research programs.

The boards of regents of the state universities, the boards of trustees of the regional universities and of The Evergreen State College and the board of trustees of each community college district may grant remunerated professional leaves to faculty members and exempt staff, as defined in RCW 28B.16.040, in accordance with regulations adopted by the respective governing boards for periods not to exceed twelve consecutive months in accordance with the following provisions:

(1) The remuneration from state general funds and general local funds for any such leave granted for any academic year shall not exceed the average of the highest quartile of a rank order of salaries of all full time teaching faculty holding academic year contracts or appointments at the institution or in the district.

(2) Remunerated professional leaves for a period of more or less than an academic year shall be compensated at rates not to exceed a proportional amount of the average salary as otherwise calculated for the purposes of subsection (1) ~~((hereof))~~ of this section.

(3) The grant of any such professional leave shall be contingent upon a signed contractual agreement between the respective governing board and the recipient providing that the recipient shall return to the granting institution or district following his or her completion of such leave and serve in a professional status for a period commensurate with the amount of leave so granted. Failure to comply with the provisions of such signed agreement shall constitute an obligation of the recipient to repay to the institution any remuneration received from the institution during the leave.

(4) The aggregate cost of remunerated professional leaves awarded at the institution or district during any year, including the cost of replacement personnel, shall not exceed the cost of salaries which otherwise would have been paid to personnel on leaves: PROVIDED, That for community college districts the aggregate cost shall not exceed one hundred fifty percent of the cost of salaries which would have otherwise been paid to personnel on leaves: PROVIDED FURTHER, That this subsection shall not apply to any community college district with fewer than seventy-five full time faculty members and granting fewer than three individuals such leaves in any given year.

(5) The average number of annual remunerated professional leaves awarded at any such institution or district shall not exceed four percent of the total number of full time equivalent faculty, as defined by the office of financial management, who are engaged in instruction, and exempt staff as defined in RCW 28B.16.040.

(6) Negotiated agreements made in accordance with chapter 28B.52 RCW and entered into after July 1, 1977, shall be in conformance with the provisions of this section.

(7) The respective institutions and districts shall maintain such information which will ensure compliance with the provisions of this section. The ~~((council for postsecondary education))~~ higher education coordinating board shall periodically request such information as to ensure institutions are in compliance.

Sec. 54. Section 1, chapter 13, Laws of 1980 and RCW 28B.10.790 are each amended to read as follows:

Washington residents attending any nonprofit college or university in another state which has a reciprocity agreement with the state of Washington shall be eligible for the student financial aid program outlined in RCW 28B.10.800 through 28B.10.824 if (1) they qualify as a 'needy student' under RCW 28B.10.802(3), and (2) the institution attended is a member institution of an accrediting association recognized by rule of the ~~((council))~~ higher education coordinating board for the purposes of this section and is specifically encompassed within or directly affected by such reciprocity agreement and agrees to and complies with program rules and regulations pertaining to such students and institutions adopted pursuant to RCW 28B.10.822.

Sec. 55. Section 2, chapter 13, Laws of 1980 and RCW 28B.10.792 are each amended to read as follows:

The ~~((council))~~ higher education coordinating board shall develop guidelines for determining the conditions under which an institution can be determined to be directly affected by a reciprocity agreement for the purposes of RCW 28B.10.790: PROVIDED, That no institution shall be determined to be directly affected unless students from the county in which the institution is located are provided, pursuant to a reciprocity agreement, access to Washington institutions at resident tuition and fee rates to the extent authorized by Washington law.

Sec. 56. Section 8, chapter 222, Laws of 1969 ex. sess. as last amended by section 1, chapter 235, Laws of 1979 ex. sess. and RCW 28B.10.802 are each amended to read as follows:

As used in RCW 28B.10.800 through 28B.10.824:

(1) 'Institutions of higher education' shall mean (1) any public university, college, community college, or vocational-technical institute operated by the state of Washington or any political subdivision thereof or (2) any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level which is a member institution of an accrediting association recognized by rule of the ~~((council))~~ board for the purposes of this section: PROVIDED, That any institution, branch, extension or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of any such accrediting association: PROVIDED FURTHER, That no institution of higher education shall be eligible to participate in a student financial aid program unless it agrees to and complies with program rules and regulations adopted pursuant to RCW 28B.10.822.

(2) The term 'financial aid' shall mean loans and/or grants to needy students enrolled or accepted for enrollment as a full time student at institutions of higher education.

(3) The term 'needy student' shall mean a post high school student of an institution of higher learning as defined in subsection (1) ~~((above))~~ of this section who demonstrates to the ~~((council))~~ board the financial inability, either through ~~((his))~~ the student's parents, family and/or personally, to meet the total cost of board, room, books, and tuition and incidental fees for any semester or quarter.

(4) The term 'disadvantaged student' shall mean a post high school student who by reason of adverse cultural, educational, environmental, experiential, familial or other circumstances is unable to qualify for enrollment as a full time student in an institution of higher learning, who would otherwise qualify as a needy student, and who is attending an institution of higher learning under an established program designed to qualify ~~((him))~~ the student for enrollment as a full time student.

(5) 'Commission' or ~~((council))~~ 'board' shall mean the ~~((council for postsecondary education created in RCW 28B.80.010 as now or hereafter amended))~~ higher education coordinating board.

Sec. 57. Section 1, chapter 23, Laws of 1972 ex. sess. as amended by section 17, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.10.840 are each amended to read as follows:

The term 'institution of higher education' whenever used in RCW 28B.10.840 through 28B.10.844, shall be held and construed to mean any public institution of higher education in Washington. The term 'educational board' whenever used in RCW 28B.10.840 through 28B.10.844, shall be held and construed to mean the state board for community college education and the ~~((council on for postsecondary education))~~ higher education coordinating board.

Sec. 58. Section 4, chapter 177, Laws of 1974 ex. sess. and RCW 28B.12.040 are each amended to read as follows:

The ~~((commission on))~~ higher education coordinating board shall develop and administer the college work-study program and shall be authorized to enter into agreements with employers and eligible institutions for the operation of the program. These agreements shall include such provisions as the ~~((commission on))~~ higher education coordinating board may deem necessary or appropriate to carry out the purposes of this chapter.

The share from funds disbursed under the college work-study program of the compensation of students employed under such program in accordance with such agreements shall not exceed eighty percent of the total such compensation paid such students.

Sec. 59. Section 5, chapter 177, Laws of 1974 ex. sess. and RCW 28B.12.050 are each amended to read as follows:

The ~~((commission on))~~ higher education coordinating board shall disburse college work-study funds after consideration of recommendations of a panel convened by the ~~((commission on))~~ higher education coordinating board, and composed of representatives of eligible institutions and post-secondary education advisory and governing bodies. Said commission shall establish criteria for the panel designed to achieve such distribution of assistance under this chapter among students attending eligible institutions as will most effectively carry out the purposes of this chapter.

Sec. 60. Section 6, chapter 177, Laws of 1974 ex. sess. and RCW 28B.12.060 are each amended to read as follows:

The ~~((commission on))~~ higher education coordinating board shall adopt rules and regulations as may be necessary or appropriate for effecting the provisions of this chapter, and not in conflict with this chapter, in accordance with the provisions of chapter 28B.19 RCW, the state higher education administrative procedure act. Such rules and regulations shall be promulgated upon consideration of advice from a panel composed of representatives of institutional financial aid officers, a representative of employee organizations having membership in the classified service of the state's institutions of higher education, and will include provisions designed to make employment under such work-study program reasonably available, to the extent of available funds, to all eligible students in eligible post-secondary institutions in need thereof. Such rules and regulations shall include:

(1) Providing work under the college work-study program which will not result in the displacement of employed workers or impair existing contracts for services.

(2) Furnishing work only to a student who:

(a) Is capable, in the opinion of the eligible institution, of maintaining good standing in such course of study while employed under the program covered by the agreement; and

(b) Has been accepted for enrollment as at least a half-time student at the eligible institution or, in the case of a student already enrolled in and attending the eligible institution, is in good standing and in at least half-time attendance there either as an undergraduate, graduate or professional student; and

(c) Is not pursuing a degree in theology.

(3) Placing priority on the securing of work opportunities for students who are residents of the state of Washington as defined in RCW 28B.15.011 through 28B.15.014.

(4) Provisions to assure that in the state institutions of higher education utilization of this student work-study program:

(a) Shall only supplement and not supplant classified positions under jurisdiction of chapter 28B.16 RCW;

(b) That all positions established which are comparable shall be identified to a job classification under the higher education personnel board's classification plan and shall receive equal compensation;

(c) Shall not take place in any manner that would replace classified positions reduced due to lack of funds or work; and

(d) That work study positions shall only be established at entry level positions of the classified service.

Sec. 61. Section 7, chapter 177, Laws of 1974 ex. sess. and RCW 28B.12.070 are each amended to read as follows:

Each eligible institution shall submit to the ~~((commission on))~~ higher education coordinating board an annual report in accordance with such requirements as are promulgated by the commission.

Sec. 62. Section 2, chapter 273, Laws of 1971 ex. sess. as last amended by section 1, chapter 285, Laws of 1983 and RCW 28B.15.012 are each amended to read as follows:

Whenever used in chapter 28B.15 RCW:

(1) The term 'institution' shall mean a public university, college, or community college within the state of Washington.

(2) The term 'resident student' shall mean: (a) A financially independent student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which ~~((he))~~ the student has registered at any institution and has in fact established a bona fide domicile in this state primarily for purposes other than educational; (b) a dependent student, if one or both of ~~((his))~~ the student's parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution; or (c) a student classified as a resident based upon domicile by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-1983 academic year, so long as such student's enrollment (excepting summer sessions) at an institution in this state is continuous: PROVIDED, That a nonresident student enrolled for more than six hours per semester or quarter shall be considered as attending for primarily educational purposes, and for tuition and fee paying purposes only such period of enrollment shall not be counted toward the establishment of a bona fide domicile of one year in this state unless such student proves that ~~((he))~~ the student has in fact established a bona fide domicile in this state primarily for purposes other than educational.

(3) The term 'nonresident student' shall mean any student who does not qualify as a 'resident student' under the provisions of RCW 28B.15.011 through 28B.15.014 and 28B.15.015, each as now or hereafter amended. A nonresident student shall include:

(a) A student attending an institution with the aid of financial assistance provided by another state or governmental unit or agency thereof, such nonresidency continuing for one year after the completion of such semester or quarter.

(b) A person who is not a citizen of the United States of America who does not have permanent resident status or does not hold 'Refugee-Parolee' or 'Conditional Entrant' status with the United States immigration and naturalization service and who does not also meet and comply with all the applicable requirements in RCW 28B.15.011 through 28B.15.014 and 28B.15.015, each as now or hereafter amended.

(4) The term 'domicile' shall denote a person's true, fixed and permanent home and place of habitation. It is the place where ~~((he))~~ the student intends to remain, and to which ~~((he))~~ the student expects to return when ~~((he))~~ the student leaves without intending to establish a new domicile elsewhere. The burden of proof that a student, parent or guardian has established a domicile in the state of Washington primarily for purposes other than educational lies with the student.

(5) The term 'dependent' shall mean a person who is not financially independent. Factors to be considered in determining whether a person is financially independent shall be set forth in rules and regulations adopted by the ~~((council for postsecondary education))~~ higher education coordinating board and shall include, but not be limited to, the state and federal income tax returns of the person and/or ~~((his))~~ the student's parents or legal guardian filed for the calendar year prior to the year in which application is made and such other evidence as the ~~((council))~~ board may require.

~~((6) The terms "he" or "his" shall apply to the female as well as the male sex unless the context clearly requires otherwise.))~~

Sec. 63. Section 3, chapter 273, Laws of 1971 ex. sess. as last amended by section 2, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.013 are each amended to read as follows:

(1) The establishment of a new domicile in the state of Washington by a person formerly domiciled in another state has occurred if such person is physically present in Washington primarily for purposes other than educational and can show satisfactory proof that such person is without a present intention to return to such other state or to acquire a domicile at some other place outside of Washington.

(2) Unless proven to the contrary it shall be presumed that:

(a) The domicile of any person shall be determined according to the individual's situation and circumstances rather than by marital status or sex.

(b) A person does not lose a domicile in the state of Washington by reason of residency in any state or country while a member of the civil or military service of this state or of the United States, nor while engaged in the navigation of the waters of this state or of the United States or of the high seas if that person returns to the state of Washington within one year of discharge from said service with the intent to be domiciled in the state of Washington; any resident dependent student who remains in this state when such student's parents, having theretofore been domiciled in this state for a period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which the student has registered at any institution, remove from this state, shall be entitled to continued classification as a resident student so long as such student's attendance (except summer sessions) at an institution in this state is continuous.

(3) To aid the institution in deciding whether a student, parent, legally appointed guardian or the person having legal custody of a student is domiciled in the state of Washington primarily for purposes other than educational, the rules and regulations adopted by the ~~((council for postsecondary education))~~ higher education coordinating board shall include but not be limited to the following:

(a) Registration or payment of Washington taxes or fees on a motor vehicle, mobile home, travel trailer, boat, or any other item of personal property owned or used by the person for which state registration or the payment of a state tax or fee is required will be a factor in considering evidence of the establishment of a Washington domicile.

(b) Permanent full time employment in Washington by a person will be a factor in considering the establishment of a Washington domicile.

(c) Registration to vote for state officials in Washington will be a factor in considering the establishment of a Washington domicile.

(4) After a student has registered at an institution such student's classification shall remain unchanged in the absence of satisfactory evidence to the contrary. A student wishing to apply for a change in classification shall reduce such evidence to writing and file it with the institution. In any case involving an application for a change from nonresident to resident status, the burden of proof shall rest with the applicant. Any change in classification, either nonresident to resident, or the reverse, shall be based upon written evidence maintained in the files of the institution and, if approved, shall take effect the semester or quarter such evidence was filed with the institution; PROVIDED, That applications for a change in classification shall be accepted up to the thirtieth calendar day following the first day of instruction of the quarter or semester for which application is made. Any determination of classification shall be considered a ruling on a contested case subject to court review only under procedures prescribed by chapter 28B.19 RCW.

Sec. 64. Section 4, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.015 are each amended to read as follows:

The ~~((council for postsecondary education))~~ higher education coordinating board, upon consideration of advice from representatives of the state's institutions with the advice of the attorney general, shall adopt rules and regulations to be used by the state's institutions for determining a student's resident and nonresident status and for recovery of fees for improper classification of residency.

Sec. 65. Section 7, chapter 322, Laws of 1977 ex. sess. as last amended by section 16, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.070 are each amended to read as follows:

The house and senate ~~((higher education))~~ committees responsible for higher education shall develop, in cooperation with the ~~((council for postsecondary education))~~ higher education coordinating board and the respective fiscal committees of the house and senate, the office of financial management and the state institutions of higher education ~~((no later than))~~ by

December (~~(1981, and at)~~) of each (~~(two year interval thereafter)~~) odd-numbered year, definitions, criteria and procedures for determining the undergraduate and graduate educational costs for the state universities, regional universities and community colleges upon which general tuition and operating fees will be based. In the event that no action is taken or disagreement exists between the committees as of that date, the recommendations of the (~~(council)~~) board shall be deemed to be approved.

Sec. 66. Section 4, chapter 257, Laws of 1981 as amended by section 17, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.076 are each amended to read as follows:

The (~~(council for postsecondary education)~~) higher education coordinating board shall determine and transmit amounts constituting approved undergraduate and graduate educational costs to the several boards of regents and trustees of the state institutions of higher education by November 10 of each even-numbered year. General tuition fees and operating fees shall be based on such costs in accordance with the provisions of this chapter.

Sec. 67. Section 28B.15.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 11, chapter 37, Laws of 1982 1st ex. sess. and RCW 28B.15.100 are each amended to read as follows:

(1) The board of regents or board of trustees at each of the state's regional and state universities and at The Evergreen State College shall charge to and collect from each of the students registering at the particular institution for any quarter or semester such general tuition fees, operating fees, services and activities fees, and other fees as such board shall in its discretion determine, the total of all such fees, the general tuition fee, operating fee, and services and activities fee, to be rounded-out to the nearest whole dollar amount: PROVIDED, That such general tuition fees and operating fees for other than summer session quarters or semesters shall be in the amounts for the respective institutions as otherwise set forth in this chapter, as now or hereafter amended: PROVIDED FURTHER, That the fees charged by boards of trustees of community college districts shall be in the amounts for the respective institutions as otherwise set forth in this chapter, as now or hereafter amended.

(2) Part time students shall be charged general tuition, operating, and services and activities fees proportionate to full time student rates established for residents and nonresidents: PROVIDED, That students registered for fewer than two credit hours shall be charged general tuition, operating, and services and activities fees at the rate established for two credit hours: PROVIDED FURTHER, That residents of Idaho or Oregon who are enrolled in community college district number twenty for six or fewer credits during any quarter or semester may be allowed to enroll at resident tuition and fee rates upon a declaration by the (~~(council for postsecondary education)~~) higher education coordinating board that it finds Washington residents from such community college district are afforded substantially equivalent treatment by such other states (~~(or that, until June 30, 1983, it is in the interest of the residents of such community college district to authorize the exchange of educational opportunities between Washington and other such states on a resident tuition and fee basis)~~).

(3) Full-time students registered for more than eighteen credit hours shall be charged an additional operating fee for each credit hour in excess of eighteen hours at the established per credit hour general tuition and operating fee rate applicable to part-time students in the respective institutional tuition and fee rate categories set forth in this chapter: PROVIDED, That the boards of regents of the University of Washington and Washington State University may exempt students who are registered exclusively in first professional programs in medicine, dental medicine, veterinary medicine and law: PROVIDED FURTHER, That the state board for community college education may exempt students who are registered exclusively in required courses in vocational preparatory programs from the additional charge.

Sec. 68. Section 17, chapter 278, Laws of 1984 and RCW 28B.15.543 are each amended to read as follows:

(1) The boards of regents and trustees of the regional universities, state universities, and The Evergreen State College shall waive tuition, operating, and service and activities fees for two years for recipients of the Washington scholars award under RCW 28A.58.820 through 28A.58.832. To qualify for the waiver, recipients shall enter the college or university within three years of high school graduation and maintain a minimum grade point average at the college or university equivalent to 3.50.

(2) The (~~(council for postsecondary education)~~) higher education coordinating board shall report to the legislature on or before January 15, 1986, on the tuition waivers for the Washington scholars program. The report shall include an evaluation and recommendations on the effect of extending the waivers for a period of four years.

Sec. 69. Section 1, chapter 80, Laws of 1979 as amended by section 1, chapter 104, Laws of 1983 and RCW 28B.15.730 are each amended to read as follows:

(1) The state board for community college education and the boards of trustees for community college districts thirteen, fourteen, sixteen, nineteen, and twenty, for Lower Columbia, Clark, Yakima Valley, Columbia Basin, and Walla Walla community colleges, respectively, and the board of trustees for The Evergreen State College, for any program it offers in Vancouver, shall waive the payment of nonresident tuition and fees by residents of Oregon, upon completion of an agreement between the (~~(council for postsecondary education)~~) higher

education coordinating board and appropriate officials and agencies in Oregon granting similar waivers for residents of Cowlitz, Clark, Wahkiakum, Skamania, and Klickitat counties, Washington, who qualify for junior or senior standing to attend Portland State University at the undergraduate level.

(2) The state board for community college education and the boards of trustees of the state's community colleges, The Evergreen State College, and the regional universities and the boards of regents of the University of Washington and Washington State University shall waive the payment of nonresident tuition and fees by residents of Oregon, upon completion of and to the extent permitted by an agreement between the (~~council for postsecondary education~~) higher education coordinating board and appropriate officials and agencies in Oregon granting similar waivers for residents of the state of Washington.

Sec. 70. Section 2, chapter 80, Laws of 1979 and RCW 28B.15.732 are each amended to read as follows:

Prior to January 1 (~~(:)~~) of each odd-numbered year the (~~council for postsecondary education~~) higher education coordinating board, in cooperation with the state board for community college education, and in consultation with appropriate agencies and officials in the state of Oregon, shall determine for the purposes of RCW 28B.15.730 the number of students for whom nonresident tuition and fees have been waived for the first academic year of the biennium and the fall term of the second academic year, and make an estimate of the number of such students for the remainder of the second academic year, and the difference between the aggregate amount of tuition and fees that would have been paid to the respective states by residents of the other state had such waivers not been made, and the aggregate amount of tuition and fees paid by residents of the other state. Should the (~~council~~) board determine that the state of Oregon has experienced a greater net tuition and fee revenue loss than institutions in Washington, it shall pay from funds appropriated for this purpose to the appropriate agency or institutions in Oregon an amount determined by subtracting the net tuition and fee revenue loss of Washington from the net tuition and fee revenue loss of Oregon, minus twenty-five thousand dollars for each year of the biennium: PROVIDED, That appropriate officials in the state of Oregon agree to make similar restitution to the state of Washington should the net tuition and fee revenue loss in Washington be greater than that in Oregon.

Sec. 71. Section 3, chapter 80, Laws of 1979 and RCW 28B.15.734 are each amended to read as follows:

The (~~council for postsecondary education~~) higher education coordinating board may enter into an agreement with appropriate officials or agencies in Oregon to implement the provisions of RCW 28B.15.730 through 28B.15.734.

Sec. 72. Section 4, chapter 80, Laws of 1979 as amended by section 2, chapter 104, Laws of 1983 and RCW 28B.15.736 are each amended to read as follows:

By January 10 of each odd-numbered year, the (~~council for postsecondary education~~) higher education coordinating board shall review the costs and benefits of this program and shall transmit copies (~~(or of)~~) of their review to the governor and the appropriate policy and fiscal committees of the legislature.

Sec. 73. Section 1, chapter 166, Laws of 1983 and RCW 28B.15.750 are each amended to read as follows:

The state board for community college education and the boards of trustees of the state's community colleges, The Evergreen State College, and the regional universities and boards of regents of the University of Washington and Washington State University shall waive the payment of nonresident tuition and fees by residents of Idaho, upon completion of and to the extent permitted by an agreement between the (~~council for postsecondary education~~) higher education coordinating board and appropriate officials and agencies in Idaho granting similar waivers for residents of the state of Washington.

Sec. 74. Section 2, chapter 166, Laws of 1983 and RCW 28B.15.752 are each amended to read as follows:

Prior to January 1 of each odd-numbered year, the (~~council for postsecondary education~~) higher education coordinating board, in cooperation with the state board for community college education and in consultation with appropriate agencies and officials in the state of Idaho, shall determine for the purposes of RCW 28B.15.750 the number of students for whom nonresident tuition and fees have been waived for the first academic year of the biennium and the fall term of the second academic year, and make an estimate of the number of such students for the remainder of the second academic year, and the difference between the aggregate amount of tuition and fees that would have been paid to the respective states by residents of the other state had such waivers not been made, and the aggregate amount of tuition and fees paid by residents of the other state. Should the (~~council~~) board determine that the state of Idaho has experienced a greater net tuition and fee revenue loss than institutions in Washington, it shall pay from funds appropriated for this purpose to the appropriate agency or institution in Idaho an amount determined by subtracting the net tuition and fee revenue loss of Washington from the net tuition and fee revenue loss of Idaho, minus twenty-five thousand dollars for each year of the biennium if the appropriate officials in the state of Idaho agree to

make similar restitution to the state of Washington should the net tuition and fee revenue loss in Washington be greater than that in Idaho.

Sec. 75. Section 3, chapter 166, Laws of 1983 and RCW 28B.15.754 are each amended to read as follows:

The (~~(council for postsecondary education)~~) higher education coordinating board may enter into an agreement with appropriate officials or agencies in the state of Idaho to implement RCW 28B.15.750 and 28B.15.752. By January 10 of each odd-numbered year, the (~~(council)~~) board shall review the costs and benefits of any agreement entered into under RCW 28B.15.750 and shall transmit copies of their review to the governor and the appropriate policy and fiscal committees of the legislature. In addition, the (~~(council)~~) board shall make recommendations to the legislature on the continuation or termination of the authorization contained in this section not later than January, 1987.

Sec. 76. Section 4, chapter 166, Laws of 1983 and RCW 28B.15.756 are each amended to read as follows:

The boards of trustees of The Evergreen State College and the regional universities and the boards of regents of the University of Washington and Washington State University shall waive the payment of nonresident tuition and fees by residents of the Canadian province of British Columbia, upon completion of and to the extent permitted by an agreement between the (~~(council for postsecondary education)~~) higher education coordinating board and appropriate officials and agencies in the Canadian province of British Columbia providing for enrollment opportunities for residents of the state of Washington without payment of tuition or fees in excess of those charged to residents of British Columbia.

Sec. 77. Section 5, chapter 166, Laws of 1983 and RCW 28B.15.758 are each amended to read as follows:

The (~~(council for postsecondary education)~~) higher education coordinating board may enter into an agreement with appropriate officials or agencies in the Canadian province of British Columbia to implement RCW 28B.15.756. The agreement should provide for a balanced exchange of enrollment opportunities, without payment of excess tuition or fees, for residents of the state of Washington or the Canadian province of British Columbia. By January 10 of each odd-numbered year, the (~~(council)~~) board shall review the costs and benefits of any agreement entered into under RCW 28B.15.756 and shall transmit copies of their review to the governor and the appropriate policy and fiscal committees of the legislature. In addition, the (~~(council)~~) board shall make recommendations to the legislature on the continuation or termination of the authorization contained in this section not later than January, 1987.

Sec. 78. Section 6, chapter 166, Laws of 1983 (uncodified) is amended to read as follows:

(~~(Sections one through five of this act)~~) RCW 28B.15.750 through 28B.15.758 shall expire on June 30, 1987.

Sec. 79. Section 1, chapter 74, Laws of 1983 1st ex. sess. and RCW 28B.15.760 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 28B.15.762 and 28B.15.764.

(1) 'Institution of higher education' or 'institution' means a college or university in the state of Washington which is a member institution of an accrediting association recognized as such by rule of the (~~(council for postsecondary education)~~) higher education coordinating board.

(2) (~~'Council' means the council for postsecondary education~~) 'Board' means the higher education coordinating board.

(3) 'Eligible student' means a student registered for at least ten credit hours or the equivalent and demonstrates achievement of a 3.00 grade point average for each academic year, who is a resident student as defined by RCW 28B.15.012 through 28B.15.015, who is a 'needy student' as defined in RCW 28B.10.802, and who has a declared major in a program leading to a degree in teacher education in a field of science or mathematics, or a certificated teacher who meets the same credit hour and 'needy student' requirements and is seeking an additional degree in science or mathematics.

(4) 'Public school' means a middle school, junior high school, or high school within the public school system referred to in Article IX of the state Constitution.

(5) 'Forgiven' or 'to forgive' means to collect service as a teacher in a field of science or mathematics at a public school in the state of Washington in lieu of monetary payment.

(6) 'Satisfied' means paid-in-full.

(7) 'Borrower' means an eligible student who has received a loan under RCW 28B.15.762.

Sec. 80. Section 2, chapter 74, Laws of 1983 1st ex. sess. and RCW 28B.15.762 are each amended to read as follows:

(1) The (~~(council)~~) board may make long-term loans to eligible students at institutions of higher education from the funds appropriated to the (~~(council)~~) board for this purpose. The amount of any such loan shall not exceed the demonstrated financial need of the student or two thousand five hundred dollars for each academic year whichever is less, and the total amount of such loans to an eligible student shall not exceed ten thousand dollars. The interest rates and terms of deferral of such loans shall be consistent with the terms of the guaranteed

loan program established by 20 U.S.C. Sec. 1701 et seq. The period for repaying the loan principal and interest shall be ten years with payments accruing quarterly commencing nine months from the date the borrower graduated. The entire principal and interest of each loan payment shall be forgiven for each payment period in which the borrower teaches science or mathematics in a public school in this state until the entire loan is satisfied or the borrower ceases to teach science or mathematics at a public school in this state. Should the borrower cease to teach science or mathematics at a public school in this state before the time in which the principal and interest on the loan are satisfied, payments on the unsatisfied portion of the principal and interest on the loan shall begin the next payment period and continue until the remainder of the loan is paid.

(2) The ~~((council))~~ board is responsible for collection of loans made under subsection (1) of this section and shall exercise due diligence in such collection, maintaining all necessary records to insure that maximum repayments are made. Collection and servicing of loans under subsection (1) of this section shall be pursued using the full extent of the law, including wage garnishment if necessary, and shall be performed by entities approved for such servicing by the Washington student loan guaranty association or its successor agency. The ~~((council))~~ board is responsible to forgive all or parts of such loans under the criteria established in subsection (1) of this section and shall maintain all necessary records of forgiven payments.

(3) Receipts from the payment of principal or interest or any other subsidies to which the ~~((council))~~ board as lender is entitled, which are paid by or on behalf of borrowers under subsection (1) of this section, shall be deposited with the ~~((council for postsecondary education))~~ higher education coordinating board and shall be used to cover the costs of making the loans under subsection (1) of this section, maintaining necessary records, and making collections under subsection (2) of this section. The ~~((council))~~ board shall maintain accurate records of these costs, and all receipts beyond those necessary to pay such costs shall be used to make loans to eligible students.

(4) The ~~((council for postsecondary education))~~ board shall adopt necessary rules to implement this section.

Sec. 81. Section 3, chapter 74, Laws of 1983 1st ex. sess. and RCW 28B.15.764 are each amended to read as follows:

The ~~((council for postsecondary education))~~ board and institutions of higher education shall work cooperatively to implement RCW 28B.15.762 and to publicize this program to eligible students.

Sec. 82. Section 10, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.20.280 are each amended to read as follows:

The board of regents of the University of Washington may offer masters level and doctorate level degrees in technology subject to review and approval by the ~~((council for postsecondary education))~~ higher education coordinating board.

Sec. 83. Section 12, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.30.500 are each amended to read as follows:

The board of regents of Washington State University may offer masters level and doctorate level degrees in technology subject to review and approval by the ~~((council for postsecondary education))~~ higher education coordinating board.

Sec. 84. Section 4, chapter 14, Laws of 1979 and RCW 28B.35.205 are each amended to read as follows:

In addition to all other powers and duties given to them by law, Central Washington University, Eastern Washington University, and Western Washington University are hereby authorized to grant any degree through the master's degree to any student who has completed a program of study and/or research in those areas which are determined by the faculty and board of trustees of the college to be appropriate for the granting of such degree: PROVIDED, That before any degree is authorized under this section it shall be subject to the review and ~~((recommendation))~~ approval of the ~~((council for postsecondary education))~~ higher education coordinating board.

Sec. 85. Section 1, chapter 78, Laws of 1979 ex. sess. and RCW 28B.40.206 are each amended to read as follows:

In addition to all other powers and duties given to them by law, the board of trustees of The Evergreen State College is hereby authorized to grant any degree through the master's degree to any student who has completed a program of study and/or research in those areas which are determined by the faculty and board of trustees of the college to be appropriate for the granting of such degree: PROVIDED, That any degree authorized under this section shall be subject to the review and ~~((favorable recommendation))~~ approval of the ~~((council for postsecondary education))~~ higher education coordinating board.

Sec. 86. Section 5, chapter 72, Laws of 1983 1st ex. sess. as amended by section 1, chapter 66, Laws of 1984 and RCW 28B.65.040 are each amended to read as follows:

(1) The Washington high-technology coordinating board is hereby created.

(2) The board shall be composed of seventeen members as follows:

(a) Eleven shall be citizen members appointed by the governor, with the consent of the senate, for four-year terms. In making the appointments the governor shall ensure that a balanced geographic representation of the state is achieved and shall attempt to choose persons experienced in high-technology fields, including at least one representative of labor. Any person appointed to fill a vacancy occurring before a term expires shall be appointed only for the remainder of that term; and

(b) Six of the members shall be as follows: One representative from each of the state's two research universities, one representative of the state college and regional universities, the director for the state system of community colleges or the director's designee, the superintendent of public instruction or the superintendent's designee, and a representative of the ~~((council for postsecondary education))~~ higher education coordinating board.

(3) Members of the board shall not receive any salary for their services, but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060 for each day actually spent in attending to duties as a member of the board.

(4) A citizen member of the board shall not be, during the term of office, a member of the governing board of any public or private educational institution, or an employee of any state or local agency.

Sec. 87. Section 6, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.65.050 are each amended to read as follows:

(1) The board shall oversee and coordinate the high-technology education and training program.

(2) The board shall:

(a) Determine the specific high-technology occupational fields in which technical training is needed and advise the institutions of higher education and the ~~((council for postsecondary education))~~ higher education coordinating board on their findings;

(b) Identify economic areas with high-technology industries in need of technical training critical to economic renewal or economic development and advise the institutions of higher education and the ~~((council for postsecondary education))~~ higher education coordinating board on their findings;

(c) Oversee and coordinate the Washington high-technology education and training program to insure high standards, efficiency, and effectiveness;

(d) Work cooperatively with the superintendent of public instruction to identify the skills prerequisite to the high-technology programs in the institutions of higher education;

(e) Work cooperatively with and provide any information or advice which may be requested by the ~~((council for postsecondary education))~~ higher education coordinating board during the ~~((council's))~~ board's review of new baccalaureate degree program proposals which are submitted under this chapter. Nothing in this chapter shall be construed as altering or superseding the powers or prerogatives of the ~~((council for postsecondary education))~~ higher education coordinating board over the review of new degree programs as established in ~~((RCW 28B.80.035))~~ section 6(2) of this 1985 act; and

~~((f))~~ Prepare and submit a report to the 1984 legislature on whether or not high-technology education and training consortiums should be established between the state's community colleges and four-year colleges and universities pursuant to RCW 28B.65.080, including their geographic division and the pattern of cooperation between the community colleges and the four-year colleges and universities and shall investigate the establishment of such consortiums within existing resources; and

~~((g))~~ Prepare and submit to the legislature before the first day of each regular session an annual report on the Washington high-technology education and training program including, but not limited to:

(i) An evaluation of the program;

(ii) A determination of the feasibility of expanding the program; and

(iii) Recommendations, including recommendations for further legislation as the board deems necessary.

(3) The board may adopt rules under chapter 28B.19 RCW as it deems necessary to carry out the purposes of this chapter.

(4) The board shall cease to exist on June 30, 1987, unless extended by law for an additional fixed period of time.

Sec. 88. Section 7, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.65.060 are each amended to read as follows:

Staff support for the high-technology coordinating board shall be provided by the ~~((council for postsecondary education))~~ higher education coordinating board.

Sec. 89. Section 4, chapter 174, Laws of 1975 1st ex. sess. as amended by section 3, chapter 21, Laws of 1983 1st ex. sess. and RCW 28C.04.040 are each amended to read as follows:

The commission for vocational education shall have the following functions:

(1) Plan development. The commission shall be responsible for complying with federal directives to insure the development and maintenance of a state plan for vocational education but initial planning shall be accomplished by the secondary and postsecondary education systems. Prior to the adoption of the state plan, the commission shall request comments from the

((council on)) higher education coordinating board and the advisory council for vocational education.

(2) State plan modification adjudication. Decisions on new programs and/or facilities for vocational education shall be made internally within the respective secondary or postsecondary education system in accordance with the provisions of the state plan. The commission may review such decisions to insure compliance with the state plan and avoid unnecessary duplication of current or projected programs.

Any common school or community college district, or the superintendent of public instruction, or the state board for community college education, or other interested parties as authorized by the commission, shall be afforded the opportunity to comment upon any new programs or facilities proposed. The commission, subject to dispute resolution rules adopted by said commission, shall have the final determination on any disputes arising out of such program proposals.

In adjudicating disputes between the two secondary and postsecondary education systems regarding the state plan, the commission will use at least the following criteria: Recognition that secondary education is constitutionally the responsibility of the superintendent of public instruction and that by legislative action postsecondary education is the responsibility of institutions of higher education; adhere to the general policy set forth in the state plan; consider the particular vocational need of the community, region, or state and whether the common school or community college, or both, can best respond to those needs; encourage cooperation and coordination rather than competition and program conflict between secondary and postsecondary education systems; consider the desires and preferences of the residents of the immediate program service area and of the representatives of the fields of management, labor, and agriculture which benefit from possible program offerings; and avoid unnecessary duplication of vocational education programs and facilities.

(3) Vocational education administration. The commission shall be the sole agency for the receipt and allocation of federal funds in accordance with the state plan. The supervision of the state plan shall be carried out by the commission; however, daily administration of the state plan shall be primarily the responsibility of the superintendent of public instruction and the state board for community college education: PROVIDED, That the commission shall review and approve state plan development proposals or special programs requiring personal service contracts, and activities beyond the program responsibilities of the superintendent of public instruction and the state board for community college education.

Under the state plan the commission shall make periodic compliance audits at least once a biennium of the vocational education programs individually and jointly conducted by the common schools and community colleges to insure compliance with the state plan.

The commission shall be the primary state liaison with the federal government for the state plan for vocational education.

(4) Fire service training program. The commission may accept any and all donations, grants, bequests, and devices, conditional or otherwise, or money, property, service, or other things of value which may be received from the United States or any agency thereof, any governmental agency, any institution, person, firm, or corporation, public and private, to be held, used, or applied for the purposes of the fire service training program established in RCW 28C.04.140.

(5) Job skills program. The commission shall have the following powers and duties for the job skills program:

(a) To collect and disseminate to interested individuals, in cooperation with and through any agencies of federal, state, and municipal government, information concerning areas of present and projected employment need, programs of skills training and education consistent therewith, and any other relevant information;

(b) To apply for, utilize, and accept grants from other federal, state, and local agencies for the purposes of matching requirements and to facilitate the purposes of RCW 28C.04.420 through 28C.04.480;

(c) To help identify, upon the request of business and industry, those educational institutions which could provide the training services sought by business and industry and to identify any existing programs which could serve the particular needs of business and industry;

(d) To provide job skills grants to educational institutions to facilitate the development of programs of job skills training and education consistent with employment needs;

(e) To work cooperatively with the employment security department to enhance and update the state's occupational information system and the state's career information system;

(f) To adopt rules to carry out its powers and duties for the job skills program.

Sec. 90. Section 12, chapter 174, Laws of 1975 1st ex. sess. as last amended by section 23, chapter 151, Laws of 1979 and RCW 28C.04.510 are each amended to read as follows:

The governor is hereby authorized, with the advice of the office of financial management to determine to which of the following state agencies those functions of the coordinating council for occupational education not ((herein)) transferred by chapter 174, Laws of 1975 1st ex. sess. to the commission for vocational education shall be transferred: The ((council on)) higher education coordinating board; the department of social and health services; the department of

labor and industries; the superintendent of public instruction; the state board for community colleges; the employment security department; the state library, or any educational administrative agency created during the forty-fourth legislative session. The governor has the authority to transfer such personnel, funds, and equipment to the agency he so determines as may be necessary to carry out those functions. The governor shall make a report to the legislature concerning such determinations as he has made by December 1, 1975. All remaining funds of the coordinating council not disposed of or otherwise provided for in this chapter shall remain within the jurisdiction of the commission.

Sec. 91. Section 28B.10.050, chapter 223, Laws of 1969 ex. sess. as last amended by section 19, chapter 278, Laws of 1984 and RCW 28B.10.050 are each amended to read as follows:

Except as the legislature shall otherwise specifically direct, the boards of regents and the boards of trustees for the state universities, the regional universities, and The Evergreen State College may establish entrance requirements for their respective institutions of higher education ~~((that))~~ which meet or exceed the minimum entrance requirements established under ((RCW 28B.10.045)) section 6(2) of this 1985 act.

Sec. 92. Section 28B.20.130, chapter 223, Laws of 1969 ex. sess. as amended by section 20, chapter 75, Laws of 1977 and RCW 28B.20.130 are each amended to read as follows:

General powers and duties of the board of regents are as follows:

(1) To have full control of the university and its property of various kinds, except as otherwise provided by law.

(2) To employ the president of the university, his assistants, members of the faculty, and employees of the institution, who except as otherwise provided by law, shall hold their positions during the pleasure of said board of regents.

(3) Establish entrance requirements for students seeking admission to the university which meet or exceed the standards specified under section 6(2) of this 1985 act. Completion of examinations satisfactory to the university may be a prerequisite for entrance by any applicant at the university's discretion. Evidence of completion of public high schools and other educational institutions whose courses of study meet the approval of the university may be acceptable for entrance.

(4) Establish such colleges, schools or departments necessary to carry out the purpose of the university and not otherwise proscribed by law.

(5) With the assistance of the faculty of the university, prescribe the course of study in the various colleges, schools and departments of the institution and publish the necessary catalogues thereof.

(6) Grant to students such certificates or degrees as recommended for such students by the faculty. The board, upon recommendation of the faculty, may also confer honorary degrees upon persons other than graduates of this university in recognition of their learning or devotion to literature, art or science: PROVIDED, That no degree shall ever be conferred in consideration of the payment of money or the giving of property of whatsoever kind.

(7) Accept such gifts, grants, conveyances, bequests and devises, whether real or personal property, or both, in trust or otherwise, for the use or benefit of the university, its colleges, schools, departments, or agencies; and sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms of said gifts, grants, conveyances, bequests and devises. The board shall adopt proper rules to govern and protect the receipt and expenditure of the proceeds of all fees, and the proceeds, rents, profits and income of all gifts, grants, conveyances, bequests and devises above-mentioned, and shall make full report of the same in the customary biennial report to the governor and members of the legislature, or more frequently if required by law: PROVIDED, HOWEVER, That nothing herein contained shall be construed to repeal, amend or in any way modify any of the provisions of RCW 28B.20.380.

(8) Except as otherwise provided by law, to enter into such contracts as the regents deem essential to university purposes.

(9) To submit upon request such reports as will be helpful to the governor and to the legislature in providing for the institution.

(10) Subject to the approval of the higher education coordinating board pursuant to section 5 of this 1985 act, offer new degree programs, offer off-campus programs, participate in consortia or centers, contract for off-campus educational programs, and purchase or lease major off-campus facilities.

Sec. 93. Section 28B.30.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 21, chapter 75, Laws of 1977 and RCW 28B.30.150 are each amended to read as follows:

The regents of Washington State University, in addition to other duties prescribed by law, shall:

(1) Have full control of the university and its property of various kinds, except as otherwise provided by law.

(2) Employ the president of the university, his assistants, members of the faculty, and employees of the university, who, except as otherwise provided by law, shall hold their positions during the pleasure of said board of regents.

(3) Establish entrance requirements for students seeking admission to the university which meet or exceed the standards specified under section 6(2) of this 1985 act. Completion of examinations satisfactory to the university may be a prerequisite for entrance by any applicant, at the university's discretion. Evidence of completion of public high schools and other educational institutions whose courses of study meet the approval of the university may be acceptable for entrance.

(4) Establish such colleges, schools or departments necessary to carry out the purpose of the university and not otherwise proscribed by law.

(5) Subject to the approval of the higher education coordinating board pursuant to section 5 of this 1985 act, offer new degree programs, offer off-campus programs, participate in consortia or centers, contract for off-campus educational programs, and purchase or lease major off-campus facilities.

(6) With the assistance of the faculty of the university, prescribe the courses of instruction in the various colleges, schools and departments of the institution and publish the necessary catalogues thereof.

((6)) (7) Collect such information as the board deems desirable as to the schemes of technical instruction adopted in other parts of the United States and foreign countries.

((7)) (8) Provide for holding agricultural institutes including farm marketing forums.

((8)) (9) Provide that instruction given in the university, as far as practicable, be conveyed by means of laboratory work and provide in connection with the university one or more physical, chemical, and biological laboratories, and suitably furnish and equip the same.

((9)) (10) Provide training in military tactics for those students electing to participate therein.

((10)) (11) Establish a department of elementary science and in connection therewith provide instruction in elementary mathematics, including elementary trigonometry, elementary mechanics, elementary and mechanical drawing and land surveying.

((11)) (12) Establish a department of agriculture and in connection therewith provide instruction in physics with special application of its principles to agriculture, chemistry with special application of its principles to agriculture, morphology and physiology of plants with special reference to common grown crops and fungus enemies, morphology and physiology of the lower forms of animal life, with special reference to insect pests, morphology and physiology of the higher forms of animal life and in particular of the horse, cow, sheep and swine, agriculture with special reference to the breeding and feeding of livestock and the best mode of cultivation of farm produce, and mining and metallurgy, appointing demonstrators in each of these subjects to superintend the equipment of a laboratory and to give practical instruction therein.

((12)) (13) Establish agricultural experiment stations in connection with the department of agriculture, including at least one in the western portion of the state, and appoint the officers and prescribe regulations for their management.

((13)) (14) Grant to students such certificates or degrees, as recommended for such students by the faculty.

((14)) (15) Confer honorary degrees upon persons other than graduates of the university in recognition of their learning or devotion to literature, art or science when recommended thereto by the faculty: PROVIDED, That no degree shall ever be conferred in consideration of the payment of money or the giving of property of whatsoever kind.

((15)) (16) Adopt plans and specifications for university buildings and facilities or improvements thereto and employ skilled architects and engineers to prepare such plans and specifications and supervise the construction of buildings or facilities which the board is authorized to erect, and fix the compensation for such services. The board shall enter into contracts with one or more contractors for such suitable buildings, facilities or improvements as the available funds will warrant, upon the most advantageous terms offered at a public competitive letting, pursuant to public notice under regulations established by the board. The board shall require of all persons with whom they contract for construction and improvements a good and sufficient bond for the faithful performance of the work and full protection against all liens.

((16)) (17) Except as otherwise provided by law, direct the disposition of all money appropriated to or belonging to the state university.

((17)) (18) Receive and expend the money appropriated under the act of congress approved May 8, 1914, entitled 'An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act of Congress approved July 2, 1862, and Acts supplemental thereto and the United States Department of Agriculture' and organize and conduct agricultural extension work in connection with the state university in accordance with the terms and conditions expressed in the acts of congress.

((18)) (19) Except as otherwise provided by law, to enter into such contracts as the regents deem essential to university purposes.

((19)) (20) Acquire by lease, gift, or otherwise, lands necessary to further the work of the university or for experimental or demonstrational purposes.

((20)) (21) Establish and maintain at least one agricultural experiment station in an irrigation district to conduct investigational work upon the principles and practices of irrigational

agriculture including the utilization of water and its relation to soil types, crops, climatic conditions, ditch and drain construction, fertility investigations, plant disease, insect pests, marketing, farm management, utilization of fruit byproducts and general development of agriculture under irrigation conditions.

((21)) (22) Supervise and control the agricultural experiment station at Puyallup.

((22)) (23) Establish and maintain at Wenatchee an agricultural experiment substation for the purpose of conducting investigational work upon the principles and practices of orchard culture, spraying, fertilization, pollenization, new fruit varieties, fruit diseases and pests, byproducts, marketing, management and general horticultural problems.

((23)) (24) Accept such gifts, grants, conveyances, devises and bequests, whether real or personal property, in trust or otherwise, for the use or benefit of the university, its colleges, schools or departments; and sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms of said gifts, grants, conveyances, bequests and devises; adopt proper rules to govern and protect the receipt and expenditure of the proceeds of all fees, and the proceeds, rents, profits and income of all gifts, grants, conveyances, bequests and devises, and make full report thereof in a biennial report to the governor and members of the legislature.

((24)) (25) Construct when the board so determines a new foundry and a mining, physical, technological building and fabrication shop at the university, or add to the present foundry and other buildings, in order that both instruction and research be expanded to include permanent molding and die casting with a section for new fabricating techniques, especially for light metals, including magnesium and aluminum; purchase equipment for the shops and laboratories in mechanical, electrical, and civil engineering; establish a pilot plant for the extraction of alumina from native clays and other possible light metal research; purchase equipment for a research laboratory for technological research generally; and purchase equipment for research in electronics, instrumentation, energy sources, plastics, food technology, mechanics of materials, hydraulics and similar fields.

((25)) (26) Make and transmit to the governor and members of the legislature upon request such reports as will be helpful in providing for the institution.

Sec. 94. Section 48, chapter 169, Laws of 1977 ex. sess. and RCW 28B.35.120 are each amended to read as follows:

In addition to any other powers and duties prescribed by law, each board of trustees of the respective regional universities:

(1) Shall have full control of the regional university and its property of various kinds, except as otherwise provided by law.

(2) Shall employ the president of the regional university, his assistants, members of the faculty, and other employees of the institution, who, except as otherwise provided by law, shall hold their positions, until discharged therefrom by the board for good and lawful reason.

(3) With the assistance of the faculty of the regional university, shall prescribe the course of study in the various schools and departments thereof and publish such catalogues thereof as the board deems necessary; PROVIDED, That the state board of education shall determine the requisites for and give program approval of all courses leading to teacher certification by such board.

(4) Establish such divisions, schools or departments necessary to carry out the purposes of the regional university and not otherwise proscribed by law.

(5) Except as otherwise provided by law, may establish and erect such new facilities as determined by the board to be necessary for the regional university.

(6) May acquire real and other property as provided in RCW 28B.10.020, as now or hereafter amended.

(7) Except as otherwise provided by law, may purchase all supplies and purchase or lease equipment and other personal property needed for the operation or maintenance of the regional university.

(8) May establish, lease, operate, equip and maintain self-supporting facilities in the manner provided in RCW 28B.10.300 through 28B.10.330, as now or hereafter amended.

(9) Except as otherwise provided by law, to enter into such contracts as the trustees deem essential to regional university purposes.

(10) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from whatsoever source, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the regional university programs; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof.

(11) Subject to the approval of the higher education coordinating board pursuant to section 5 of this 1985 act, offer new degree programs, offer off-campus programs, participate in consortia or centers, contract for off-campus educational programs, and purchase or lease major off-campus facilities.

(12) May promulgate such rules and regulations, and perform all other acts not forbidden by law, as the board of trustees may in its discretion deem necessary or appropriate to the administration of the regional university.

Sec. 95. Section 28B.40.120, chapter 223, Laws of 1969 ex. sess. as amended by section 68, chapter 169, Laws of 1977 ex. sess. and RCW 28B.40.120 are each amended to read as follows:

In addition to any other powers and duties prescribed by law, the board of trustees of The Evergreen State College:

(1) Shall have full control of the state college and its property of various kinds, except as otherwise provided by law.

(2) Shall employ the president of the state college, his assistants, members of the faculty, and other employees of the institution, who, except as otherwise provided by law, shall hold their positions, until discharged therefrom by the board for good and lawful reason.

(3) With the assistance of the faculty of the state college, shall prescribe the course of study in the various schools and departments thereof and publish such catalogues thereof as the board deems necessary: PROVIDED, That the state board of education shall determine the requisites for and give program approval of all courses leading to teacher certification by such board.

(4) Establish such divisions, schools or departments necessary to carry out the purposes of the college and not otherwise proscribed by law.

(5) Except as otherwise provided by law, may establish and erect such new facilities as determined by the board to be necessary for the college.

(6) May acquire real and other property as provided in RCW 28B.10.020, as now or hereafter amended.

(7) Except as otherwise provided by law, may purchase all supplies and purchase or lease equipment and other personal property needed for the operation or maintenance of the college.

(8) May establish, lease, operate, equip and maintain self-supporting facilities in the manner provided in RCW 28B.10.300 through 28B.10.330, as now or hereafter amended.

(9) Except as otherwise provided by law, to enter into such contracts as the trustees deem essential to college purposes.

(10) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from whatsoever source, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the college programs; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof except as limited by the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof.

(11) Subject to the approval of the higher education coordinating board pursuant to section 5 of this 1985 act, offer new degree programs, offer off-campus programs, participate in consortia or centers, contract for off-campus educational programs, and purchase or lease major off-campus facilities.

(12) May promulgate such rules and regulations, and perform all other acts not forbidden by law, as the board of trustees may in its discretion deem necessary or appropriate to the administration of the college.

Sec. 96. Section 6, chapter 14, Laws of 1979 as last amended by section 3, chapter 246, Laws of 1981 and RCW 28B.50.140 are each amended to read as follows:

Each community college board of trustees:

(1) Shall operate all existing community colleges and vocational-technical institutes in its district;

(2) Shall create comprehensive programs of community college education and training and maintain an open-door policy in accordance with the provisions of RCW 28B.50.090(3);

(3) Shall employ for a period to be fixed by the board a college president for each community college, a director for each vocational-technical institute or school operated by a community college, a district president, if deemed necessary by the board, in the event there is more than one college and/or separated institute or school located in the district, members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties;

(4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand. However, the authority of community college boards of trustees to purchase or lease major off-campus facilities shall be subject to the approval of the higher education coordinating board pursuant to section 5(5) of this 1985 act.

(5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community college;

(6) May, with the approval of the college board, borrow money and issue and sell revenue bonds or other evidences of indebtedness for the construction, reconstruction, erection, equipping with permanent fixtures, demolition and major alteration of buildings or other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected

with the operation of the community college in accordance with the provisions of RCW 28B.10.300 through 28B.10.330 where applicable:

(7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the government thereof, not inconsistent with the rules and regulations of the college board; each board of trustees operating a community college may enter into agreements, subject to rules and regulations of the college board, with owners of facilities to be used for housing regarding the management, operation, and government of such facilities, and any board entering into such an agreement may:

(a) Make rules and regulations for the government, management and operation of such housing facilities deemed necessary or advisable; and

(b) Employ necessary employees to govern, manage and operate the same;

(8) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community college programs as specified by law and the regulations of the state college board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof;

(9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community college purposes;

(10) May make rules and regulations for pedestrian and vehicular traffic on property owned, operated, or maintained by the community college district;

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community college or colleges under its control, and publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, nonbaccalaureate degree or certificate;

(13) Shall enforce the rules and regulations prescribed by the state board for community college education for the government of community colleges, students and teachers, and promulgate such rules and regulations and perform all other acts not inconsistent with law or rules and regulations of the state board for community college education as the board of trustees may in its discretion deem necessary or appropriate to the administration of community college districts: PROVIDED, That such rules and regulations shall include, but not be limited to, rules and regulations relating to housing, scholarships, conduct at the various community college facilities, and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community colleges students who refuse to obey any of the duly promulgated rules and regulations;

(14) May, by written order filed in its office, delegate to the president or district president any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised in the name of the district board;

(15) May perform such other activities consistent with this chapter and not in conflict with the directives of the college board;

(16) Notwithstanding any other provision of law, may offer educational services on a contractual basis other than the tuition and fee basis set forth in chapter 28B.15 RCW for a special fee to private or governmental entities, consistent with rules and regulations adopted by the state board for community college education: PROVIDED, That the whole of such special fee shall go to the college district and be not less than the full instructional costs of such services: PROVIDED FURTHER, That enrollments generated hereunder shall not be counted toward the official enrollment level of the college district for state funding purposes;

(17) Notwithstanding any other provision of law, may offer educational services on a contractual basis, charging tuition and fees as set forth in chapter 28B.15 RCW, counting such enrollments for state funding purposes, and may additionally charge a special supplemental fee when necessary to cover the full instructional costs of such services: PROVIDED, That such contracts shall be subject to review by the state board for community college education and to such rules as the state board may adopt for that purpose in order to assure that the sum of the supplemental fee and the normal state funding shall not exceed the projected total cost of offering the educational service: PROVIDED FURTHER, That enrollments generated by courses offered on the basis of contracts requiring payment of a share of the normal costs of the course will be discounted to the percentage provided by the college;

(18) Shall be authorized to pay dues to any association of trustees that may be formed by the various boards of trustees; such association may expend any or all of such funds to submit biennially, or more often if necessary, to the governor and to the legislature, the recommendations of the association regarding changes which would affect the efficiency of such association; ((and))

(19) Subject to the approval of the higher education coordinating board pursuant to section 5(4) of this 1985 act, may participate in higher education centers and consortia that involve any four-year public or independent college or university; and

(20) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

NEW SECTION. Sec. 97. Washington State and Eastern Washington Universities shall establish, in cooperation with the council for postsecondary education or its successor agency, a joint center for higher education in Spokane on or before January 1, 1986.

NEW SECTION. Sec. 98. (1) The joint center for higher education shall coordinate all undergraduate and graduate degree programs, and all other seminars, courses, and programs of any type offered in the Spokane area by Washington State University and by Eastern Washington University outside of its Cheney campus. The joint center for higher education shall not coordinate the intercollegiate center for nursing.

(2) The joint center for higher education shall coordinate the following higher education activities in the Spokane area outside of the Eastern Washington University Cheney campus:

(a) Articulation between lower division and upper division programs;

(b) The participation of Washington State University in its joint engineering program with Gonzaga University and in its joint engineering management program with Eastern Washington University and Gonzaga University; and

(c) All contractual negotiations between public and independent colleges and universities.

(3) The participating institutions in the joint center for higher education shall maintain jurisdiction over the content of the course offerings and the entitlement to degrees.

(4) Disputes regarding which programs are to be coordinated by the joint center for higher education shall be arbitrated by the council for postsecondary education or its successor agency. The decision of the arbitrating agency shall be binding.

NEW SECTION. Sec. 99. (1) The joint center for higher education shall be administered by a board consisting of:

(a) Two representatives of Eastern Washington University appointed by the board of trustees;

(b) Two representatives of Washington State University appointed by the board of regents;

(c) One representative of the community colleges in the Spokane area appointed by the board of trustees of the Spokane community college district; and

(d) Two citizens residing in Spokane county. The governor, with the consent of the senate, shall appoint the initial members, one for a two-year term and one for a four-year term. Subsequent citizen board members shall be appointed for four-year terms by the remaining voting members of the board.

(2) The executive coordinator or designee of the council for postsecondary education or its successor agency shall serve as a nonvoting member of the board.

(3) Each of the seven voting members shall have one vote. The voting members shall select a chairperson. A majority of the voting members shall constitute a quorum for conducting business.

NEW SECTION. Sec. 100. The board of the joint center for higher education shall hire a director who may hire other staff as necessary to carry out the center's duties. The director shall have the status of resident dean at the center and of dean at both Washington State and Eastern Washington Universities.

NEW SECTION. Sec. 101. Washington State University and Eastern Washington University shall each allocate at least fifty thousand dollars per year to implement sections 97 through 102 of this act. The board shall contract for financial and personnel services, or provide such services through other means as agreed upon by the board.

NEW SECTION. Sec. 102. The board of regents of Washington State University and the board of trustees of Eastern Washington University shall be responsible for achieving improved cooperation and joint use of resources and facilities between the two institutions. The governing boards of the two public universities shall report to the appropriate standing committees of the legislature on their actions and recommendations by January 1 of 1987 and 1989.

NEW SECTION. Sec. 103. Sections 97 through 102 of this act shall constitute new sections in Title 28B RCW.

NEW SECTION. Sec. 104. Sections 1 through 14 of this act are each added to chapter 28B.80 RCW.

NEW SECTION. Sec. 105. The following acts or parts of acts are each repealed:

(1) Section 2, chapter 78, Laws of 1979 ex. sess. and RCW 28B.40.240;

(2) Section 3, chapter 78, Laws of 1979 ex. sess. and RCW 28B.40.244;

(3) Section 18, chapter 278, Laws of 1984 and RCW 28B.10.045;

(4) Section 20, chapter 278, Laws of 1984 and RCW 28B.10.052;

(5) Section 1, chapter 277, Laws of 1969 ex. sess., section 1, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.010;

(6) Section 2, chapter 277, Laws of 1969 ex. sess., section 2, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.020;

(7) Section 3, chapter 277, Laws of 1969 ex. sess., section 3, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.030;

(8) Section 2, chapter 201, Laws of 1977 ex. sess. and RCW 28B.80.035;

(9) Section 4, chapter 277, Laws of 1969 ex. sess., section 4, chapter 132, Laws of 1975 1st ex. sess., section 43, chapter 169, Laws of 1977 ex. sess. and RCW 28B.80.040;

(10) Section 5, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.050;

(11) Section 6, chapter 277, Laws of 1969 ex. sess., section 5, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.060;

(12) Section 7, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.070;

(13) Section 9, chapter 277, Laws of 1969 ex. sess., section 6, chapter 132, Laws of 1975 1st ex. sess., section 22, chapter 151, Laws of 1979 and RCW 28B.80.080;

(14) Section 10, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.090;

(15) Section 13, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.120;

(16) Section 13, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.220; and

(17) Section 14, chapter 277, Laws of 1969 ex. sess., section 10, chapter 132, Laws of 1975 1st ex. sess. and RCW 28B.80.900.

NEW SECTION. Sec. 106. The following acts or parts of acts are each repealed:

(1) Section 3, chapter 197, Laws of 1983 and RCW 43.131.259; and

(2) Section 29, chapter 197, Laws of 1983 and RCW 43.131.260.

NEW SECTION. Sec. 107. 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. 108. 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. Section 106 of this act shall take effect June 30, 1985. Sections 1 through 96, and 105 of this act shall take effect January 1, 1986, but any steps that may be necessary to ensure that this act is implemented on its effective dates may be taken immediately."

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28B.80.110, 28B.80.150, 28B.80.160, 28B.80.170, 28B.80.200, 28B.80.210, 28B.80.230, 28B.80.240, 28B.80.250, 28B.80.260, 28B.80.270, 28B.80.280, 28A.58.824, 28A.58.826, 28A.58.828, 28A.58.830, 28B.04.020, 28B.04.030, 28B.04.040, 28B.04.050, 28B.04.060, 28B.04.070, 28B.04.080, 28B.04.110, 28B.05.030, 28B.05.050, 28B.05.130, 28B.07.020, 28B.07.030, 28B.07.040, 28B.10.020, 28B.10.215, 28B.10.220, 28B.10.650, 28B.10.790, 28B.10.792, 28B.10.802, 28B.10.840, 28B.12.040, 28B.12.050, 28B.12.060, 28B.12.070, 28B.15.012, 28B.15.013, 28B.15.015, 28B.15.070, 28B.15.076, 28B.15.100, 28B.15.543, 28B.15.730, 28B.15.732, 28B.15.734, 28B.15.736, 28B.15.750, 28B.15.752, 28B.15.754, 28B.15.756, 28B.15.758, 28B.15.760, 28B.15.762, 28B.15.764, 28B.20.280, 28B.30.500, 28B.35.205, 28B.40.206, 28B.65.040, 28B.65.050, 28B.65.060, 28C.04.040, 28C.04.510, 28B.10.050, 28B.20.130, 28B.30.150, 28B.35.120, 28B.40.120, and 28B.50.140; amending section 6, chapter 166, Laws of 1983 (uncodified); adding new sections to chapter 28B.80 RCW; adding new sections to Title 28B RCW; creating new sections; repealing RCW 28B.40.240, 28B.40.244, 28B.10.045, 28B.10.052, 28B.80.010, 28B.80.020, 28B.80.030, 28B.80.035, 28B.80.040, 28B.80.050, 28B.80.060, 28B.80.070, 28B.80.080, 28B.80.090, 28B.80.120, 28B.80.220, 28B.80.900, 43.131.259, and 43.131.260; providing effective dates; and declaring an emergency."

Signed by Senators Gaspard, Patterson, Rinehart; Representatives Sommers, Prince, Jacobsen.

MOTION

Ms. Sommers moved that the House adopt the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 3376.

Representatives Sommers and Prince spoke in favor of the motion, and it was carried.

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 Substitute Senate Bill No. 3376 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3376 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hamkins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen,

Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D. Nelson G. Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L. Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Substitute Senate Bill No. 3376 as amended by 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.

MESSAGE FROM THE SENATE

April 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3500, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3500, regulating tourist and agricultural directional signs along state highways, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by the Free Conference Committee do pass:

On page 10, line 10 of the House Committee Amendment, as amended, strike everything through "655.309(a)," on page 11 and insert the following:

"Sec. 4. Section 4, chapter 80, Laws of 1974 ex. sess. as last amended by section 2, chapter 142, Laws of 1985 and RCW 47.42.047 are each amended to read as follows:

The department is authorized to erect and maintain specific information panels within the right of way of both the primary system and the scenic system 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. Such specific information panels and tourist oriented directional signs shall be permitted only at locations within the corporate limits of cities and towns and areas zoned for commercial or industrial uses where there is adequate distance between interchanges to ensure compliance with the provisions of Title 23 C.F.R. secs. 655.308(a) and 655.309(a)."

On page 14, after line 38 of the House Committee Amendment, as amended, insert the following:

NEW SECTION. Sec. 7. A new section is added to chapter 47.42 RCW to read as follows:

Directional signs for state parks within fifteen miles of an interstate highway shall be erected and maintained on the interstate highway by the department despite the existence of additional directional signs on primary or scenic system highways in closer proximity to such state parks.

NEW SECTION. Sec. 8. A new section is added to chapter 47.42 RCW to read as follows:

To be eligible for placement of a business sign on a specific information panel a lodging activity shall:

- (1) Be licensed or approved by the department of social and health services or county health authority;
- (2) Provide adequate sleeping and bathroom accommodations available for rental on a daily basis; and
- (3) Provide public telephone facilities."

On page 15, line 8 of the committee amendment, after "47.42.080," insert "adding new sections to chapter 47.42 RCW;"

Signed by Senators Peterson, Hansen; Representatives Zellinsky, Schmidt, Fisher.

MOTION

On motion of Mr. Zellinsky, the House adopted the report of the Free Conference Committee on Substitute Senate Bill No. 3500.

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 Substitute Senate Bill No. 3500 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3500 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Ballard, Smith C - 2.

Substitute Senate Bill No. 3500 as amended by 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.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTION HOUSE BILL NO. 242, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 242, modifying provisions concerning the rights of crime victims, their survivors, and witnesses of crime, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 145, Laws of 1981 and RCW 7.69.010 are each amended to read as follows:

In recognition of the severe and detrimental impact of crime on victims, survivors of victims, and witnesses of crime and the civic and moral duty of victims, survivors of victims, and witnesses of crimes to fully and voluntarily cooperate with law enforcement and prosecutorial agencies, and in further recognition of the continuing importance of such citizen cooperation to state and local law enforcement efforts and the general effectiveness and well-being of the criminal justice system of this state, the legislature declares its intent, in this chapter, to grant to the victims of crime and the survivors of such victims a significant role in the criminal justice system. The legislature further intends to ensure that all victims and witnesses of crime are treated with dignity, respect, courtesy, and sensitivity; and that the rights extended in this chapter to victims, survivors of victims, and witnesses of crime are honored and protected by law enforcement agencies, prosecutors, and judges in a manner no less vigorous than the protections afforded criminal defendants.

Sec. 2. Section 2, chapter 145, Laws of 1981 and RCW 7.69.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Crime' means an act (~~committed by an adult or juvenile in this state which, if committed by a competent adult person, would constitute a crime as provided in either federal, state, or local statute~~) punishable as a felony, gross misdemeanor, or misdemeanor under the laws of this state or equivalent federal or local law.

(2) ~~((Family member))~~ 'Survivor' or 'survivors' of a victim of crime means a spouse, child, parent, ~~((or))~~ legal guardian, sibling, or grandparent. If there is more than one survivor of a victim of crime, one survivor shall be designated by the prosecutor to represent all survivors for purposes of providing the notice to survivors required by this chapter.

(3) 'Victim' means a person against whom a crime has been committed or the representative of a person against whom a crime has been committed.

(4) 'Victim impact statement' means a statement submitted to the court by the victim or a survivor, individually or with the assistance of the prosecuting attorney if assistance is requested by the victim or survivor, which may include but is not limited to information assessing the financial, medical, social, and psychological impact of the offense upon the victim or survivors.

(5) 'Witness' means a person who has been or is expected to be summoned to testify for the prosecution in a criminal action, or who by reason of having relevant information is subject to call or likely to be called as a witness for the prosecution, whether or not an action or proceeding has been commenced.

Sec. 3. Section 3, chapter 145, Laws of 1981 and RCW 7.69.030 are each amended to read as follows:

There shall be a reasonable effort made to ~~((assure))~~ ensure that victims, survivors of victims, and witnesses of crimes have the following rights:

(1) To be informed by local law enforcement agencies or the prosecuting attorney of the final disposition of the case in which the victim, survivor, or witness is involved;

(2) To be notified by the party who issued the subpoena that a court proceeding to which they have been subpoenaed will not occur as scheduled, in order to save the person an unnecessary trip to court;

(3) To receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available;

(4) To be informed of the procedure to be followed to apply for and receive any witness fees to which they are entitled;

(5) To be provided, whenever practical, a secure waiting area during court proceedings that does not require them to be in close proximity to defendants and families or friends of defendants;

(6) To have any stolen or other personal property expeditiously returned by law enforcement agencies or the superior court when no longer needed as evidence. When feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, and property of which ownership is disputed, shall be photographed and returned to the owner within ten days of being taken;

(7) To be provided with appropriate employer intercession services to ensure that employers of victims, survivors of victims, and witnesses of crime will cooperate with the criminal justice process in order to minimize an employee's loss of pay and other benefits resulting from court appearance;

(8) To access to immediate medical assistance and not to be detained for an unreasonable length of time by a law enforcement agency before having such assistance administered. However, an employee of the law enforcement agency may, if necessary, accompany the person to a medical facility to question the person about the criminal incident if the questioning does not hinder the administration of medical assistance: ~~((and))~~

(9) ~~((To have the family members of homicide victims afforded all of the rights established under subsections (1) through (4), (6), and (7) of this section))~~ With respect to victims and survivors of victims, to be physically present in court during trial, or if subpoenaed to testify, to be scheduled as early as practical in the proceedings in order to be physically present during trial after testifying and not to be excluded solely because they have testified;

(10) With respect to victims and survivors of victims, to be informed by the prosecuting attorney of the date, time, and place of the trial and of the sentencing hearing for felony convictions upon request by a victim or survivor;

(11) To submit a victim impact statement or report to the court, with the assistance of the prosecuting attorney if requested, which shall be included in all presentence reports and permanently included in the files and records accompanying the offender committed to the custody of a state agency or institution;

(12) With respect to victims and survivors of victims, to present a statement personally or by representation, at the sentencing hearing for felony convictions; and

(13) With respect to victims and survivors of victims, to entry of an order of restitution by the court in all felony cases, even when the offender is sentenced to confinement, unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment.

NEW SECTION, Sec. 4. A new section is added to chapter 7.69 RCW to read as follows:

For purposes of this chapter, a victim who is incapacitated or otherwise incompetent shall be represented by a parent or present legal guardian, or if none exists, by a representative

designated by the prosecuting attorney without court appointment or legal guardianship proceedings. Any victim may designate another person as the victim's representative for purposes of the rights enumerated in RCW 7.69.030.

NEW SECTION. Sec. 5. A new section is added to chapter 7.69 RCW to read as follows:

Nothing contained in this chapter may be construed to provide grounds for error in favor of a criminal defendant in a criminal proceeding, nor may anything in this chapter be construed to grant a new cause of action or remedy against the state, its political subdivisions, law enforcement agencies, or prosecuting attorneys. The failure of a person to make a reasonable effort to ensure that victims, survivors, and witnesses under this chapter have the rights enumerated in RCW 7.69.030 shall not result in civil liability against that person. This chapter does not limit other civil remedies or defenses of the offender or the victim or survivors of the victim.

Sec. 6. Section 11, chapter 137, Laws of 1981 as amended by section 5, chapter 209, Laws of 1984 and RCW 9.94A.110 are each amended to read as follows:

Before imposing a sentence upon a defendant, the court shall conduct a sentencing hearing. The sentencing hearing shall be held within forty court days following conviction. Upon the motion of either party for good cause shown, or on its own motion, the court may extend the time period for conducting the sentencing hearing. The court shall consider the presentence reports, if any, including any victim impact statement and criminal history, and allow arguments from the prosecutor, the defense counsel, the offender, the victim, the survivor of the victim, or a representative of the victim or survivor, and an investigative law enforcement officer as to the sentence to be imposed. If the court is satisfied by a preponderance of the evidence that the defendant has a criminal history, the court shall specify the convictions it has found to exist. All of this information shall be part of the record. Copies of all presentence reports presented to the sentencing court and all written findings of facts and conclusions of law as to sentencing entered by the court shall be sent to the department by the clerk of the court at the conclusion of the sentencing and shall accompany the offender if the offender is committed to the custody of the department.

Sec. 7. Section 12, chapter 137, Laws of 1981 as last amended by section 6, chapter 209, Laws of 1984 and RCW 9.94A.120 are each amended to read as follows:

When a person is convicted of a felony, the court shall impose punishment as provided in this section.

(1) Except as authorized in subsections (2) and (5) of this section, the court shall impose a sentence within the sentence range for the offense.

(2) The court may impose a sentence outside the standard sentence range for that offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(3) Whenever a sentence outside the standard range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard range shall be a determinate sentence.

(4) An offender convicted of the crime of murder in the first degree shall be sentenced to a term of total confinement not less than twenty years. An offender convicted of the crime of assault in the first degree where the offender used force or means likely to result in death or intended to kill the victim shall be sentenced to a term of total confinement not less than five years. An offender convicted of the crime of rape in the first degree shall be sentenced to a term of total confinement not less than three years, and shall not be eligible for furlough, work release or other authorized leave of absence from the correctional facility during such minimum three year term except for the purpose of commitment to an inpatient treatment facility. The foregoing minimum terms of total confinement are mandatory and shall not be varied or modified as provided in subsection (2) of this section.

(5) In sentencing a first-time offender, other than a person convicted of a violation of chapter 9A.44 RCW or RCW 9A.64.020, the court may waive the imposition of a sentence within the sentence range and impose a sentence which may include up to ninety days of confinement in a facility operated or utilized under contract by the county and a requirement that the offender refrain from committing new offenses. The sentence may also include up to two years of community supervision, which, in addition to crime-related prohibitions, may include requirements that the offender perform any one or more of the following:

(a) Devote time to a specific employment or occupation;

(b) Undergo available outpatient treatment for up to two years, or inpatient treatment not to exceed the standard range of confinement for that offense;

(c) Pursue a prescribed, secular course of study or vocational training;

(d) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;

(e) Report as directed to the court and a community corrections officer; or

(f) Pay a fine, make restitution, and/or accomplish some community service work.

(6) If a sentence range has not been established for the defendant's crime, the court shall impose a determinate sentence which may include not more than one year of confinement, community service work, restitution, a term of community supervision not to exceed one year.

and/or a fine. The court may impose a sentence which provides more than one year of confinement if the court finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(7) (a) When an offender is convicted of any violation of chapter 9A.44 RCW or RCW 9A.64.020 except RCW 9A.44.040 or RCW 9A.44.050 and has no prior convictions of chapter 9A.44 RCW, RCW 9A.64.020, or any other felony sexual offenses in this or any other state, the sentencing court on its own motion or the motion of the state or the defendant, may order an examination to determine whether the defendant is amenable to treatment.

After receipt of the reports, the court shall then determine whether the offender and the community will benefit from use of this special sexual offender sentencing alternative. If the court determines that both the offender and the community will benefit from use of this provision, the court shall then impose a sentence within the sentence range and, if this sentence is less than six years of confinement, the court may suspend the execution of the sentence and place the offender on community supervision for up to two years. As a condition of the suspended sentence, the court may impose other sentence conditions including up to six months of confinement, not to exceed the sentence range of confinement for that offense, crime-related prohibitions, and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment;
- (iii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;
- (iv) Report as directed to the court and a community corrections officer;
- (v) Pay a fine, make restitution, accomplish some community service work, or any combination thereof; or
- (vi) Make recoupment to the victim for the cost of any counseling required as a result of the offender's crime.

If the offender violates these sentence conditions the court may revoke the suspension and order execution of the sentence. All confinement time served during the period of community supervision shall be credited to the offender if the suspended sentence is revoked.

(b) When an offender is convicted of any felony sexual offense and is sentenced to a term of confinement of more than one year but less than six years, the sentencing court may, on its own motion or on the motion of the offender or the state, order the offender committed for up to thirty days to the custody of the secretary of the department of social and health services at the Eastern State Hospital or the Western State Hospital for evaluation and report to the court on the offender's amenability to treatment at these facilities. If the secretary of the department of social and health services cannot begin the evaluation within thirty days of the court's order of commitment, the offender shall be transferred to the state for confinement pending an opportunity to be evaluated at the appropriate facility. The court shall review the reports and may order that the term of confinement imposed be served in the sexual offender treatment programs at Western State Hospital or Eastern State Hospital, as determined by the secretary of the department of social and health services. The offender shall be transferred to the state pending placement in the treatment program.

If the offender does not comply with the conditions of the treatment program, the secretary of the department of social and health services may refer the matter to the sentencing court for determination as to whether the offender shall be transferred to the department of corrections to serve the balance of his term of confinement.

If the offender successfully completes the treatment program before the expiration of his term of confinement, the court may convert the balance of confinement to community supervision and may place conditions on the offender including crime-related prohibitions and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;
- (iii) Report as directed to the court and a community corrections officer;
- (iv) Undergo available outpatient treatment.

If the offender violates any of the terms of his community supervision, the court may order the offender to serve out the balance of his community supervision term in confinement in the custody of the department of corrections.

(8) If the court imposes a sentence requiring confinement of thirty days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than thirty days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(9) If a sentence imposed includes a fine or restitution, the sentence shall specify a reasonable manner and time in which the fine or restitution shall be paid. In any sentence under this chapter the court may also require the offender to make such monetary payments, on such

terms as it deems appropriate under the circumstances, as are necessary (a) to pay court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, (b) to make recoupment of the cost of defense attorney's fees if counsel is provided at public expense, (c) to contribute to a county or interlocal drug fund, and (d) to make such other payments as provided by law. All monetary payments shall be ordered paid by no later than ten years after the date of the judgment of conviction.

(10) Except as provided under RCW 9.94A.140(1), a court may not impose a sentence providing for a term of confinement or community supervision which exceeds the statutory maximum for the crime as provided in RCW 9A.20.020.

(11) All offenders sentenced to terms involving community supervision, community service, restitution, or fines shall be under the supervision of the secretary of the department or such person as the secretary may designate and shall follow implicitly the instructions of the secretary including reporting as directed to a community corrections officer, remaining within prescribed geographical boundaries, and notifying the community corrections officer of any change in the offender's address or employment.

(12) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(13) A departure from the standards in RCW 9.94A.400(1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in subsections (2) and (3) of this section, and may be appealed by the defendant or the state as set forth in RCW 9.94A.210 (2) through (6).

(14) This section shall apply to offenses committed before the effective date of this 1985 act.
NEW SECTION. Sec. 8. A new section is added to chapter 9.94A RCW to read as follows:

When a person is convicted of a felony, the court shall impose punishment as provided in this section.

(1) Except as authorized in subsections (2) and (5) of this section, the court shall impose a sentence within the sentence range for the offense.

(2) The court may impose a sentence outside the standard sentence range for that offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(3) Whenever a sentence outside the standard range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard range shall be a determinate sentence.

(4) An offender convicted of the crime of murder in the first degree shall be sentenced to a term of total confinement not less than twenty years. An offender convicted of the crime of assault in the first degree where the offender used force or means likely to result in death or intended to kill the victim shall be sentenced to a term of total confinement not less than five years. An offender convicted of the crime of rape in the first degree shall be sentenced to a term of total confinement not less than three years, and shall not be eligible for furlough, work release or other authorized leave of absence from the correctional facility during such minimum three year term except for the purpose of commitment to an inpatient treatment facility. The foregoing minimum terms of total confinement are mandatory and shall not be varied or modified as provided in subsection (2) of this section.

(5) In sentencing a first-time offender, other than a person convicted of a violation of chapter 9A.44 RCW or RCW 9A.64.020, the court may waive the imposition of a sentence within the sentence range and impose a sentence which may include up to ninety days of confinement in a facility operated or utilized under contract by the county and a requirement that the offender refrain from committing new offenses. The sentence may also include up to two years of community supervision, which, in addition to crime-related prohibitions, may include requirements that the offender perform any one or more of the following:

(a) Devote time to a specific employment or occupation;

(b) Undergo available outpatient treatment for up to two years, or inpatient treatment not to exceed the standard range of confinement for that offense;

(c) Pursue a prescribed, secular course of study or vocational training;

(d) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;

(e) Report as directed to the court and a community corrections officer; or

(f) Pay a fine and/or accomplish some community service work.

(6) If a sentence range has not been established for the defendant's crime, the court shall impose a determinate sentence which may include not more than one year of confinement, community service work, a term of community supervision not to exceed one year, and/or a fine. The court may impose a sentence which provides more than one year of confinement if the court finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(7) (a) When an offender is convicted of any violation of chapter 9A.44 RCW or RCW 9A.64.020 except RCW 9A.44.040 or RCW 9A.44.050 and has no prior convictions of chapter 9A.44 RCW, RCW 9A.64.020, or any other felony sexual offenses in this or any other state, the

sentencing court on its own motion or the motion of the state or the defendant, may order an examination to determine whether the defendant is amenable to treatment.

After receipt of the reports, the court shall then determine whether the offender and the community will benefit from use of this special sexual offender sentencing alternative. If the court determines that both the offender and the community will benefit from use of this provision, the court shall then impose a sentence within the sentence range and, if this sentence is less than six years of confinement, the court may suspend the execution of the sentence and place the offender on community supervision for up to two years. As a condition of the suspended sentence, the court may impose other sentence conditions including up to six months of confinement, not to exceed the sentence range of confinement for that offense, crime-related prohibitions, and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment;
- (iii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;
- (iv) Report as directed to the court and a community corrections officer;
- (v) Pay a fine, accomplish some community service work, or any combination thereof; or
- (vi) Make recoupment to the victim for the cost of any counseling required as a result of the offender's crime.

If the offender violates these sentence conditions the court may revoke the suspension and order execution of the sentence. All confinement time served during the period of community supervision shall be credited to the offender if the suspended sentence is revoked.

(b) When an offender is convicted of any felony sexual offense and is sentenced to a term of confinement of more than one year but less than six years, the sentencing court may, on its own motion or on the motion of the offender or the state, order the offender committed for up to thirty days to the custody of the secretary of the department of social and health services at the Eastern State Hospital or the Western State Hospital for evaluation and report to the court on the offender's amenability to treatment at these facilities. If the secretary of the department of social and health services cannot begin the evaluation within thirty days of the court's order of commitment, the offender shall be transferred to the state for confinement pending an opportunity to be evaluated at the appropriate facility. The court shall review the reports and may order that the term of confinement imposed be served in the sexual offender treatment programs at Western State Hospital or Eastern State Hospital, as determined by the secretary of the department of social and health services. The offender shall be transferred to the state pending placement in the treatment program.

If the offender does not comply with the conditions of the treatment program, the secretary of the department of social and health services may refer the matter to the sentencing court for determination as to whether the offender shall be transferred to the department of corrections to serve the balance of his term of confinement.

If the offender successfully completes the treatment program before the expiration of his term of confinement, the court may convert the balance of confinement to community supervision and may place conditions on the offender including crime-related prohibitions and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment;
- (iii) Report as directed to the court and a community corrections officer;
- (iv) Undergo available outpatient treatment.

If the offender violates any of the terms of his community supervision, the court may order the offender to serve out the balance of his community supervision term in confinement in the custody of the department of corrections.

(8) If the court imposes a sentence requiring confinement of thirty days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than thirty days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(9) If a sentence imposed includes a fine or restitution, the sentence shall specify a reasonable manner and time in which the fine or restitution shall be paid. In any sentence under this chapter the court may also require the offender to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (a) to pay court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, (b) to make recoupment of the cost of defense attorney's fees if counsel is provided at public expense, (c) to contribute to a county or interlocal drug fund, and (d) to make such other payments as provided by law. All monetary payments shall be ordered paid by no later than ten years after the date of the judgment of conviction.

(10) Except as provided under RCW 9.94A.140(1), a court may not impose a sentence providing for a term of confinement or community supervision which exceeds the statutory maximum for the crime as provided in chapter 9A.20 RCW.

(11) All offenders sentenced to terms involving community supervision, community service, restitution, or fines shall be under the supervision of the secretary of the department or such person as the secretary may designate and shall follow implicitly the instructions of the secretary including reporting as directed to a community corrections officer, remaining within prescribed geographical boundaries, and notifying the community corrections officer of any change in the offender's address or employment.

(12) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(13) A departure from the standards in RCW 9.94A.400(1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in subsections (2) and (3) of this section, and may be appealed by the defendant or the state as set forth in RCW 9.94A.210(2) through (6).

(14) The court shall order restitution whenever the offender is convicted of a felony that results in injury to any person or damage to or loss of property, whether the offender is sentenced to confinement or placed under community supervision, unless extraordinary circumstances exist that make restitution inappropriate in the court's judgment. The court shall set forth the extraordinary circumstances in the record if it does not order restitution.

(15) This section shall apply to offenses committed after the effective date of this act.

Sec. 9. Section 14, chapter 137, Laws of 1981 as amended by section 5, chapter 192, Laws of 1982 and RCW 9.94A.140 are each amended to read as follows:

(1) If restitution is ordered, the court shall determine the amount of restitution due at the sentencing hearing or within sixty days and may set the terms and conditions under which the defendant shall make restitution. Restitution ordered by a court pursuant to a criminal conviction shall be based on easily ascertainable damages for injury to or loss of property, actual expenses incurred for treatment for injury to persons, and lost wages resulting from injury. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. The amount of restitution shall not exceed double the amount of the offender's gain or the victim's loss from the commission of the crime. For the purposes of this section, the offender shall remain under the court's jurisdiction for a maximum term of ten years subsequent to the imposition of sentence. The portion of the sentence concerning restitution may be modified as to amount, terms and conditions during the ten-year period, regardless of the expiration of the offender's term of community supervision and regardless of the statutory maximum for the crime. The offender's compliance with the restitution shall be supervised by the department.

(2) Restitution may be ordered whenever the offender is convicted of an offense which results in injury to any person or damage to or loss of property. In addition, restitution may be ordered to pay for an injury, loss, or damage if the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement.

(3) In addition to any sentence that may be imposed, a defendant who has been found guilty of an offense involving fraud or other deceptive practice or an organization which has been found guilty of any such offense may be ordered by the sentencing court to give notice of the conviction to the class of persons or to the sector of the public affected by the conviction or financially interested in the subject matter of the offense by mail, by advertising in designated areas or through designated media, or by other appropriate means.

(4) This section does not limit civil remedies or defenses available to the victim or defendant.

(5) This section shall apply to offenses committed before the effective date of this 1985 act.
NEW SECTION. Sec. 10. A new section is added to chapter 9.94A RCW to read as follows:

(1) When restitution is ordered, the court shall determine the amount of restitution due at the sentencing hearing or within sixty days and shall set the terms and conditions under which the defendant shall make restitution. Restitution ordered by a court pursuant to a criminal conviction shall be based on easily ascertainable damages for injury to or loss of property, actual expenses incurred for treatment for injury to persons, and lost wages resulting from injury. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. The amount of restitution shall not exceed double the amount of the offender's gain or the victim's loss from the commission of the crime. For the purposes of this section, the offender shall remain under the court's jurisdiction for a maximum term of ten years subsequent to the imposition of sentence. The portion of the sentence concerning restitution may be modified as to amount, terms and conditions during the ten-year period, regardless of the expiration of the offender's term of community supervision and regardless of the statutory maximum for the crime. The offender's compliance with the restitution shall be supervised by the department.

(2) Restitution shall be ordered whenever the offender is convicted of an offense which results in injury to any person or damage to or loss of property unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment and the court sets forth such circumstances in the record. In addition, restitution shall be ordered to pay for an injury, loss, or damage if the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement.

(3) In addition to any sentence that may be imposed, a defendant who has been found guilty of an offense involving fraud or other deceptive practice or an organization which has been found guilty of any such offense may be ordered by the sentencing court to give notice of the conviction to the class of persons or to the sector of the public affected by the conviction or financially interested in the subject matter of the offense by mail, by advertising in designated areas or through designated media, or by other appropriate means.

(4) This section does not limit civil remedies or defenses available to the victim, survivors of the victim, or defendant.

(5) This section shall apply to offenses committed after the effective date of this act.

Sec. 11. Section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 239, Laws of 1983 and RCW 7.68.020 are each amended to read as follows:

The following words and phrases as used in this chapter have the meanings set forth in this section unless the context otherwise requires.

(1) 'Department' means the department of labor and industries.

(2) 'Criminal act' means an act committed or attempted in this state which is punishable as a felony or gross misdemeanor under the laws of this state(~~(-PROVIDED, That)~~), except as follows:

(a) The operation of a motor vehicle, motorcycle, train, boat, or aircraft in violation of law does not constitute a 'criminal act' unless ~~((a))~~;

(i) The injury or death was intentionally inflicted; ~~((b))~~

(ii) The operation thereof was part of the commission of another non-vehicular criminal act as defined in this section; or ~~((c))~~

(iii) The death or injury was the result of operation of a motor vehicle after July 24, 1983, and a conviction of vehicular homicide under RCW 46.61.520 or vehicular assault under RCW 46.61.522, has been obtained(~~(-PROVIDED, FURTHER-(a) That)~~);

(b) Neither an acquittal in a criminal prosecution nor the absence of any such prosecution is admissible in any claim or proceeding under this chapter as evidence of the noncriminal character of the acts giving rise to such claim or proceeding, except as provided for in subsection~~((c) and (d) above)~~ (2)(a)(iii) of this section; ~~((b) that)~~

(c) Evidence of a criminal conviction arising from acts which are the basis for a claim or proceeding under this chapter is admissible in such claim or proceeding for the limited purpose of proving the criminal character of the acts; ~~((c) that)~~ and

(d) Acts which, but for the insanity or mental irresponsibility of the perpetrator, would constitute criminal conduct are deemed to be criminal conduct within the meaning of this chapter.

(3) 'Victim' means a person who suffers bodily injury or death as a proximate result of a criminal act of another person, the victim's own good faith and reasonable effort to prevent a criminal act, or his good faith effort to apprehend a person reasonably suspected of engaging in a criminal act. For the purposes of receiving benefits pursuant to this chapter, 'victim' is interchangeable with 'employee' or 'workman' as defined in chapter 51.08 RCW as now or hereafter amended.

(4) 'Child,' 'accredited school,' 'dependent,' 'beneficiary,' 'average monthly wage,' 'director,' 'injury,' 'invalid,' 'permanent partial disability,' and 'permanent total disability' have the meanings assigned to them in chapter 51.08 RCW as now or hereafter amended.

(5) 'Gainfully employed' means engaging on a regular and continuous basis in a lawful activity from which a person derives a livelihood.

(6) 'Private insurance' means any source of recompense provided by contract available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

(7) 'Public insurance' means any source of recompense provided by statute, state or federal, available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

Sec. 12. Section 3, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.030 are each amended to read as follows:

It shall be the duty of the director to establish and administer a program of benefits to victims of criminal acts within the terms and limitations of this chapter. In so doing, the director shall, in accordance with chapter 34.04 RCW, adopt rules and regulations necessary to the administration of this chapter, and the provisions contained in chapter 51.04 RCW, including but not limited to RCW 51.04.020, 51.04.030, 51.04.040, 51.04.050 and 51.04.100 as now or hereafter amended, shall apply where appropriate in keeping with the intent of this chapter. The director may apply for and, subject to appropriation, expend federal funds under Public Law 98-473 and any other federal program providing financial assistance to state crime victim

compensation programs. The federal funds shall be deposited in the public safety and education account in the general fund and may be expended only for purposes authorized by applicable federal law.

Sec. 13. Section 10, chapter 302, Laws of 1977 ex. sess. as last amended by section 311, chapter 258, Laws of 1984 and RCW 7.68.035 are each amended to read as follows:

(1) Whenever any person is found guilty in any superior court of having committed a crime, except as provided in subsection (2) of this section, there shall be imposed by the court upon such convicted person a penalty assessment. The assessment shall be in addition to any other penalty or fine imposed by law and shall be ~~((fifty))~~ seventy dollars for each case or cause of action that includes one or more convictions of a felony or gross misdemeanor and ~~((twenty-five))~~ forty-five dollars for any case or cause of action that includes convictions of only one or more misdemeanors.

(2) The assessment imposed by subsection (1) of this section shall not apply to motor vehicle crimes defined in Title 46 RCW except those defined in the following sections: RCW 46.61-.520, 46.61.522, 46.61.024, 46.52.090, 46.70.140, 46.65.090, 46.61.502, 46.61.504, 46.52.100, 46.20.410, 46.52.020, 46.10.130, 46.09.130, 46.61.525, 46.61.685, 46.61.530, 46.61.500, 46.61.015, 46.52.010, 46.44.180, 46.10.090(2), and 46.09.120(2).

(3) Whenever any person accused of having committed a crime posts bail in superior court pursuant to the provisions of chapter 10.19 RCW and such bail is forfeited, there shall be deducted from the proceeds of such forfeited bail a penalty assessment, in addition to any other penalty or fine imposed by law, equal to the assessment which would be applicable under subsection (1) of this section if the person had been convicted of the crime.

(4) Such penalty assessments shall be paid by the clerk of the superior court to the county treasurer who shall monthly transmit the money as provided in RCW 10.82.070. Until June 30, 1987, each county shall deposit not less than one and seventy-five one-hundredths percent of the money it retains under RCW 10.82.070 and chapter 3.62 RCW and all money it receives under subsection (8) of this section into a fund maintained exclusively for the support of comprehensive programs to encourage and facilitate testimony by the victims of crimes and witnesses to crimes. After that date, each county shall continue to provide for such comprehensive programs. A program shall be considered 'comprehensive' only after approval of the department upon application by the county prosecuting attorney. The department shall approve as comprehensive only programs which:

(a) Provide comprehensive services to victims and witnesses of all types of crime with particular emphasis on serious crimes against persons and property. It is the intent of the legislature to make funds available only to programs which do not restrict services to victims or witnesses of a particular type or types of crime and that such funds supplement, not supplant, existing local funding levels;

(b) Are administered by the county prosecuting attorney either directly through the prosecuting attorney's office or by contract between the county and agencies providing services to victims of crime;

(c) Make a reasonable effort to inform the known victim or his surviving dependents of the existence of this chapter and the procedure for making application for benefits;

(d) Assist victims in the restitution and adjudication process; and

(e) Assist victims of violent crimes in the preparation and presentation of their claims to the department of labor and industries under this chapter.

Before a program in any county west of the Cascade mountains is submitted to the department for approval, it shall be submitted for review and comment to each city within the county with a population of more than one hundred fifty thousand. The department will consider if the county's proposed comprehensive plan meets the needs of crime victims in cases adjudicated in municipal, district or superior courts and of crime victims located within the city and county.

(5) Upon submission to the department of a letter of intent to adopt a comprehensive program, the prosecuting attorney shall retain the money deposited by the county under subsection (4) of this section until such time as the county prosecuting attorney has obtained approval of a program from the department. Approval of the comprehensive plan by the department must be obtained within one year of the date of the letter of intent to adopt a comprehensive program. The county prosecuting attorney shall not make any expenditures from the money deposited under subsection (4) of this section until approval of a comprehensive plan by the department. If a county prosecuting attorney has failed to obtain approval of a program from the department under subsection (4) of this section or failed to obtain approval of a comprehensive program within one year after submission of a letter of intent under this section, the county treasurer shall monthly transmit one hundred percent of the money deposited by the county under subsection (4) of this section to the state treasurer for deposit in the public safety and education account established under RCW 43.08.250.

(6) County prosecuting attorneys are responsible to make every reasonable effort to insure that the penalty assessments of this chapter are imposed and collected.

(7) Penalty assessments under this section shall also be imposed in juvenile offense dispositions under Title 13 RCW. Upon motion of a party and a showing of good cause, the court may modify the penalty assessment in the disposition of juvenile offenses under Title 13 RCW.

(8) Until June 30, 1987, every city and town shall transmit monthly one and seventy-five one-hundredths percent of all money, other than money received for parking infractions, retained under RCW 3.46.120, 3.50.100, and 35.20.220 to the county treasurer for deposit as provided in subsection (4) of this section. After that date, every city and town shall transmit to the county a percentage of such money, up to one and seventy-five one-hundredths percent, which matches the percentage of court revenue the county provides under subsection (4) of this section.

Sec. 14. Section 6, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.060 are each amended to read as follows:

For the purposes of applying for benefits under this chapter, the rights, privileges, responsibilities, duties, limitations and procedures contained in RCW 51.28.020, 51.28.030, 51.28.040 and 51.28.060 as now or hereafter amended shall apply: PROVIDED, That no compensation of any kind shall be available under this chapter if:

(1) An application for benefits is not received by the department within one year after the date ~~((of))~~ the criminal act was reported to a local police department or sheriff's office or the date the rights of dependents or beneficiaries accrued~~((:));~~ or

(2) The criminal act is not reported by the victim or someone on his behalf to a local police department or sheriff's office within seventy-two hours of its occurrence or, if it could not reasonably have been reported within that period, within seventy-two hours of the time when a report could reasonably have been made.

Sec. 15. Section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 239, Laws of 1983 and RCW 7.68.070 are each amended to read as follows:

The right to benefits under this chapter and the amount thereof will be governed insofar as is applicable by the provisions contained in chapter 51.32 RCW as now or hereafter amended except as provided in this section:

(1) The provisions contained in RCW 51.32.015, 51.32.030, 51.32.072, 51.32.073, 51.32.180, 51.32.190, and 51.32.200 as now or hereafter amended are not applicable to this chapter.

(2) Each victim injured as a result of a criminal act, including criminal acts committed between July 1, 1981, and January 1, 1983, or his family or dependents in case of death of the victim, are entitled to benefits in accordance with this chapter, and the rights, duties, responsibilities, limitations, and procedures applicable to a workman as contained in RCW 51.32.010 as now or hereafter amended are applicable to this chapter.

(3) The limitations contained in RCW 51.32.020 as now or hereafter amended are applicable to claims under this chapter. In addition thereto, no person or spouse, child, or dependent of such person is entitled to benefits under this chapter when the injury for which benefits are sought, was:

(a) The result of consent, provocation, or incitement by the victim;

~~(b) The result of an act or acts committed by a person living in the same household with the victim;~~

~~(c) The result of an act or acts committed by a person who is at the time of the criminal act the spouse, child, parent, or sibling of the victim by the half or whole blood, adoption, or marriage, or the parent of the spouse of or sibling of the spouse of the victim by the half or whole blood, adoption, or marriage, or the son-in-law or daughter-in-law of the victim, unless in the director's sole discretion it is determined that:~~

~~(i) The parties to the marriage which establishes the relationship between the person committing the criminal act and the victim described above are estranged and living apart, and~~

~~(ii) The interests of justice require otherwise in the particular case;~~

~~(d) The result of the victim assisting, attempting, or committing a criminal act)) Sustained while the crime victim was engaged in the attempt to commit, or the commission of, a felony; or~~

~~((*)) (c) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services or the department of corrections, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services or the department of corrections.~~

(4) The benefits established upon the death of a workman and contained in RCW 51.32.050 as now or hereafter amended shall be the benefits obtainable under this chapter and provisions relating to payment contained in that section shall equally apply under this chapter: PROVIDED, That benefits for burial expenses shall not exceed ~~((five hundred dollars))~~ the maximum cost used by the department of social and health services for the funeral and burial of a deceased indigent person under chapter 74.08 RCW in any claim: PROVIDED FURTHER, That if the criminal act results in the death of a victim who was not gainfully employed at the time of the criminal act, and who was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act:

(a) Benefits payable to an eligible surviving spouse, where there are no children of the victim at the time of the criminal act who have survived him or where such spouse has legal custody of all of his children, shall be limited to burial expenses and a lump sum payment of seven thousand five hundred dollars without reference to number of children, if any;

(b) Where any such spouse has legal custody of one or more but not all of such children, then such burial expenses shall be paid, and such spouse shall receive a lump sum payment of three thousand seven hundred fifty dollars and any such child or children not in the legal custody of such spouse shall receive a lump sum of three thousand seven hundred fifty dollars to be divided equally among such child or children;

(c) If any such spouse does not have legal custody of any of the children, the burial expenses shall be paid and the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars and any such child or children not in the legal custody of the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars to be divided equally among the child or children;

(d) If no such spouse survives, then such burial expenses shall be paid, and each surviving child of the victim at the time of the criminal act shall receive a lump sum payment of three thousand seven hundred fifty dollars up to a total of two such children and where there are more than two such children the sum of seven thousand five hundred dollars shall be divided equally among such children.

No other benefits may be paid or payable under these circumstances.

(5) The benefits established in RCW 51.32.060 as now or hereafter amended for permanent total disability proximately caused by the criminal act shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That if a victim becomes permanently and totally disabled as a proximate result of the criminal act and was not gainfully employed at the time of the criminal act, the victim shall receive monthly during the period of the disability the following percentages, where applicable, of the average monthly wage determined as of the date of the criminal act pursuant to RCW 51.08.018 as now or hereafter amended:

(a) If married at the time of the criminal act, twenty-nine percent of the average monthly wage.

(b) If married with one child at the time of the criminal act, thirty-four percent of the average monthly wage.

(c) If married with two children at the time of the criminal act, thirty-eight percent of the average monthly wage.

(d) If married with three children at the time of the criminal act, forty-one percent of the average monthly wage.

(e) If married with four children at the time of the criminal act, forty-four percent of the average monthly wage.

(f) If married with five or more children at the time of the criminal act, forty-seven percent of the average monthly wage.

(g) If unmarried at the time of the criminal act, twenty-five percent of the average monthly wage.

(h) If unmarried with one child at the time of the criminal act, thirty percent of the average monthly wage.

(i) If unmarried with two children at the time of the criminal act, thirty-four percent of the average monthly wage.

(j) If unmarried with three children at the time of the criminal act, thirty-seven percent of the average monthly wage.

(k) If unmarried with four children at the time of the criminal act, forty percent of the average monthly wage.

(l) If unmarried with five or more children at the time of the criminal act, forty-three percent of the average monthly wage.

(6) The benefits established in RCW 51.32.080 as now or hereafter amended for permanent partial disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section equally apply under this chapter.

(7) The benefits established in RCW 51.32.090 as now or hereafter amended for temporary total disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That no person is eligible for temporary total disability benefits under this chapter if such person was not gainfully employed at the time of the criminal act, and was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act.

(8) The benefits established in RCW 51.32.095 as now or hereafter amended for continuation of benefits during vocational rehabilitation shall be benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That benefits shall not exceed five thousand dollars for any single injury.

(9) The provisions for lump sum payment of benefits upon death or permanent total disability as contained in RCW 51.32.130 as now or hereafter amended apply under this chapter.

(10) The provisions relating to payment of benefits to, for or on behalf of workmen contained in RCW 51.32.040, 51.32.055, 51.32.100, 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150, 51.32.160, and 51.32.210 as now or hereafter amended are applicable to payment of benefits to, for or on behalf of victims under this chapter.

(11) No person or spouse, child, or dependent of such person is entitled to benefits under this chapter where the person making a claim for such benefits has refused to give reasonable cooperation to state or local law enforcement agencies in their efforts to apprehend and convict the perpetrator(s) of the criminal act which gave rise to the claim.

(12) In addition to other benefits provided under this chapter, victims of sexual assault are entitled to receive appropriate counseling. Fees for such counseling shall be determined by the department in accordance with RCW 51.04.030. Counseling services may include, if determined appropriate by the department, counseling of members of the victim's immediate family, other than the perpetrator of the assault.

(13) Except for benefits authorized under RCW 7.68.080, no more than fifteen thousand dollars may be granted as a result of any single injury or death.

~~((13) Notwithstanding the provisions of Title 51 RCW, no claim resulting from a single injury or death is eligible for benefits for the first two hundred dollars worth of loss suffered. PROVIDED, That this subsection does not apply to costs covered by RCW 7.68.170 or to other medical costs incurred by the victim of a sexual assault.))~~

(14) Notwithstanding other provisions of this chapter and Title 51 RCW, benefits payable for any one injury or death for loss of earnings, those benefits payable pursuant to subsection (7) of this section, or for loss of future earnings, those benefits payable pursuant to subsection (5) of this section, or for loss of support, those benefits payable pursuant to subsection (4) of this section, shall be limited to ten thousand dollars.

(15) Any person who is responsible for the victim's injuries, or who would otherwise be unjustly enriched as a result of the victim's injuries, shall not be a beneficiary under this chapter.

Sec. 16. Section 13, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 4, chapter 156, Laws of 1980 and RCW 7.68.130 are each amended to read as follows:

Benefits payable pursuant to this chapter shall be reduced by the amount of any other public or private insurance available. Benefits payable after 1980 to victims injured or killed before 1980 shall be reduced by any other public or private insurance including but not limited to social security. Payment by the department under this chapter shall be secondary to such other insurance benefits, notwithstanding the provision of any contract or coverage to the contrary: PROVIDED, That in the case of private life insurance proceeds, the first forty thousand dollars of such proceeds shall not be considered for purposes of any such reduction in benefits.

NEW SECTION. Sec. 17. The amendments to RCW 7.68.060 and 7.68.070 by this act apply only to criminal acts occurring after December 31, 1985.

NEW SECTION. Sec. 18. There is appropriated from the public safety and education account in the general fund to the department of labor and industries for the biennium ending June 30, 1987, the sum of two million two hundred forty-eight thousand dollars, or as much thereof as may be necessary, to carry out the purposes of sections 11 through 17 of this act.

Sec. 19. Section 1, chapter 58, Laws of 1975 and RCW 4.24.300 are each amended to read as follows:

Any person, including but not limited to a volunteer provider of emergency or medical services, who ((in good faith and not for)) without compensation or the expectation of compensation renders emergency care at the scene of an emergency or who participates in transporting, not for compensation, therefrom an injured person or persons for emergency medical treatment shall not be liable for civil damages resulting from any act or omission in the rendering of such emergency care or in transporting such persons, other than acts or omissions constituting gross negligence or willful or wanton misconduct. Any person rendering emergency care during the course of regular employment and receiving compensation or expecting to receive compensation for rendering such care is excluded from the protection of this subsection.

Sec. 20. Section 2, chapter 58, Laws of 1975 and RCW 4.24.310 are each amended to read as follows:

For the purposes of RCW 4.24.300 the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

(1) (('Good faith' means a state of mind denoting honesty of purpose, integrity, and a reasonable opinion that the immediacy of the situation is such that the rendering of care should not be postponed until the injured person is hospitalized)) 'Compensation' has its ordinary meaning but does not include nominal payments, reimbursement for expenses, or pension benefits.

(2) 'Emergency care' means care, first aid, treatment, or assistance rendered to the injured person in need of immediate medical attention and includes providing or arranging for further medical treatment or care for the injured person. Except with respect to the injured person or persons being transported for further medical treatment or care, the immunity granted by RCW 4.24.300 does not apply to the negligent operation of any motor vehicle.

(3) 'Scene of an emergency' means the scene of an accident or other sudden or unexpected event or combination of circumstances which calls for immediate action other than in a hospital, doctor's office, or other place where qualified medical personnel practice or are employed.

Sec. 21. Section 8, chapter 49, Laws of 1970 ex. sess. and RCW 9.69.100 are each amended to read as follows:

(1) ~~Whoever, having witnessed the actual commission of a ((felony involving violence or threat of violence or having witnessed preparations for the commission of a felony involving violence or threat of violence)) violent offense as defined in RCW 9.94A.030(17) or preparations for the commission of such an offense, or the actual commission of a felony sexual offense or an attempted felony sexual offense, does not as soon as reasonably possible ((make known his knowledge of such to)) notify the prosecuting attorney, ((police)) or law enforcement, medical assistance, or other public officials of the state of Washington having jurisdiction over the matter, shall be guilty of a gross misdemeanor: PROVIDED, That nothing in this ((act)) section shall be so construed to affect existing privileged relationships as provided by law: PROVIDED FURTHER, That the duty to notify a person or agency specified in this subsection shall be met if a person notifies or attempts to provide such notice by telephone or any other means, as soon as reasonably possible.~~

(2) For the purposes of this section, 'felony sexual offense' means a sexual offense constituting a class B felony under chapter 9.68A, 9A.44, or 9A.64 RCW.

NEW SECTION. Sec. 22. The Washington state patrol shall establish a missing children clearinghouse which shall include the maintenance and operation of a toll-free, twenty-four-hour telephone hotline. The clearinghouse shall distribute information to local law enforcement agencies, school districts, the department of social and health services, and the general public regarding missing children. The information shall include pictures, bulletins, training sessions, reports, and biographical materials that will assist in local law enforcement efforts to locate missing children. The state patrol shall also maintain a regularly updated computerized link with national and other state-wide missing person systems or clearinghouses.

'Child' or 'children,' as used in this chapter, means an individual under eighteen years of age.

NEW SECTION. Sec. 23. Local law enforcement agencies shall file an official missing person report and enter biographical information into the state missing person computerized network within twelve hours after notification of a missing child is received under RCW 13.32A.050 (1), (3), or (4). The patrol shall collect such information as will enable it to retrieve immediately the following information about a missing child: Name, date of birth, social security number, fingerprint classification, relevant physical descriptions, and known associates and locations. Access to the preceding information shall be available to appropriate law enforcement agencies, and to parents and legal guardians, when appropriate.

NEW SECTION. Sec. 24. The superintendent of public instruction shall meet semiannually with the Washington state patrol to develop a coordinated plan for the distribution of information and education of teachers and students in the school districts of the state regarding the missing children problem in the state. The superintendent of public instruction shall encourage local school districts to cooperate by providing the state patrol information on any missing children that may be identified within the district.

NEW SECTION. Sec. 25. Sections 22 through 24 of this act shall constitute a new chapter in Title 13 RCW.

NEW SECTION. Sec. 26. There is appropriated from the general fund to the Washington state patrol for the biennium ending June 30, 1987, the sum of one hundred fifty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of sections 22 through 24 of this act.

NEW SECTION. Sec. 27. 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. 28. 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 July 1, 1985."

On page 1, on line 2 of the title, after "crime;" strike the remainder of the title and insert "amending RCW 7.69.010, 7.69.020, 7.69.030, 9.94A.110, 9.94A.120, 9.94A.140, 7.68.020, 7.68.030, 7.68.035, 7.68.060, 7.68.070, 7.68.130, 4.24.300, 4.24.310, and 9.69.100; adding new sections to chapter 7.69 RCW; adding new sections to chapter 9.94A RCW; adding a new chapter to Title 13 RCW; creating a new section; making appropriations; providing an effective date; and declaring an emergency."

Signed by Senators Talmadge, Newhouse, Halsan; Representatives Locke, Niemi, Tilly.

Mr. Locke moved that the House adopt the report of the Free Conference Committee on Substitute House Bill No. 242.

Representatives Locke and Tilly spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 242 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 242 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 94; absent, 2; excused, 2.

Voting yea: Representatives Addison, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Allen, Van Luven - 2.

Excused: Representatives Ballard, Smith C - 2.

Substitute House Bill No. 242 as amended by 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.

REPORT OF CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3717, modifying provisions relating to retirement systems, 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.

Signed by Senators McDonald, Bauer; Representatives Tilly, Sommers.

MOTION

On motion of Ms. Sommers, the House adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3717 and granted the committee the powers of Free Conference.

MESSAGES FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 3184, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3235, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 3516, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 461, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 461, modifying provisions on loans and grants to political subdivisions for public facilities, have had the same under consideration, and we recommend that the bill be amended as follows and that the amended bill do pass:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 3, chapter 40, Laws of 1982 1st ex. sess. as amended by section 2, chapter 60, Laws of 1983 1st ex. sess. and RCW 43.160.030 are each amended to read as follows:

(1) The community economic revitalization board is hereby created to exercise the powers granted under this chapter.

(2) The board shall consist of ~~((nine persons appointed by the governor and))~~ the director of ~~((commerce))~~ trade and economic development, the director of ~~((planning and community affairs))~~ community development, the director of revenue, the commissioner of employment security, ~~((and the chairmen))~~ the secretary of the department of transportation, the chairman of and one minority member appointed by the speaker of the house of representatives from the committee on ~~((commerce))~~ trade and economic development of the house of representatives ~~((and)),~~ the chairman of and one minority member appointed by the president of the senate from the committee on commerce and labor of the senate, or the equivalent standing committees, ~~((for a total of seventeen members. The appointive members shall be as follows))~~ one member each from the committees on ways and means of the senate and house of representatives, or the equivalent standing committees, chosen by the president of the senate or the speaker of the house of representatives, as applicable, and the following members appointed by the governor: A recognized private or public sector economist selected from the governor's council of economic advisors; one port district official; one county official; one city official; one representative of the public; one representative of small businesses each from: (a) The area west of Puget Sound, (b) the area east of Puget Sound and west of the Cascade range, (c) the area east of the Cascade range and west of the Columbia river, and (d) the area east of the Columbia river; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The appointive members shall initially be appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms which shall include the chairman. Thereafter each succeeding term shall be for three years. The representative from the governor's council of economic advisors shall serve as chairman of the board. The director of the department of commerce and economic development shall serve as vice chairman.

(3) Staff support shall be provided by the department of ~~((commerce))~~ trade and economic development to assist the board in implementing this chapter and the allocation of private activity bonds.

(4) All appointive members of the board shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 as now or hereafter amended.

(5) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the governor shall fill the same for the unexpired term. Any members of the board, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor, under chapter 34.04 RCW.

Sec. 2. Section 3, chapter 40, Laws of 1982 1st ex. sess. as last amended by section 89, chapter 287, Laws of 1984 and by section 1 of this act and RCW 43.160.030 are each reenacted to read as follows:

(1) The community economic revitalization board is hereby created to exercise the powers granted under this chapter.

(2) The board shall consist of the director of trade and economic development, the director of community development, the director of revenue, the commissioner of employment security, the secretary of the department of transportation, the chairman of and one minority member appointed by the speaker of the house of representatives from the committee on trade and economic development of the house of representatives, the chairman of and one minority member appointed by the president of the senate from the committee on commerce and labor of the senate, or the equivalent standing committees, one member each from the committees on ways and means of the senate and house of representatives, or the equivalent standing committees, chosen by the president of the senate or the speaker of the house of representatives, as applicable, and the following members appointed by the governor: A recognized private or public sector economist selected from the governor's council of economic advisors; one port district official; one county official; one city official; one representative of the public; one representative of small businesses each from: (a) The area west of Puget Sound, (b) the area east of Puget Sound and west of the Cascade range, (c) the area east of the Cascade range and west of the Columbia river, and (d) the area east of the Columbia river; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The appointive members shall initially be appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms which shall include the chairman. Thereafter each succeeding term shall be for three years. The representative from the governor's council of economic advisors shall serve as chairman of the board. The director of the department of commerce and economic development shall serve as vice chairman.

(3) Staff support shall be provided by the department of trade and economic development to assist the board in implementing this chapter and the allocation of private activity bonds.

(4) All appointive members of the board shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(5) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the governor shall fill the same for the unexpired term. Any members of the board, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor, under chapter 34.04 RCW.

Sec. 3. Section 6, chapter 40, Laws of 1982 1st ex. sess. as amended by section 3, chapter 60, Laws of 1983 1st ex. sess. and RCW 43.160.060 are each amended to read as follows:

The board is authorized to make direct loans to political subdivisions of the state for the purposes of assisting the political subdivisions in financing the cost of public facilities, including ~~((the cost of acquisition and))~~ development of land and improvements for public facilities, as well as the acquisition, construction, rehabilitation, alteration, expansion, or improvement of the facilities. ~~((Grants))~~ A grant may also be authorized for purposes designated in this chapter, but only when ~~((grants are uniquely required)), and to the extent that, a loan is not reasonably possible, given the limited resources of the political subdivision.~~

Application for funds shall be made in the form and manner as the board may prescribe. In making grants or loans the board shall conform to the following requirements:

(1) The board shall not make a grant or loan unless the application includes convincing evidence that a specific private development or expansion is ready to occur and will only occur if the grant or loan is made.

(2) The board shall only make grants or loans for those projects which would result in specific private developments or expansions (a) in manufacturing, production, food processing, assembly, warehousing, and industrial distribution, or (b) which substantially support the trading of goods or services outside of the state's borders. In no instance may the board make a grant or loan for a project where the primary purpose is to facilitate or promote a retail shopping development or expansion.

(3) The board shall prioritize each proposed project according to the number of jobs it would create after the project is completed and according to the unemployment rate in the area in which the jobs would be located. As long as there is more demand for loans or grants than there are funds available for loans or grants, the board is instructed to fund ((those)) projects ~~((which will lead to the greatest employment once the initial project is completed))~~ in order of their priority.

(4) The board may not make a grant or loan for any project that probably would result in a development or expansion that would displace existing jobs in any other community in the state.

(5) The board may not make any grant or loan for the acquisition of real property, including buildings and other fixtures which are a part of real property.

(6) A responsible official of the political subdivision shall be present during board deliberations and provide information that the board requests.

~~((Public facilities funds shall be used for projects to))~~ (7) The board shall only make loans or grants for projects which if funds will improve the opportunities for the successful maintenance, establishment, or expansion of industrial or commercial plants or will otherwise assist in the

creation or retention of long-term economic opportunities. (~~The board shall determine whether or not the projects will assist in alleviating unemployment.~~)

(8) Before any loan or grant application is approved, the political (~~subdivisions of the state~~) subdivision seeking the loan or grant must demonstrate to the community economic revitalization board that no other timely source of funding is available to (~~them~~) it at costs reasonably similar to financing available from the community economic revitalization board.

NEW SECTION. Sec. 4. A new section is added to chapter 43.160 RCW to read as follows:

Each agency head of an executive branch agency who is appointed to the community economic revitalization board under RCW 43.160.030 may designate an agency employee to take his or her place on the board for meetings in which the agency head will be absent. The designee shall have all powers to vote and participate in board deliberations as have the other board members.

NEW SECTION. Sec. 5. A new section is added to chapter 43.160 RCW to read as follows:

In order to enhance competition for grants and loans and the quality of projects for which loans and grants are sought, the board shall take such reasonable measures as are necessary to familiarize government officials and members of the public with the provisions of this chapter, particularly the board's authority to make grants and loans.

NEW SECTION. Sec. 6. A new section is added to chapter 43.160 RCW to read as follows:

(1) Except as authorized to the contrary under subsection (2) of this section, from all funds available to the board for loans and grants, the board shall spend at least twenty percent for grants and loans for projects in distressed counties. For purposes of this section, the term 'distressed counties' includes any county, in which the average level of unemployment for the three years before the year in which an application for a loan or grant is filed, exceeds the average state employment for those years by twenty percent.

(2) If at any time during the last six months of a biennium the board finds that the actual and anticipated applications for qualified projects in distressed counties are clearly insufficient to use up the twenty percent allocation, then the board shall estimate the amount of the insufficiency and during the remainder of the biennium may use that amount of the allocation for loans and grants for projects not located in distressed counties.

NEW SECTION. Sec. 7. LEGISLATIVE FINDINGS AND POLICY. The legislature finds that there exists in the state of Washington over four billion dollars worth of critical projects for the planning, acquisition, construction, repair, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, and storm and sanitary sewage systems. The December, 1983 Washington state public works report prepared by the planning and community affairs agency documented that local governments expect to be capable of financing over two billion dollars worth of the costs of those critical projects but will not be able to fund nearly half of the documented needs. It is the policy of the state of Washington to encourage self-reliance by local governments in meeting their public works needs and to assist in the financing of critical public works projects by making loans, financing guarantees, and technical assistance available to local governments for these projects.

NEW SECTION. Sec. 8. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section shall apply throughout this chapter.

(1) 'Board' means the public works board created in section 9 of this act.

(2) 'Department' means the department of community development.

(3) 'Financing guarantees' means the pledge of money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects.

(4) 'Local governments' means cities, towns, counties, special purpose districts, and any other municipal corporations or quasi-municipal corporations in the state excluding school districts and port districts.

(5) 'Public works project' means a project of a local government for the planning, acquisition, construction, repair, reconstruction, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, or storm and sanitary sewage systems.

(6) 'Technical assistance' means training and other services provided to local governments to: (a) Help such local governments plan, apply, and qualify for loans and financing guarantees from the board, and (b) help local governments improve their ability to plan for, finance, acquire, construct, repair, replace, rehabilitate, and maintain public facilities.

NEW SECTION. Sec. 9. PUBLIC WORKS BOARD CREATED. (1) The public works board is hereby created.

(2) The board shall be composed of thirteen members appointed by the governor for terms of four years, except that five members initially shall be appointed for terms of two years. The board shall include: (a) Three members, two of whom shall be elected officials and one shall be a public works manager, appointed from a list of at least six persons nominated by the association of Washington cities or its successor; (b) three members, two of whom shall be elected officials and one shall be a public works manager, appointed from a list of at least six persons nominated by the Washington state association of counties or its successor; (c) three members appointed from a list of at least six persons nominated jointly by the Washington state

association of water districts, the Washington public utility districts association, and the Washington state association of sewer districts or their successors; and (d) four members appointed from the general public. In appointing the four general public members, the governor shall endeavor to balance the geographical composition of the board and to include members with special expertise in relevant fields such as public finance, architecture and civil engineering, and public works construction. The governor shall appoint one of the general public members of the board as chair. The term of the chair shall coincide with the term of the governor.

(3) Staff support to the board shall be provided by the department.

(4) Members of the board shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

(5) If a vacancy on the board occurs by death, resignation, or otherwise, the governor shall fill the vacant position for the unexpired term. Each vacancy in a position appointed from lists provided by the associations under subsection (2) of this section shall be filled from a list of at least three persons nominated by the relevant association or associations. Any members of the board, appointive or otherwise, may be removed by the governor for cause in accordance with RCW 43.06.070 and 43.06.080.

NEW SECTION. Sec. 10. GENERAL POWERS OF THE BOARD. The board may:

(1) Accept from any state or federal agency, loans or grants for the planning or financing of any public works project and enter into agreements with any such agency concerning the loans or grants;

(2) Provide technical assistance to local governments;

(3) Accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on any terms and conditions which are not in conflict with this chapter;

(4) Adopt rules under chapter 34.04 RCW as necessary to carry out the purposes of this chapter;

(5) Do all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter.

NEW SECTION. Sec. 11. PUBLIC WORKS FINANCING POWERS. In order to aid the financing of public works projects, the board may:

(1) Make low-interest or interest-free loans to local governments from the public works assistance account or other funds and accounts for the purpose of assisting local governments in financing public works projects. The board may require such terms and conditions and may charge such rates of interest on its loans as it deems necessary or convenient to carry out the purposes of this chapter. Money received from local governments in repayment of loans made under this section shall be paid into the public works assistance account for uses consistent with this chapter.

(2) Pledge money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects. The board shall not pledge any amount greater than the sum of money in the public works assistance account plus money to be received from the payment of the debt service on loans made from that account, nor shall the board pledge the faith and credit or the taxing power of the state or any agency or subdivision thereof to the repayment of obligations issued by any local government.

(3) Create such subaccounts in the public works assistance account as the board deems necessary to carry out the purposes of this chapter.

(4) Provide a method for the allocation of loans and financing guarantees and the provision of technical assistance under this chapter.

All local public works projects aided in whole or in part under the provisions of this chapter shall be put out for competitive bids. The competitive bids called for shall be administered in the same manner as all other public works projects put out for competitive bidding by the local governmental entity aided under this chapter.

NEW SECTION. Sec. 12. ELIGIBILITY AND PRIORITY. (1) To qualify for loans or pledges under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a long-term plan for financing public works needs; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) The board shall develop a priority process for public works projects as provided in this section. The intent of the priority process is to maximize the value of public works projects

accomplished with assistance under this chapter. The board shall attempt to assure a geographical balance in assigning priorities to projects. The board shall consider at least the following factors in assigning a priority to a project:

(a) Whether the local government receiving assistance has experienced severe fiscal distress resulting from natural disaster or emergency public works needs;

(b) Whether the project is critical in nature and would affect the health and safety of a great number of citizens;

(c) The cost of the project compared to the size of the local government and amount of loan money available;

(d) The number of communities served by or funding the project;

(e) Whether the project is located in an area of high unemployment, compared to the average state unemployment; and

(f) Other criteria that the board considers advisable.

(5) Existing debt or financial obligations of local governments shall not be refinanced under this chapter. Each local government applicant shall provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(6) Before November 1 of each year, the board shall develop and submit to the ways and means committees of the senate and house of representatives a prioritized list of projects which are recommended for funding by the legislature. The list shall include, but not be limited to, a description of each project and recommended financing, the terms and conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list shall also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes; real estate excise taxes; property taxes; and charges for or taxes on sewerage, water, garbage, and other utilities.

(7) The board shall not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds for a specific list of public works projects. The legislature may remove projects from the list recommended by the board. The legislature shall not change the order of the priorities recommended for funding by the board.

NEW SECTION. Sec. 13. RECORDS, AUDITS, AND REPORTS. The board shall keep proper records of accounts and shall be subject to audit by the state auditor. Biennial reports on the activities of the board shall be made by the chair to the governor and the legislature.

NEW SECTION. Sec. 14. FEASIBILITY STUDY. The department shall study the feasibility of innovative financing and development alternatives, such as joint development or privatization, by which local governments may provide needed public services to users. The study shall be conducted on an expeditious basis, making maximum use of available expertise. The department shall report to the board and the legislature on the study's conclusions and recommendations as soon as practicable. The sum of \$75,000, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1987, from the public works trust fund to the department of community development for the purpose of this study.

NEW SECTION. Sec. 15. A new section is added to chapter 43.160 RCW to read as follows:

(1) There is hereby created the private activity bond subcommittee of the board.

(2) The subcommittee shall be primarily responsible for reviewing and making recommendations to the board on requests for certification and allocation pursuant to the provisions of chapter 39.____ RCW (sections 16 through 24 of this act) and as authorized by rules adopted by the board.

(3) The subcommittee shall consist of the following members: Five members of the board including: (a) The chairman; (b) the county official; (c) the city official; (d) the port district official; and (e) the representative of the public. The members' terms shall coincide with their terms of appointment to the board.

(4) Staff support to the subcommittee shall be provided by the department of trade and economic development.

(5) Members of the subcommittee shall receive no compensation but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

(6) If a vacancy on the subcommittee occurs by death, resignation, failure to hold the office from which the member was appointed, or otherwise, the vacancy shall be filled through the procedures specified for filling the corresponding vacancy on the board.

PRIVATE ACTIVITY BONDS

NEW SECTION. Sec. 16. LEGISLATIVE FINDINGS AND POLICY. The federal deficit reduction act of 1984 imposes an annual ceiling on the aggregate amount of federally tax-exempt private activity bonds, including student loan bonds, industrial development bonds, and certain government activity bonds, that may be issued during any calendar year by or on behalf of states and their political subdivisions. The deficit reduction act of 1984 provides a formula for allocating the annual ceiling among various issuers of private activity bonds within a state, but permits each state to enact a different allocation method that is appropriate to that state's

needs. The purpose of this chapter is to provide a flexible and efficient method of allocating the state ceiling in Washington in a manner that recognizes the need of the state and its political subdivisions to finance public improvements which are owned by those public entities and also promotes industrial and economic development, encourages private investment, and assists students seeking financial aid.

NEW SECTION. Sec. 17. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) 'Board' means the community economic revitalization board as created by chapter 43.160 RCW.

(2) 'Private activity bond subcommittee' means the subcommittee created by section 15 of this act.

(3) 'Bonds' means bonds, notes, or other obligations of an issuer.

(4) 'Bond purchase agreement' means an executed agreement for the purchase of bonds which may or may not be contingent on the allocation of a portion of the state ceiling for the bonds.

(5) 'Bond use category' means any of the following categories of bonds: Government activity bonds, industrial development bonds, or student loan bonds.

(6) 'Code' means the federal internal revenue code as it exists, with amendments, on the effective date of this act. It also means the code as amended after the effective date of this act, but only if the amendments are approved by the board as provided in section 21 of this act.

(7) 'Department' means the department of trade and economic development or its successor with respect to the powers and duties granted by this chapter.

(8) 'Director' means the director of the department or the director's designee.

(9) 'Government activity bonds' means bonds that are classified as private activity bonds under the code and that are neither student loan bonds nor revenue bonds issued under Article XXXII of the state Constitution.

(10) 'Industrial development bonds' means nonrecourse revenue bonds issued under Article XXXII of the state Constitution.

(11) 'Issuer' means the state, any agency or instrumentality of the state, any political subdivision, or any other entity authorized to issue private activity bonds in the state.

(12) 'Private activity bonds' means bonds that are private activity bonds as defined in the code.

(13) 'State' means the state of Washington.

(14) 'State ceiling' means for any calendar year the aggregate amount of private activity bonds that may be issued in the state under the code.

(15) 'Student loan bonds' means bonds issued by an issuer that are student loan bonds as defined in the code.

NEW SECTION. Sec. 18. ALLOCATION. (1) The state ceiling shall be allocated each year initially as follows: Forty-five percent to government activity bonds; forty-five percent to industrial development bonds; and ten percent to student loan bonds. The allocation is subject to revision by the board as provided in section 20 of this act.

(2)(a) No issuer is eligible to file a notification form or receive an allocation for the financing of an individual project of more than seven and one-half million dollars of any government activity bond or industrial development bond allocation of the state ceiling without a certificate of approval from the board.

(b) In determining whether to issue a certificate of approval, the board may consider but is not limited to the following criteria:

(i) The number of employment opportunities the project is likely to create in relation to the amount of the bond issuance;

(ii) The level of unemployment in the geographic area likely to be affected by the project;

(iii) Public health and safety benefits;

(iv) The amount of state ceiling which remains unallocated;

(v) The number of persons who will benefit from the project; and

(vi) Other such criteria the board deems appropriate.

(c) The board may condition its certificate of approval on any terms it deems appropriate.

(3) The board shall issue or deny a certificate of approval within sixty days of the filing for an application for the certificate.

(4) The board may delegate to the private activity bond subcommittee of the board, by rule, any of its powers under this chapter.

(5) Subject to the provisions of this chapter, the portion of the state ceiling allocated to a bond use category shall be allocated automatically to an issuer of bonds in that category in the order of the date and time the issuer files a properly completed and signed notification form with the department.

NEW SECTION. Sec. 19. (1) The notification form filed by an issuer shall identify: (a) The amount of the state ceiling allocation that is sought; (b) the bond use category from which the allocation is to be made; (c) a certification by the issuer that a bond purchase agreement has been executed with respect to the bonds for which an allocation is sought; and (d) such other information or evidence of the issuer's intention to issue bonds as the director prescribes.

(2) If the principal amount of the bonds for which an allocation of the state ceiling is sought does not exceed the amount of the state ceiling available in the bond use category applicable to the bonds, the director shall mail a written allocation confirmation notice to the issuer within five business days after the filing of the issuer's notification form for the bonds.

(3) If the principal amount of the bonds for which an allocation of the state ceiling is sought exceeds the amount of the state ceiling available in the bond use category applicable, the director shall mail a written deficiency notice to the issuer within five business days after the filing of the issuer's notification form for such bonds and in that notice advise the issuer of the amount by which the principal amount of the bonds described in the notification form exceeds the available state ceiling. The issuer shall be entitled to an allocation of the remaining available state ceiling in the applicable bond use category upon its filing with the department within fifteen calendar days after the date of the director's deficiency notice, a written notice of the amount of the available state ceiling it will consume.

(4) State ceiling allocation notification forms filed in any year for which a full or partial deficiency notice was given by the director shall be retained on a waiting list. When any state ceiling becomes available that year or on January 1 of the following year for the bond use category for which the notification form was filed, the following rules apply: (a) The director shall notify by mail the issuers on the waiting list; and (b) those issuers who, within five business days of receipt of such notice, certify to the director their intention to issue bonds up to the amount stated in the original notification form, shall receive an allocation of the available state ceiling in the order the original notification forms were filed.

(5) Except as provided in section 20 (2) and (3) of this act, all allocations of the state ceiling shall expire on the ninety-first day after mailing of the director's allocation confirmation or the notice of allocation, unless the bonds described in the issuer's state ceiling allocation notification form have been delivered to their original purchaser. Each issuer shall file a confirmation of delivery notice with the department within ten days after delivery of the bonds.

NEW SECTION, Sec. 20. REALLOCATION. (1) After June 1 of any year the board may, in its discretion, reallocate the remaining portion of the state ceiling in any bond use category allocated pursuant to section 18(1) of this act that has not been and does not appear reasonably likely to be consumed that year.

(2) The board may in its discretion grant an advanced allocation of the state ceiling in any future year of a portion of the state ceiling for a bond use category, subject to the limitations and criteria in section 18 of this act, and may waive the requirements under section 19(5) of this act that the bonds be issued within ninety days of the director's allocation confirmation and notice of allocation. Advanced allocations shall be deemed to have been received by issuers on January 1 of the year for which they are granted in each year, and in the order they were granted. Any advanced allocation shall be contingent on the existence of available state ceiling. Such advanced allocations shall be considered received before any new allocations are made in a given year.

(3) In December of any year, if the board finds that it is reasonably likely that a portion of the state ceiling otherwise would not be consumed, the board, in its discretion, may grant an allocation of the state ceiling to an issuer for financing of a specific project and waive the requirements under section 19(5) of this act that bonds be issued within ninety days after mailing of the director's allocation confirmation or notice of allocation. The issuer may then carry forward the allocation for the project for a period of time permitted by the code.

NEW SECTION, Sec. 21. RULE-MAKING AUTHORITY. (1) The board may adopt such rules as are necessary to carry out the purposes of this chapter.

(2) In order to permit the full use of the authorized state ceiling under the federal law, the board may adopt rules approving any amendments made to the code after the effective date of this act.

NEW SECTION, Sec. 22. ANNUAL REPORT. The department shall report annually at the start of each annual legislative session to the legislature and the governor on the allocations of the state ceiling made during the previous year.

NEW SECTION, Sec. 23. TERMINATION. The method for making new allocations of the state ceiling provided in sections 18, 19, and 20 of this act shall expire on December 31, 1988, unless extended by law for an additional fixed period of time, except that any guaranteed allocations granted under section 20(2) of this act and any allocations carried forward under section 20(3) of this act shall remain in full force and effect after that date.

NEW SECTION, Sec. 24. RATIFICATION. Any state ceiling allocations taken during 1984 or 1985 in conformance with the code and an applicable executive order of the governor are ratified and confirmed and shall remain in full force and effect notwithstanding any other provision of this act.

Sec. 25. Section 10, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.900 are each amended to read as follows:

The community economic revitalization board and its powers and duties shall be terminated on June 30, 1987, and shall be subject to the procedures required by chapter 43.131 RCW. This chapter expires June 30, ((1987)) 1988. Any remaining duties of the community economic

revitalization board after June 30, 1987, are transferred to the department of revenue on June 30, 1987.

NEW SECTION. Sec. 26. Sections 16 through 24 of this act shall constitute a new chapter in Title 39 RCW.

NEW SECTION. Sec. 27. 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. 28. CAPTIONS. As used in this act, section captions constitute no part of the law.

NEW SECTION. Sec. 29. CODIFICATION. Sections 7 through 13 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 30. EFFECTIVE DATES. (1) Section 1 of 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.

(2) Sections 7 through 14 of this act 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 June 1, 1985.

(3) Sections 2 and 15 through 25 of this act 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 July 1, 1985."

On page 1, line 1 of the title, after "development," strike the remainder of the title, and insert "amending RCW 43.160.030, 43.160.060, and 43.160.900; reenacting RCW 43.160.030; adding new sections to chapter 43.160 RCW; adding a new chapter to Title 39 RCW; adding a new chapter to Title 43 RCW; creating new sections; making an appropriation; providing effective dates; and declaring an emergency."

Signed by Senators Bottiger, Vognild; Representatives McMullen, J. King.

MOTION

Mr. McMullen moved that the report of the Free Conference Committee on Engrossed Substitute House Bill No. 461 be adopted.

POINT OF PERSONAL PRIVILEGE

Ms. Silver: "In accordance with Reed's Rule 178, I rise to inform you that the integrity of our proceedings has been undermined by the manner in which the Conference Committee report on ESHB 461 has reached our desks. A few months ago, this side of the aisle criticized the four-person Free Conference Committee rule and how it would harm the legislative process. We were told on the floor of the House, to trust, the process will be fair, the minority party will receive notice. The minority party will have a chance to participate. I kept in close contact with the chairman for ESHB 461, and was advised no meetings had occurred. Yesterday, at 1:35 p.m., I was advised the Conference Committee was meeting at 1:30. When I arrived, the report had already been negotiated, signed and placed before me for my signature.

"Is this participation for the minority party? This is fair? This is the legislative process to represent all the people of the state? We have more bills in Free Conference this session than ever before. The majority party has full control to make significant changes. So the folks back home should know that bills are decided in the back room where the minority party is excluded and where a lobbyist--a lobbyist--is included. The legislative process on Engrossed Substitute House Bill 461 was a farce."

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House adopt the report of the Free Conference Committee on Engrossed Substitute House Bill No. 461, and the motion was carried by the following vote: Yeas, 50; nays, 46; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, and Mr. Speaker. - 50.

Voting nay: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Crane, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt,

Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky - 46.

Excused: Representatives Ballard, Smith C - 2.

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 461 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 461 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 65; nays, 31; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 65.

Voting nay: Representatives Barnes, Berozoff, Bond, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Silver, Thomas, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J - 31.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Substitute House Bill No. 461 as amended by 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.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 956, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 956, relating to the powers of local government in relation to federal grants and programs, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Thompson, Fleming; Representatives Nutley, Haugen, Brough.

MOTION

Ms. Nutley moved that the House adopt the Conference Committee report on Substitute House Bill No. 956 and grant the committee powers of Free Conference.

POINT OF ORDER

Mr. Dellwo: "The Joint Rules of the Senate and House, Rule 8, provides that in case of failure of the conferees to agree on matters resting at issue between the two houses, the committee may, in addition, consider new proposed items within the scope and object of the title. There are two issues. One, of course, is the fact that there must be a failure of the conferees to agree. In the proposed Free Conference draft, word for word, is the Senate version. It is very easy to see that they could agree. I would suggest that the Free Conference powers that they have requested are not needed. Further, the scope and object of the title has been interpreted by many bodies, including the Supreme Court. The courts have uniformly said that

there has to be a rational unity between the subject under the one title, the one bill. I would suggest again that that uniform rational unity is missing. We have two separate bills -- a third one, too -- but at least two separate bills, two different chapters, two different subjects and they do not have that rational unity. I would suggest that the purpose of the conferees can be handled by just a regular conference, and a Free Conference would not be necessary. I would ask the Speaker to rule on this."

SPEAKER'S RULING

The Speaker: "Representative Dellwo, as to the three points: The first point, I believe, is that the conferees do not agree. It is noted on the Free Conference report that five out of the six conferees did agree, so your point is not well taken. On scope and object, the Speaker has examined Substitute House Bill 956 and the amendment thereto. The Joint Rule, in the case of Free Conference, in Rule 8, 'In case of failure of the conferees to agree on matters directly at issue between the two houses, the committee may in addition consider new proposed items within the scope and object of the title of the bill in conference....' The Speaker has examined the original bill. It has a very broad title, 'An Act Relating to local government....' The Speaker would find that your point is not well taken. The third issue is in the areas of two subjects or more in a single bill and that is a matter for the court to decide. That's a constitutional question, not for this body to decide and your point is not well taken."

The Speaker stated the question before the House to be the motion that the House adopt the report of the Conference Committee and grant the committee powers of Free Conference.

Mr. Dellwo spoke against the motion.

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I would ask you to call to the attention of the speaker the fact that we are now debating, not the process by which we have Free Conference nor the process by which these bills arrived, but the fact that these items are on the agenda."

The Speaker: "Representative Dellwo, please speak to the question before us."

Mr. Dellwo concluded his remarks in opposition to the motion and Representatives Nutley, Brough and Crane spoke in favor of it.

Mr. Prince demanded the previous question, and the demand was sustained.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House adopt the report of the Conference Committee on Substitute House Bill No. 956, and the motion was lost by the following vote: Yeas, 33; nays, 63; excused, 2.

Voting yea: Representatives Allen, Appelwick, Barnes, Barrett, Basich, Betrozoff, Bond, Braddock, Brough, Crane, Hankins, Hastings, Haugen, Hine, Isaacson, King J, King P, Locke, Lux, May, Niemi, Nutley, Peery, Schoon, Silver, Smith L, Tanner, Todd, Vander Stoep, Vekich, Williams J, Wilson K, and Mr. Speaker - 33.

Voting nay: Representatives Addison, Armstrong, Baugher, Belcher, Brekke, Bristow, Brooks, Chandler, Cole, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Holland, Jacobsen, King R, Kremen, Leonard, Lewis, Long, Lundquist, Madsen, McMullen, Miller, Nealey, Nelson D, Nelson G, O'Brien, Padden, Patrick, Prince, Rayburn, Rust, Sanders, Saryan, Schmidt, Scott, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Unsold, Valle, van Dyke, Van Luven, Walk, Walker, Wang, West, Williams B, Wilson S, Wineberry, Winsley, Zellinsky - 63.

Excused: Representatives Ballard, Smith C - 2.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 131, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 24, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 131, revising the regulation of health-related professions, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Thompson, Kreidler; Representatives Brekke, Tanner, Lewis.

MOTION

Ms. Brekke moved that the report of the Conference Committee on Substitute House Bill No. 131 be adopted and the committee be granted powers of Free Conference.

POINT OF ORDER

Mr. Padden: "Mr. Speaker, I would ask for a ruling on scope and object of the Free Conference report with the point that the amendment changes the title of the act in at least four respects. Among other things, it adds a new chapter to Title 18 RCW; it adds a new section to chapter 43.131. Also the fact that the amendment exceeds the scope and object of Substitute House Bill 131 is underscored by the amendment's own admission that is that it is really a separate act dealing with a separate issue. In this regard, section 179 of the amendment refers to the twenty-two new sections as the omnibus credentialing act for counselors."

SPEAKER'S RULING

The Speaker: "Representative Padden, the Speaker has examined Substitute House Bill 131 as recommended by the Free Conference Committee, and also examined the title of the original bill, Substitute House Bill 131, which is 'An Act relating to the regulation of health and health related professions and businesses....' The Speaker once again refers to Rule 8 and would note that there was nothing changed before the semicolon in the original title; therefore, the Free Conference report appears to be within the scope and object of the original bill. Your point is not well taken."

Representatives Locke, Patrick, Wang and Brekke spoke against the motion to grant the powers of Free Conference, and the motion was lost.

MESSAGE FROM THE SENATE

April 25, 1985

Mr. Speaker:

The Senate refuses to grant the request of the House for a conference on ENGROSSED HOUSE BILL NO. 723, and insists on its position, and once again asks the House to concur in the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. D. Nelson, the House concurred in the Senate amendments to Engrossed House Bill No. 723.

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. 723 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 723 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Sanders - 1.

Excused: Representatives Ballard, Smith C - 2.

Engrossed House Bill No. 723 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.

MESSAGES FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SENATE BILL NO. 4142, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 27, 1985

Mr. Speaker:

The Senate rejected the second report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3384, and refused to adopt such report, and returned the bill to the Conference Committee.

Sidney R. Snyder, Secretary.

THIRD REPORT OF CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3384, establishing a salmon and steelhead rehabilitation and enhancement policy board, 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.

Signed by Senators Owen, Metcalf, Stratton; Representatives Sayan, Lundquist, Sutherland.

MOTION

On motion of Mr. Sutherland, the report of the Conference Committee on Substitute Senate Bill No. 3384 was adopted, and the committee was granted powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4196, providing for special programs to assist the unemployed and underemployed, 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.

Signed by Senators Warnke, Wojahn; Representatives Wang, R. King.

MOTION

On motion of Mr. Wang, the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4196 was adopted, and the committee was granted powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3310, facilitating election administration, 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.

Signed by Senators Talmadge, Thompson; Representatives Fisher, Miller, Leonard.

MOTION

On motion of Ms. Fisher, the report of the Conference Committee on Substitute Senate Bill No. 3310 was adopted, and the committee was granted powers of Free Conference.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate rejected the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 103, and refused to adopt such report, and returned the bill to the Conference Committee.

Sidney R. Snyder, Secretary.

SECOND REPORT OF CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

we, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 103, establishing procedures for the adoption of county home rule charters, 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.

Signed by Senators Thompson, Guess, Granlund; Representatives Haugen, Brough, Baugher.

MOTION

On motion of Ms. Haugen, the second report of the Conference Committee on Substitute House Bill No. 461 was adopted, and the committee was granted powers of Free Conference.

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

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate suspended the rules and returned ENGROSSED SENATE BILL NO. 3134 to second reading, amended and passed REENGROSSED SENATE BILL NO. 3134, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

ReESB 3134 by Senators Goltz Patterson, Gaspard, Saling, Johnson, Bauer, Garrett, Benitz, McDermott, Stratton, Rinehart and Lee

Permitting installment payments of tuition and fees at institutions of higher education.

Referred to Committee on Ways & Means.

The House advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3799, by Committee on Energy & Utilities (originally sponsored by Senators Stratton and Williams)

Increasing the state radiation control agency's responsibilities with regard to radiation control.

The bill was read the second time.

Mr. Sutherland moved adoption of the following amendment:

On page 1, beginning on line 5, strike all material down through line 36 on page 2 and insert the following:

*Sec. 1. Section 5, chapter 207, Laws of 1961 as last amended by section 1, chapter ... (E2SHB 3), Laws of 1985 and RCW 70.98.050 are each amended to read as follows:

(1) The department of social and health services is designated as the state radiation control agency, hereinafter referred to as the agency, and shall be the state agency having sole responsibility for administration of the regulatory, licensing and radiation control provisions of this chapter.

(2) The secretary of social and health services shall be director of the agency, hereinafter referred to as the secretary, who shall perform the functions vested in the agency pursuant to the provisions of this chapter.

(3) The agency shall appoint a state radiological control officer, and in accordance with the laws of the state, fix his compensation and prescribe his powers and duties.

(4) The agency shall for the protection of the occupational and public health and safety:

(a) Develop programs for evaluation of hazards associated with use of ionizing radiation;

(b) Develop a state-wide radiological baseline beginning with the establishment of a baseline for the Hanford reservation;

(c) Implement an independent state-wide program to monitor ionizing radiation emissions from radiation sources within the state;

(d) Develop programs with due regard for compatibility with federal programs for regulation of byproduct, source, and special nuclear materials;

~~((e))~~ (e) Conduct environmental radiation monitoring programs which will determine the presence and significance of radiation in the environment and which will verify the adequacy and accuracy of environmental radiation monitoring programs conducted by the federal government at its installations in Washington and by radioactive materials licensees at their installations;

(f) Formulate, adopt, promulgate, and repeal codes, rules and regulations relating to control of sources of ionizing radiation;

~~((g))~~ (g) Advise, consult, and cooperate with other agencies of the state, the federal government, other states and interstate agencies, political subdivisions, and with groups concerned with control of sources of ionizing radiation;

~~((h))~~ (h) Have the authority to accept and administer loans, grants, or other funds or gifts, conditional or otherwise, in furtherance of its functions, from the federal government and from other sources, public or private;

~~((i))~~ (i) Encourage, participate in, or conduct studies, investigations, training, research, and demonstrations relating to control of sources of ionizing radiation, including the collection of statistical data and epidemiological research, where available, on diseases that result from exposure to sources of ionizing radiation;

~~((j))~~ (j) Collect and disseminate information relating to control of sources of ionizing radiation; including:

(i) Maintenance of a file of all license applications, issuances, denials, amendments, transfers, renewals, modifications, suspensions, and revocations;

(ii) Maintenance of a file of registrants possessing sources of ionizing radiation requiring registration under the provisions of this chapter and any administrative or judicial action pertaining thereto; and

(iii) Maintenance of a file of all rules and regulations relating to regulation of sources of ionizing radiation, pending or promulgated, and proceedings thereon~~(:);~~

((h)) (k) In connection with any contested case as defined by RCW 34.04.010 or any other administrative proceedings as provided for in this chapter, have the power to issue subpoenas in order to compel the attendance of necessary witnesses and/or the production of records or documents.

(5) In order to avoid duplication of efforts, the agency may acquire the data requested under this section from public and private entities that possess this information.

Representatives Sutherland and Isaacson spoke in favor of the amendment, and it was adopted.

The Clerk read the following amendment by Mr. D. Nelson:

On page 3, line 30 after "fee" insert "as a surcharge on low level radioactive waste disposed of at the disposal site in this state"

With the consent of the House, Mr. D. Nelson withdrew the amendment.

Mr. D. Nelson moved adoption of the following amendments by Representatives D. Nelson, Isaacson, Long and Sutherland:

On page 3, line 30 after "fee" insert "as an added charge on each cubic foot of low level radioactive waste disposed of at the disposal site in this state"

On page 3, line 32 after "agency" insert "which are not otherwise covered by cost recovery programs including, but not limited to, any funds from federal sources: PROVIDED, That the surveillance fee shall not exceed three percent of the basic minimum fee charged by an operator of a low-level radioactive waste disposal site in this state. The basic minimum fee consists of the disposal fee for the site operator, the fee for the perpetual care and maintenance fund administered by the state, the fee for the state closure fund, and the tax collected pursuant to chapter 82.04 RCW"

Representatives D. Nelson and Isaacson spoke in favor of the amendments and they were adopted.

Mr. D. Nelson moved adoption of the following amendment by Representatives D. Nelson, Long, Rust and Isaacson:

On page 4, after line 4 insert the following:

"(4) The agency shall submit a report to the legislature and the governor on or before the start of the 1986 regular session of the legislature. The report shall specify the radiation control activities required in this 1985 act, the cost of each activity and the source of the funding for each activity including federal assistance and the fees authorized by this 1985 act."

Representatives D. Nelson and Isaacson spoke in favor of the amendment, and it was adopted.

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

Representatives D. Nelson and Sutherland spoke in favor of passage of the bill, and Representatives Isaacson and Barnes spoke against it.

Mr. Crane 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. 3799 as amended by the House, and the bill passed the House by the following vote: Yeas, 67; nays, 29; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsold, Valle, Vekich, Walk, Wang, West, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Barnes, Baugher, Betrozoff, Bond, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Isaacson, Madsen, May, Nealey, Nelson G, Padden, Prince, Sanders, Schmidt, Schoon, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, Williams B, Williams J - 29.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Substitute Senate Bill No. 3799 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. Appelwick, the Committee on Ways & Means was relieved of REENGROSSED SUBSTITUTE SENATE BILL NO. 3134 and the bill was placed on today's second reading calendar.

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

INTRODUCTION AND FIRST READING

ESSB 3678 by Committee on Ways & Means (originally sponsored by Senator McDermott)

Modifying excise taxes.

MOTION

Mr. Appelwick moved that the rules be suspended, and Engrossed Substitute Senate Bill No. 3678 be advanced to second reading and placed on the bottom of the second reading calendar.

Mr. Padden spoke against the motion.

The motion was carried.

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

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3927, by Committee on Transportation (originally sponsored by Senator Peterson)

Adjusting fees for drivers' services.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendments, see Reports of Standing Committees, today's Journal)

Mr. Walk moved that the House adopt the committee amendment.

Representatives Walk, K. Wilson and Betrozoff spoke against the motion and Representatives Schmidt and Tanner spoke in favor of it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to adopt the committee amendment to Engrossed Substitute Senate Bill No. 3927, and the amendment was adopted by the following vote: Yeas, 55; nays, 39; absent, 2; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Barnes, Barrett, Baugher, Belcher, Bond, Bristow, Brooks, Brough, Day, Dellwo, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Hankins, Hargrove, Haugen, Isaacson, King J, King P, King R, Kremen, Leonard, Lewis, Lundquist, McMullen, Miller, Nealey, O'Brien, Padden, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Smitherman, Sommers, Tanner, Unsoeld, Valle, Van Luven, Vekich, West, Williams B, Williams J, Wilson S, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Basich, Betrozoff, Braddock, Brekke, Chandler, Cole, Crane, Dobbbs, Fisher, Grimm, Hastings, Hine, Holland, Jacobsen, Locke, Long, Lux, Madsen, May, Nelson D, Nelson G, Niemi, Nutley, Patrick, Peery, Silver, Smith L, Sutherland, Taylor, Thomas, Tilly, van Dyke, Vander Stoep, Walk, Walker, Wang, Wilson K, Wineberry, Winsley - 39.

Absent: Representatives Armstrong, Todd - 2.

Excused: Representatives Ballard, Smith C - 2.

On motion of Mr. Walk, the committee amendment to the title of the bill was adopted.

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

Mr. Walk 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. 3927 as amended by the House, and the bill passed the House by the following vote: Yeas, 70; nays, 25; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Baugher, Belcher, Braddock, Brekke, Bristow, Brooks, Brough, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smitherman, Sommers, Tanner, Thomas, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Barnes, Basich, Betzoff, Bond, Chandler, Cole, Dobbs, Fisher, Hastings, Holland, Isaacson, Long, Lundquist, Nelson G, Padden, Patrick, Peery, Sanders, Smith L, Sutherland, Taylor, Tilly, van Dyke, Wang, Winsley - 25.

Absent: Representative Vander Stoep - 1.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Substitute Senate Bill No. 3927 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. 4146, by Senators Thompson, McDermott, DeJarnatt and Zimmerman

Revising provisions relating to the effects of the eruption of Mount St. Helens.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 4146, and the bill failed to pass the House by the following vote: Yeas, 36; nays, 59; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Brekke, Brough, Doty, Gallagher, Haugen, Hine, Holland, Jacobsen, King J, King P, Leonard, Long, Madsen, Miller, Nelson D, Nutley, O'Brien, Patrick, Peery, Rust, Sayan, Schmidt, Schoon, Scott, Smith L, Sutherland, Thomas, Todd, Unsoeld, Williams B, Wilson S, and Mr. Speaker - 36.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Bristow, Brooks, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Isaacson, King R, Kremen, Lewis, Locke, Lundquist, Lux, May, McMullen, Nealey, Nelson G, Niemi, Padden, Prince, Rayburn, Sanders, Silver, Smitherman, Sommers, Tanner, Taylor, Tilly, Valle, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, Williams J, Wilson K, Wineberry, Winsley, Zellinsky - 59.

Absent: Representative Vander Stoep - 1.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Senate Bill No. 4146, having failed to receive the constitutional majority, was declared lost.

MOTION FOR RECONSIDERATION

Mr. Braddock, having voted on the prevailing side moved that the House immediately reconsider the vote by which Engrossed Senate Bill No. 4146 failed to pass the House.

The motion was carried.

MOTION

On motion of Mr. Appelwick, further consideration of Engrossed Senate Bill No. 4146 was deferred and the bill was ordered placed at the bottom of today's third reading calendar.

REENGROSSED SENATE BILL NO. 3134, by Senators Goltz, Patterson, Gaspard, Saling, Johnson, Bauer, Garrett, Benitz, McDermott, Stratton, Rinehart and Lee

Permitting installment payments of tuition and fees at institutions of higher education.

The bill was read the second time. On motion of Mr. Appelwick, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sommers and Prince spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of ReEngrossed Senate Bill No. 3134, and the bill passed the House by the following vote: Yeas, 70; nays, 26; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schmidt, Scott, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Barnes, Betzozoff, Brooks, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Isaacson, Lundquist, Nealey, Padden, Patrick, Prince, Sanders, Schoon, Silver, Smith L, Thomas, van Dyke, Van Luven, Walker, West, Williams B, Williams J - 26.

Excused: Representatives Ballard, Smith C - 2.

ReEngrossed Senate Bill No. 3134, having received the 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 26, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 4241, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 26, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4241, authorizing the state employees' insurance board to disapprove certain panel medicine group plans, have had the same under consideration, and we recommend that the bill be amended as follows and the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 1, chapter 136, Laws of 1977 ex. sess. and RCW 41.05.005 are each amended to read as follows:

The legislature, recognizing the desirability of maintaining a healthy work force in order to promote the efficiency and productivity of the employees and officials working for the state and political subdivisions, ~~((declares))~~ finds it to be in the best interest of the state and political subdivisions to provide comprehensive health care to ~~((state))~~ public employees and officials and their dependents, while at the same time there is an increased need for comprehensive public oversight of the costs of and expenditures for health care services. The legislature also finds that, by increasing the coverage group, the state may affect the cost not only to the state for employee costs but also the overall costs in the state.

It is therefore the purpose of this chapter to establish health care plans that provide comprehensive health care for all qualified ~~((state))~~ public employees and officials and their dependents ~~((which plans will be funded by the employer to the fullest extent possible))~~.

Sec. 2. Section 1, chapter 39, Laws of 1970 ex. sess. as last amended by section 90, chapter 3, Laws of 1983 and RCW 41.05.010 are each amended to read as follows:

Unless the context clearly indicates otherwise, words used in this chapter have the following meaning:

(1) 'Board' means the ~~((state))~~ public employees' insurance board established under the provisions of RCW 41.05.025.

(2) 'Employee' shall include all full time, certificated, and career seasonal employees of the state, a county, a municipality, or other political subdivision of the state, whether or not covered by civil service; certificated and classified employees of a school district; elected and appointed officials of the executive branch of government, including full time members of boards, commissions, or committees; and shall include any or all permanent part time ~~((and temporary))~~ employees under the terms and conditions established by the board; justices of the supreme court and judges of the court of appeals and the superior courts; and members of the state legislature or of the legislative authority of any county, city, or town who are elected to office after February 20, 1970.

(3) 'Fund' means the public employees' insurance fund created in this chapter.

(4) 'Panel medicine plan' means a health care plan which can be offered by a health care service contractor which itself furnishes the health care service contracted for by means of a group practice prepaid medical care plan, and also includes a health maintenance organization holding a valid certificate of registration under chapter 48.46 RCW.

~~((4))~~ (5) 'Trustee' shall mean the director of personnel.

Sec. 3. Section 2, chapter 136, Laws of 1977 ex. sess. as last amended by section 68, chapter 287, Laws of 1984 and RCW 41.05.025 are each amended to read as follows:

(1) (a) There is hereby created a ~~((state))~~ public employees' insurance board to be composed ~~((of the members of the present board holding office on the day prior to July 1, 1977; which such members shall serve until the expiration of the period of time of the term for which they were appointed and until their successors are appointed and qualified. Thereafter the board shall be composed as follows: The governor or the governor's designee; one administrative officer representing all of higher education to be appointed by the governor; two higher education faculty members to be appointed by the governor; the director of the department of personnel who shall act as trustee; one representative of an employee association certified as an exclusive representative of at least one bargaining unit of classified employees and one representative of an employee union certified as exclusive representative of at least one bargaining unit of classified employees, both to be appointed by the governor; one person who is retired and is covered by a program under the jurisdiction of the board, to be appointed by the governor; one member of the senate who shall be appointed by the president of the senate; and one member of the house of representatives who shall be appointed by the speaker of the house. The terms of office of the administrative officer representing higher education, the two higher education faculty members, the representative of an employee association, the retired person, and the representative of an employee union shall be for four years: PROVIDED, That the first term of one faculty member and one employee association or union representative member shall be for three years. Meetings of the board shall be at the call of the director of personnel.))~~ as follows:

(i) Three representatives of state agencies, four-year institutions of higher education, community colleges, and school districts;

(ii) Three representatives of employee unions and associations, including retirees;

(iii) Three public members who are knowledgeable about the provision and management of employee benefits;

(iv) One member of the senate appointed by the president of the senate and one member of the house of representatives appointed by the speaker of the house.

(b) All members, except the members of the legislature, shall be appointed by the governor. The term of office shall be four years for each member. However, in making the initial appointments, the governor shall designate two members from each of the three groups to serve initial terms of two years. The governor shall designate a chair from among the public members.

The board shall prescribe rules for the conduct of its business and shall elect a ~~((chairman and vice chairman))~~ vice-chair annually, except that the vice-chair shall not serve successive terms of office. Members of the board shall be compensated in accordance with RCW 43.03.240 and shall be paid for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060~~((and legislative members shall receive allowances provided for in RCW 44.04.120)).~~

(2) The board shall study all matters connected with the providing of adequate health care coverage, life insurance, liability insurance, accidental death and dismemberment insurance, and disability income insurance or any one of, or a combination of, the enumerated types of insurance and health care plans for employees and their dependents on the best basis possible with relation both to the welfare of the employees and to the state: PROVIDED, That liability insurance shall not be made available to dependents. The board shall design benefits, devise specifications, analyze carrier responses to advertisements for bids, determine the terms and conditions of employee participation and coverage, and decide on the award of contracts which shall be signed by the trustee on behalf of the board: PROVIDED, That all contracts for insurance, health care plans, including panel medicine plans, or protection applying to employees covered by RCW 28B.10.660 and chapters 41.04 and 41.05 RCW shall provide that the beneficiaries of such insurance, health care plans, or protection may utilize on an equal participation basis the services of practitioners licensed pursuant to chapters 18.22, 18.25, 18.32, 18.53, 18.57, 18.71, 18.74, 18.83, and 18.88 RCW: PROVIDED FURTHER, That the boards of trustees and boards of regents of the several institutions of higher education shall retain sole authority to provide liability insurance as provided in RCW 28B.10.660. The board shall from time to time review and amend such plans. Contracts for all plans shall be rebid and awarded at least every ~~((five))~~ four years, commencing December 1, 1985.

(3) The board shall develop and provide as a part of the employee insurance benefit program an employee health care benefit plan which may be provided through a contract or contracts with regularly constituted insurance carriers or health care service contractors as defined in chapter 48.44 RCW, and ~~((a plan to be provided by))~~ a panel medicine plan in its service area only when approved by the board: PROVIDED, That the board may disapprove

the offering of any panel medicine plan provided by an organization which declines to enter into an agreement to: (a) Provide flexibility in benefit design to promote cost containment; (b) offer premium rating based on the adjusted community rate of the public employees' insurance board group; and (c) provide periodic, but not less than annual, expense accounting for premium rating. However, the board may negotiate a delay of up to twelve months for implementation of (a), (b), and (c) of this subsection (3) with respect to a panel medicine plan provided by an organization which does not initially have such internal administrative procedure as may be required for the plan to comply with such terms. The board's bidding procedures and negotiations with organizations providing panel medicine plans shall not require federally qualified organizations to violate federal laws and regulations.

The board may but shall not be required to pay more for health benefits under a panel medicine plan than it would otherwise be required to pay for health benefits by a contract with a regularly constituted insurance carrier or health care service contractor in effect at the time the panel medicine plan is included in the employee health care benefit plan. Except for panel medicine plans, the board may but is not required to contract with more than one insurance carrier or health care service contractor to provide similar benefits: PROVIDED, That employees may choose participation in only one of the health care benefit plans sponsored by the board. Active employees, as defined in RCW 41.05.010(2), eligible for medicare benefits shall have the option of continuing participation in health care programs on the same basis as all other employees or participation in medicare supplemental programs as may be developed by the board. These health care benefit plans shall provide coverage for all officials and employees and their dependents without premium or subscription cost to the individual employees and officials, unless the board approves a panel medicine plan at a subscription rate in excess of the premium of the regularly constituted insurance carrier or health care service contractor, in which circumstances an employee contribution may be authorized at an amount equal to such excess. Rates for self pay segments of state employee groups will be developed from the experience of the entire group. Such self pay rates will be established based on a separate rate for the employee, the spouse, and children.

(4) The board shall review plans proposed by insurance carriers who desire to offer property insurance and/or accident and casualty insurance to state employees through payroll deduction. The board may approve any such plan for payroll deduction by carriers holding a valid certificate of authority in the state of Washington and which the board determines to be in the best interests of employees and the state. The board shall promulgate rules setting forth criteria by which it shall evaluate the plans.

(5) The board shall maintain necessary statistics regarding membership demographics, including marital mix, revenue and claims experience, utilization, and whatever additional data may be required by an actuary to provide reports or information to the board and others.

(6) (a) The board may self-fund or self-insure programs under its jurisdiction, except property and casualty insurance authorized under subsection (4) of this section. The board may contract for payment of claims or other administrative services including the purchase of excess loss liability insurance for programs under its jurisdiction. If programs under the jurisdiction of the board do not require the prepayment of reserves the board shall establish that such reserves be maintained for the payment of claims as are normally required for that method of providing that type of insurance. Reserves established by the board shall be held in respective separate trust accounts of the public employees' insurance fund as established by RCW 41.05.040 by the state treasurer.

(b) Group disability coverage provided as a self-insured program of the board shall provide conversion rights in accordance with RCW 48.21.260.

(c) Group disability coverage provided as a self-insured program of the board shall conform with the requirements of RCW 48.21.200 (1) and (2).

(d) The board shall keep or cause to be kept full and adequate accounts and records of the assets, obligations, transactions and affairs of any program created under this subsection (6).

(e) Members of the board shall be deemed to stand in a fiduciary relationship to the employees covered by any insurance program created under this subsection (6) and shall discharge the duties of their respective positions in good faith and with that diligence, care and skill which ordinary prudent persons would exercise under similar circumstances in like positions.

(7) The board shall file an annual report of the financial condition, transactions and affairs of any program under the board's jurisdiction. The report shall also contain actuarial information regarding the adequacy of the reserves established for the type of insurance being offered. A copy of the annual report shall be filed with the speaker of the house of representatives, the president of the senate, and the office of the state auditor. The statement shall be signed by a member of the American Academy of Actuaries certifying that the actuarial amounts are computed in accordance with commonly accepted actuarial standards; and include all actuarial reserves and related statement items required for the sound operation of any employee benefits program.

(8) Premium rates for health care benefit plans made available to school district or educational service district employees may be based on the actual claims experience of those employees.

Sec. 4. Section 3, chapter 39, Laws of 1970 ex. sess. as last amended by section 1, chapter 38, Laws of 1975 1st ex. sess. and RCW 41.05.030 are each amended to read as follows:

(1) The ~~((state employees' insurance))~~ board shall have the following powers and duties, in addition to any other powers and duties prescribed by law: (a) To authorize the ~~((director of personnel))~~ trustee to appoint a benefits supervisor, to whom the ~~((director))~~ trustee may delegate his duties hereunder, and other necessary personnel, subject to the jurisdiction of the state civil service law, chapter 41.06 RCW; (b) to authorize other necessary administrative expenses; and (c) to provide for the expenditure of funds ~~((in the state employees' insurance revolving fund)), subject to legislative appropriation, for payment of premiums, to reduce employee contributions or increase benefits, and~~ ~~((subject to legislative appropriation))~~ to pay salaries and wages and other necessary administrative expenses.

(2) The ~~((director of the department of personnel shall be))~~ trustee ~~((and))~~ shall be administrator of all health benefit and insurance contracts:(

He)) and shall transmit contributions for health care and other insurance plans in payment of premiums and receive and deposit contributions and dividends or refunds into the ((state employees insurance revolving)) fund. ((He)) The trustee shall provide facilities and services necessary for the purpose of the board and its operations, subject to full reimbursement by the board for the cost thereof.

(3) Every division, department, or separate agency of state government and each participating political subdivision shall fully cooperate in administration of the plans, education of employees, claims administration, and other duties as required by the trustee or the board.

Sec. 5. Section 4, chapter 39, Laws of 1970 ex. sess. as last amended by section 24, chapter 57, Laws of 1985 and RCW 41.05.040 are each amended to read as follows:

(1) There is hereby created a fund within the state treasury, designated as the ~~'((state))~~ public employees' insurance fund', to be used by the trustee as a revolving fund for the deposit of contributions, dividends, reserves, and refunds, ~~((and))~~ for payment of premiums for employee insurance benefit contracts entered into in accordance with instructions of the board, and for payments authorized by RCW 41.05.025(6) and 41.05.030(2). Moneys from the ~~((state employees insurance))~~ fund shall be disbursed by the state treasurer by warrants on vouchers duly authorized by the trustee. ~~((Notwithstanding RCW 43.84.090, all earnings of investments of balances in the state employees insurance fund shall be credited to this fund.))~~

(2) The state treasurer and the state investment board may invest moneys in the fund. All such investments shall be in accordance with RCW 43.84.080 or 43.84.150, whichever is applicable. The public employees' insurance board shall determine whether the state treasurer or the state investment board or both shall invest moneys in the fund. Except as provided for in RCW 43.33A.160, one hundred percent of all earnings from these investments shall accrue directly to the fund and the separate accounts which may be created under RCW 41.05.025.

Sec. 6. Section 43.84.090, chapter 8, Laws of 1965 as last amended by section 2, chapter 242, Laws of 1981 and RCW 43.84.090 are each amended to read as follows:

Except as provided in RCW 41.05.040, twenty percent of all income received from such investments shall be deposited in the state general fund.

Sec. 7. Section 9, chapter 2, Laws of 1983 as last amended by section 1, chapter 107, Laws of 1984 and RCW 41.05.050 are each amended to read as follows:

(1) Every department, division, or separate agency of state government, and such school district, county, municipal, or other political subdivisions as are covered by this chapter, shall provide contributions to insurance and health care plans for its employees and their dependents, the content of such plans to be determined by the ~~((state employees insurance))~~ board. Such contributions, which shall be paid by the county, the municipality, or other political subdivision for their employees, shall include an amount determined by the ~~((state employee's insurance))~~ board to pay the administrative expenses of the board and the salaries and wages and expenses of the benefits supervisor and other necessary personnel: PROVIDED, That this administrative service charge for ~~((state))~~ employees shall not result in an employer contribution in excess of the amount authorized by the governor and the legislature as prescribed in RCW 41.05.050(2), and that the sum of an employee's insurance premiums and administrative service charge in excess of such employer contribution shall be paid by the employee. All such contributions will be paid into the ~~((state employees insurance))~~ fund to be expended in accordance with RCW 41.05.030.

(2) The contributions of any department, division, or separate agency of the state government, and such county, municipal, or other political subdivisions as are covered by this chapter, shall be set by the ~~((state employees insurance))~~ board, subject to the approval of the governor for availability of funds as specifically appropriated by the legislature for that purpose: PROVIDED, ~~((That provision for school district personnel shall not be made under this chapter. PROVIDED FURTHER.))~~ That insurance and health care contributions for terry employees shall be governed by RCW 47.64.270.

(3) The ~~((trustee with the assistance of the))~~ department of personnel shall survey representative private industry and public employers in the state of Washington to determine ((the average employer contribution for group insurance programs under the jurisdiction of the state employees insurance board)) (a) the type of coverage provided, the number of employees covered, and the premium per type of coverage, (b) the major components within the type of coverage, and (c) utilization. Such survey shall be conducted ~~((during each even-numbered year))~~ by the state actuary at least every four years but may be conducted more frequently. The results of the survey shall be reported to the board ~~((for its use in setting the amount of the recommended employer contribution to the employee insurance benefit program covered by this chapter))~~ and the legislature.

(4) The board shall transmit a recommendation for the amount of the employer contribution to the governor and the director of financial management for inclusion in the proposed budgets submitted to the legislature.

Sec. 8. Section 7, chapter 39, Laws of 1970 ex. sess. as last amended by section 5, chapter 136, Laws of 1977 ex. sess. and RCW 41.05.070 are each amended to read as follows:

The cost of any health care insurance contracts or plans to any department, division or separate agency of state, school district, county, municipal, or other political subdivision of the state ((government)) shall be paid by any officer authorized to disburse such funds to the trustee for payment of the contributions due pursuant to any such contract authorized by the board.

Sec. 9. Section 1, chapter 75, Laws of 1963 as last amended by section 1, chapter 82, Laws of 1974 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 or self-insurers as provided for in chapter 48.52 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 as provided for in chapter 48.52 RCW: 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 or chapter 41.05 RCW.

Sec. 10. Section 1, chapter 106, Laws of 1975-'76 2nd ex. sess. and RCW 41.04.205 are each amended to read as follows:

(1) School district personnel may participate in the insurance program administered under chapter 41.05 RCW. Notwithstanding the provisions of RCW 41.04.180, the employees, with their dependents, of any county, municipality, or other political subdivision of this state shall be eligible to participate in any insurance program administered under chapter 41.05 RCW if the legislative authority of any such county, municipality, or other political subdivisions of this state determines a transfer to an insurance program administered under chapter 41.05 RCW should be made: PROVIDED, That this section shall have no application to ~~((school district personnel provided for in RCW 28A.58.420 and))~~ members of the law enforcement officers' and fire fighters' retirement system under chapter 41.26 RCW: PROVIDED FURTHER, That in the event of a special district employee transfer pursuant to this section, members of the governing authority shall be eligible to be included in such transfer if such members are authorized by law as of June 25, 1976 to participate in the insurance program being transferred from and subject to payment by such members of all costs of insurance for members: PROVIDED FURTHER, That contributions by any county, municipality, or other political subdivision to which coverage is extended after the effective date of this 1985 act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date upon which coverage is extended.

(2) When the legislative authority of a county, municipality, or other political subdivision determines to so transfer, the ~~((state))~~ public employees' insurance board, as defined in RCW 41.05.010 ~~((as now or hereafter amended))~~, shall:

(a) Establish the conditions under which the transfer may be made, which shall include the requirements that:

- (i) All the eligible employees of the political subdivision transfer as a unit, and
 - (ii) the political subdivision involved obligate itself to make employer contributions in an amount at least equal to those provided by the state as employer; and
- (b) Hold public hearings on the application for transfer; and
- (c) Have the sole right to reject the application.

Approval of the application by the ~~((state))~~ public employees' insurance board shall effect a transfer of the employees involved to the insurance or health care program applied for.

Sec. 11. Section 5, chapter 59, Laws of 1969 as last amended by section 3, chapter 28, Laws of 1983 1st ex. sess. and RCW 41.04.230 are each amended to read as follows:

Any official of the state authorized to disburse funds in payment of salaries and wages of public officers or employees is authorized, upon written request of the officer or employee, to deduct from the salaries or wages of the officers or employees, the amount or amounts of subscription payments, premiums, contributions, or continuation thereof, for payment of the following:

(1) Credit union deductions: PROVIDED, That the credit union is organized solely for public employees: AND PROVIDED FURTHER, That twenty-five or more employees of a single state agency or a total of one hundred or more state employees of several agencies have authorized such a deduction for payment to the same credit union.

(2) Parking fee deductions: PROVIDED, That payment is made for parking facilities furnished by the agency or by the department of general administration.

(3) U.S. savings bond deductions: PROVIDED, That a person within the particular agency shall be appointed to act as trustee. The trustee will receive all contributions; purchase and deliver all bond certificates; and keep such records and furnish such bond or security as will render full accountability for all bond contributions.

(4) Board, lodging or uniform deductions when such board, lodging and uniforms are furnished by the state, or deductions for academic tuitions or fees or scholarship contributions payable to the employing institution.

(5) Dues and other fees deductions: PROVIDED, That the deduction is for payment of membership dues to any professional organization formed primarily for public employees or college and university professors: AND PROVIDED, FURTHER, That twenty-five or more employees of a single state agency, or a total of one hundred or more state employees of several agencies have authorized such a deduction for payment to the same professional organization.

(6) Labor or employee organization dues may be deducted in the event that a payroll deduction is not provided under a collective bargaining agreement under the provisions of RCW 41.06.150: PROVIDED, That twenty-five or more officers or employees of a single agency, or a total of one hundred or more officers or employees of several agencies have authorized such a deduction for payment to the same labor or employee organization: PROVIDED, FURTHER, That labor or employee organizations with five hundred or more members in state government may have payroll deduction for employee benefit programs.

(7) Insurance contributions to the trustee of contracts for payment of premiums under contracts authorized by the ((state)) public employees' insurance board.

Deductions from salaries and wages of public officers and employees other than those enumerated in this section or by other law, may be authorized by the director of financial management for purposes clearly related to state employment or goals and objectives of the agency and for plans authorized by the ((state)) public employees' insurance board.

The authority to make deductions from the salaries and wages of public officers and employees as provided for in this section shall be in addition to such other authority as may be provided by law: PROVIDED, That the state or any department, division, or separate agency of the state shall not be liable to any insurance carrier or contractor for the failure to make or transmit any such deduction.

Sec. 12. Section 39, chapter 274, Laws of 1947 as last amended by section 2, chapter 135, Laws of 1982 and RCW 41.40.380 are each amended to read as follows:

(1) Subject to subsections (2) and (3) of this section, the right of a person to a pension, an annuity, or retirement allowance, any optional benefit, any other right accrued or accruing to any person under the provisions of this chapter, the various funds created by this chapter, and all moneys and investments and income thereof, are hereby exempt from any state, county, municipal, or other local tax, and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws, or other process of law whatsoever, and shall be unassignable.

(2) This section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of premiums due on any group insurance policy or plan issued for the benefit of a group comprised of public employees of the state of Washington or its political subdivisions and which has been approved for deduction in accordance with rules and regulations that may be promulgated by the ((state)) public employees' insurance board and/or the department of retirement systems, and this section shall not be deemed to prohibit a beneficiary of a retirement allowance from authorizing deductions therefrom for payment of dues and other membership fees to any retirement association or organization the membership of which is composed of retired public employees, if a total of three hundred or more of such retired employees have authorized such deduction for payment to the same retirement association or organization.

(3) Benefits under this chapter shall be payable to a spouse or ex-spouse to the extent expressly provided for in any court decree of dissolution or legal separation or in any court order or court-approved property settlement agreement incident to any court decree of dissolution or legal separation.

Sec. 13. Section 18, chapter 15, Laws of 1983 and RCW 47.64.270 are each amended to read as follows:

Absent a collective bargaining agreement to the contrary, the department of transportation shall provide contributions to insurance and health care plans for ferry system employees and dependents, as determined by the ((state)) public employees' insurance board, under chapter 41.05 RCW. The ferry system management and employee organizations may collectively bargain for other insurance and health care plans, and employer contributions may exceed that of other state agencies as provided in RCW 41.05.050, subject to RCW 47.64.180. However, after July 1, 1984, any amount by which the employer contribution for ferry system employees' and dependents' insurance and health care plans exceeds that provided for other state agencies shall reduce the funds available for compensation purposes, pursuant to RCW 47.64.180.

Sec. 14. Section .24.01, chapter 79, Laws of 1947 as amended by section 11, chapter 147, Laws of 1973 1st ex. sess. and RCW 48.24.010 are each amended to read as follows:

(1) No contract of life insurance shall hereafter be delivered or issued for delivery in this state insuring the lives of more than one individual unless to one of the groups as provided for in this chapter, and unless in compliance with the other provisions of this chapter.

(2) Subsection (1) of this section shall not apply to contracts of life insurance

(a) insuring only individuals related by marriage, by blood, or by legal adoption; or

(b) insuring only individuals having a common interest through ownership of a business enterprise, or of a substantial legal interest or equity therein, and who are actively engaged in the management thereof; or

(c) insuring the lives of employees and retirees under contracts executed with the ((state)) public employees' insurance board under the provisions of chapter 41.05 RCW.

Sec. 15. Section 19, chapter 290, Laws of 1975 1st ex. sess. and RCW 48.46.180 are each amended to read as follows:

(1) The state government, or any political subdivision thereof, which offers its employees a health benefits plan shall make available to and inform its employees or members of the option to enroll in at least one health maintenance organization holding a valid certificate of authority which provides health care services in the geographic areas in which such employees or members reside.

(2) Except as provided in RCW 41.05.025(3), each employer, public or private, having more than fifty employees in this state which offers its employees a health benefits plan, and each employee benefits fund in this state having more than fifty members which offers its members any form of health benefits shall make available to and inform its employees or members of the option to enroll in at least one health maintenance organization holding a valid certificate of authority which provides health care services in the geographic areas in which a substantial number of such employees or members reside: PROVIDED, That unless at least twenty-five employees agree to participate in a health maintenance organization the employer need not provide such an option: PROVIDED FURTHER, That where such employees are members of a bona fide bargaining unit covered by a labor-management collective bargaining agreement, the selection of the options required by this section may be specified in such agreement: AND PROVIDED FURTHER, That the provisions of this section shall not be mandatory where such members are covered by a Taft-Hartley health care trust, except that the labor-management trustees may contract with a health maintenance organization if a feasibility study determines it is to the advantage of the members to so contract.

(3) Subsections (1) and (2) of this section shall impose no responsibilities or duties upon state government or any political subdivision thereof or any other employer, either public or private, to provide health maintenance organization coverage when no health maintenance organization exists for the purpose of providing health care services in the geographic areas in which the employees or members reside.

(4) No employer in this state shall in any way be required to pay more for health benefits as a result of the application of this section than would otherwise be required by any prevailing collective bargaining agreement or other legally enforceable contract of obligation for the provision of health benefits between such employer and its employees.

NEW SECTION. Sec. 16. A new section is added to chapter 48.62 RCW to read as follows:

(1) School districts and educational service districts may, either individually or in combination with other such districts, self-fund their employees' loss of time and health benefit plans if (a) the plans, their manner of operation, and the managers meet standards established by the superintendent of public instruction; and (b) the plan is fully covered by an excess loss insurance policy issued by an insurer which has a certificate authorizing it to provide insurance in this state. Self-funded plans shall also comply with the mandatory coverage provisions of chapter 48.44 RCW. Claims under such plans shall be administered by competent, disinterested third parties acting independently of all school districts and their personnel. Such a plan or any trust established thereunder shall not be deemed to be an insurance company and shall not be deemed to be engaged in the business of insurance for purposes of the insurance code.

(2) Any plan authorized by this section is not subject to chapter 48.42 RCW and shall be subject to audit by the state auditor.

(3) School districts and educational service districts may also enroll employees in health benefit plans offered by the public employees' insurance board.

Sec. 17, Section 28A.58.420, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 255, Laws of 1977 ex. sess. and RCW 28A.58.420 are each amended to read as follows:

The board of directors of any of the state's school districts may make available liability, life, health, health care, accident, disability and salary protection or insurance or any one of, or a combination of the enumerated types of insurance, or any other type of insurance or protection, for the members of the boards of directors, the students, and employees of the school district, and their dependents. The board of directors may contract with the public employees' insurance board to provide coverage under chapter 41.05 RCW. The coverage may be provided by contracts with insurance companies authorized to do business in this state under chapter 48.05 RCW, self-insurance, or self-funding pursuant to chapter 48.62 RCW. Whenever funds shall be available for these purposes the board of directors of the school district may contribute all or a part of the cost of such protection or insurance for the employees of their respective school districts and their dependents. The premiums on such liability insurance shall be borne by the school district. The premiums due on such protection or insurance shall be borne by the assenting school board member or student: PROVIDED, That the school district may contribute all or part of the costs, including the premiums, of life, health, health care, accident or disability insurance which shall be offered to all students participating in inter-school activities on the behalf of or as representative of their school or school district. All contracts for insurance or protection written to take advantage of the provisions of this section shall provide that the beneficiaries of such contracts may utilize on an equal participation basis the services of those practitioners licensed pursuant to chapters 18.22, 18.25, 18.53, 18.57 and 18.71 RCW.

NEW SECTION, Sec. 18. 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 July 1, 1985.

On page 1, beginning on line 1 of the title, after "health care," strike the remainder of the title and insert "amending RCW 41.05.005, 41.05.010, 41.05.025, 41.05.030, 41.05.040, 43.84.090, 41.05.050, 41.05.070, 41.04.180, 41.04.205, 41.04.230, 41.40.380, 47.64.270, 48.24.010, 48.46.180, and 28A.58.420; adding a new section to chapter 48.62 RCW; providing an effective date; and declaring an emergency."

Signed by Senators Sellar, McDermott; Representatives Niemi, B. Williams, Braddock.

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, I challenge the scope and object of this report and ask that you make a ruling on it."

The Speaker: "Representative Barrett, the Speaker is going to take your point of order under advisement."

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 4231, and has granted the powers of Free Conference.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 4231, adjusting hunting and fishing license fees, have had the same under consideration, and recommend that the bill be amended as follows and the bill do pass as amended by the Free Conference Committee:

Strike everything after the enacting clause and insert the following:

"Sec. 1, Section 77.32.060, chapter 36, Laws of 1955 as last amended by section 17, chapter 310, Laws of 1981 and RCW 77.32.060 are each amended to read as follows:

((Persons authorized to issue licenses, permits, tags, stamps, and punchcards may charge and keep up to fifty cents for each license issued, and up to)) The commission may adopt rules establishing the amount a license dealer may charge and keep for each license, tag, permit, stamp, or punchcard issued. The commission shall establish the amount to be retained by dealers to be at least fifty cents for each license issued, and twenty-five cents for each tag,

permit, stamp, or punchcard issued. The commission shall report to the next regular session of the legislature explaining any increase in the amount retained by license dealers. Fees retained by dealers shall be uniform throughout the state.

Sec. 2. Section 20, chapter 15, Laws of 1975 1st ex. sess. as last amended by section 20, chapter 310, Laws of 1981 and RCW 77.32.101 are each amended to read as follows:

(1) A hunting and fishing license allows a resident holder to hunt and fish throughout the state. The fee for this license is twenty-four dollars.

(2) A hunting license allows the holder to hunt throughout the state. The fee for this license is ~~((ten))~~ twelve dollars ~~((and fifty cents))~~ for residents and one hundred twenty-five dollars for nonresidents.

(3) A fishing license allows the holder to fish throughout the state. The fee for this license is ~~((twelve))~~ fourteen dollars for residents and ~~((thirty))~~ forty dollars for nonresidents.

Sec. 3. Section 27, chapter 15, Laws of 1975 1st ex. sess. as last amended by section 22, chapter 310, Laws of 1981 and RCW 77.32.161 are each amended to read as follows:

A nonresident or resident may obtain a temporary fishing license, which allows the holder to fish throughout the state for three consecutive days. The fee for this license is ~~((nine))~~ seven dollars for residents and fourteen dollars ~~((and fifty cents))~~ for nonresidents. The resident temporary fishing license is not valid for an eight consecutive day period beginning on the opening day of the lowland lake fishing season.

Sec. 4. Section 23, chapter 310, Laws of 1981 and RCW 77.32.191 are each amended to read as follows:

A state trapping license allows the holder to trap fur-bearing animals throughout the state. A state trapping license is void on April 1st following the date of issuance. The fee for this license is ~~((twenty-five))~~ thirty dollars for residents sixteen years of age or older, twelve dollars for residents under sixteen years of age, and one hundred ~~((twenty-five))~~ fifty dollars for nonresidents.

Sec. 5. Section 30, chapter 15, Laws of 1975 1st ex. sess. as last amended by section 3, chapter 284, Laws of 1983 and RCW 77.32.211 are each amended to read as follows:

(1) A taxidermy license allows the holder to practice taxidermy for profit. The fee for this license is one hundred fifty dollars.

(2) A fur dealer's license allows the holder to purchase, receive, or resell raw furs for profit. The fee for this license is one hundred fifty dollars.

(3) A fishing guide license allows the holder to offer or perform the services of a professional guide in the taking of game fish. The fee for this license is one hundred fifty dollars for a resident and ~~((two hundred fifty))~~ five hundred dollars for a nonresident.

(4) A game farm license allows the holder to operate a game farm to acquire, breed, grow, keep, and sell wildlife under conditions prescribed by the commission. The fee for this license is ~~((fifty))~~ sixty dollars for the first year and ~~((thirty))~~ forty dollars for each following year.

(5) A game fish stocking permit allows the holder to release game fish into the waters of the state as prescribed by rule of the commission. The fee for this permit is ~~((ten))~~ twenty dollars.

(6) A hunting, fishing, or field trial permit allows the holder to promote, conduct, hold, or sponsor a hunting, fishing, or field trial contest in accordance with rules of the commission. The fee for this permit is ~~((ten))~~ twenty dollars.

(7) An anadromous game fish buyer's license allows the holder to purchase or sell steelhead trout and other anadromous game fish harvested by Indian fishermen lawfully exercising fishing rights reserved by federal statute, treaty, or executive order, under conditions prescribed by rule of the commission. The fee for this license is one hundred fifty dollars.

Sec. 6. Section 77.32.230, chapter 36, Laws of 1955 as last amended by section 2, chapter ... (HB 479), Laws of 1985 and RCW 77.32.230 are each amended to read as follows:

(1) A person sixty-five years of age or older who is an honorably discharged veteran of the United States armed forces having a service-connected disability and who has been a resident for five years may receive upon application a state hunting and fishing license free of charge.

(2) Subject to subsection (7) of this section, a person seventy years of age or older who has been a resident for ten years ((or-a)) may receive, upon application, a fishing license free of charge.

(3) A blind person, or a person with a developmental disability as defined in RCW 71.20-.016 with documentation of the disability from the department of social and health services, or a physically handicapped person confined to a wheelchair may receive upon application a fishing license free of charge.

~~((3))~~ (4) A blind person or a physically handicapped person confined to a wheelchair who has been issued a card for a permanent disability under RCW 46.16.381 may use that card in place of a fishing license unless tags, permits, stamps, or punchcards are required by this chapter.

~~((4))~~ (5) A fishing license is not required for persons under the age of ~~((sixteen))~~ fifteen.

~~((5))~~ (6) Tags, permits, stamps, and punchcards required by this chapter shall be purchased separately by persons receiving a free or reduced-fee license.

(7) (a) By January 1, 1986, the game commission shall adopt a policy determining the fee, if any is charged, and residency requirement for fishing licenses for residents seventy years of age or older. Prior to adopting any policy, the commission shall hold state-wide hearings to learn concerns of interested citizens. The commission shall consider the needs of low-income senior citizens and appropriate residency requirements for senior citizens. If the commission recommends a change in the fishing license fees for residents over seventy years of age, the commission shall report to the next regular session of the legislature the reasons for recommending the change.

(b) The department shall, in a timely manner, adopt by rule any fishing license fees and residency requirements recommended by the commission for persons seventy years of age or older.

Sec. 7. Section 32, chapter 15, Laws of 1975 1st ex. sess. as last amended by section 30, chapter 310, Laws of 1981 and RCW 77.32.256 are each amended to read as follows:

The commission shall by rule establish the conditions for issuance of duplicate licenses, permits, tags, stamps, and punchcards required by this chapter. The fee for a duplicate provided under this section is ~~((five))~~ eight dollars.

Sec. 8. Section 11, chapter 310, Laws of 1981 as amended by section 5, chapter 240, Laws of 1984 and RCW 77.32.340 are each amended to read as follows:

A supplemental stamp is required to hunt deer, elk, bear, cougar, sheep, mountain goat, moose, or wild turkey.

(1) The fee for a resident deer stamp is ~~((ten))~~ fifteen dollars. The fee for a nonresident deer stamp is fifty dollars.

(2) The fee for a resident elk stamp is ~~((fifteen))~~ twenty dollars. The fee for a nonresident elk stamp is ~~((seventy-five))~~ one hundred dollars.

(3) The fee for a resident bear stamp is ~~((ten))~~ fifteen dollars. The fee for a nonresident bear stamp is ~~((seventy-five))~~ one hundred fifty dollars.

(4) The fee for a resident cougar stamp is ~~((ten))~~ twenty dollars. The fee for a nonresident cougar stamp is ~~((one))~~ three hundred (fifty) dollars.

(5) The fee for a mountain goat stamp is ~~((thirty-five))~~ fifty dollars ~~((which))~~ for residents and one hundred fifty dollars for nonresidents. The fee shall be paid at the time of application. Applicants who are not selected for a mountain goat special season permit shall receive a refund of this fee, less five dollars.

(6) The fee for a sheep stamp is seventy-five dollars for residents and three hundred dollars for nonresidents and shall be paid at the time of application. Applicants who are not selected for a sheep special season permit shall receive a refund of this fee, less five dollars.

(7) The fee for a moose stamp is one hundred fifty dollars for residents and three hundred dollars for nonresidents and shall be paid at the time of application. Applicants who are not selected for a moose special season permit shall receive a refund of this fee, less five dollars.

(8) The fee for a wild turkey stamp is ~~((ten))~~ fifteen dollars.

(9) To be valid, supplemental stamps required under this section shall be permanently affixed to the transport tag at the time of purchase and the stamp numbers shall be legibly transferred to the hunting license.

(10) Supplemental stamps required under this section expire on March 31st following the date of issuance.

Sec. 9. Section 12, chapter 310, Laws of 1981 as amended by section 6, chapter 240, Laws of 1984 and RCW 77.32.350 are each amended to read as follows:

(1) A hound stamp is required to hunt wild animals with a dog. The fee for this stamp is ~~((six))~~ ten dollars.

(2) An upland game bird stamp is required to hunt for quail, partridge, and pheasant in areas designated by rule of the commission. The fee for this stamp is ~~((six))~~ eight dollars.

(3) ~~((An archery stamp is required to hunt with a bow and arrow during seasons established exclusively for hunting in that manner. The fee for this stamp is six dollars.~~

~~((A muzzleloading firearm stamp is required to hunt with a muzzleloading firearm during seasons established exclusively for hunting in that manner. The fee for this stamp is six dollars.~~

~~((5))~~ A falconry ~~((stamp))~~ license is required to possess or hunt with a falcon ~~((during))~~, including seasons established exclusively for hunting in that manner. The fee for this ((stamp)) license is ((fifteen)) thirty dollars.

~~((6))~~ (4) To be valid, stamps required under this section shall be permanently affixed to the licensee's appropriate hunting or fishing license.

~~((7))~~ (5) Stamps required by this section expire on March 31st following the date of issuance except for hound stamps, which expire December 31st following the date of issuance.

Sec. 10. Section 13, chapter 310, Laws of 1981 and RCW 77.32.360 are each amended to read as follows:

(1) A steelhead punchcard is required to fish for steelhead trout. The fee for this punchcard is ~~((five))~~ fifteen dollars.

(2) Persons possessing steelhead trout shall immediately validate their punchcard as provided by rule of the commission.

(3) Steelhead punchcards required under this section expire April 30th following the date of issuance.

(4) Each person who returns a steelhead punchcard to an authorized license dealer by June 1 following the period for which it was issued shall be given a credit equal to five dollars towards that day's purchase of any license, permit, transport tag, punchcard, or stamp required by this chapter.

(5) An upland bird punchcard is required to hunt for quail, partridge, and pheasant in areas designated by rule of the commission. The fee for this punchcard is ~~((twelve))~~ fifteen dollars ~~((and fifty cents))~~.

~~((5))~~ (6) Persons killing quail, partridge, and pheasant shall immediately validate their punchcard as provided by rule of the commission.

~~((6))~~ (7) Upland bird punchcards required under this section expire March 31st following the date of issuance.

Sec. 11. Section 15, chapter 310, Laws of 1981 and RCW 77.32.380 are each amended to read as follows:

~~((A conservation license is required to be displayed on all vehicles parked on game department lands or using game department access facilities which shall be clearly identified.))~~ Persons sixteen years of age or older who use clearly identified game department lands and access facilities are required to possess a conservation license or a hunting, fishing, trapping, or free license on their person while using the facilities. The fee for this license is ((five)) eight dollars annually. ((The license shall be issued to the registered owner of the vehicle and is nontransferable.

~~A conservation license shall be issued without charge to persons possessing a hunting, fishing, trapping, or free license.))~~

The spouse, all children under eighteen years of age, and guests under eighteen years of age of the holder of a valid conservation license may use game department lands and access facilities when accompanied by the license holder.

Youth groups may use game department lands and game access facilities without possessing a conservation license when accompanied by a license holder.

The conservation license is nontransferable and must be validated by the signature of the holder. Upon request of a wildlife agent or ex officio wildlife agent a person using clearly identified game department lands shall exhibit the required license.

NEW SECTION. Sec. 12. Section 118, chapter 78, Laws of 1980 and RCW 77.32.310 are each repealed.

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 July 1, 1985."

In line 2 of the title, after "77.32.211," insert "77.32.230."

Signed by Senators Owen, Metcalf, Halsan; Representatives Sutherland, Sanders, McMullen.

MOTION

On motion of Mr. Sutherland, the House adopted the report of the Free Conference Committee on Substitute Senate Bill No. 4231.

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 Substitute Senate Bill No. 4231 as amended by Free Conference Committee.

Representatives Sutherland, Lundquist and Sanders spoke in favor of passage of the bill, and Representative Isaacson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 4231 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 55; nays, 41; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Brooks, Brough, Cole, Dellwo, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Jacobsen, King J, King R, Leonard, Locke, Lundquist, Lux, May, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Rayburn, Rust, Sanders, Sayan, Schoon, Scott, Sommers, Sutherland, Tanner, Tilly, Unsoeld, Valle, van Dyke, Walk, Wang, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 55.

Voting nay: Representatives Addison, Betrozoff, Bristow, Chandler, Crane, Day, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Hastings, Holland, Isaacson, King P, Kremen, Lewis, Long, Madsen, McMullen, Nealey, Padden, Patrick, Peery, Prince, Schmidt, Silver, Smith L,

Smitherman, Taylor, Thomas, Todd, Van Luven, Vander Stoep, Vekich, Walker, West, Williams B, Williams J, Zellinsky - 41.

Excused: Representatives Ballard, Smith C - 2.

Substitute Senate Bill No. 4231 as amended by 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.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 4196, and has granted the powers of Free Conference.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 4196, providing for special programs to assist the unemployed and underemployed, have had the same under consideration, and we recommend that the bill be amended as follows and that the bill as amended by Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds and declares that:

- (1) The number of persons unemployed in the state is significantly above the national average.
- (2) Persons who are unemployed represent a skilled resource to the economy and the quality of life for all persons in the state.
- (3) There are jobs available in the state that can be filled by unemployed persons.
- (4) A public labor exchange can appreciably expedite the employment of unemployed job seekers and filling employer vacancies thereby contributing to the overall health of the state and national economies.
- (5) The Washington state job service of the employment security department has provided a proven service of assisting persons to find employment for the past fifty years.
- (6) Expediting the reemployment of unemployment insurance claimants will reduce payment of claims drawn from the state unemployment insurance trust fund.
- (7) Increased emphasis on assisting in the reemployment of claimants and monitoring claimants' work search efforts will positively impact employer tax rates resulting from the recently enacted experience rating legislation, chapter 205, Laws of 1984.
- (8) Special employment service efforts are necessary to adequately serve agricultural employers who have unique needs in the type of workers, recruitment efforts, and the urgency of obtaining sufficient workers.
- (9) Study and research of issues related to employment and unemployment provides economic information vital to the decision-making process.

The legislature finds it necessary and in the public interest to establish a program of job service to assist persons drawing unemployment insurance claims to find employment, to provide employment assistance to the agricultural industry, and to conduct research into issues related to employment and unemployment.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) 'Job service' means the employment assistance program of the employment security department;
- (2) 'Employment assistance' means services to unemployed persons focused on and measured by the obtaining of employment;
- (3) 'Labor exchange' means those activities which match labor supply and labor demand, including recruitment, screening, and referral of qualified workers to employers;
- (4) 'Special account of the administrative contingency fund' means that fund under section 8 of this act established within the administrative contingency fund of the employment security department which provides revenue for the purposes of this chapter.
- (5) 'Continuous wage and benefit history' means an information and research system utilizing a longitudinal data base containing information on both employment and unemployment.

NEW SECTION, Sec. 3. Job service resources shall be used to assist with the reemployment of unemployed workers using the most efficient and effective means of service delivery. The

job service program of the employment security department may undertake any program or activity for which funds are available and which furthers the goals of this chapter. These programs and activities may include, but are not limited to:

(1) Supplementing basic employment services, with special job search and claimant placement assistance designed to assist unemployment insurance claimants to obtain employment;

(2) Providing employment services, such as recruitment, screening, and referral of qualified workers, to agricultural areas where these services have in the past contributed to positive economic conditions for the agricultural industry;

(3) Providing otherwise unobtainable information and analysis to the legislature and program managers about issues related to employment and unemployment; and

(4) To research and consider the degree to which the employment security department can contract with private employment agencies, private for-profit and not-for-profit organizations in the fields of job placement, vocational counseling, career development, career change and employment preparation on a fee for service-performance basis.

Sec. 4. Section 8, chapter 35, Laws of 1945 as last amended by section 9, chapter 13, Laws of 1983 1st ex. sess. and RCW 50.04.070 are each amended to read as follows:

'Contributions' means the money payments due to the state unemployment compensation fund as provided in RCW 50.24.010 ((or)), to the federal interest payment fund under RCW 50.16.070, or to the special account in the administrative contingency fund under section 8 of this 1985 act.

Sec. 5. Section 8, chapter 266, Laws of 1959 as last amended by section 10, chapter 13, Laws of 1983 1st ex. sess. and RCW 50.04.072 are each amended to read as follows:

The terms 'contributions' and 'payments in lieu of contributions' used in this title, whether singular or plural, designate the money payments to be made to the state unemployment compensation fund ((or)), to the federal interest payment fund under RCW 50.16.070, or to the special account in the administrative contingency fund under section 8 of this 1985 act and are deemed to be taxes due to the state of Washington.

Sec. 6. Section 60, chapter 35, Laws of 1945 as last amended by section 5, chapter 13, Laws of 1983 1st ex. sess. and RCW 50.16.010 are each amended to read as follows:

There shall be maintained as special funds, separate and apart from all public moneys or funds of this state an unemployment compensation fund, an administrative contingency fund, and a federal interest payment fund, which shall be administered by the commissioner exclusively for the purposes of this title, and to which RCW 43.01.050 shall not be applicable. The unemployment compensation fund shall consist of

(1) all contributions and payments in lieu of contributions collected pursuant to the provisions of this title,

(2) interest earned upon any moneys in the fund,

(3) any property or securities acquired through the use of moneys belonging to the fund,

(4) all earnings of such property or securities,

(5) any moneys received from the federal unemployment account in the unemployment trust fund in accordance with Title XII of the social security act, as amended,

(6) all money recovered on official bonds for losses sustained by the fund,

(7) all money credited to this state's account in the unemployment trust fund pursuant to section 903 of the social security act, as amended,

(8) all money received from the federal government as reimbursement pursuant to section 204 of the federal-state extended compensation act of 1970 (84 Stat. 708-712; 26 U.S.C. Sec. 3304), and

(9) all moneys received for the fund from any other source.

All moneys in the unemployment compensation fund shall be commingled and undivided.

The administrative contingency fund shall consist of all interest on delinquent contributions collected pursuant to this title after June 20, 1953, all fines and penalties collected pursuant to the provisions of this title. ((and)) all sums recovered on official bonds for losses sustained by the fund, and revenue received under section 8 of this 1985 act: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. Moneys available in the administrative contingency fund, other than money in the special account created under section 8 of this 1985 act, shall be expended upon the direction of the commissioner, with the approval of the governor, whenever it appears to him or her that such expenditure is necessary for:

(a) The proper administration of this title and no federal funds are available for the specific purpose to which such expenditure is to be made, provided, the moneys are not substituted for appropriations from federal funds which, in the absence of such moneys, would be made available.

(b) The proper administration of this title for which purpose appropriations from federal funds have been requested but not yet received, provided, the administrative contingency fund will be reimbursed upon receipt of the requested federal appropriation.

Money in the special account created under section 8 of this 1985 act may only be expended, after appropriation, for the purposes specified in this 1985 act.

Sec. 7. Section 5, chapter 205, Laws of 1984 and RCW 50.29.025 are each amended to read as follows:

For the rate year 1984 and each rate year thereafter, the contribution rate for each employer shall be determined under this section.

(1) A fund balance ratio shall be determined by dividing the balance in the unemployment compensation fund as of the June 30th immediately preceding the rate year by the total remuneration paid by all employers subject to contributions during the second calendar year preceding the rate year and reported to the department by the following March 31st. The division shall be carried to the fourth decimal place with the remaining fraction, if any, disregarded. The fund balance ratio shall be expressed as a percentage.

(2) The interval of the fund balance ratio, expressed as a percentage, shall determine which tax schedule in subsection (5) or (6) of this section shall be in effect for assigning tax rates for the rate year: PROVIDED, That a uniform tax rate of 3.3 percent shall be in effect for the rate year 1984. The intervals for determining the effective tax schedule shall be:

Interval of the Fund Balance Ratio Expressed as a Percentage	Effective Tax Schedule
3.40 and above	A
2.90 to 3.39	B
2.40 to 2.89	C
1.90 to 2.39	D
1.40 to 1.89	E
Less than 1.40	F

(3) An array shall be prepared, listing all qualified employers in ascending order of their benefit ratios. The array shall show for each qualified employer: (a) identification number; (b) benefit ratio; (c) taxable payrolls for the four calendar quarters immediately preceding the computation date and reported to the department by the cut-off date; (d) a cumulative total of taxable payrolls consisting of the employer's taxable payroll plus the taxable payrolls of all other employers preceding him or her in the array; and (e) the percentage equivalent of the cumulative total of taxable payrolls.

(4) Each employer in the array shall be assigned to one of twenty rate classes according to the percentage intervals of cumulative taxable payrolls set forth in subsection (5) or (6) of this section: PROVIDED, That if an employer's taxable payroll falls within two or more rate classes, the employer and any other employer with the same benefit ratio shall be assigned to the lowest rate class which includes any portion of the employer's taxable payroll.

(5) Except as provided in subsection (6) of this section, the contribution rate for each employer in the array shall be the rate specified in the following table for the rate class to which he or she has been assigned, as determined under subsection (4) of this section, within the tax schedule which is to be in effect during the rate year:

Percent of Cumulative Taxable Payrolls		Rate Class	Schedule of Contribution Rates for Effective Tax Schedule					
From	To		A	B	C	D	E	F
0.00	5.00	1	0.5	0.6	1.0	1.5	1.9	2.5
5.01	10.00	2	0.5	0.8	1.2	1.7	2.1	2.7
10.01	15.00	3	0.6	1.0	1.4	1.8	2.3	2.9
15.01	20.00	4	0.8	1.2	1.6	2.0	2.5	3.1
20.01	25.00	5	1.0	1.4	1.8	2.2	2.7	3.2
25.01	30.00	6	1.2	1.6	2.0	2.4	2.8	3.3
30.01	35.00	7	1.4	1.8	2.2	2.6	3.0	3.4
35.01	40.00	8	1.6	2.0	2.4	2.8	3.2	3.6
40.01	45.00	9	1.8	2.2	2.6	3.0	3.4	3.8
45.01	50.00	10	2.0	2.4	2.8	3.2	3.6	4.0
50.01	55.00	11	2.3	2.6	3.0	3.4	3.8	4.1
55.01	60.00	12	2.5	2.8	3.2	3.6	4.0	4.3
60.01	65.00	13	2.7	3.0	3.4	3.8	4.2	4.5
65.01	70.00	14	2.9	3.2	3.6	4.0	4.4	4.7
70.01	75.00	15	3.1	3.4	3.8	4.2	4.6	4.8
75.01	80.00	16	3.3	3.6	4.0	4.4	4.7	4.9
80.01	85.00	17	3.5	3.8	4.2	4.6	4.9	5.0
85.01	90.00	18	3.9	4.2	4.6	4.9	5.0	5.2
90.01	95.00	19	4.3	4.6	5.0	5.1	5.2	5.4
95.01	100.00	20	5.4	5.4	5.4	5.4	5.4	5.4

(6) For rate years 1985 and 1986, the contribution rate for each employer in the array shall be the rate specified in the following table for the rate class to which he or she has been assigned, as determined under subsection (4) of this section, within the tax schedule which is to be in effect during the rate year:

Percent of Cumulative Taxable Payrolls			Schedule of Contribution Rates for Effective Tax Schedule					
From	To	Rate Class	A	B	C	D	E	F
0.00	5.00	1	0.48	0.58	0.98	1.48	1.88	2.48
5.01	10.00	2	0.48	0.78	1.18	1.68	2.08	2.68
10.01	15.00	3	0.58	0.98	1.38	1.78	2.28	2.88
15.01	20.00	4	0.78	1.18	1.58	1.98	2.48	3.08
20.01	25.00	5	0.98	1.38	1.78	2.18	2.68	3.18
25.01	30.00	6	1.18	1.58	1.98	2.38	2.78	3.28
30.01	35.00	7	1.38	1.78	2.18	2.58	2.98	3.38
35.01	40.00	8	1.58	1.98	2.38	2.78	3.18	3.58
40.01	45.00	9	1.78	2.18	2.58	2.98	3.38	3.78
45.01	50.00	10	1.98	2.38	2.78	3.18	3.58	3.98
50.01	55.00	11	2.28	2.58	2.98	3.38	3.78	4.08
55.01	60.00	12	2.48	2.78	3.18	3.58	3.98	4.28
60.01	65.00	13	2.68	2.98	3.38	3.78	4.18	4.48
65.01	70.00	14	2.88	3.18	3.58	3.98	4.38	4.68
70.01	75.00	15	3.08	3.38	3.78	4.18	4.58	4.78
75.01	80.00	16	3.28	3.58	3.98	4.38	4.68	4.88
80.01	85.00	17	3.48	3.78	4.18	4.58	4.88	4.98
85.01	90.00	18	3.88	4.18	4.58	4.88	4.98	5.18
90.01	95.00	19	4.28	4.58	4.98	5.08	5.18	5.38
95.01	100.00	20	5.40	5.40	5.40	5.40	5.40	5.40

((66)) (7) The contribution rate for each employer not qualified to be in the array shall be a rate equal to the average industry tax rate as determined by the commissioner; however, the rate may not be less than one percent: PROVIDED, That employers who do not meet the definition of 'qualified employer' by reason of failure to pay contributions when due shall be assigned the contribution rate of five and four-tenths percent. Assignment of employers by the commissioner to industrial classification, for purposes of this subsection, shall be in accordance with established classification practices found in the 'Standard Industrial Classification Manual' issued by the federal office of management and budget to the third digit provided in the Standard Industrial Classification code.

NEW SECTION, Sec. 8. A new section is added to chapter 50.24 RCW to read as follows:

A separate and identifiable account to provide for the financing of special programs to assist the unemployed is established in the administrative contingency fund. Contributions to this account shall accrue and become payable by each employer, except employers as described in RCW 50.44.010 and 50.44.030 who have properly elected to make payments in lieu of contributions, taxable local government employers as described in RCW 50.44.035, and those employers who are required to make payments in lieu of contributions, at the rate of two one-hundredths of one percent. The amount of wages subject to tax shall be determined under RCW 50.24.010.

Contributions under this section shall become due and be paid by each employer under rules as the commissioner may prescribe, and shall not be deducted, in whole or in part, from the remuneration of individuals in the employ of the employer. Any deduction in violation of this section is unlawful.

In the payment of any contributions under this section, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

If the commissioner determines that federal funding has been increased to provide financing for the services specified in this act, the commissioner shall direct that collection of contributions under this section be terminated on the following January 1st.

Contributions under this section shall be payable only for calendar years 1985 and 1986.

NEW SECTION, Sec. 9. A new section is added to chapter 50.44 RCW to read as follows:

The term 'reasonable assurance,' as used in RCW 50.44.050, means a written, verbal, or implied agreement that the employee will perform services in the same capacity during the ensuing academic year or term as in the first academic year or term. A person shall not be deemed to be performing services 'in the same capacity' unless those services are rendered under the same terms or conditions of employment in the ensuing year as in the first academic year or term.

Sec. 10. Section 2, chapter 1, Laws of 1971 as last amended by section 1, chapter 1, Laws of 1983 and RCW 50.22.010 are each amended to read as follows:

As used in this chapter, unless the context clearly indicates otherwise:

(1) 'Extended benefit period' means a period which:

(a) Begins with the third week after a week for which there is an 'on' indicator; and

(b) Ends with the third week after the first week for which there is an 'off' indicator: PROVIDED, That no extended benefit period shall last for a period of less than thirteen consecutive weeks, and further that no extended benefit period may begin by reason of an 'on' indicator before the fourteenth week after the close of a prior extended benefit period which was in effect with respect to this state.

(2) There is an 'on' indicator for this state for a week if the commissioner determines, in accordance with the regulations of the United States secretary of labor, that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (not seasonally adjusted) either:

(a) Equaled or exceeded one hundred twenty percent of the average of such rates for the corresponding thirteen-week period ending in each of the preceding two calendar years and equaled or exceeded five percent; or

(b) Equaled or exceeded six percent: PROVIDED, That the six percent trigger shall apply only until ~~((April 30, 1984))~~ December 31, 1985.

(3) There is an 'off' indicator for this state for a week if the commissioner determines, in accordance with the regulations of the United States secretary of labor, that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment (not seasonally adjusted) was either:

(a) Less than five percent; or

(b) Five percent or more but less than six percent and the rate of insured unemployment was less than one hundred twenty percent of the average of the rates for the corresponding thirteen week period ending in each of the two preceding calendar years: PROVIDED, That the six percent trigger shall apply only until ~~((April 30, 1984))~~ December 31, 1985.

(4) 'Regular benefits' means benefits payable to an individual under this title or under any state law (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) other than extended benefits or additional benefits.

(5) 'Extended benefits' means benefits payable for weeks of unemployment beginning in an extended benefit period to an individual under this title or under any state law (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) other than regular or additional benefits.

(6) 'Additional benefits' are benefits totally financed by the state and payable under this title to exhaustees by reason of conditions of high unemployment or by reason of other special factors.

(7) 'Eligibility period' of an individual means the period consisting of the weeks in his or her benefit year which begin in an extended benefit period that is in effect in this state and, if his or her benefit year ends within such extended benefit period, any weeks thereafter which begin in such period.

(8) ~~((An 'additional benefit period' means a period within an extended benefit period which:~~

~~(a) Begins with the third week after a week for which:~~

~~(i) The governor determines that adverse economic conditions and high unemployment among the state's workers necessitate payment of additional benefits; and~~

~~(ii) The commissioner determines that, for the fifty-two consecutive weeks ending with such week, the rate of insured unemployment as calculated under (d) of this subsection equals or exceeds six and one-half percent: PROVIDED, That six percent shall apply if the fifty-two week rate of insured unemployment has been less than four and one-half percent at any time within the preceding one hundred four weeks:~~

~~(b) Ends with the third week after a week for which the commissioner determines that, for the fifty-two consecutive weeks ending with such week, the rate of insured unemployment as calculated under (d) of this subsection is less than six and one-half percent: PROVIDED, That six percent shall apply if the additional benefit period began because of the proviso in (a)(ii) of this subsection, the fifty-two week rate of insured unemployment has not exceeded six and one-half percent during the additional benefit period, and the additional benefit period has been in effect for fewer than thirty-six weeks:~~

~~(c) No additional benefit period may last for a period of less than thirteen weeks, and no additional benefit period may begin before the fourteenth week after the close of a prior additional benefit period:~~

~~(d) 'Rate of insured unemployment,' for the purposes of (a) and (b) of this subsection, means the percentage derived by dividing the average weekly number of individuals filing claims in this state for weeks of unemployment with respect to the most recent fifty-two consecutive week period as determined by the commissioner on the basis of his reports to the United States Secretary of Labor by the average monthly employment covered under this title for the first four of the most recent six completed calendar quarters ending before the end of such fifty-two week period. The division shall be carried to the fourth decimal place with any remaining fraction disregarded:~~

~~(e) If a federally funded program of benefits is established which provides for benefits beyond thirty-nine weeks, any additional benefit period in effect shall terminate on the last day of the week preceding the effective week of the federal program. No additional benefit period may begin while such a federal program is in effect.~~

(99)) 'Additional benefit eligibility period' of an individual means the period consisting of the weeks in his or her benefit year which begin in an additional benefit period that is in effect and, if his or her benefit year ends within such additional benefit period, any weeks thereafter which begin in such period.

((10)) (9) 'Exhaustee' means an individual who, with respect to any week of unemployment in his or her eligibility period:

(a) Has received, prior to such week, all of the regular benefits that were payable to him or her under this title or any other state law (including dependents' allowances and regular benefits payable to federal civilian employees and ex-servicemen under 5 U.S.C. chapter 85) in his or her current benefit year that includes such week; or

(b) Has received, prior to such week, all of the regular benefits that were available to him or her under this title or any other state law (including dependents' allowances and regular benefits available to federal civilian employees and ex-servicemen under 5 U.S.C. chapter 85) in his or her current benefit year that includes such week, after the cancellation of some or all of his or her wage credits or the total or partial reduction of his or her rights to regular benefits: PROVIDED, That, for the purposes of (a) and (b), an individual shall be deemed to have received in his or her current benefit year all of the regular benefits that were payable to him or her, or available to him or her, as the case may be, even though:

(i) As a result of a pending appeal with respect to wages or employment, or both, that were not included in the original monetary determination with respect to his or her current benefit year, he or she may subsequently be determined to be entitled to more regular benefits; or

(ii) By reason of the seasonal provisions of another state law, he or she is not entitled to regular benefits with respect to such week of unemployment (although he or she may be entitled to regular benefits with respect to future weeks of unemployment in the next season, as the case may be, in his or her current benefit year), and he or she is otherwise an exhaustee within the meaning of this section with respect to his or her right to regular benefits under such state law seasonal provisions during the season or off season in which that week of unemployment occurs; or

(iii) Having established a benefit year, no regular benefits are payable to him or her during such year because his or her wage credits were canceled or his or her right to regular benefits was totally reduced as the result of the application of a disqualification; or

(c) His or her benefit year having ended prior to such week, he or she has insufficient wages or employment, or both, on the basis of which he or she could establish in any state a new benefit year that would include such week, or having established a new benefit year that includes such week, he or she is precluded from receiving regular benefits by reason of the provision in RCW 50.04.030 which meets the requirement of section 3304(a)(7) of the Federal Unemployment Tax Act, or the similar provision in any other state law; and

(d) (i) Has no right for such week to unemployment benefits or allowances, as the case may be, under the Railroad Unemployment Insurance Act, the Trade Expansion Act of 1962, and such other federal laws as are specified in regulations issued by the United States secretary of labor; and

(ii) Has not received and is not seeking for such week unemployment benefits under the unemployment compensation law of Canada, unless the appropriate agency finally determines that he or she is not entitled to unemployment benefits under such law for such week.

((11)) (10) 'State law' means the unemployment insurance law of any state, approved by the United States secretary of labor under section 3304 of the internal revenue code of 1954.

NEW SECTION, Sec. 11. A new section is added to chapter 50.22 RCW to read as follows:

(1) An additional benefit period is established beginning April 7, 1985. No new claims for additional benefits will be accepted for weeks beginning after December 31, 1985. This additional benefit period shall end with the start of an extended benefit period or with the start of any totally federally funded benefit program for exhaustees.

(2) The weekly benefit amount shall be calculated as specified in RCW 50.22.040.

(3) The total additional benefit amount shall be the lesser of one-third of regular benefits or eight times the individual's weekly benefit amount.

(4) Additional benefits shall not be payable for weeks more than one year beyond the end of the benefit year of the regular claim.

(5) The maximum amount of additional benefits for an individual shall be reduced, but not below zero, by any federal supplemental compensation paid based on the individual's most recent benefit year.

(6) Benefits paid under this section shall be paid under the same terms and conditions as extended benefits and shall not be charged to the experience rating account of individual employers.

(7) An individual's eligibility for additional benefits shall not be limited or terminated by reason of any event or failure to meet eligibility requirements for the period between April 7, 1985, and the effective date of this act.

(8) This section shall expire on December 31, 1986.

NEW SECTION. Sec. 12. The commissioner shall make a report to the legislature on the impact of the job service program established pursuant to this act by December 1, 1987.

NEW SECTION. Sec. 13. The following acts or parts of acts are each repealed:

(1) Section 17, chapter 18, Laws of 1982 1st ex. sess., section 1, chapter 13, Laws of 1983 1st ex. sess. and RCW 50.22.100;

(2) Section 18, chapter 18, Laws of 1982 1st ex. sess., section 2, chapter 13, Laws of 1983 1st ex. sess. and RCW 50.22.110;

(3) Section 19, chapter 18, Laws of 1982 1st ex. sess., section 3, chapter 13, Laws of 1983 1st ex. sess. and RCW 50.22.120; and

(4) Section 1, chapter 140, Laws of 1984 and RCW 50.44.052.

NEW SECTION. Sec. 14. Sections 1, 2, 3, and 8 of this act shall expire July 1, 1987.

NEW SECTION. Sec. 15. The sum of five million two hundred thousand dollars, or so much thereof as may be necessary, is appropriated from the special account of the administrative contingency fund of the employment security department to the employment security department to support the job service program under sections 1 through 3 of this act for the 1985-1987 fiscal biennium. However, if federal funding is increased to provide for the financing of the services specified in this act, this appropriation shall be reduced by the amount that federal funding is increased specifically for such services. This portion of the state appropriation shall be deposited in the unemployment compensation fund.

NEW SECTION. Sec. 16. If any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act.

NEW SECTION. Sec. 17. 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. 18. Sections 1, 2, and 3 of this act shall constitute a new chapter in Title 50 RCW.

NEW SECTION. Sec. 19. 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 1 of the title, after "unemployed;" strike the remainder of the title and insert "amending RCW 50.04.070, 50.04.072, 50.16.010, 50.29.025, and 50.22.010; adding a new chapter to Title 50 RCW; adding a new section to chapter 50.22 RCW; adding a new section to chapter 50.24 RCW; adding a new section to chapter 50.44 RCW; creating new sections; repealing RCW 50.22.100, 50.22.110, 50.22.120, and 50.44.052; making an appropriation; providing an effective date; providing an expiration date; and declaring an emergency."

Signed by Senators Warnke, Wojahn; Representatives Wang, R. King.

MOTION

Mr. Wang moved that the House adopt the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 4196.

POINT OF ORDER

Mr. Patrick: "Mr. Speaker, I request a ruling on the scope and object."

SPEAKER'S RULING

The Speaker: "Representative Patrick, the Speaker has examined the Free Conference report and Rule 8 of the Joint Rules and examined the title of the original bill, which is "An Act Relating to services of the unemployed and underemployed...", and finds that the Free Conference Committee report is within the scope and object. Your point is not well taken."

Representatives Wang, Fisch, R. King and Sayan spoke in favor of the motion to adopt the Free Conference report, and Representatives Patrick, Vander Stoep and van Dyke spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House adopt the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 4196, and the motion was carried by the following vote: Yeas, 53; nays, 43; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lundquist, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Scott, Smith L, Sommers, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Barnes, Barrett, Betzozoff, Bond, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Smitherman, Sutherland, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Zellinsky - 43.

Excused: Representatives Ballard, Smith C - 2.

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 Substitute Senate Bill No. 4196 as amended by Free Conference Committee.

POINT OF PARLIAMENTARY INQUIRY

Mr. Padden: "Mr. Speaker, I was wondering if the proper time has expired to vote on this on final passage?"

The Speaker: "Representative Padden, the Speaker has examined the paper flow of this conference report and notes that it was placed on the House floor at 5:30 p.m. on April 26. Your point is not well taken."

Mr. Padden: "Mr. Speaker, it was my understanding that it was placed about 12 o'clock today. Are there two different reports? What report are we dealing with? We had it marked at about 12 o'clock today."

The Speaker: "They are identical."

Mr. Patrick spoke against passage of the bill.

Mr. Padden demanded an oral roll call and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 4196 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 59; nays, 36; absent, 1; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lundquist, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 59.

Voting nay: Representatives Addison, Barnes, Barrett, Betzozoff, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hastings, Holland, Lewis, Long, May, Miller, Nealey, Nelson G, Padden, Patrick, Sanders, Schmidt, Schoon, Silver, Sutherland, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 36.

Absent: Representative Bond - 1.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Substitute Senate Bill No. 4196 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.

The House resumed consideration of the Free Conference Committee report on SUBSTITUTE SENATE BILL NO. 4241.

The Speaker stated the question before the House to be the Point of Order raised by Representative Barrett.

SPEAKER'S RULING

The Speaker: "Representative Barrett, on your point of order on Substitute Senate Bill No. 4241, your point is not well taken."

The motion to adopt the Free Conference Committee report on Substitute Senate Bill No. 4241 was lost.

REPORT OF CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3261, modifying the state building code, have had the same under consideration, and we recommend that the House amendments be adopted and that the bill do pass with the House amendments.

Signed by Senators Thompson, Rinehart; Representatives Todd, Belcher.

MOTION

On motion of Ms. Belcher, the House adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 3261.

FINAL PASSAGE OF SENATE BILL
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 3261 as recommended by the Conference Committee.

Representatives Belcher, Fuhrman and Todd spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Todd yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Todd, the question I wanted to ask is whether or not the fee for those permits has been increased and what the amount is for the increase in fee permits?"

Mr. Todd: "Representative Isaacson, within the bill there is a dollar and a half surcharge which will be applied to fund the activities of the State Building Code Advisory Council, which will include a study of all the building codes in this state."

Mr. J. Williams spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Todd yielded to question by Mr. Isaacson.

Mr. Isaacson: "Representative Todd, with respect to the uniformity of the building code, it is statewide now under this bill, but does it also apply to the energy code?"

Mr. Todd: "Representative Isaacson, I believe the energy code is covered in a bill that has been signed by the Governor -- House Bill 1114. That issue is also addressed in this bill by reference. The energy code has been separated out of the uniform code and is in a different section of the bill than the uniform code."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3261 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 74; nays, 22; excused, 2.

Voting yeas: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brekke, Brooks, Brough, Cole, Crane, Deliwo, Doty, Ebersole, Fisch, Fisher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smitherman, Sommers, Sutherland, Tanner, Taylor, Tilly, Todd, Unsoeld, Valle, Vander

Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 74.

Voting nay: Representatives Betrozoff, Bond, Bristow, Chandler, Day, Dobbs, Fuhrman, Gallagher, Hastings, Lundquist, Nealey, Padden, Patrick, Sanders, Schmidt, Smith L, Thomas, van Dyke, Van Luven, Walker, West, Zellinsky - 22.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Substitute Senate Bill No. 3261 as recommended by 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.

MOTION

On motion of Mr. Appelwick, the House adjourned until 9:30 a.m., Sunday, April 28, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

ONE HUNDRED FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Sunday, April 28, 1985.

The House was called to order at 9:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Addison, Ballard, Chandler, Lewis, Sanders, C. Smith, Sommers, Valle and Van Luvan. Representatives Ballard and C. Smith were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Katie Welsh and Kathy Crabb. Prayer was offered by Representative Richard H. Barrett from Spokane.

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

POINT OF PERSONAL PRIVILEGE

Mr. Padden: "Mr. Speaker, my point of personal privilege is that I think the fact that we are here on Sunday morning is certainly a violation of the traditions, I believe, since I have served in the House of Representatives. Perhaps there has been an occasion, but I cannot recall one, when we've been in session on Sunday morning. It is part of our tradition that we ask for guidance before we start each working day. I think the fact that we are here this morning shows a lack of sensitivity to the beliefs of many of the members of this House of Representatives and I certainly hope that it is not repeated."

MESSAGES FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3376, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 3400, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 3500, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 28, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 4231, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-75, by Representatives Patrick Sayan, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Peery, Prince, Rayburn, Rust, Sanders, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, A well-ordered society presupposes law enforcement worthy of public confidence; and

WHEREAS, Individual law enforcement officers must meet qualifications that require personal courage, good judgment, restraint and compassion; and

WHEREAS, Each officer accepts the premise that in the performance of duties there is an ever-present possibility of injury or death; and

WHEREAS, Officers Dale Eugene Eggers and Richard E. Glass met the high standards required by their profession and served their community with exemplary diligence; and

WHEREAS, Officers Dale Eugene Eggers and Richard E. Glass met their deaths in the performance of their duty; and

WHEREAS, Officers Eggers and Glass were among the six law enforcement officers in the state who lost their lives in the line of duty in little more than a year. The others that recently gave their lives for the protection of the people of the State of Washington were: Officer Craig Nollmeyer, Officer Nick Davis, State Game Agent Terry Hoffer and Detective Michael Raburn;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the people of the State of Washington through their elected Representatives express their profound sorrow for the loss of Officer Dale Eugene Eggers and Officer Richard E. Glass to each officer's family, community and profession; and

BE IT FURTHER RESOLVED, That the citizens of the State of Washington, through this memorial, send their most sincere condolences to the families of Officers Eggers and Glass and also express their deepest gratitude for the dedicated service rendered to the people of this state by Officers Eggers and Glass and their colleagues in law enforcement; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the families of the law enforcement officers named above and to each officer's respective police department or agency.

Mr. Patrick moved adoption of the resolution. Representatives Patrick and Sayan spoke in favor of the resolution and it was adopted.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 718, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 718, clarifying taxation and assessments provisions pertaining to mobile homes, have had the same under consideration, and we recommend that the Senate amendments be adopted to:

On page 1, line 2; page 2, line 7 and the amendment to page 7, line 6 not be adopted. On page 7, line 3 strike all material through "inventory." on line 11 and insert:

"NEW SECTION, Sec. 7. A new section is added to chapter 84.36 RCW to read as follows:

Any mobile home which is a part of a dealer's inventory and held solely for sale in the ordinary course of the dealer's business and is not used for any other purpose shall be exempt from property taxation: PROVIDED, That this exemption shall not apply to property taxes already levied or delinquent on such mobile home at the time it becomes part of a dealer's inventory."

Signed by Senators McDermott, Zimmerman, Warnke; Representatives Appelwick, Barnes, Todd.

MOTION

On motion of Mr. Appelwick, the House adopted the report of the Free Conference Committee.

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 718 as amended by Free Conference Committee.

Mr. Barnes spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 718 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 76; absent, 20; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith L, Tanner, Thomas, Tilly, van Dyke, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 76.

Absent: Representatives Addison, Chandler, Dobbs, Fuhrman, Grimm, Isaacson, Lewis, Locke, Sanders, Schoon, Smitherman, Sommers, Sutherland, Taylor, Todd, Unsoeld, Valle, Van Luven, Vekich, Wineberry - 20.

Excused: Representatives Ballard, Smith C - 2.

Engrossed House Bill No. 718 as amended by 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.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTION HOUSE BILL NO. 190 and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 190, revising provisions relating to escrow agents, have had the same under consideration, and we recommend that the bill be amended as follows and the amended bill do pass:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 8, chapter 153, Laws of 1965 as last amended by section 7, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.080 are each amended to read as follows:

The director shall charge and collect the following fees:

(1) For filing an original or a renewal application for registration as an escrow agent, ~~((an))~~ annual ~~((fee of one hundred dollars))~~ fees for the first office or location and ~~((twenty-five dollars))~~ for each additional office or location.

(2) For filing an application for a change of address, ~~((ten dollars))~~ for each certificate of registration and for each escrow officer license being so changed.

(3) For filing an application for a duplicate of a certificate of registration or of an escrow officer license lost, stolen, destroyed, or for replacement, ~~((ten dollars))~~.

(4) For providing administrative support to the escrow commission.

All fees under this chapter shall be set by the director in accordance with RCW 43.24.086.

All fees received by the director under this chapter shall be paid by him into the state treasury to the credit of the general fund.

Sec. 2. Section 11, chapter 153, Laws of 1965 and RCW 18.44.110 are each amended to read as follows:

Each escrow agent's certificate shall expire at noon on the thirty-first day of December of any calendar year ~~((if it is not renewed on or before the twentieth day of December of such year))~~. Registration may be renewed by filing an application and paying the annual registration fee for the next succeeding calendar year.

Sec. 3. Section 36, chapter 287, Laws of 1984 and RCW 18.44.208 are each amended to read as follows:

There is established an escrow commission of the state of Washington, to consist of the director of licensing as ~~((ex officio member and))~~ chairman, and five members who shall act as advisors to the director as to the needs of the escrow profession ~~((and who)), including but not limited to the design and conduct of tests to be administered to applicants for escrow licenses, the schedule of license fees to be applied to the escrow licensees, educational programs, audits and investigations of the escrow profession designed to protect the consumer, and such other matters determined appropriate. Such members shall be appointed by the governor, each of whom shall have been a resident of this state for at least five years and shall have at least five years experience in the practice of escrow as an escrow agent or as a person in responsible charge of escrow transactions.~~

The members of the first commission shall serve for the following terms: One member for one year, one member for two years, one member for three years, one member for four years, and one member for five years, from the date of their appointment, or until their successors are duly appointed and qualified. Every member of the commission shall receive a certificate of appointment from the governor and before beginning the member's term of office shall file with the secretary of state a written oath or affirmation for the faithful discharge of the member's official duties. On the expiration of the term of each member, the governor shall appoint a successor to serve for a term of five years or until the member's successor has been appointed and qualified.

The governor may remove any member of the commission for cause. Vacancies in the commission for any reason shall be filled by appointment for the unexpired term.

Members shall be compensated in accordance with RCW 43.03.240, and shall be reimbursed for their travel expenses incurred in carrying out the provisions of this chapter in accordance with RCW 43.03.050 and 43.03.060.

Sec. 4. Section 9, chapter 245, Laws of 1971 ex. sess. as amended by section 13, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.220 are each amended to read as follows:

Any person desiring to be an escrow officer must successfully pass an examination. The person shall make application for an escrow officer examination on a form provided by the director and pay an examination fee ~~((of twenty-five dollars))~~. The applicant shall satisfy the director that the applicant is at least eighteen years old and is a resident of the state of Washington.

Sec. 5. Section 23, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.300 are each amended to read as follows:

Any person desiring to be an escrow officer must include with the application a license fee ~~((of fifty dollars))~~. Every escrow officer license issued under the provisions of this chapter expires on the date one year from the date of issue which date will henceforth be the renewal

date. An annual license renewal fee in the same amount must be paid on or before each renewal date: PROVIDED, That licenses issued or renewed prior to September 21, 1977 shall use the existing renewal date as the date of issue. If the application for a renewal license is not received by the director on or before the renewal date such license is expired. The license may be reinstated at any time prior to the next succeeding renewal date following its expiration upon the payment to the director of the annual renewal fee then in default. Acceptance by the director of an application for renewal after the renewal date shall not be a waiver of the delinquency. Licenses not renewed within one year of the renewal date then in default shall be canceled. A new license may be obtained by satisfying the procedures and qualifications for initial licensing, including where applicable successful completion of examinations.

Sec. 6. Section 24, chapter 156, Laws of 1977 ex. sess. and RCW 18.44.310 are each amended to read as follows:

The license of an escrow officer shall be retained and displayed at all times by the certificated escrow agent, and when the officer ceases to represent the agent, the license shall cease to be in force. Notice of such termination shall be given by the next regular business day by the escrow agent to the director and such notice shall be accompanied by and include the surrender of the escrow officer's license. Failure to notify the director of such termination after demand by the affected escrow officer shall work a forfeiture of the escrow agent's certificate of registration.

The director may hold the escrow officer's license inactive for a period not exceeding three consecutive years upon application of the escrow officer: PROVIDED, That the escrow officer shall pay the annual renewal fee. Such license may be activated upon application of a certificated escrow agent on a form provided by the director, endorsement by an escrow officer, and the payment of a ((ten-dollar)) fee. The director shall thereupon issue a new license for the unexpired term if such escrow officer is otherwise entitled thereto. An escrow officer's first license shall not be issued inactive."

On page 1, line 1 of the title, after "agents;" strike the remainder of the title and insert "and amending RCW 18.44.080, 18.44.110, 18.44.208, 18.44.220, 18.44.300, and 18.44.310."

Signed by Senators Moore, Cantu, Bender; Representatives Wang, Cole, Patrick.

MOTION

On motion of Mr. Wang, the House adopted the report of the Free Conference Committee.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 190 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 190 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 76; absent, 20; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Fisher, Gallagher, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smith L, Tanner, Thomas, Tilly, van Dyke, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky, and Mr. Speaker - 76.

Absent: Representatives Addison, Chandler, Dobbs, Fuhrman, Grimm, Isaacson, Lewis, Locke, Sanders, Schoon, Smitherman, Sommers, Sutherland, Taylor, Todd, Unsoeld, Valle, Van Luven, Vekich, Wineberry - 20.

Excused: Representatives Ballard, Smith C - 2.

Substitute House Bill No. 190 as amended by 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 27, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3426, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary,

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3066, and has again granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Appelwick, Joint Rule 11 was suspended to allow immediate consideration of the Free Conference Committee Report on Engrossed Substitute Senate Bill No. 3066.

SECOND REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3066, modifying provisions relating to gambling, have had the same under consideration, and we recommend that the House amendment as amended by the Free Conference Committee, be adopted, and the bill do pass as amended.

On page 3 of the House amendment, beginning on line 1 strike "(which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and)" and insert "which does not conduct or allow its premises to be used for conducting bingo on more than three occasions per week and"

On page 6 of the House amendment, beginning on line 31 after "premises," strike everything down through and including "However, the" on page 7, line 3 and insert "The"

Signed by Senators Warnke, Moore; Representatives Wang, R. King, Patrick.

MOTION

On motion of Mr. Wang, the House adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 3066.

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 3066 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3066 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 67; nays, 22; absent, 7; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Barrett, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hastings, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schmidt, Scott, Silver, Smitherman, Tanner, Thomas, Tilly, Todd, Unsoeld, Vander Stoep, Vekich, Walk, Wang, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Allen, Barnes, Bond, Brooks, Dellwo, Dobbs, Fuhrman, Hankins, Hargrove, Isaacson, Nealey, Padden, Patrick, Prince, Schoon, Smith L, Sutherland, Taylor, van Dyke, Walker, West, Williams B - 22.

Absent: Representatives Addison, Chandler, Lewis, Sanders, Sommers, Valle, Van Luven - 7.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Substitute Senate Bill No. 3066 as amended by 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

I inadvertently voted "yes" on final passage of ESSB 3066 as amended by the Free Conference Committee. My intention was to cast a "no" vote as I am not in favor of the legislation.

KIM PEERY, 17th District.

Representative Addison appeared at the bar of the House.

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3384, and has granted the committee powers of Free Conference.

Sidney R. Snyder, Secretary.

THIRD REPORT OF FREE CONFERENCE COMMITTEE

April 28, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3384, establishing a salmon and steelhead rehabilitation and enhancement policy board, have had the same under consideration, and we recommend that SUBSTITUTE SENATE BILL NO. 3384 be amended as follows and that the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. Currently, many of the salmon stocks of Washington state are critically reduced from their sustainable level. The best interests of all fishing groups and the citizens as a whole are served by a stable and productive salmon resource. Immediate action is needed to reverse the severe decline of the resource and to insure its very survival. The legislature finds a state of emergency exists and that immediate action is required to restore its fishery.

Disagreement and strife have dominated the salmon fisheries for many years. Conflicts among the various fishing interests have only served to erode the resource. It is time for the state of Washington to make a major commitment to increasing productivity of the resource and to move forward with an effective rehabilitation and enhancement program. The department of fisheries is directed to dedicate its efforts to make increasing the productivity of the salmon resource a first priority and to seek resolution to the many conflicts that involve the resource.

Success of the enhancement program can only occur if projects efficiently produce salmon or restore habitat. The expectation of the program is to optimize the efficient use of funding on projects that will increase artificially and naturally produced salmon, restore and improve habitat, or identify ways to increase the survival of salmon. The full utilization of state resources and cooperative efforts with interested groups are essential to the success of the program.

NEW SECTION. Sec. 2. (1) The director shall develop long-term regional policy statements regarding the salmon fishery resources before December 1, 1985. The director shall consider the following in formulating and updating regional policy statements:

- (a) Existing resource needs;
- (b) Potential for creation of new resources;
- (c) Successful existing programs, both within and outside the state;
- (d) Balanced utilization of natural and hatchery production;
- (e) Desires of the fishing interest;
- (f) Need for additional data or research;
- (g) Federal court orders; and
- (h) Salmon advisory council recommendations.

(2) The director shall review and update each policy statement at least once each year.

NEW SECTION. Sec. 3. (1) The director shall develop a detailed salmon enhancement plan with proposed enhancement projects. The plan and the regional policy statements shall be submitted to the secretary of the senate and chief clerk of the house of representatives for legislative distribution by June 30, 1986. The enhancement plan and regional policy statements

shall be provided by June 30, 1986, to the natural resources committees of the house of representatives and the senate. The director shall provide a maximum opportunity for the public to participate in the development of the salmon enhancement plan. To insure full participation by all interested parties, the director shall solicit and consider enhancement project proposals from Indian tribes, sports fishermen, commercial fishermen, private aquaculturists, and other interested groups or individuals for potential inclusion in the salmon enhancement plan. Joint or cooperative enhancement projects shall be considered for funding.

(2) The following criteria shall be used by the director in formulating the project proposals:

- (a) Compatibility with the long-term policy statement;
- (b) Benefit/cost analysis;
- (c) Needs of all fishing interests;
- (d) Compatibility with regional plans, including harvest management plans;
- (e) Likely increase in resource productivity;
- (f) Direct applicability of any research;
- (g) Salmon advisory council recommendations;
- (h) Compatibility with federal court orders;
- (i) Coordination with the salmon and steelhead advisory commission program;
- (j) Economic impact to the state;
- (k) Technical feasibility; and
- (l) Preservation of native salmon runs.

(3) The director shall not approve projects that serve as replacement funding for projects that exist prior to the effective date of this act, unless no other sources of funds are available.

(4) The director shall prioritize various projects and establish a recommended implementation time schedule.

NEW SECTION. Sec. 4. Upon approval by the legislature of funds for its implementation, the director shall monitor the progress of projects detailed in the salmon enhancement plan.

The director shall be responsible for establishing criteria which shall be used to measure the success of each project in the salmon enhancement plan.

NEW SECTION. Sec. 5. The director shall report to the legislature on or before October 30th of each year on the progress and performance of each project. The report shall contain an analysis of the successes and failures of the program to enable optimum development of the program. The report shall include estimates of funding levels necessary to operate the projects in future years.

The director shall submit the reports and any additional recommendations to the committees on ways and means and the committees on natural resources of the senate and house of representatives.

NEW SECTION. Sec. 6. As used in this chapter, 'enhancement project' means salmon propagation activities including, but not limited to, hatcheries, spawning channels, rearing ponds, egg boxes, fishways, fish screens, stream bed clearing, erosion control, habitat restoration, net pens, applied research projects, and any equipment, real property, or other interest necessary to the proper operation thereof.

Sec. 7. Section 75.16.070, chapter 12, Laws of 1955 as amended by section 13, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.08.065 are each amended to read as follows:

(1) The director may enter into contracts and agreements with a person to secure food fish or shellfish or for the construction, operation, and maintenance of facilities for the propagation of food fish or shellfish.

(2) The director may enter into contracts and agreements to procure from private aquaculturists food fish or shellfish with which to stock state waters.

Sec. 8. Section 2, chapter 327, Laws of 1977 ex. sess. as last amended by section 173, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.48.120 are each amended to read as follows:

(1) The department shall not acquire, construct, or substantially improve a salmon enhancement facility unless the requirements of this section are met.

(a) The productivity of a salmon propagation facility is very dependent on water quantity and quality. Due to the limited number of water sources which meet the critical needs of a facility, it is imperative that these sources are acquired. Therefore, site acquisitions and preliminary design shall be considered by the department as generally having priority over project development.

(b) Prior to expending moneys for the construction and development of a particular salmon propagation facility, except for site acquisition and preliminary design, the department shall, with the advice of the advisory council created in subsection (2) of this section, give consideration to the following factors with respect to that facility:

- (i) The department's management authority over propagated salmon;
- (ii) The level of expected Canadian interception on the propagated salmon and whether this would be acceptable;
- (iii) Whether an acceptable agreement has been reached on the status of treaty Indian salmon harvest; ~~((and))~~

(iv) Whether there can be a maximum harvest of propagated salmon with a tolerable impact on other salmonid stocks, both natural and artificial, and on their environment. The department shall consult on this matter with the department of game; and

(v) Compatibility with regional policy statements and the salmon enhancement plan under chapter 75.-- RCW (sections 1 through 6 of this 1985 act).

(c) All facilities funded in full or in part by the salmon enhancement account shall operate at full production capacity. Facilities which drop below full production capacity shall be made available for volunteer cooperative projects under chapter 75.52 RCW or on a contract basis for private salmon propagation solely to stock state waters. The salmon advisory council shall submit to the legislature by January 1, 1986, an evaluation of each facility funded by the 1977 salmon enhancement account, and a determination as to the full production capacity of each facility based on the objective of maximizing the number, pounds, quality, survival, and other pertinent factors affecting salmon smolt released.

(2) To aid and advise the department in the performance of its functions with regard to the salmon enhancement program, a salmon advisory council is created. The advisory council consists of ~~((thirteen))~~ six members appointed by the governor; four legislative ex officio non-voting members, one appointed by each caucus in both the state senate and the house of representatives; and the director or his or her specifically appointed designee, who shall be the nonvoting chairman ~~((the director of the department of game, or the director's designee, one member of the senate to be appointed by the president of the senate, and one member of the house of representatives to be appointed by the speaker of the house of representatives. Of the members appointed by the governor, two shall represent troll fishermen; two shall represent gill net fishermen, of which one shall be from the Puget Sound area and one from the southwest Washington area; one shall represent purse seine fishermen; one shall represent owners of charter boats; three shall represent sportsmen; two shall be members of indian tribes of this state who shall be appointed from a list submitted by the Northwest Indian Fisheries Commission; and two shall represent fish processors, of which one shall represent fresh or frozen fish processors and one shall represent canneries)).~~ Of the members appointed by the governor, two shall represent non-Indian commercial fishermen, two shall represent sports fishermen, and two shall represent treaty Indian fishermen. Of the treaty Indian fishermen, one shall be selected from a list provided by the Washington state tribal coordinating body and one shall be selected from a list provided by the Columbia River tribal coordinating body defined in 16 U.S.C. 3302 (5) and (18).

All members appointed by the governor shall serve terms of two years. Vacancies shall be filled in the same manner as original appointments.

The advisory council shall be convened by the director prior to the decision to expend funds for construction and development of any salmon ~~((propagation facility))~~ enhancement project. The council shall advise the director with regard to the considerations listed in subsection (1)(b) of this section and other factors the council deems relevant with respect to the proposed facility. The council shall actively participate in the development of regional policy statements and the salmon enhancement plan.

((Except for the director of the department of game and legislative members;)) Members shall receive reimbursement through the department of fisheries for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.

((The director of the department of game, or the director's designee, shall receive reimbursement through the department of game for travel expenses incurred in the performance of his or her duties in accordance with RCW 43.03.060 and 43.03.060. The legislative members shall be deemed engaged in legislative business while in attendance upon the business of the council and shall be limited to such allowances therefor as otherwise provided in RCW 44.04.120;))

The salmon advisory council shall cease to exist on December 31, 1989. This section expires on December 31, 1989.

Sec. 9. Section 77.12.420, chapter 36, Laws of 1955 as amended by section 59, chapter 78, Laws of 1980 and RCW 77.12.420 are each amended to read as follows:

The commission may spend moneys to improve natural growing conditions for fish by constructing fishways, installing screens, removing obstructions to migratory fish, and eradicating undesirable fish. Department hatcheries shall operate at full production capacity as determined by the commission in a formal policy statement based on maximizing the number, pounds, quality, survival, and other pertinent factors affecting fish released into state waters. Facilities which fall below full production capacity after January 1, 1986, shall be made available for volunteer cooperative projects under chapter 75.52 RCW, or for private fish propagation solely to stock state waters. The commission may enter into cooperative agreements with state, county, municipal, and federal agencies, and with private individuals for these purposes.

NEW SECTION. Sec. 10. Thirty-nine thousand dollars, or so much thereof as may be necessary, is appropriated from the state general fund for the biennium ending June 30, 1987, to the department of fisheries for the purposes of this act.

NEW SECTION. Sec. 11. Sections 1 through 6 of this act shall constitute a new chapter in Title 75 RCW.

NEW SECTION. Sec. 12. 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. 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 immediately."

On page 1, line 1 of the title, after "enhancement;" strike the remainder of the title and insert "amending RCW 75.08.065, 75.48.120, and 77.12.420; adding a new chapter to Title 75 RCW; prescribing penalties; making an appropriation; and declaring an emergency."

Signed by Senators Owen, Metcalf, Stratton; Representatives Sayan, Lundquist, Sutherland.

MOTION

On motion of Mr. Appelwick, Joint Rule 11 was suspended to allow immediate consideration of the Free Conference Committee Report on Substitute Senate Bill No. 3384.

MOTION

On motion of Mr. Sutherland, the House adopted the report of the Free Conference Committee.

POINT OF INQUIRY

Mr. Sutherland yielded to question by Mr. B. Williams.

Mr. B. Williams: "Representative Sutherland, yesterday when I asked you, you said to refer to the second recommendation. I notice this morning that I have a third report on my desk. Which one are we using?"

Mr. Sutherland: "We are using the third report, Representative Williams."

Mr. B. Williams: "Is there a major difference between the two?"

Mr. Sutherland: "There is one difference between the two, yes. The difference between the second and the third report is that the second report had an implied consent provision for the Department of Fisheries and that has been removed."

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Substitute Senate Bill No. 3384 as amended by Free Conference Committee.

Mr. Sutherland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3384 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 90; absent, 6; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betzozoff, Bond, Braddock, Brække, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Chandler, Lewis, Sanders, Sommers, Valle, Van Luven - 6.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Substitute Senate Bill No. 3384 as amended by 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.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Representatives Chandler, Lewis, Sommers, Valle and Van Luven appeared at the bar of the House.

SENATE AMENDMENTS TO HOUSE BILL

April 27, 1985

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 314 with the following amendments:

Strike everything after the enacting clause and insert the following:

*PART I

GENERAL GOVERNMENT

Sec. 101. Section 8, chapter 76, Laws of 1983 1st ex. sess. as amended by section 107, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation	\$	((7,075,000))
		<u>6,525,000</u>
General Fund—Judiciary Education Account Appropriation	\$	1,378,000
Total Appropriation	\$	((8,453,000))
		<u>7,903,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$1,853,000 of the general fund appropriation and \$1,378,000 of the judiciary education account appropriation are provided solely for the indigent appeals program.

Sec. 102. Section 10, chapter 76, Laws of 1983 1st ex. sess. as amended by section 109, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation	\$	((8,999,000))
		<u>8,894,000</u>

Sec. 103. Section 11, chapter 76, Laws of 1983 1st ex. sess. as amended by section 110, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation	\$	((21,800,000))
		<u>21,590,000</u>
General Fund—Judiciary Education Account Appropriation	\$	1,310,000
Total Appropriation	\$	((23,110,000))
		<u>22,900,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$8,654,000 of the general fund appropriation may be spent for the superior court judges. Of this amount, \$330,000 is provided solely for criminal cost bills; \$430,000 is provided solely for mandatory arbitration costs; and \$135,000 is provided solely for judges pro tempore for the superior courts. The administrator for the courts shall authorize and approve all such expenditures.

(2) \$610,000 of the judiciary education account appropriation is provided solely for judicial and support staff education programs.

(3) \$195,000 of the judiciary education account appropriation is provided solely for staff support for the judiciary education program.

(4) \$225,000 of the judiciary education account appropriation is provided solely for fall judicial conferences.

(5) \$280,000 of the judiciary education account appropriation is provided solely for education and training for the supreme court, the court of appeals, the law library, and the administrator for the courts' office.

(6) \$75,000 of the general fund is provided solely for the limited practice board. The board shall report to the committees on judiciary of the senate and house of representatives no later than January 15, 1985, regarding its activities during the biennium. The report shall include, but not be limited to: (a) Information regarding revenues received to date, including their sources and amounts; (b) expenditures to date, including their purposes and amounts; (c) the number of applications for certification; (d) the number of applicants certified; (e) the educational courses and programs accredited by the board; (f) the number and scope of complaints received, investigations initiated, grievance hearings held, and disciplinary actions taken; (g) the standardized forms approved by the board; (h) the regulations adopted by the board; and (i) anticipated board activities in the ensuing biennium.

(7) \$120,000 of the general fund appropriation is provided solely for allocation to the superior court for Thurston County to relieve the impact of litigation involving the state of Washington.

Sec. 104. Section 22, chapter 76, Laws of 1983 1st ex. sess. as amended by section 117, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation—State	\$	((12,353,000)) <u>11,353,000</u>
General Fund Appropriation—Federal	\$	50,000
Medical Aid Fund Appropriation—State	\$	100,000
Data Processing Revolving Fund Appropriation	\$	1,368,000
Total Appropriation	\$	((13,871,000)) <u>12,871,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Not more than \$2,500,000, of which \$1,132,500 is from the state general fund and \$1,367,500 from the data processing revolving fund, is provided for expenses related to the agency financial reporting system (AFRS). The office of financial management shall allocate moneys to various state agencies on the basis of identified need. Whenever allocations are made to agencies financed in whole or in part by other than general fund moneys, the director of financial management shall direct the repayment of such allocated amount to the data processing revolving fund from any balance in the fund or funds which finance the agency. No appropriation shall be necessary to effect such repayment.

(2) \$20,000 is provided solely for a feasibility study of an offender-based corrections information system to serve the combined information needs of the department of corrections, board of prison terms and parole, sentencing guidelines commission, corrections standard board, and the administrator for the courts, to be delivered to the legislature by December 1, 1984.

(3) \$775,000 of the general fund—state appropriation is provided solely for the development and implementation of the Washington state patrol criminal history information system: PROVIDED, That no funds may be expended until a joint oversight committee is created to review the design and implementation of the system. The joint oversight committee shall include but is not limited to, the director of financial management and the chairmen, or their designees, of the house and senate ways and means committees.

(4) \$5,000 of the general fund—state appropriation is provided solely for payment of claims against the state of \$500 or less, pursuant to RCW 4.92.040.

(5) The office of financial management shall present to the legislature by December 1, 1984, a plan to have the state self-fund any or all portions of the insurance programs offered by the state. For purposes of this study, the reserves required by the self-funded programs shall be assumed to be held by the state treasurer in the originating funds until an obligation occurs. The state investment board shall act as the investor for the funds, and all of the earnings from these investments shall accrue directly to the originating funds.

(6) \$96,000 is provided for the purposes of studying coordination, the potential for merger between Eastern Washington and Washington State Universities in the manner of Substitute House Bill No. 1363 as amended by senate committee in the 1984 legislative session, and enhancement of enrollment for Washington State University. A Higher Education Coordination Study Committee is hereby created to conduct the study, consisting of:

((1)) (a) Two members from each caucus in the house of representatives, to be appointed by the speaker;

((2)) (b) Two members from each caucus in the senate, to be appointed by the president of the senate;

((3)) (c) Two representatives of the governor, to be appointed by the governor;

((4)) (d) One regent of Washington State University, to be appointed by its board of regents;

((5)) (e) One trustee from Eastern Washington University, to be appointed by its board of trustees;

((6)) (f) Two students, one from each of the universities, to be appointed by the president of the senate and the speaker from a list of three submitted by the governing body of the recognized student association;

((7)) (g) Two faculty members, one from each of the universities, to be appointed by the president of the senate and speaker from a list of three submitted by the faculty senate or its equivalent.

Members of the higher education review committee shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. The office of financial management shall contract for an analysis by the council for postsecondary education as provided in Substitute House Bill No. 1363 as amended by senate committee.

Sec. 105, Section 24, chapter 76, Laws of 1983 1st ex. sess. as last amended by section 106, chapter 14, Laws of 1985 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF PERSONNEL

General Fund Appropriation	\$	((60,000)) <u>15,000</u>
Department of Personnel Service Fund Appropriation	\$	8,813,000
State Employees' Insurance Fund Appropriation	\$	1,542,000
Total Appropriation	\$	((10,415,000)) <u>10,370,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$45,000 from the department of personnel service fund is provided solely for a comparative study, jointly funded with the department of retirement systems and the higher education personnel board, of part-time employee policy and benefits. This study shall be directed to other states and representative private colleges and universities and private sector service-related enterprises as to their practices and policies for shared work, phased retirement, health care benefits, retirement allowances, and other related issues. A report shall be made to the legislature not later than December 21, 1984, containing findings and recommendations.

(2) \$60,000 of the general fund appropriation is provided solely for the department of personnel to conduct a study for the purpose of reviewing and formulating ways to implement comparable worth in accordance with chapter 75, Laws of 1983 1st ex. sess. The department shall coordinate the study with the higher education personnel board and its study on comparable worth implementation. During the course of the study, the department shall report to the joint select committee on comparable worth on the study's progress. The department shall report back to the legislature no later than January 1, 1985, with potential implementation alternatives.

(3) \$60,000 of the department of personnel service fund appropriation is provided solely for legal services for comparable worth litigation.

Sec. 106, Section 27, chapter 76, Laws of 1983 1st ex. sess. as last amended by section 107, chapter 14, Laws of 1985 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	((43,573,000))
		<u>43,150,000</u>
General Fund—State Timber Tax Reserve Account Appropriation	\$	2,851,000
Motor Vehicle Fund Appropriation	\$	115,000
Total Appropriation	\$	((46,539,000))
		<u>46,116,000</u>

The appropriations in this section are subject to the following conditions and limitations: If the state timber tax reserve account is abolished and a timber excise tax account is established, the appropriation from the state timber tax reserve account shall be made from the timber excise tax account to the extent that moneys in the state timber tax reserve account are insufficient for the appropriation.

Sec. 107, Section 29, chapter 76, Laws of 1983 1st ex. sess. as amended by section 121, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((5,992,000))
		<u>5,901,000</u>
General Fund Appropriation—Private/Local	\$	58,000
General Fund—Motor Transport Account Appropriation	\$	6,858,000
General Administration Facilities and Services Revolving Fund Appropriation	\$	16,180,000
Total Appropriation	\$	((29,080,000))
		<u>28,997,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The community college districts shall transfer to the motor transport account \$51,390 from the general local fund and \$157,389 from the local motor pool fund. These transfers shall be made in accordance with schedules provided by the office of financial management.

(2) The appropriation from the motor transport account may be used for the replacement of existing vehicles but shall not be used to expand the fleet.

Sec. 108, Section 31, chapter 76, Laws of 1983 1st ex. sess. as amended by section 123, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation	\$	((971,000))
		<u>921,000</u>

PART II
HUMAN SERVICES

Sec. 201, Section 201, chapter 14, Laws of 1985 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF CORRECTIONS

General Fund Appropriation—State	\$	((277,601,000))
		<u>277,572,000</u>
General Fund—Institutional Impact Account Appropriation	\$	865,000
General Fund Appropriation—Federal	\$	700,000
General Fund—Charitable, Educational Penal and Reformatory Institutions Account Appropriation	\$	1,053,000
Total Appropriation	\$	((280,219,000))
		<u>280,190,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,153,000 from the general fund appropriation is provided solely for the treatment alternatives to street crime programs in King, Pierce, Snohomish, Spokane, Clark, and Yakima counties.

(2) \$1,053,000 from the general fund charitable, educational penal and reformatory institutions account appropriation is provided solely for an environmental impact statement and design work for the McNeil Island ferry slip.

(3) It is the intent of the legislature that the appropriations in this section be spent as provided in this subsection. The department may spend money appropriated in this section in a manner other than as provided in this subsection only after notifying the ways and means committees of the senate and house of representatives of the planned deviation from this subsection. The amounts appropriated by this section and specified in this subsection represent the total spending authority for the department for the 1983-85 biennium and reflect the amounts previously appropriated to the department by the section repealed by section 202 of this act.

GENERAL FUND—

	STATE	TOTAL
COMMUNITY SERVICES		
Treatment Alternatives to Street Crime	2,153,000	2,153,000
Community Diversion	236,000	236,000
Crime Victims and Witness Notification	175,000	175,000
Probation and Parole	25,216,000	25,216,000
Intensive Parole	3,985,000	3,985,000
Work Release Facilities	20,612,000	20,612,000
State Directors Office	873,000	873,000
Subtotal	53,250,000	53,250,000
INSTITUTIONAL SERVICES		
Correctional Facilities Operations	((205,571,000))	((206,271,000))
	<u>205,542,000</u>	<u>206,242,000</u>
McNeil Island Ferry Slip		1,053,000
Subtotal	((205,571,000))	((207,324,000))
	<u>205,542,000</u>	<u>207,295,000</u>
ADMINISTRATION		
Headquarters	13,850,000	13,850,000
One Time Institutional Impact Claims		865,000
Subtotal	13,850,000	14,715,000
INSTITUTIONAL INDUSTRIES		
State Subsidy	4,930,000	4,930,000
Subtotal	4,930,000	4,930,000
Total	\$((277,601,000))	\$((280,219,000))
	<u>277,572,000</u>	<u>280,190,000</u>

Sec. 202, Section 203, chapter 14, Laws of 1985 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

General Fund Appropriation—State	\$	1,731,230,000
General Fund Appropriation—Federal	\$	((1,250,585,000))
		<u>1,273,453,000</u>
General Fund Appropriation—Local	\$	((5,394,000))
		<u>5,685,000</u>
General Fund Appropriation—State and Local Improvements Revolving Account—Water supply facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27); chapter 258, Laws of 1979 ex. sess. (chapter 43.99D RCW); and chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	20,000,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water supply facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27); chapter 258, Laws of 1979 ex. sess. (chapter 43.99D RCW); and chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Reappropriation	\$	21,826,000
General Fund—Institutional Impact Account Appropriation	\$	75,000
Total Appropriation	\$	((3,029,110,000))
		<u>3,052,269,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$992,000 of the juvenile rehabilitation institutional services funds may be expended to erect fences at Green Hill and Maple Lane schools.

(2) The department shall, no later than June 1, 1985, adopt by rule medical criteria for general assistance eligibility to ensure that eligibility determinations are consistent with statutory requirements and are based on clear, objective medical information.

(a) The process implementing such medical criteria shall involve consideration of opinions of the treating or consulting physicians or health care professionals regarding incapacity, and any eligibility decision which rejects uncontradicted medical opinion must set forth clear and convincing reasons for doing so.

(b) Recipients of general assistance who remain otherwise eligible shall not have their benefits terminated absent a clear showing of material improvement in their medical or mental condition or specific error in the prior determination that found the recipient eligible by reason of incapacitation.

(3) The department of social and health services shall continue the program of aid to families with dependent children for two-parent families through June 30, 1985.

(4) It is the continuing intention of the legislature that payment levels in the aid to families with dependent children, general assistance, and refugee assistance programs contain an energy allowance to offset the high and rising costs of energy, and that such allowance be excluded from consideration as income for the purpose of determining eligibility and benefit levels of the food stamp program to the maximum extent such exclusion is authorized under federal law and RCW 74.08.046. To this end, up to \$65,000,000 is so designated for exemptions of the following amounts:

Family size:	1	2	3	4	5	6	7	8	or more
Exemption:	\$21	27	32	39	44	50	59	64	

(5) \$289,000, of which \$261,000 is from the general fund—state appropriation, is provided solely to increase the safety and quality of care of children in level 2 and level 3 children's group homes.

((5)) (6) It is the intent of the legislature that the appropriations in this section be spent as provided in this subsection. The department may spend money appropriated in this section in a manner other than as provided in this subsection only after notifying the ways and means committees of the senate and house of representatives of the planned deviation from this subsection. The amounts appropriated by this section and specified in this subsection represent the total spending authority for the department for the 1983-85 biennium and reflect the amounts previously appropriated to the department by the sections repealed by section 204 of this act.

GENERAL FUND—

	STATE	TOTAL
JUVENILE REHABILITATION		
Community Services	((25,210,000)) 24,310,000	((25,264,000)) 24,364,000
Institutional Services	39,871,000	40,659,000
Program Support	2,395,000	2,395,000
Subtotal	((67,476,000)) 66,576,000	((68,318,000)) 67,418,000
MENTAL HEALTH		
Community Services	((82,670,000)) 82,070,000	((114,317,000)) 113,717,000
Institutional Services	107,981,000	((112,311,000)) 112,961,000
Program Support	((2,845,000)) 2,745,000	((3,443,000)) 3,343,000
Special Projects	0	38,000
Subtotal	((193,496,000)) 192,796,000	((230,109,000)) 230,059,000
DEVELOPMENTAL DISABILITIES		
Community Services	((51,310,000)) 51,786,000	((96,862,000)) 98,120,000
Institutional Services	((93,871,000)) 91,571,000	((161,780,000)) 161,880,000
Program Support	3,857,000	((4,441,000)) 4,596,000
Special Projects	315,000	1,506,000
Subtotal	((149,361,000)) 147,529,000	((264,589,000)) 266,102,000
LONG TERM CARE SERVICES		
Nursing Homes	((162,484,000)) 161,684,000	((322,831,000)) 323,831,000
Senior Citizens Services Act	14,112,000	14,112,000
Chore Services	((18,977,000)) 21,357,000	((46,695,000)) 48,575,000
Community Options Program	((5,000,000)) 4,700,000	((10,000,000)) 9,400,000

	GENERAL FUND— STATE	TOTAL
Older Americans Act	0	((20,303,000)) 22,305,000
Adult Day Health	322,000	633,000
Nursing Home Discharge	31,000	31,000
Congregate Care	((7,054,000))	((7,054,000))
	6,754,000	6,754,000
Adult Family Homes	2,663,000	2,663,000
Administration	((5,930,000))	((10,714,000))
	5,730,000	10,514,000
Subtotal	((216,573,000)) 217,353,000	((435,036,000)) 438,818,000
INCOME ASSISTANCE		
Refugee Assistance	0	((10,133,000)) 12,033,000
Aid to Families with Dependent Children—Regular	((235,435,000)) 238,372,000	((494,292,000)) 503,301,000
Aid to Families with Dependent Children—Employable	((23,199,000)) 22,744,000	((46,398,000)) 46,104,000
Supplemental Security Income Payments	((39,721,000)) 39,313,000	((39,721,000)) 39,701,000
General Assistance—Unemployable	((65,227,000)) 65,575,000	((65,683,000)) 66,017,000
General Assistance—Pregnant Women	((3,425,000)) 3,403,000	((3,425,000)) 3,403,000
Consolidated Emergency Assistance	((4,424,000)) 3,883,000	((8,848,000)) 7,800,000
Burial Assistance	((2,768,000)) 3,009,000	((2,768,000)) 3,009,000
Employment and Training Services Work Incentive Program	990,000 279,000	1,871,000 2,788,000
Subtotal	((375,468,000)) 377,568,000	((683,927,000)) 686,027,000
COMMUNITY SOCIAL SERVICES		
Domestic Violence Program	1,128,000	1,128,000
Foster Care Payments	35,557,000	40,917,000
Child Care Payments	11,047,000	13,805,000
Adoption Support Services	4,309,000	5,388,000
Family Reconciliation Services	1,925,000	2,970,000
Interim Care	8,553,000	9,749,000
Alcoholism Grants	11,299,000	((14,927,000)) 16,818,000
Detoxification	5,749,000	6,268,000
Substance Abuse Grants	3,892,000	9,072,000
Congregate Care	8,554,000	8,554,000
Refugee Services	0	((3,800,000)) 9,000,000
Subtotal	92,013,000	((116,570,000)) 123,669,000
MEDICAL ASSISTANCE	((384,991,000)) 385,843,000	((643,017,000)) 648,017,000
PUBLIC HEALTH	((38,580,000)) 38,488,000	((139,191,000)) 143,334,000
VOCATIONAL REHABILITATION ADMINISTRATION & SUPPORT	11,228,000 ((55,310,000)) 55,118,000	39,630,000 ((93,153,000)) 93,013,000
COMMUNITY SERVICES ADMIN.	135,117,000	((278,867,000)) 279,487,000
REVENUE COLLECTIONS	11,601,000	36,695,000
Total	\$1,731,230,000	S((3,029,110,000)) 3,052,269,000

Sec. 203, Section 66, chapter 76, Laws of 1983 1st ex. sess. as amended by section 215, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	((15,962,000))
		<u>15,441,000</u>
General Fund Appropriation—Federal	\$	2,237,000
General Fund Appropriation—Local	\$	3,336,000
Total Appropriation	\$	((21,475,000))
		<u>21,014,000</u>

The appropriations in this section are subject to the following conditions and limitations: Not more than \$400,000 of the general fund—state appropriation is provided solely for assistance to veterans of the Viet Nam conflict, including counseling on delayed stress syndrome, employment training and placement, discharge review, advocacy and representation, education, and other services appropriate to assist such veterans in overcoming employment barriers and readjusting to civilian life.

Sec. 204. Section 72, chapter 76, Laws of 1983 1st ex. sess. as amended by section 220, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation	\$	((2,966,000))
		<u>2,813,000</u>

Sec. 205. Section 73, chapter 76, Laws of 1983 1st ex. sess. as amended by section 221, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE HOSPITAL COMMISSION

General Fund Appropriation—State	\$	((356,000))
		<u>349,000</u>
General Fund—Hospital Commission Account Appropriation	\$	1,086,000
Total Appropriation	\$	((1,442,000))
		<u>1,435,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission is directed to perform aggressive rate review of individual hospital services to ensure control of rising hospital costs and efficient and economic delivery of hospital health care services.

(2) Not later than December 1, 1984, the commission shall report to the legislature on current and anticipated hospital cost inflation. The report shall include an analysis of the components of hospital operating costs and changes in those costs, together with reasons for each major change. Special attention shall be given to cost components which increase at a rate greater than inflation in the general economy of the state.

Sec. 206. Section 74, chapter 76, Laws of 1983 1st ex. sess. as amended by section 222, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State	\$	((2,650,000))
		<u>2,593,000</u>
General Fund Appropriation—Federal	\$	133,049,000
General Fund Appropriation—Local	\$	17,159,000
Administrative Contingency Fund		
Appropriation—Federal	\$	6,638,000
Unemployment Compensation Administration Fund Appropriation	\$	92,543,000
Total Appropriation	\$	((252,039,000))
		<u>251,982,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$786,000 is provided solely for the ex-offender work orientation program to serve a minimum of 1,094 ex-offenders in the community, and provide work orientation to a minimum of 500 offenders pending release. Services to offenders in addition to those provided under the appropriations in this section may be provided upon reimbursement by the department of corrections at the rate of \$605 per participant.

(2) \$313,000 is provided solely for the career awareness program to provide services to 371 ex-offenders. Services may be provided to additional ex-offenders upon reimbursement by the department of corrections at the rate of \$844 per participant.

(3) The employment security department, through the youth employment exchange or other programs, shall provide for the recruitment of corps members and the receipt of federal funds for the conservation corps established under Engrossed Second Substitute Senate Bill No. 3624.

(4) \$600,000 from the general fund—state appropriation shall be used solely for contracting with other agencies for carrying out the purposes of chapter 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(5) In administering the work incentive program under chapter 74.23 RCW, the department shall emphasize efforts to prepare registrants for long-term unsubsidized employment and economic independence. To the maximum extent permissible under federal law, and to the maximum extent to which exceptions to limitations on training duration may be obtained from the federal government, the department shall permit registrants to enter or continue in training programs that are aimed at preparing them for long-term unsubsidized employment and economic independence.

Sec. 207. Section 76, chapter 76, Laws of 1983 1st ex. sess. as amended by section 224, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE CORRECTIONS STANDARDS BOARD	
General Fund Appropriation—State	\$ (770,000) <u>754,000</u>
General Fund—Local Jail Improvement and Construction Account	
Appropriation	\$ 113,124,000
Total Appropriation	\$ (113,894,000) <u>113,878,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$200,000 of the general fund—state appropriation is provided solely for a one-time grant to the King County department of public safety for a text management system to be used by the Green River task force homicide investigation. The text management system shall be made available for use by law enforcement agencies of the state through interagency agreements.

PART III
NATURAL RESOURCES

Sec. 301. Section 83, chapter 76, Laws of 1983 1st ex. sess. as amended by section 304, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION	
General Fund Appropriation—State	\$ (28,826,000) <u>28,704,000</u>
General Fund Appropriation—Private/Local	\$ 566,000
General Fund—Trust Land Purchase Account Appropriation	\$ 7,694,000
General Fund—Winter Recreation Parking Account Appropriation	\$ 156,000
General Fund—Snowmobile Account Appropriation	\$ 681,000
General Fund—Outdoor Recreation Account Appropriation	\$ 152,000
Motor Vehicle Fund Appropriation	\$ 800,000
Total Appropriation	\$ (38,875,000) <u>38,753,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission shall operate the state park system on a modified schedule that will allow for management closures that will facilitate maximum park maintenance efforts.

(2) \$600,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(3) \$962,000 of the general fund—state appropriation is provided solely for reimbursement to the tort claim revolving fund.

(4) \$79,000 of the general fund—state appropriation is provided solely for the second year funding of the boating safety program.

Sec. 302. Section 86, chapter 76, Laws of 1983 1st ex. sess. as amended by section 305, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT	
General Fund Appropriation	\$ (7,707,000) <u>7,592,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) Not more than \$2,287,000 may be expended for the tourism program in fiscal year 1985. \$750,000 of this amount is provided solely for the establishment of a private-sector state matching program. State funds may only be released on a dollar-for-dollar matching basis with private industry. The department is responsible for the development and administration of the program.

(2) Not more than \$573,000 may be expended for the administration program in fiscal year 1985.

(3) \$538,000 is provided solely for the foreign trade program in fiscal year 1985.

(4) \$1,031,000 is provided solely for the industrial development program in fiscal year 1985.

(5) \$150,000 is provided solely for the small business program in fiscal year 1985.

(6) All personal service contracts for fiscal year 1985 that, in the aggregate, are over \$10,000 shall be approved by the director of financial management and submitted to the chairmen of the house and senate ways and means committees prior to the approval.

(7) The department is authorized to transfer from the surplus of the state trade fair fund not more than \$270,000 to be used within the foreign trade program for uses authorized under RCW 43.31.832.

(8) \$40,000 is provided solely for a grant for the development of a project which seeks to stimulate public support for and understanding of this state's increasing international trade activity.

(9) \$40,000 is provided solely for the department to contract with the department of ecology for provision of professional assistance to firms confronting federal, state, and local requirements related to the acquisition of necessary permits and environmental approvals.

(10) The 1984 amendments to this section are contingent on the enactment of Senate Bill No. 3238.

Sec. 303. Section 87, chapter 76, Laws of 1983 1st ex. sess. as amended by section 306, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((38,635,000))
		<u>38,535,000</u>
General Fund Appropriation—Federal	\$	6,580,000
General Fund Appropriation—Private/Local	\$	2,083,000
Total Appropriation	\$	((47,298,000))
		<u>47,198,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$285,000 of the general fund appropriation, of which \$191,000 shall be from federal funds, or so much thereof as may be necessary, shall be expended for enhancement of the marine fish program.

(2) \$109,000 of the general fund—state appropriation shall be expended for the enhancement of the shellfish program.

(3) \$495,000 of the general fund—state appropriation shall be expended for additional salmon production.

(4) \$600,000 of the general fund—state appropriation shall be used solely for carrying out the purposes of chapter 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(5) \$140,000 of the general fund—state appropriation is provided solely for razor clam research.

(6) \$75,000 of the general fund—state appropriation is provided solely for a pilot enforcement project on Hood Canal. No more than two enforcement officers and all necessary support costs including equipment shall be dedicated to law enforcement on Hood Canal.

Sec. 304. Section 89, chapter 76, Laws of 1983 1st ex. sess. as last amended by section 301, chapter 14, Laws of 1985 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	((27,395,000))
		<u>26,933,000</u>
General Fund Appropriation—Federal	\$	451,000
General Fund—ORV (Off-Road Vehicle) Account Appropriation	\$	2,311,000
General Fund—Forest Development Account Appropriation	\$	10,373,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation	\$	1,539,000
General Fund—Survey and Maps Account Appropriation	\$	671,000
General Fund—Resource Management Cost Account Appropria- tion	\$	60,692,000
General Fund—Geothermal Account Appropriation	\$	76,000
Total Appropriation	\$	((103,508,000))
		<u>103,046,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,100,000 of the general fund—state appropriation is provided solely to carry out the purposes of chapter 40, Laws of 1983 1st ex. sess.: PROVIDED, That for that enrollment period which begins after March 1, 1984, the average cost per enrollee shall not be greater than \$8,300, inclusive of wages and administration, equipment, transportation, and residence costs: PROVIDED FURTHER, That, if this amount is exceeded, the remaining funds of the amount specified in this subsection shall revert to the general fund.

(2) \$50,000 of the general fund—state appropriation is provided solely to conduct a study of the continuous transfer of material and products across state lands.

(3) \$475,000 of the general fund—state appropriation shall be used solely for the department of natural resources to move from the public lands building and vacate the house office building.

(4) Not more than \$843,000 of the general fund—state appropriation shall be used to fund ten additional honor camp teams.

(5) \$196,000 of the general fund—state appropriation is provided solely for costs incurred by Skamania county in Skamania v. State, 102 Wn.2d 127 (1984).

(6) \$62,000 of the general fund—state appropriation is provided solely for costs incurred by the department in Skamania v. State, 102 Wn.2d 127 (1984).

(7) \$50,000 of the resource management cost account appropriation is provided solely for a feasibility study of trust acquisition and leasing of winter recreation sites.

PART IV
EDUCATION

Sec. 401. Section 96, chapter 76, Laws of 1983 1st ex. sess. as amended by section 501, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION (INCLUDING THE STATE BOARD FOR EDUCATION)

General Fund Appropriation—State	\$	((15,989,000)) <u>15,489,000</u>
General Fund Appropriation—Federal	\$	6,540,000
General Fund—Traffic Safety Education Account Appropriation	\$	460,000
Total Appropriation	\$	((22,989,000)) <u>22,489,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Not more than \$460,000 may be expended for the state office administration of the traffic safety education program, including inservice training related to instruction in the risks of driving while under the influence of alcohol and other drugs.

(2) Not more than \$244,882 of the general fund—state appropriation shall be expended for a program to provide additional inservice training for math, science, and computer technology instructors.

(3) \$30,000 (~~(dollars)~~) of the general fund—state appropriation is provided for additional meetings and travel by the state board of education.

(4) \$819,000 is provided solely for the implementation of House Bill No. 1246 during the 1984-85 school year. The funds shall be allocated as follows:

(a) A maximum of \$179,000 for Model Curriculum Development.

(b) A maximum of \$150,000 for a Life Skills Test Model.

(c) A maximum of \$300,000 for a Student Retention Pilot Project.

(d) A maximum of \$150,000 for 8th grade test development.

(e) A maximum of \$40,000 for an 11th grade test sample.

~~((f))~~ (5) \$20,000 is provided solely for an exemplary study to be conducted by at least the Rosalia, Tekoa, Oakesdale, Garfield and St. John school districts to examine means by which these and other small school districts may utilize cooperative and multi-district efforts to provide programs for educational excellence in small districts.

Sec. 402. Section 103, chapter 76, Laws of 1983 1st ex. sess. as last amended by section 502, chapter 14, Laws of 1985 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SALARY AND COMPENSATION INCREASES

General Fund Appropriation	\$	((77,326,000)) <u>76,686,000</u>
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The appropriation in this section is subject to the following conditions and limitations:

(1) Increases provided by this section shall be included for purposes of calculating the levy lid pursuant to chapter 84.52 RCW.

(2) Salary and insurance benefit increase funds provided by this section shall be distributed by the superintendent of public instruction as specified in this section on an allocation basis only and may be expended by school districts for any state-funded activity.

(3) A maximum of \$26,311,000 shall be distributed for insurance benefit increases for full time equivalent state-supported staff as defined in section 98(1) of this act at a rate of \$22 per month per full time equivalent staff unit in the 1983-84 school year and such amount shall be maintained in the 1984-85 school year.

(4) A maximum of \$4,286,000 shall be distributed in the 1984-85 fiscal year for insurance benefit increases for full time equivalent state-supported staff as defined in section 98(1) of this act at a rate of \$8 per month per full time equivalent staff unit.

(5) (a) A maximum of \$10,185,000 is provided, effective January 1, 1985, for incremental fringe benefits in section 98(2) of this act and 7.0% of the 1982-83 LEAP Document 5 state-wide average salary for state-supported basic education classified staff as defined in section 98(1) of this act. With respect to the remaining state-supported classified staff of a district as defined in section 98(1) of this act, the superintendent shall distribute a 7.0% salary increase using the pertinent program state-wide average salary for such staff.

(b) The salary increase authorized by subsection (5)(a) of this section shall be the maximum level of state-supported salary increase unless the legislature makes an upward adjustment in a subsequent legislative session.

(c) During the 1983-84 school year, the superintendent of public instruction, as part of the regular classified data reporting process, shall collect data regarding the length of service of each basic education classified employee in their particular job classification. The superintendent of public instruction shall submit a report to the legislature prior to March 1, 1984, regarding the proposed allocation methodology as required by subsection (5)(d) of this section. Such a report shall consider present practices by the state personnel board in granting increments.

(d) The superintendent of public instruction shall, during the 1984-85 fiscal year, allocate \$400,000 of the funds allocated by subsection (5)(a) of this section to each district in accordance with its particular 1983-84 complement of staff.

(e) Pursuant to RCW 84.52.0531(3), any school district having an average classified salary as shown on LEAP Document 5 of less than \$16,513 for the 1982-83 school year may grant salary increases to classified staff in the 1983-84 school year to achieve a maximum average classified salary of \$16,513. For purposes of allocating basic education funds in the 1984-85 school year, the superintendent shall modify LEAP Document 5 to reflect any increases given in accordance with this provision.

(f) A district shall not be in violation of RCW 28A.58.095 as a result of reporting revised staff mix data for the 1983-84 school year in accordance with the revised S-275 staff mix reporting instructions promulgated by the superintendent of public instruction. For 1984-85, the superintendent of public instruction shall modify LEAP Document 5 to assure that the average certificated salary for a district shall neither increase nor decrease for apportionment purposes as a result of this subsection (5)(f).

(6) (a) A maximum of ~~\$(36,540,000)~~ 35,904,000 is provided effective January 1, 1985, for incremental fringe benefits in section 98(2) of this act and 7.0% of the 1982-83 LEAP Document 5 average state-wide derived base salary times the district's 1983-84 staff mix factor (as defined in section 99(3) of this act) for state-supported basic education staff as defined in section 98(1) of this act. With respect to the remaining state-supported certificated staff of a district as defined in section 98(1) of this act, the superintendent shall distribute a 7.0% salary increase times the pertinent state-wide average derived base salary improved by the 1983-84 staff mix of each district for such staff.

(b) The salary increase authorized by subsection (6)(a) of this section shall be the maximum level of state-supported salary increase unless the legislature makes an upward adjustment in a subsequent legislative session.

(7) For purposes of RCW 28A.58.095, the following conditions and limitations apply:

(a) The sum of salary and insurance benefit increases granted by each school district for nonstate-supported staff shall not exceed those specified for state-supported staff of a district.

(b) Increments granted by school districts to certificated staff in the year in which the increments are given by a district shall constitute salary increase only to the extent that the aggregate of increments granted by a district in accordance with its salary schedule exceeds the aggregate of increments pursuant to LEAP Document 1.

(c) Salary increases provided by this section shall be applied to the respective district base salaries for certificated staff and the respective district average salaries for classified staff, each as specified in LEAP Document 5 as revised in accordance with this act.

(d) During the 1984-85 school year, districts may grant increases in insurance benefits to achieve a rate of \$179.00 per month per full time equivalent staff unit.

(e) For the 1984-85 school year, for the purpose of insurance benefit increases for classified employees, a full time equivalent employee is an employee contracted to work 1,440 hours per year or more.

(8) Part-time classified insurance benefits as authorized in subsection (7)(e) of this section shall be allocated by multiplying the number of state-supported full time equivalent staff units, as defined in section 98(1), chapter 76, Laws of 1983 1st ex. sess., excluding therefrom educational service districts and transportation program staff, times \$304.61; PROVIDED, That ((funds for this subsection are provided in the 1985-87 omnibus appropriations act)), with respect to the transportation program, the superintendent of public instruction may increase the 1984-85 standard student mile rate by a maximum of 35.2 cents; PROVIDED FURTHER, That funds for this subsection are provided in the 1985-87 omnibus appropriations act.

Sec. 403, Section 107, chapter 76, Laws of 1983 1st ex. sess. as amended by section 508, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED COSTS

General Fund Appropriation—State	\$	((279,215,000))
		<u>278,715,000</u>
General Fund Appropriation—Federal	\$	27,641,000
Total Appropriation	\$	((306,856,000))
		<u>306,356,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$129,914,000 of the general fund—state appropriation may be expended in fiscal year 1983-84.

(2) The superintendent of public instruction shall allocate funds in accordance with LEAP Document 6 for school year 1983-84 and LEAP Document 6 revised as of March 5, 1984, for 1984-85.

(3) The superintendent shall establish a new system for district reporting of preschool handicapped enrollment which results in uniform reporting consistent with attendance laws and rules.

(4) For allocation of funds for the 1984-85 school year, the superintendent of public instruction shall exclude specific learning disabilities as one of the categories for classification as multiple handicapped.

(5) In the 1984-85 fiscal year the superintendent may transfer funds from this section to section 511 of this 1984 act to the extent that specific learning disabled category E enrollment is less than 6,532 students. Any such transfer shall be at a rate of \$300 per student.

Sec. 404. Section 110, chapter 76, Laws of 1983 1st ex. sess. as amended by section 510, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE SPECIAL NEEDS PROGRAM

General Fund Appropriation—State	\$	(28,629,000)
		<u>28,385,000</u>

The appropriation in this section is subject to the following conditions and limitations:

- (1) A maximum of \$23,605,000 may be expended in fiscal year 1983-84.
- (2) Of the appropriation provided by this section, a maximum of \$13,728,000 shall be distributed as follows for the 1983-84 school year:
 - (a) 30% on the basis of full time equivalent enrollment;
 - (b) 18% on the basis of aid to families with dependent children income enrollment in the prior school year;
 - (c) 12% on the basis of minority enrollment in the prior school year;
 - (d) 12% on the basis of gifted enrollment in the prior school year;
 - (e) 12% on the basis of racial isolation enrollment in the prior school year;
 - (f) 6% on the basis of limited English speaking enrollment in the prior school year; and
 - (g) 10% on the basis of Indochinese refugees as defined by federal regulation.

Except as otherwise provided, the categories of enrollment shall be defined in accordance with the allocation methodology developed by the governor's advisory committee for chapter II of the education consolidation and improvement act in effect for the 1982-83 school year.

(3) A maximum of \$~~(12,495,000)~~ 12,359,000 may be distributed for the remaining months of the 1982-83 school year.

(4) For the 1984-85 fiscal year, the superintendent shall distribute a minimum of \$~~(4,855,000)~~ 4,747,000 as follows:

- (a) The sum of \$400,000 is provided for teacher training for drug and alcohol abuse education and prevention in grades K through 12;
- (b) A maximum of \$~~(1,700,000)~~ 1,601,000 shall be expended for gifted programs to be distributed at a maximum rate of \$290 per student for one percent of each district's total enrollment for the 1984-85 school year.
- (c) A maximum of \$2,746,000 may be expended for the remaining months of the 1983-84 school year.

(5) The funds allocated by subsection (2) of this section may be expended by school districts for provision of special instructional programs, including but not limited to: Drug and alcohol abuse prevention; remediation assistance programs; cultural enrichment programs; transitional bilingual programs; preschool education programs; alternative education programs; community involvement programs (including PUSH-EXCEL); environmental education programs; education for superior students programs; Indian education programs; Pacific Science Center programs.

(6) The superintendent of public instruction shall contract \$257,000 for services to support an approved gifted program to be conducted at Fort Worden state park.

(7) The superintendent shall contract \$40,000 for services from the Cispus program.

(8) Salary and benefits increases are included in the funds allocated by this section.

Sec. 405. Section 111, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	(20,857,000)
		<u>20,057,000</u>
General Fund Appropriation—Federal	\$	5,450,000
Total Appropriation	\$	(26,307,000)
		<u>25,507,000</u>

The appropriations in this section are subject to the following condition or limitation: Not more than \$3,355,783 shall be expended for support of basic education programs for juveniles confined in county detention centers.

Sec. 406. Section 511, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE REMEDIATION ASSISTANCE PROGRAM
 General Fund Appropriation \$ ~~((10,575,000))~~
10,485,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of ~~\$(7,864,800))~~ 7,715,000 shall be distributed by the superintendent to districts for the 1984-85 school year at a rate of \$300 per eligible student as defined in RCW 28A.41.404.

(2) For a discretionary seventh through ninth grade remediation program, a maximum of \$2,770,000 shall be distributed by the superintendent of public instruction at a uniform rate per district per eligible student as calculated in this subsection. In making the calculation, the superintendent shall multiply the percentage of students in a district taking the fourth grade state test who scored in the lowest quartile the previous year as compared to the national norm by the number of students currently enrolled in the district in grades 7 through 9, less those students who scored in the lowest quartile and who are served pursuant to chapter 28A.13 RCW (excluding communication disordered students) in grades 2 through 9. Local districts may use these funds to serve any of the students in grades 7 through 9 who are in the bottom quartile on a nationally normed standardized test and who are not receiving like services in programs established in chapter 28A.13 RCW.

(3) This appropriation includes funds for salary and incremental benefit increases for remediation assistance staff.

(4) The superintendent may transfer funds from the remediation assistance program to the handicapped program for specific learning disabled category 'E' enrollment to the extent it exceeds 6,532 students.

(5) This appropriation is provided solely for the 1984-85 fiscal year.

NEW SECTION, Sec. 1. A new section is added to chapter 76, Laws of 1983 1st ex. sess. to read as follows:

The state college and universities and the community college system shall not be held in violation of the minimum expenditure per student requirements of the biennial appropriations act to the extent any failure to meet such requirements is the result of allotment reductions approved by the office of financial management or the result of financial or other circumstances beyond the control of the institution, up to two percent of the minimum expenditure per student requirement.

The office of financial management shall take all reasonable steps to ensure that reductions in instruction budgets are taken only after other fiscal remedies are exhausted.

Sec. 2. Section 13, chapter 21, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

There is appropriated from the general fund to the commission on vocational education for the biennium ending June 30, 1985, the sum of ~~((three million five hundred))~~ two million seven hundred fifty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of ~~((this act))~~ chapter 21, Laws of 1983 1st ex. sess. However, of this appropriation, not more than two hundred fifty thousand dollars may be expended for the state's occupational information system, and not more than two hundred fifty thousand dollars may be expended for the state's career information system. The amount spent for administrative expenses incurred by the commission on vocational education for the jobs skills program shall not exceed five percent of all funds expended for the jobs skills program. Notwithstanding the reduction in the appropriation by this 1985 act, the commission is authorized to enter into contracts for the jobs skills program provided by chapter 21, Laws of 1983 1st ex. sess. Such contracts in excess of the revised appropriation amount shall be payable after June 30, 1985.

PART V
 SPECIAL APPROPRIATIONS

Sec. 501. Section 133, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—EMERGENCY FUND

General Fund Appropriation—State \$ ~~((2,000,000))~~
1,700,000

The appropriation in this section is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

Sec. 502. Section 134, chapter 76, Laws of 1983 1st ex. sess. as amended by section 601, chapter 285, Laws of 1984 (uncodified) is amended to read as follows:

FOR THE GOVERNOR—SALARY AND INSURANCE CONTRIBUTION INCREASES

(1) There is appropriated for the four-year institutions of higher education from the General Fund \$ 17,187,000

(2) There is appropriated for the community college system from the General Fund \$ 9,760,000

(3) There is appropriated for the department of corrections from the General Fund \$ 5,841,000

(4) There is appropriated for the department of social and health services from the:

General Fund—State	\$	((12,220,000))
		<u>12,210,000</u>
General Fund—Federal	\$	7,419,000
(5) There is appropriated for other state agencies from the:		
General Fund—State	\$	((8,341,000))
		<u>7,516,000</u>
General Fund—Federal	\$	1,842,000
(6) There is appropriated for all state agencies from the Special Fund Salary and Insurance Contribution Increase		
Revolving Fund	\$	21,652,000

(7) The appropriations in this section shall be expended to implement:

(a) Salary increases effective not later than January 1, 1985, to implement such portion of the 1982 salary survey (catch-up results) as possible, rounded to the next range if the application results in a fractional range, for higher education classified employees, state personnel board classified and exempt employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education and medical residents and graduate assistants, including teaching assistants and research assistants of the four-year institutions of higher education (excluding student employees not under the jurisdiction of the state or higher education personnel boards);

(b) Merit/market increases effective not later than January 1, 1985, and not to exceed ~~((33,140,000 (of which \$3,128,000 is from the general fund)))~~ an average of 3.1% for faculty and administrative exempt employees of the four-year institutions of higher education ~~(-PROVIDED: That excluding the regional university and college faculty resource equalization moneys under sections 121 through 123 of this act, no research university, regional university, or state college may grant from any fund source whatsoever any salary increases greater than that provided in this section))~~. The increases are to be granted solely on the basis of formal merit evaluation procedures which may take into account critical market disparities in teaching disciplines. The council for postsecondary education shall report to the governor and the legislature on the implementation of the increases no later than February 15, 1985;

(c) Increases in the state's maximum contribution for employee insurance benefits effective July 1, 1983, from \$137.00 per month to \$159.00 per month per eligible employee for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and state personnel board classified and exempt employees (excluding student employees not under the jurisdiction of the state or higher education personnel boards). The monthly premium paid for insurance benefits shall not be more than the equivalent of \$159.00 per eligible employee effective July 1, 1983 through June 30, 1984.

(d) Increases in the state's maximum contribution for employee insurance benefits effective July 1, 1984, from \$159.00 per month to \$167.00 per month per eligible employee for higher education classified employees, commissioned officers of the Washington state patrol, faculty and administrative exempt employees of the community college system and the four-year institutions of higher education, and state personnel board classified and exempt employees (excluding student employees not under the jurisdiction of the state or higher education personnel boards). The monthly premium paid for insurance benefits shall not be more than the equivalent of \$179.00 per eligible employee effective July 1, 1984.

(e) The state employees insurance board's authority and practice of expending funds in the state employees insurance revolving fund generated by dividends or refunds is recognized, and the average contribution per eligible employee in subsections (c) and (d) of this section shall not be construed as a restriction on such expenditures: PROVIDED, That any moneys resulting from a dividend or refund shall not be used to increase employee insurance benefits over the level of services provided on the effective date of this 1984 act and in no case may the maximum premium paid be more than \$179.00 per month per eligible employee. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of this 1984 act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date upon which coverage is extended.

(8) The community colleges may grant merit/market increases effective not later than January 1, 1985, and not to exceed \$2,038,000 of general fund moneys for faculty and administrative exempt employees: PROVIDED, That no community college district may grant from any fund source whatsoever any salary increase greater than that provided in this section. The council for postsecondary education shall report to the governor and the legislature on the implementation of any increases granted pursuant to this subsection no later than February 15, 1985.

(9) To facilitate payment of state employee salary increases from special funds and to facilitate payment of state employee insurance benefit increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

Sec. 503. Section 139, chapter 76, Laws of 1983 1st ex. sess. (uncodified) is amended to read as follows:

FOR BELATED CLAIMS

(1) There is appropriated to the office of financial management for payment of supplies and services furnished in previous biennia, from the General Fund \$ ((965,666))
901,000

(2) 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 act to June 30, 1985, except as otherwise noted.

To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

General Fund—Criminal Justice Training Account	\$	49,590
General Fund—Off-Road Vehicle Account	\$	141
General Fund—Snowmobile Account	\$	2,027
General fund—Institutional Impact Account	\$	13,400
General Fund—Hospital Commission Account	\$	134
General Fund—State Timber Tax Reserve Account	\$	168
General Fund—Professional Engineers' Account	\$	6,063
General Fund—Real Estate Commission Account	\$	1,028
General Fund—Capital Building Construction Account	\$	1,046
General Fund—Motor Transport Account	\$	74,404
General Fund—Resource Management Cost Account	\$	1,728
General Fund—Litter Control Account	\$	18
General Fund—Traffic Safety Education Account	\$	379
General Fund—L.I.R. Waste Disposal Account	\$	11,079
General Fund—State Building Construction Account	\$	2,860
General Fund—Outdoor Recreation Account	\$	7,876
General Fund L.I.R. Water Supply Facilities Account	\$	1,715
General Fund—L.I.R. Account—Public Recreation Facilities	\$	3,173
Electrical License Fund	\$	4,489
State Game Fund	\$	<u>((15,414))</u>
		11,414
Highway Safety Fund	\$	20,897
Motor Vehicle Fund	\$	55,381
Public Service Revolving Fund	\$	5,488
State Treasurer's Service Fund	\$	25,108
Legal Services Revolving Fund	\$	822
General Administration Facilities and Services Revolving Fund	\$	615
Liquor Revolving Fund	\$	15,589
Accident Fund	\$	11,904
Medical Aid Fund	\$	16,629
Plumbing Certificate Fund	\$	147
Washington Library Network Computer System Revolving Fund	\$	23
Pressure System Safety Fund	\$	13
Total Appropriation	\$	<u>((349,348))</u>
		345,348

Sec. 504. Section 141, chapter 76, Laws of 1983 1st ex. sess. as amended by section 602, chapter 14, Laws of 1985 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution	\$	3,852,000
General Fund Appropriation for refund of deferred property tax	\$	515,500
General Fund Appropriation for public utility district excise tax distribution	\$	<u>((16,415,000))</u>
		16,363,000
General Fund Appropriation for prosecuting attorneys' salaries	\$	1,627,000
General Fund Appropriation for motor vehicle excise tax distribution	\$	37,628,000
General Fund Appropriation for local mass transit assistance	\$	<u>((116,796,000))</u>
		117,380,000
General Fund Appropriation for camper and travel trailer excise tax distribution	\$	1,364,000
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution	\$	653,749
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	\$	20,624,310
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$	204,721,141
Liquor Revolving Fund Appropriation for liquor profits distribution	\$	51,000,000

State Timber Tax Account 'A' Appropriation for distribution to 'Timber' counties	\$	15,920,000
State Timber Tax Reserve Account Appropriation for distribution to 'Timber' counties	\$	14,750,000
General Fund—Municipal Sales and Use Tax Equalization Account Appropriation	\$	20,169,962
General Fund—County Sales and Use Tax Equalization Account Appropriation	\$	6,779,819
Total Appropriation	\$	((516,758,484)) 513,348,481

Sec. 505. Section 10, chapter 218, Laws of 1973 1st ex. sess. as amended by section 5, chapter 326, Laws of 1977 ex. sess. and RCW 9.46.100 are each amended to read as follows:

There is hereby created a fund to be known as the 'gambling revolving fund' which shall consist of all moneys receivable for licensing, penalties, forfeitures, and all other moneys, income, or revenue received by the commission. The state treasurer shall be custodian of the fund. All moneys received by the commission or any employee thereof, except for change funds and an amount of petty cash as fixed by rule or regulation of the commission, shall be deposited each day in a depository approved by the state treasurer and transferred to the state treasurer to be credited to the gambling revolving fund. Disbursements from the revolving fund shall be on authorization of the commission or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control the gambling revolving fund shall be subject in all respects to chapter 43.88 RCW but no appropriation shall be required to permit expenditures and payment of obligations from such fund. All expenses relative to commission business, including but not limited to salaries and expenses of the director and other commission employees shall be paid from the gambling revolving fund.

The office of financial management may direct the state treasurer to loan to the general fund an amount not to exceed \$1,400,000 from the gambling revolving fund for the 1983-85 fiscal biennium.

Sec. 506. Section 2, chapter 27, Laws of 1973 and RCW 43.08.190 are each amended to read as follows:

There is hereby created a fund within the state treasury to be known as the 'state treasurer's service fund'. Such fund shall be used solely for the payment of costs and expenses incurred in the operation and administration of the state treasurer's office.

The office of financial management may direct the state treasurer to transfer to the general fund an amount not to exceed two million dollars from the state treasurer's service fund for the 1983-85 fiscal biennium.

Sec. 507. Section 12, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.610 are each amended to read as follows:

There is hereby established in the general fund of the state treasury an account to be known as the motor transport account into which shall be paid all moneys, funds, proceeds, and receipts as provided in RCW 43.19.615 and as may otherwise be provided by law. Disbursements therefrom shall be made in accordance with the provisions of RCW 43.19.560 through 43.19.630, 43.41.130 and 43.41.140 as authorized by the director or his duly authorized representative and as may be provided by law.

The office of financial management may direct the state treasurer to transfer to the general fund an amount not to exceed \$1,500,000 from the motor transport account for the 1983-85 fiscal biennium.

NEW SECTION. Sec. 508. The office of financial management may direct the state treasurer to transfer to the general fund an amount not to exceed \$1,300,000 from the public facilities construction loan and grant revolving account for the 1983-85 fiscal biennium.

Sec. 509. Section 3, chapter 134, Laws of 1969 as last amended by section 3, chapter 94, Laws of 1982 and RCW 81.53.281 are each amended to read as follows:

There is hereby created in the state treasury a 'grade crossing protective fund,' to which shall be transferred all moneys appropriated for the purpose of carrying out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, 81.53.291, and 81.53.295. At the time the commission makes each allocation of cost to said grade crossing protective fund, it shall certify that such cost shall be payable out of said fund. When federal-aid highway funds are not involved, the railroad shall, upon completion of the installation of any such signal or other protective device and related work, present its claim for reimbursement for the cost of installation and related work from said fund of the amount allocated thereto by the commission. The annual cost of maintenance shall be presented and paid in a like manner. When federal-aid highway funds are involved, the department of transportation shall, upon entry of an order by the commission requiring the installation or upgrading of a grade crossing protective device, submit to the commission an estimate for the cost of the proposed installation and related work. Upon receipt of the estimate the commission shall pay to the department of transportation the percentage of the estimate specified in RCW 81.53.295, as now or hereafter amended, to be used as the grade crossing protective fund portion of the cost of the installation and related work. The commission is hereby authorized to recover administrative costs from said fund in an amount not to exceed

three percent of the direct appropriation provided for any biennium, and in the event administrative costs exceed three percent of the appropriation, the excess shall be chargeable to regulatory fees paid by railroads pursuant to RCW 81.24.010.

Within ninety days of the end of each fiscal year, the commission shall report to the legislative transportation committee, and the senate and house committees on transportation, the status of the grade crossing protective fund, including revenue sources, fund balances, and expenditures.

The office of financial management may direct the state treasurer to transfer to the general fund an amount not to exceed \$1,200,000 from the grade crossing protective fund for the 1983-85 fiscal biennium.

NEW SECTION. Sec. 510. 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. 511. 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, beginning on line 1 of the title, after "state agencies;" strike the remainder of the title and insert "amending section 8, chapter 76, Laws of 1983 1st ex. sess. as amended by section 107, chapter 285, Laws of 1984 (uncodified); amending section 10, chapter 76, Laws of 1983 1st ex. sess. as amended by section 109, chapter 285, Laws of 1984 (uncodified); amending section 11, chapter 76, Laws of 1983 1st ex. sess. as amended by section 110, chapter 285, Laws of 1984 (uncodified); amending section 22, chapter 76, Laws of 1983 1st ex. sess. as amended by section 117, chapter 285, Laws of 1984 (uncodified); amending section 24, chapter 76, Laws of 1983 1st ex. sess. as last amended by section 106, chapter 14, Laws of 1985 (uncodified); amending section 27, chapter 76, Laws of 1983 1st ex. sess. as last amended by section 107, chapter 14, Laws of 1985 (uncodified); amending section 29, chapter 76, Laws of 1983 1st ex. sess. as amended by section 121, chapter 285, Laws of 1984 (uncodified); amending section 31, chapter 76, Laws of 1983 1st ex. sess. as amended by section 123, chapter 285, Laws of 1984 (uncodified); amending section 201, chapter 14, Laws of 1985 (uncodified); amending section 203, chapter 14, Laws of 1985 (uncodified); amending section 66, chapter 76, Laws of 1983 1st ex. sess. as amended by section 215, chapter 285, Laws of 1984 (uncodified); amending section 72, chapter 76, Laws of 1983 1st ex. sess. as amended by section 220, chapter 285, Laws of 1984 (uncodified); amending section 73, chapter 76, Laws of 1983 1st ex. sess. as amended by section 221, chapter 285, Laws of 1984 (uncodified); amending section 74, chapter 76, Laws of 1983 1st ex. sess. as amended by section 222, chapter 285, Laws of 1984 (uncodified); amending section 76, chapter 76, Laws of 1983 1st ex. sess. as amended by section 224, chapter 285, Laws of 1984 (uncodified); amending section 83, chapter 76, Laws of 1983 1st ex. sess. as amended by section 304, chapter 285, Laws of 1984 (uncodified); amending section 86, chapter 76, Laws of 1983 1st ex. sess. as amended by section 305, chapter 285, Laws of 1984 (uncodified); amending section 87, chapter 76, Laws of 1983 1st ex. sess. as amended by section 306, chapter 285, Laws of 1984 (uncodified); amending section 89, chapter 76, Laws of 1983 1st ex. sess. as last amended by section 301, chapter 14, Laws of 1985 (uncodified); amending section 96, chapter 76, Laws of 1983 1st ex. sess. as amended by section 501, chapter 285, Laws of 1984 (uncodified); amending section 103, chapter 76, Laws of 1983 1st ex. sess. as last amended by section 502, chapter 14, Laws of 1985 (uncodified); amending section 107, chapter 76, Laws of 1983 1st ex. sess. as amended by section 508, chapter 285, Laws of 1984 (uncodified); amending section 110, chapter 76, Laws of 1983 1st ex. sess. as amended by section 510, chapter 285, Laws of 1984 (uncodified); amending section 111, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 511, chapter 285, Laws of 1984 (uncodified); amending section 13, chapter 21, Laws of 1983 1st ex. sess. (uncodified); amending section 133, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 134, chapter 76, Laws of 1983 1st ex. sess. as amended by section 601, chapter 285, Laws of 1984 (uncodified); amending section 139, chapter 76, Laws of 1983 1st ex. sess. (uncodified); amending section 141, chapter 76, Laws of 1983 1st ex. sess. as amended by section 602, chapter 14, Laws of 1985 (uncodified); amending RCW 9.46.100, 43.08.190, 43.19.610, and 81.53.281; adding a new section to chapter 76, Laws of 1983 1st ex. sess. (uncodified); creating new sections; and declaring an emergency." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Grimm moved that the House do concur in the Senate amendments to Substitute House Bill No. 314.

Mr. Grimm spoke in favor of the motion, and Mr. B. Williams spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Substitute House Bill No. 314, and the motion was carried by the following vote: Yeas, 52; nays, 43; absent, 1; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 43.

Absent: Representative Sanders - 1.

Excused: Representatives Ballard, Smith C - 2.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 314 as amended by the Senate.

Mr. B. Williams spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 314 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 53; nays, 42; absent, 1; excused, 2.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Schmidt, Schoon, Silver, Smith L, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 42.

Absent: Representative Sanders - 1.

Excused: Representatives Ballard, Smith C - 2.

Substitute House Bill No. 314 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

I intended to vote "No" on SHB 314 as amended by the Senate, but was recorded as voting "Yes."

REN TAYLOR, 4th District.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-73, by Representatives Valle and Brooks

WHEREAS, Bicycling is an increasingly popular form of transportation and recreation in Washington State; and

WHEREAS, Bicycling has many benefits to both the bicyclists and the community including providing energy efficient, nonpolluting and low-cost transportation as well as health benefits; and

WHEREAS, Bicycle accidents are one of the most common causes of emergency room admissions and cause Washington State residents death, injuries and millions of dollars in expenses; and

WHEREAS, Bicycle accidents reported to the Washington State Patrol have increased significantly in recent years; and

WHEREAS, The majority of bicycle accidents could be prevented by more training and care on the part of bicyclists and automobile drivers; and

WHEREAS, Our communities have the responsibility to teach and enforce bicycle traffic laws and skills just as we teach and enforce other traffic laws and skills; and

WHEREAS, The month of May represents the beginning of the bicycling season for many people in Washington State;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives encourages all efforts by individuals, organizations and governmental agencies to teach, enforce and support safe bicycling during the 1985 bicycling season.

Ms. Valle moved adoption of the resolution. Representatives Valle and Brooks spoke in favor of the resolution, and it was adopted.

REPORT OF CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3029, modifying provisions relating to the cashing of government checks by financial institutions, 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.

Signed by Senators Williams, Moore; Representatives Locke, Lux.

MOTION

On motion of Mr. Lux, the report of the Conference Committee was adopted, and the committee was granted powers of Free Conference.

The House reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3678, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Modifying excise taxes.

The bill was read the second time.

Mr. G. Nelson moved adoption of the following amendment:

On page 3, beginning on line 24 strike all of section 4 and renumber the remaining section.

Representatives G. Nelson and Appelwick spoke in favor of the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment:

On page 2, beginning on line 23 strike all material down through "outlets." on page 4, line 26.

Renumber the remaining section.

Representatives Appelwick, Padden and Tilly spoke in favor of the amendment, and it was adopted.

Mr. Tanner moved adoption of the following amendment by Representatives Tanner and L. Smith:

On page 4, after line 26, insert the following:

***NEW SECTION.** Sec. 4. A new section is added to chapter 82.12 RCW to read as follows:

The provisions of this chapter shall not apply with respect to the use of manufacturing equipment which was owned and used at least one year in manufacturing in another state and which is brought into this state and placed in a factory and used in production in this state."

Renumber the remaining section consecutively.

Representatives Tanner and L. Smith spoke in favor of the amendment, and Representative Appelwick spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Tanner and L. Smith to Engrossed Substitute Senate Bill No. 3678, and the amendment was adopted by the following vote: Yeas, 73; nays, 22; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Barnes, Barrett, Basich, Baugher, Betzoff, Bond, Brekke, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fuhrman, Gallagher, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, King J. King P. King R. Kremen, Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Tilly, Valle, van Dyke, Van Luvan, Vander Stoep, Vekich, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky - 73.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Cole, Fisher, Grimm, Hine, Jacobsen, Leonard, Locke, Lux, Nelson D, Niemi, Rust, Sommers, Todd, Unsoeld, Walk, Wang, Wineberry, and Mr. Speaker - 22.

Absent: Representative Sanders - 1.

Excused: Representatives Ballard, Smith C - 2.

Mr. J. Williams moved adoption of the following amendment by Representatives J. Williams, Miller, May and Zellinsky:

On page 4, after line 26, strike the remainder of the bill and insert the following:

*Sec. 5. Section 9, chapter 7, Laws of 1983 as amended by section 42, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.49.010 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using a vessel upon the waters of this state, except vessels exempt under RCW 82.49.020. The annual amount of the excise tax (~~is one-half of one percent of fair market value, as determined under this chapter, or five dollars, whichever is greater.~~) shall be as follows:

(a) For vessels sixteen feet or more in length but less than twenty feet, ninety-five cents per foot, or fraction thereof;

(b) For vessels twenty feet or more in length but less than twenty-six feet, one dollar and eighty cents per foot, or fraction thereof;

(c) For vessels twenty-six feet or more in length but less than thirty-two feet, two dollars and sixty-five cents per foot, or fraction thereof;

(d) For vessels thirty-two feet or more in length but less than thirty-eight feet, three dollars and fifteen cents per foot, or fraction thereof; and

(e) For vessels thirty-eight feet or more in length, three dollars and seventy cents per foot, or fraction thereof.

Length is determined by means of a straight line measurement of the overall length from the foremost point of the vessel to the aftermost part of the vessel, measured parallel to the centerline. Bow sprits, bumpkins or boomkins, rudders, outboard motor brackets, and similar fittings or attachments are not included in the measurement.

(2) The excise tax upon a vessel registered for the first time in this state shall be imposed for a twelve-month period, including the month in which the vessel is registered, unless the director of licensing extends or diminishes vessel registration periods for the purpose of staggered renewal periods under RCW 88.02.050. A vessel is registered for the first time in this state when the vessel was not registered in this state for the immediately preceding registration year, or when the vessel was registered in another jurisdiction for the immediately preceding year. ~~((The excise tax on vessels required to be registered in this state on June 30, 1983, shall be paid by June 30, 1983.))~~

Sec. 6. Section 10, chapter 7, Laws of 1983 and RCW 82.49.030 are each amended to read as follows:

The excise taxes imposed under ~~((this chapter is))~~ RCW 82.49.010 and 82.49.070 are due and payable to the department of licensing or its agents at the time of registration of a vessel. The department of licensing shall not issue or renew a registration for a vessel until ~~((the tax is))~~ these taxes are paid in full.

The excise taxes collected under ~~((this chapter))~~ RCW 82.49.010 shall be deposited in the general fund. The excise taxes collected under RCW 82.49.070 shall be deposited in the vessel local excise tax account hereby created in the general fund. Moneys in the vessel local excise tax account may be spent only for distribution to counties imposing the local tax. Distribution to the counties shall occur on a monthly basis, not later than the fifteenth day of the succeeding month after collection.

NEW SECTION. Sec. 7. A new section is added to chapter 82.49 RCW to read as follows:

(1) Any vessel which is not less than forty years old and whose hull is substantially unmodified shall be considered to be a classic vessel for the purposes of this chapter.

(2) Owners of classic vessels as described in subsection (1) of this section may, as an alternative to paying the vessel excise tax imposed in RCW 82.49.010, have the vessel appraised by the county assessor of the county in which the vessel is moored or stored. The appraised value of the vessel shall be reported to the department on a form prescribed by the department and

the excise tax due and payable each year shall be paid at the rate of one-half of one percent of the appraised value of the vessel as certified by the county assessor.

(3) The fee for such appraisal shall be twenty-five dollars, payable to the county treasurer for deposit in the county current expense fund.

NEW SECTION. Sec. 8. The following acts or parts of acts are each repealed:

(1) Section 11, chapter 7, Laws of 1983 and RCW 82.49.040;

(2) Section 12, chapter 7, Laws of 1983 and RCW 82.49.050; and

(3) Section 13, chapter 7, Laws of 1983 and RCW 82.49.060.

NEW SECTION. Sec. 9. This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended or repealed in this act or under any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections.

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 immediately, except sections 5 through 8 of this act shall take effect July 1, 1985.*

Representatives J. Williams, Smitherman, Miller, Padden and Betrozoff spoke in favor of the amendment, and Representative Appelwick opposed it.

Mr. J. Williams spoke again in favor of the amendment.

The amendment was adopted.

On motion of Mr. Appelwick, the following amendments to the title were adopted:

On page 1, line 1 of the title after "82.04.440" strike everything through "82.14 RCW" on line 2 of the title.

On page 1, line 2 of the title after "RCW;" insert "adding a new section to chapter 82.12 RCW;"

On page 1, line 2 of the title, after "82.04.120," strike the remainder of the title and insert "82.04.270, 82.49.010, and 82.49.030: adding a new section to chapter 82.14 RCW; adding a new section to chapter 82.49 RCW; creating a new section; repealing RCW 82.49.040, 82.49.050, and 82.49.060; providing an effective date; and declaring an emergency."

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

Mr. Tilly spoke against passage of the bill, and Mr. B. Williams spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3678 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 13; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Baugher, Belcher, Betrozoff, Bond, Braddock, Brooks, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Basich, Brekke, Bristow, Brough, Fuhrman, Haugen, Lux, Madsen, Rust, Silver, Sommers, Tilly, Vekich - 13.

Absent: Representative Sanders - 1.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Substitute Senate Bill No. 3678 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.

MESSAGES FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has passed:
 REENGROSSED SUBSTITUTE SENATE BILL NO. 3656,
 and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 28, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE CONCURRENT RESOLUTION NO. 114, and has passed the resolution as amended by the House.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE HOUSE BILL NO. 174,
 SUBSTITUTE HOUSE BILL NO. 391,
 SUBSTITUTE HOUSE BILL NO. 767,
 SUBSTITUTE HOUSE BILL NO. 805,
 SECOND SUBSTITUTE HOUSE BILL NO. 1056,
 SECOND SUBSTITUTE HOUSE BILL NO. 1065,
 SUBSTITUTE HOUSE BILL NO. 1190.

The House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-77, by Representatives Lux, Zellinsky, Crane, Holland, West, Winsley, Barrett, Prince, Dellwo, Locke and Nutley

WHEREAS, The number of insurance companies on the Insurance Commissioner's financial solvency "watch list" for 1985 includes ninety property casualty companies and ninety-five life and disability companies, many more than normal; and

WHEREAS, To date in 1985, twelve insurance companies have been ordered by the commissioner to stop doing business in Washington for solvency related reasons, more than have been ordered to stop writing during the previous five years; and

WHEREAS, Consumer complaint files investigated and closed by the commissioner's consumer protection division have increased ten percent above the rate for 1984; and

WHEREAS, Insurance companies, faced with increasing losses, have begun canceling insurance policies, particularly homeowner policies where there is in-home daycare; and

WHEREAS, Consumers, particularly senior citizens, often have no source of relief from, and information concerning, insurance industry practices except from the commissioner's office; and

WHEREAS, The commissioner's consumer protection division performs a valuable service in resolving consumer complaints;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington appoint the House Financial Institutions and Insurance Committee, in consultation with the Insurance Commissioner's Office, to study methods to enhance the commissioner's authority and ability to monitor insurance company solvency and to investigate and resolve consumer complaints.

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

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

THIRD READING

ENGROSSED SENATE BILL NO. 4146, by Senators Thompson, McDermott, DeJarnatt and Zimmerman

Revising provisions relating to the effects of the eruption of Mount St. Helens.

The House resumed consideration of the bill on reconsideration of final passage.

Representatives Braddock and B. Williams spoke in favor of passage of the bill, and Mr. Barrett spoke against it.

ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Senate Bill No. 4146, and the bill passed the House by the following vote: Yeas, 72; nays, 23; absent, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Basich, Belcher, Braddock, Brekke, Bristow, Brough, Crane, Day, Dellwo, Doty, Ebersole, Fisch, Gallagher, Grimm, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Barrett, Baugher, Betzoff, Bond, Brooks, Chandler, Cole, Dobbs, Fisher, Fuhrman, Hankins, Hastings, Isaacson, Lundquist, Nelson G, Padden, Silver, Thomas, Tilly, van Dyke, Van Luven, Walker, West - 23.

Absent: Representative Sanders - 1.

Excused: Representatives Ballard, Smith C - 2.

Engrossed Senate Bill No. 4146, having received the 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 declared the House to be at ease until 2:30 p.m.

AFTERNOON SESSION

The House was called to order at 2:30 p.m. by the Speaker.

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has receded from its amendments to SUBSTITUTE HOUSE BILL NO. 660 on page 1, line 15 and page 1, line 1, and has passed the bill with the amendment to page 1, line 12, and the same 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 the final passage of Substitute House Bill No. 660 with the Senate amendment to page 1, line 12.

Mr. Walk spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Schmidt yielded to question by Mr. Walk.

Mr. Walk: "The Senate amendment, with which we are concurring, directs both the Washington State Patrol and the Utilities and Transportation Commission to repeal any WAC rules relative to driver qualification and hours of service for private carriers if federal funds for enforcement are withdrawn. The bill itself, though gives that rule-making authority only to the State Patrol. Is this amendment intended to give the UTC any rule-making authority over private carriers?"

Ms. Schmidt: "No, Representative Walk, it is not. The amendment before us was prepared by the Senate in concert with another amendment which would have

given the UTC such rule-making authority. However, the other amendment was defeated by the Senate, and this amendment simply was not corrected to reflect that. But clearly, it is the intent that only the State Patrol will have rule-making authority for private carrier hours of service and driver qualifications."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 660 with the Senate amendment to page 1, line 12, and the bill passed the House by the following vote: Yeas, 95; nays, 1; excused, 2.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Sutherland - 1.

Excused: Representatives Ballard, Smith C - 2.

Substitute House Bill No. 660 with certain Senate amendment, having received the 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 28, 1985

Mr. Speaker:

The Senate suspended the rules and returned ENGROSSED SUBSTITUTE HOUSE BILL NO. 863 to second reading, amended the bill and passed the bill with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. A new section is added to chapter 43.160 RCW to read as follows:

The legislature recognizes that in order to attract new industry to the state of Washington, and to encourage significant expansion of industries already here, it is often necessary to construct or improve public works facilities. To that end, the legislature, in 1982, created the community economic revitalization board and subsequently established a program of loans and grants to political subdivisions to enable construction and improvement of such facilities. This program has made a significant contribution toward stimulating economic development within the state.

The legislature now finds that the state's economic development efforts can be further enhanced by, in certain instances, providing funds to improve state highways in the vicinity of new industries considering locating in this state or existing industries that are considering significant expansion.

The legislature finds it desirable to provide a process whereby the need for diverse public works improvements necessitated by planned economic development can be addressed in a timely fashion and with coordination among all responsible governmental entities.

It is the intent of the legislature to create an economic development account within the motor vehicle fund from which expenditures can be made by the department of transportation for state highway improvements necessitated by planned economic development. All such improvements must first be approved by the state transportation commission and the community economic revitalization board in accordance with the procedures established by sections 2 and 3 of this act. It is further the intent of the legislature that such improvements not jeopardize any other planned highway construction projects. The improvements are intended to be of limited size and cost, and to include such items as additional turn lanes, signalization, illumination, and safety improvements.

NEW SECTION, Sec. 2. A new section is added to chapter 43.160 RCW to read as follows:

(1) An application to the board from a political subdivision may also include a request for improvements to an existing state highway or highways. The application is subject to all of the applicable criteria relative to qualifying types of development set forth in this chapter, as well as procedures and criteria established by the board.

(2) Before board consideration of an application from a political subdivision that includes a request for improvements to an existing state highway or highways, the application shall be forwarded by the board to the transportation commission.

(3) The board may not make its final determination on any application made under subsection (1) of this section before receiving the findings of the transportation commission as

specified in section 3 of this act. Notwithstanding its disposition of the remainder of any such application, the board may not approve a request for improvements to an existing state highway or highways without the approval of the improvements, as submitted or amended by the transportation commission as specified in section 3 of this act.

(4) The board shall notify the transportation commission of its final decision regarding any application made under this section.

NEW SECTION, Sec. 3. A new section is added to chapter 47.01 RCW to read as follows:

(1) Upon receiving an application for improvements to an existing state highway or highways pursuant to section 2 of this act from the community economic revitalization board, the transportation commission shall, in a timely manner, determine whether or not the proposed state highway improvements:

- (a) Meet the safety and design criteria of the department of transportation;
- (b) Will impair the operational integrity of the existing highway system;
- (c) Will affect any other improvements planned by the department; and
- (d) Will be consistent with its policies developed pursuant to RCW 47.01.071.

(2) Upon completion of its determination of the factors contained in subsection (1) of this section and any other factors it deems pertinent, the transportation commission shall forward its approval of the proposed improvements as submitted or amended or disapproval, to the board, along with any recommendation it may wish to make concerning the desirability and feasibility of the proposed development. If the transportation commission disapproves any proposed improvements, it shall specify its reasons for disapproval.

(3) Upon notification from the board of an application's approval pursuant to section 2 of this act, the transportation commission shall direct the department of transportation to carry out the improvements in coordination with the applicant.

(4) The transportation commission shall notify the legislative transportation committee of all state highway improvements to be carried out pursuant to sections 2 and 3 of this act.

(5) All state highway improvements that are approved pursuant to sections 2 and 3 of this act shall be charged to the economic development account of the motor vehicle fund created by RCW 47.10.803.

Sec. 4. Section 1, chapter 316, Laws of 1981 as amended by section 1, chapter 19, Laws of 1982 and RCW 47.10.801 are each amended to read as follows:

(1) In order to provide funds necessary for the location, design, right of way, and construction of selected interstate and other state highway improvements, there shall be issued and sold, subject to subsections (2) and (3) of this section, upon the request of the Washington state transportation commission a total of four hundred (~~four~~) sixty million dollars of general obligation bonds of the state of Washington for the following purposes and specified sums:

(a) Not to exceed two hundred twenty-five million dollars to pay the state's share of costs for federal-aid interstate highway improvements and until December 31, (~~1985~~) 1989, to temporarily pay the regular federal share of construction of federal-aid interstate highway improvements to complete state routes 82, 90, 182, and 705 in advance of federal-aid apportionments under the provisions of 23 U.S.C. Secs. 115 or 122: PROVIDED, That the total amount of bonds issued to temporarily pay the regular federal share of construction of federal-aid interstate highways in advance of federal-aid apportionments as authorized by this section and RCW 47.10.790 shall not exceed one hundred twenty million dollars: PROVIDED FURTHER, That the transportation commission shall consult with the legislative transportation committee prior to the adoption of plans for the obligation of federal-aid apportionments received in federal fiscal year 1985 and subsequent years to pay the regular federal share of federal-aid interstate highway construction projects or to convert such apportionments under the provisions of 23 U.S.C. Secs. 115 or 122:

(b) Two hundred twenty-five million dollars for major transportation improvements throughout the state that are identified as category C improvements and for selected major non-interstate construction and reconstruction projects that are included as Category A Improvements in RCW 47.05.030;

(c) Ten million dollars for state highway improvements necessitated by planned economic development, as determined through the procedures set forth in sections 2 and 3 of this act.

(2) The amount of bonds authorized in subsection (1)(a) of this section shall be reduced if the transportation commission, in consultation with the legislative transportation committee, determines that any of the bonds that have not been sold are no longer required.

(3) The amount of bonds authorized in subsection (1)(b) of this section shall be increased by an amount not to exceed, and concurrent with, any reduction of bonds authorized under subsection (1)(a) of this section in the manner prescribed in subsection (2) of this section.

Sec. 5. Section 3, chapter 316, Laws of 1981 and RCW 47.10.803 are each amended to read as follows:

The proceeds from the sale of the bonds authorized by RCW 47.10.801(1) (a) and (b) shall be deposited in the motor vehicle fund(~~and~~). The proceeds from the sale of the bonds authorized by RCW 47.10.801(1)(c) shall be deposited in the economic development account of the motor vehicle fund, hereby created. All such proceeds shall be available only for the purposes

enumerated in RCW 47.10.801, for the payment of bond anticipation notes, if any, and for the payment of the expense incurred in the drafting, printing, issuance, and sale of such bonds.

NEW SECTION, Sec. 6. The sum of ten million dollars, or so much thereof as may be necessary, is appropriated from the economic development account of the motor vehicle fund to the department of transportation for the biennium ending June 30, 1987, to carry out the provisions of sections 2 and 3 of this act and RCW 47.10.801(1)(c). However, the money available for expenditure under this appropriation may not exceed the amount of money derived from the sale of bonds, and interest earned thereon, authorized by RCW 47.10.801(1)(c) and deposited to the credit of the economic development account of the motor vehicle fund.

NEW SECTION, Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the entire act and the application of the provision to other persons or circumstances is invalid and of no further force and effect.

NEW SECTION, Sec. 8. Section 11, chapter 316, Laws of 1981 and RCW 47.10.810 are each hereby repealed.

NEW SECTION, Sec. 9. 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 2 of the title, after "development;" strike the remainder of the title and insert "amending RCW 47.10.801 and 47.10.803; adding new sections to chapter 43.160 RCW; adding a new section to chapter 47.01 RCW; repealing RCW 47.10.810; making an appropriation; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Walk moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 863.

On motion of Mr. Appelwick, further consideration of Engrossed Substitute House Bill No. 863 was deferred.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate insists on its position on ENGROSSED HOUSE BILL NO. 116, and once again asks the House to concur in the Senate amendments, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Ms. Belcher, the House concurred in the Senate amendments to Engrossed House Bill No. 116.

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. 116 as amended by the Senate.

Representatives B. Williams and Schoon spoke against passage of the bill, and Mr. Sayan spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 116 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 56; nays, 40; excused, 2.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Addison, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Walker, West, Williams B, Williams J, Wilson S - 40.

Excused: Representatives Ballard, Smith C - 2.

Engrossed House Bill No. 116 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.

REPORT OF CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3630, changing provisions relating to the Washington high-technology coordinating board, 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.

Signed by Senators Gaspard, Cantu, Bauer; Representatives Sommers, May, McMullen.

MOTION

On motion of Mr. McMullen, the report of the Conference Committee was adopted and the committee was granted powers of Free Conference.

MESSAGES FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has adopted the second report of the Free Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3066, and has passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

April 28, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3120, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 28, 1985

Mr. Speaker:

The Senate adopted the third report of the Free Conference Committee to SUBSTITUTE SENATE BILL NO. 3384, and passed the bill as amended by the Free Conference Committee.

Bill Gleason, Assistant Secretary.

April 28, 1985

Mr. Speaker:

The Senate has failed to pass ENGROSSED SUBSTITUTE SENATE BILL NO. 3927 as amended by the House.

Bill Gleason, Assistant Secretary.

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

INTRODUCTION AND FIRST READING

ReESSB 3656 by Committee on Ways & Means (originally sponsored by Senator McDermott)

Adopting the 1985-87 biennial operating appropriations act.

Mr. Appelwick moved that the rules be suspended, Reengrossed Substitute Senate Bill No. 3656 advanced to second reading and placed at the top of today's second reading calendar.

POINT OF ORDER

Mr. G. Nelson: "Engrossed Substitute Senate Bill No. 3656 was acted on by this body with an amendment and it has gone to the Senate. The Senate rolled that bill back and changed the underlying document. That bill should now come back to

the House for concurrence or nonconcurrence. They did not concur in our amendments. You can't just simply have the bill come back to us. I would raise a point of order on the methodology being used here to reintroduce that bill."

SPEAKER'S RULING

The Speaker: "Representative Nelson, this is consistent with the practice we did on one occasion yesterday. The bill as it passed here was an engrossed substitute bill. The bill went to the Senate, they suspended the rules and went back to second reading. It was amended and then became reengrossed -- a new bill. It was then sent to the House and followed the course of a regular bill. Your point is not well taken."

POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Where is the House amendment to Engrossed Substitute Senate Bill 3656?"

The Speaker: "As I said earlier, Representative Nelson, Engrossed Substitute Senate Bill No. 3656 is not before us. It is Reengrossed Substitute Senate Bill No. 3656, which is an entirely new bill."

POINT OF ORDER

Mr. G. Nelson: "That is impossible to do when another body's amendment has been placed on a bill. There is no way. Reed's Rules do not permit the opposite body of this legislature to remove an amendment. They can only concur or not concur in our amendment. They can change the underlying document and I would agree that has been done by the Senate, but what is being done here to introduce it under the fourth order is simply a way to get around the rules of this body, both the Joint Rules and the House Rules."

SPEAKER'S RULING

The Speaker: "Representative Nelson, this is the third occasion you have raised exactly the same issue. The Speaker has ruled in each case. It has happened, and, in fact, it happened yesterday."

POINT OF ORDER

Mr. Barrett: "Mr. Speaker, Reed's Rules say that a body cannot lay an amendment on the table without laying the entire underlying bill on the table. I would ask your ruling on that."

SPEAKER'S RULING

The Speaker: "Representative Barrett, no one has attempted to lay the amendment on the table, and, in fact, it is not even before us if one would try to lay it on the table."

Mr. Barrett: "At the risk of belaboring the problem, Mr. Speaker, we think we are on very firm parliamentary grounds. I ask, again, if that amendment went with that bill; it has been laid on the table by one of the bodies. We are not acting on the bill which was the underlying bill without having any indication of what happened to the amendment, which apparently, has been laid on the table. I ask again for your ruling that this is not properly before us."

The Speaker: "Representative Barrett, once again I'll go through the process. The bill went to the Senate as Engrossed Substitute Senate Bill No. 3656; the Senate suspended the rules and went back to second reading for purposes of amendment. They amended this and it became a new bill, Reengrossed Substitute Senate Bill No. 3656. Your point is not well taken."

POINT OF ORDER

Mr. O'Brien: "Mr. Speaker, I would like to refer to Reed's Rule 224: 'References to Another Legislative Branch. It is not permissible to allude to the actions of the other house of a legislature, or to refer to a debate there. Such conduct might lead to misunderstanding and ill-will between two bodies which must cooperate in

order to properly serve the people. So, also, the action of the other body should not be referred to to influence the body the member is addressing."

The Speaker: "Not only that, Representative O'Brien, but also I wasn't even aware there was another body."

POINT OF PARLIAMENTARY INQUIRY

Mr. G. Nelson: "Mr. Speaker, can you give me the reference on the rule that in this body permits a bill to be rolled back to second reading and have the opposing body's amendments rolled back, either in Reed's Rules or in the House Rules, which would permit us to accept those kinds of actions?"

SPEAKER'S RULING

The Speaker: "Representative Nelson, there is no such rule; however, the body can suspend the rules by two-thirds vote, or suspend the rules by whatever requirement that you may have to suspend the rules. This body could, in fact, do the same thing if it chose to suspend the rules. We apparently did that two years ago. You raised no objection at that time. In Senate Bill 3184, yesterday, there was no objection to the same process."

The Speaker declared the House to be at ease until 7:00 p.m.

EVENING SESSION

The House was called to order at 7:00 p.m. by the Speaker.

Representative Ballard appeared at the bar of the House.

MESSAGES FROM THE SENATE

April 28, 1985

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE HOUSE BILL NO.	174.
SUBSTITUTE HOUSE BILL NO.	391.
SUBSTITUTE HOUSE BILL NO.	767.
SUBSTITUTE HOUSE BILL NO.	805.
SECOND SUBSTITUTE HOUSE BILL NO.	1056.
SECOND SUBSTITUTE HOUSE BILL NO.	1065.
SUBSTITUTE HOUSE BILL NO.	1190.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 28, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3261, and has passed the bill as recommended by the Conference Committee.

Bill Gleason, Assistant Secretary.

April 28, 1985

Mr. Speaker:

The Senate has concurred in the House amendments and passed ENGROSSED SUBSTITUTE SENATE BILL NO. 3799 as amended by the House.

Sidney R. Snyder, Secretary.

The Speaker stated the question before the House to be the motion by Representative Appelwick to suspend the rules and place Reengrossed Substitute Senate Bill No. 3656 on the second reading calendar.

The motion was carried.

MESSAGE FROM THE SENATE

April 20, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3541 and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Lux moved that the House do recede from its amendments to Engrossed Substitute Senate Bill No. 3541.

Mr. Tilly spoke against the motion.

On motion of Mr. J. King, further consideration of the bill was deferred.

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

The President has ruled that the House amendments to ENGROSSED SENATE BILL NO. 3230 are beyond the scope and object of the bill, and the Senate asks the House to recede therefrom, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Armstrong, the House insisted on its position on Engrossed Senate Bill No. 3230, and asked the Senate for a conference thereon.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Armstrong, West and McMullen as conferees on Engrossed Senate Bill No. 3230.

The House resumed consideration of ENGROSSED SUBSTITUTE HOUSE BILL NO. 863.

The Speaker stated the question before the House to be the motion to concur in the Senate amendments.

Representatives Silver and Schoon spoke against the motion, and Mr. McMullen spoke in favor of it.

Ms. Silver spoke again in opposition to the motion.

ROLL CALL

The Clerk called the roll on the motion that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 863, and the motion was carried by the following vote: Yeas, 54; nays, 43; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 43.

Excused: Representative Smith C - 1.

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. 863 as amended by the Senate.

POINT OF PARLIAMENTARY INQUIRY

Mr. Padden: "Mr. Speaker, how many votes does this require?"

The Speaker: "Fifty-nine."

Representatives Walk and Tanner spoke in favor of passage of the bill, and Ms. Schmidt spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 863 as amended by the Senate, and the bill failed to pass the House by the following vote: Yeas, 52; nays, 45; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Leonard, Locke, Long, Lux, Madsen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Kremen, Lewis, Lundquist, May, McMullen, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Excused: Representative Smith C - 1.

Engrossed Substitute House Bill No. 863 as amended by the Senate, having failed to receive the constitutional sixty percent majority, was declared lost.

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on HOUSE JOINT RESOLUTION NO. 23, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 28, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred HOUSE JOINT RESOLUTION NO. 23, authorizing ad valorem taxing districts for public improvements, have had the same under consideration, and we recommend that the Senate Committee amendment to page 1, line 1 be adopted with the following amendments:

On page 2 of the committee amendment, beginning with "In" on line 5 strike everything through "section." on line 19

On page 2 of the committee amendment beginning with "Any" on line 28 strike everything through "indebtedness." on line 34 and insert:

"Any such public obligations payable solely from revenues from these public improvements, including such property taxes levied against the increases in real property value and other available nontax money shall not be the general obligation of or guaranteed by all or any part of the full faith and credit of the sponsor or any other state or local government, or any tax revenues other than tax allocation revenues, and shall not be considered a debt of the sponsor or other state or local government for general indebtedness limitation purposes."

On page 3, beginning on line 11 strike ": (1) Capital" and insert "capital"

Signed by Senators Goltz, McManus; Representatives McMullen, Tanner, Dobbs.

MOTION

On motion of Mr. Dobbs, the House adopted the report of the Free Conference Committee on House Joint Resolution No. 23.

FINAL PASSAGE OF HOUSE JOINT RESOLUTION
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of House Joint Resolution No. 23 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 23 as amended by Free Conference Committee, and the resolution passed the House by the following vote: Yeas, 80; nays, 16; absent, 1; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Braddock, Brække, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Miller, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Betrozoff, Bond, Chandler, Fuhrman, Lundquist, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Thomas, Tilly, van Dyke, Van Luvan, Williams J - 16.

Absent: Representative Hine - 1.

Excused: Representative Smith C - 1.

House Joint Resolution No. 23 as amended by Free Conference Committee, having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has adopted the second report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 956, and has granted powers of Free Conference.

Bill Gleason, Assistant Secretary.

REPORT OF CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 956, relating to the powers of local government in relation to federal grants and programs, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference in order to amend the bill.

Signed by Senators Thompson, Fleming; Representatives Nutley, Haugen, Brough.

MOTION

On motion of Ms. Nutley, the report of the Conference Committee was adopted, and the committee was granted powers of Free Conference.

MESSAGE FROM THE SENATE

April 27, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3310, and has granted the powers of Free Conference.

Bill Gleason, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3310, facilitating election administration, have had the same under consideration, and we recommend that the bill be amended as follows and the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 28A.57.322, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.322 are each amended to read as follows:

Every person elected or appointed to the office of school director, before entering upon the discharge of the duties thereof, shall take an oath or affirmation to support the Constitution of the United States and the state of Washington and to faithfully discharge the duties of his office according to the best of his ability. In case any official has a written appointment or commission, his oath or affirmation shall be endorsed thereon and sworn to before any officer authorized to administer oaths. School officials are hereby authorized to administer all oaths or affirmations pertaining to their respective offices without charge or fee. All oaths of office, when properly made, shall be filed with the ~~((officer with whom declarations of candidacy for such positions are filed))~~ county auditor.

Sec. 2. Section 3, chapter 107, Laws of 1980 and RCW 29.04.040 are each amended to read as follows:

(1) No paper ballot precinct ~~((shall))~~ may contain more than three hundred voters. The county legislative authority may divide, alter, or combine precincts so that, whenever practicable, over-populated precincts shall contain no more than two hundred fifty registered voters in anticipation of future growth.

(2) Precinct boundaries may be altered at any time as long as sufficient time exists prior to a given election for the necessary procedural steps to be honored ~~((--PROVIDED--HOWEVER--That))~~. Except as permitted under subsection (5) of this section, no precinct boundaries ((shall)) may be changed during the period starting ((as of) on) the thirtieth day prior to the first day for candidates to file for the primary election and ending with the day of the general election.

(3) Precincts in which voting machines or electronic voting devices are used may contain as many as nine hundred registered voters ~~((--PROVIDED--That))~~, but there shall be at least one voting machine or device for each three hundred registered voters or major fraction thereof when a state primary or general election is held in an even-numbered year.

(4) On petition of twenty-five or more voters resident more than ten miles from any place of election, the county legislative authority shall establish a separate voting precinct therefor.

(5) The county auditor shall temporarily adjust precinct boundaries when a city annexes county territory to the city. The adjustment shall be made as soon as possible after the approval of the annexation. The temporary adjustment shall be limited to the minimum changes necessary to accommodate the addition of the territory to the city and shall remain in effect only until precinct boundary modifications reflecting the annexation are adopted by the county legislative authority.

The county legislative authority may establish by ordinance a limitation on the maximum number of registered voters in each precinct within its jurisdiction. The limitation may be different for precincts based upon the method of voting used for such precincts and the number may be less than the number established by law, but in no case may the number exceed that authorized by law.

If such a limitation is established by a county legislative authority, no precinct within the jurisdiction of the county may contain more registered voters than authorized in such an ordinance.

The county legislative authority of each county in the state hereafter formed shall, at their first session, divide their respective counties into election precincts with two hundred fifty voters or less and establish the boundaries of the ~~((same;))~~ precincts. The county auditor shall thereupon designate the voting place for each such precinct.

Sec. 3. Section 29.13.020, chapter 9, Laws of 1965 as last amended by section 2, chapter 3, Laws of 1980 and RCW 29.13.020 are each amended to read as follows:

All city, town, and district general elections shall be held throughout the state of Washington on the first Tuesday following the first Monday in November in the odd-numbered years.

This section shall not apply to:

(1) Elections for the recall of any elective public officer~~((:));~~

(2) Public utility districts~~((:))~~ or district elections ~~((whereat))~~ at which the ownership of property within ~~((said))~~ those districts is a prerequisite to voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto~~((:));~~

(3) Consolidation proposals as provided for in RCW 28A.57.180 and nonhigh capital fund aid proposals as provided for in chapter 28A.56 RCW.

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 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 second Tuesday in March, except that if a state-wide political party caucus by a major political party is scheduled on the second Tuesday, then a special election may not be

held on such date but may be held on the third Tuesday in March (~~(- PROVIDED HOWEVER, That in any county holding an election on the second Tuesday in March of 1980 pursuant to a home-rule charter adopted under Article XI, section 4 of the state Constitution, any city, town, or district where any portion of the registered voters of that city, town, or district reside within that charter county may hold special elections on the second Tuesday in March of 1980))~~;

(c) The first Tuesday after the first Monday in April;

(d) The third Tuesday in May;

(e) The day of the primary election as specified by RCW 29.13.070; or

(f) The first Tuesday after the first Monday in November.

In addition to (a) through (f) above, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from failure of a school or junior taxing district to pass a special levy or bond issue for the first time or from fire, flood, earthquake, or other act of God, except that no special election may be held between the first day for candidates to file for public office and the last day to certify the returns of the general election other than as provided in (e) and (f). 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.

NEW SECTION, Sec. 4. A new section is added to chapter 29.13 RCW to read as follows:

For any reimbursement of election costs under RCW 29.13.047, the secretary of state shall pay interest at an annual rate equal to two percentage points in excess of the discount rate on ninety-day commercial paper in effect at the Federal Reserve Bank in San Francisco on the fifteenth day of the month immediately preceding the payment for any period of time in excess of thirty days after the receipt of a properly executed and documented voucher for such expenses and the entry of an allotment from specifically appropriated funds for this purpose under RCW 43.88.111. The secretary of state shall promptly notify any county that submits an incomplete or inaccurate voucher for reimbursement under RCW 29.13.047.

Sec. 5. Section 2, chapter 142, Laws of 1984 and RCW 29.18.025 are each amended to read as follows:

Except where otherwise provided by state law, declarations of candidacy for the following offices shall be filed during regular business hours with the secretary of state or the county auditor no earlier than the ~~((fast))~~ fourth Monday in July and no later than the following Friday in the year in which the office is scheduled to be voted upon:

(1) Offices that are scheduled to be voted upon for full terms or both full terms and short terms at, or in conjunction with, a state general election; and

(2) Offices where a vacancy, other than a short term, exists that has not been filled by election and for which an election to fill the vacancy is required in conjunction with the next state general election.

Sec. 6. Section 29.21.060, chapter 9, Laws of 1965 as last amended by section 31, chapter 361, Laws of 1977 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 county auditor not earlier than the ~~((fast))~~ fourth Monday of July nor later than the next succeeding Friday in the year such regular city elections are held.

All candidates for district offices 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 ~~((fast))~~ fourth Monday of July nor later than the next succeeding Friday in the year such regular district elections are held: PROVIDED, That this chapter shall not change the method of nomination for first district officers at the formation of any district.

Any candidate for city, town, or district offices may withdraw his declaration at any time ~~((to and including the first Wednesday after))~~ before the Friday following the last day allowed for filing declarations of candidacy.

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 through 29.18.100 (~~(- PROVIDED; That)), but no filing fee (shall) may be charged ((in the event that)) if 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 29.30.010, chapter 9, Laws of 1965 as amended by section 51, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.010 are each amended to read as follows:

Every primary paper ballot shall be uniform in color and size, shall be white and printed in black ink. Each ballot shall be identified at the top with the words, 'Primary Election Ballot,' and below that, the county in which the ballot is to be used, the date of the primary, and the instruction: 'To vote for a person mark a cross in the first square at the right of the name of the person for whom you desire to vote. To vote for a person not on the ballot, write in the name of

the candidate, and the party affiliation if for a partisan office, in the space provided.' Beginning at the top of the left hand column, at the left of the line shall appear the name of the position for which the names following are candidates, and to the extreme right of the same line the words, 'Vote for,' then the words 'One,' 'Two,' or a spelled number designating how many persons under that head are to be voted for. Below this shall come the names of all candidates for that position, each followed by the name of the political party, if any, with which the candidate desires to affiliate or the word 'nonpartisan', with a square to the right. Each position with the names running for that office, shall be separated from the following one by a bold line. All primary paper ballots shall be sequentially numbered, but done in such a way to permit removal of such numbers (~~by precinct election workers~~) without revealing the identity of any individual voter. There shall be no printing upon the back of the ballots nor any mark thereon to distinguish them.

Sec. 8. Section 60, chapter 361, Laws of 1977 ex. sess. as amended by section 1, chapter 121, Laws of 1982 and RCW 29.30.081 are each amended to read as follows:

(1) On the top of each general election paper ballot there shall be printed instructions directing the voters how to mark the ballot, including write-in votes. Next after the instructions and before the offices shall be placed the questions of adopting constitutional amendments or any other state measure authorized by law to be submitted to the voters of such election.

(2) The candidate or candidates of the major political party which received the highest number of votes from the electors of this state for the office of president of the United States at the last presidential election shall appear first below the office heading, the candidate or candidates of the other major political parties shall follow according to the votes cast for their nominees for president at the last presidential election, and the candidate or candidates of all other parties shall follow in the order of their qualification with the secretary of state. The candidates for nonpartisan offices shall be listed in the manner otherwise provided by law. There shall be blank spaces for writing in the name of any candidate, if desired, on the ballot.

(3) There shall be a at the right of the name of each nominee so that a voter may clearly indicate the candidate or the candidates for whom he wishes to cast his ballot.

(4) Under the designation of the office there shall be indicated the number of candidates to such office to be voted for at such election.

(5) If the election is in a year in which a president of the United States is to be elected, the names of candidates for president and vice president for each political party shall be grouped together, each group enclosed in brackets with a single square to the right in which the voter indicates his choice.

(6) All paper ballots for general elections shall be sequentially numbered, but done in such a way to permit removal of such numbers (~~by precinct election workers~~) without leaving any identifying marks on the ballot. There shall be no printing on the back of the paper ballots nor any mark thereon to distinguish them.

Sec. 9. Section 33, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.310 are each amended to read as follows:

All ballot pages for primary, general, or special elections in counties using voting devices shall be uniform in color and size, shall be white, and shall be printed in black ink. The first page shall be identified at the top with the name of the election, the county in which the ballot page is to be used, and the date of the election. On the front of the first ballot page or prominently displayed on each voting device to be used at a primary, general, or special election, there shall be printed instructions directing the voters how to properly record a vote for any candidate and for or against any measure. Beginning at the top of the left hand column, at the left of the line shall appear the name of the position for which the names to the immediate right are candidates, and below the name of the office or position the words, 'Vote for', then the words 'One', 'Two', or a spelled number designating how many persons under that head are to be voted for. Immediately to the right of the name of the office or position shall come the names of all candidates for that position, each followed by the name of the political party, if any, with which the candidate desires to affiliate or the word 'nonpartisan', with an arrow or other notation at the right edge of the ballot page indicating where the voter is to punch or otherwise mark his ballot for that candidate. Each position with the names running for that office, shall be separated from the following one by a bold line. All ballot cards for primary elections shall be sequentially numbered, but done in such a way to permit removal of such numbers (~~by precinct election workers~~) without leaving any identifying marks on the ballot. There shall be no marks on the ballot cards which would distinguish an individual voter's ballot card from other ballot cards in the same precinct.

Sec. 10. Section 67, chapter 361, Laws of 1977 ex. sess. and RCW 29.34.125 are each amended to read as follows:

(1) On the front of the first ballot page or prominently displayed on each voting device to be used at a general election, there shall be printed instructions directing the voters how to properly record a vote for any candidate and for or against any measure, including write-in votes. After the instructions and before the offices shall be placed the questions of adopting constitutional amendments or any other state measure authorized by law to be submitted to the voters of such election.

(2) All nominations of any party or group of petitioners shall be indicated by the title of such party or petitioners as designated by them in their certificate of nomination or petition, following the name of such candidate, and the name of each nominee shall be placed beside the designation of the office for which he has been nominated.

(3) There shall be an arrow or other notation at the right edge of the ballot page opposite the name of each candidate indicating where the voter is to punch or otherwise mark his ballot card for that candidate.

(4) Under the designation of the office, if more than one candidate is to be voted for there shall be indicated the number of candidates to such office to be voted for at such election.

(5) If the election is in a year in which a president of the United States is to be elected, in spaces separated from the balance of the party tickets by a heavy black line, shall be the names and spaces for voting for candidates for president and vice president. The names of candidates for president and vice president for each political party shall be grouped together, each group enclosed in brackets with a single arrow or other notation to the right.

(6) All ballot cards for general elections shall be sequentially numbered, but done in such a way to permit removal of such numbers (~~by precinct election workers~~) without leaving any identifying marks on the ballot. There shall be no printing on the back of the ballot cards nor any mark thereon to distinguish an individual voter's ballot card from other ballot cards from the same precinct.

Sec. 11. Section 29.36.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 27, Laws of 1984 and RCW 29.36.010 are each amended to read as follows:

Any duly registered voter may vote an absentee ballot for any primary or election in the manner provided in this chapter.

A voter desiring to cast an absentee ballot must apply in writing to his county auditor no earlier than forty-five days nor later than the day prior to any election or primary (~~(-PROVIDED: That)~~). An application honored for a primary ballot shall also be honored as an application for a ballot for the following election if the voter so indicates on his application (~~(-PROVIDED FURTHER, That)~~). A voter admitted to a hospital no earlier than five days before a primary or election and confined to the hospital on election day may apply by messenger for an absentee ballot on the day of the primary or election if a signed statement from the hospital administrator, or designee, verifying the voter's date of admission and status as a patient in the hospital on the day of the primary or election is attached to the absentee ballot application.

Such applications must contain the voter's signature and may be made in person or by mail or messenger (~~(-PROVIDED: That)~~). Application made by mail must be sent directly to the county auditor or to the secretary of state, who shall promptly forward such applications to the appropriate county. No person, organization, or association within the state may distribute absentee ballot applications containing any return address other than that of the county auditor. No application for an absentee ballot (~~(shall)~~) may be approved unless the voter's signature upon the application compares favorably with the voter's signature upon his permanent registration record.

NEW SECTION. Sec. 12. A new section is added to chapter 29.04 RCW to read as follows:

(1) Every person who desires to be a write-in candidate and have such votes counted at a primary or election shall, if the jurisdiction of the office sought is entirely within one county, file a declaration of candidacy with the county auditor not later than the Tuesday immediately before the primary or election. If the jurisdiction of the office sought encompasses more than one county the declaration of candidacy must be filed with the secretary of state not later than the first Tuesday before the primary or election. No person may file as a write-in candidate where:

(a) At a general election, the person attempting to file either filed as a write-in candidate for the same office at the preceding primary or the person's name appeared on the ballot for the same office at the preceding primary;

(b) The person attempting to file as a write-in candidate has already filed a valid write-in declaration for that primary or election, unless one or the other of the two filings is for the office of precinct committee person;

(c) The name of the person attempting to file already appears on the ballot as a candidate for another office, unless one of the two offices for which he or she is a candidate is precinct committee person.

The declaration of candidacy shall be similar to that required by RCW 29.18.030 and shall be accompanied by either the appropriate filing fee or a supplemental nominating petition, as required by RCW 29.18.050.

(2) The provisions of subsection (1) of this section do not apply to any person who desires to be a write-in candidate for an office or nomination if a vacancy caused by the death or disqualification of a candidate or nominee for that office or nomination occurs: After the Tuesday before the primary or election; and before that primary or election.

NEW SECTION. Sec. 13. A new section is added to chapter 29.04 RCW to read as follows:

The secretary of state shall, not later than the Friday after the last day for filing of write-in declarations with his or her office, notify each county auditor of any such filings for offices appearing on the ballot in that county. The county auditor shall ensure that those persons

charged with counting the ballots for a primary or election are notified of all valid write-in candidates before the tabulation of those ballots.

Sec. 14. Section 29.36.075, chapter 9, Laws of 1965 as amended by section 1, chapter 136, Laws of 1983 and RCW 29.36.075 are each amended to read as follows:

Canvassing boards of any primary or election, including a state primary or state general election, shall not tabulate or record votes cast by absentee ballots on any uncontested office except write-in votes for candidates for the office of precinct committee person ~~(s. Write-in votes for uncontested precinct committee persons' races shall be canvassed and included with the official vote count))~~ who have filed valid declarations of candidacy under section 12 of this 1985 act. 'Uncontested office' means an office where only one candidate has filed a valid declaration of candidacy either during the regular filing period or as a write-in candidate under section 12(1) of this 1985 act. 'Uncontested office' does not mean an office or nomination for which a person may be a write-in candidate under section 12(2) of this 1985 act.

Each voter casting an absentee ballot not counted as provided in this section, nevertheless, shall be credited with voting on his permanent voting history record. Further, such uncounted absentee ballots shall be retained for the same length of time and in the same manner as paper ballots cast in person as provided by RCW 29.54.070.

Sec. 15. Section 29.51.100, chapter 9, Laws of 1965 as amended by section 15, chapter 101, Laws of 1965 ex. sess. and RCW 29.51.100 are each amended to read as follows:

On receipt of his or her ballot in ~~((an))~~ a primary or a general or special election the ~~((elector))~~ voter shall forthwith and without leaving the polling place retire alone to one of the places, booths, or ~~((apartments))~~ compartments provided to prepare ~~((his))~~ and mark the ballot. ~~((Each elector shall prepare his ballot by marking a cross 'X' after the name of every person or candidate for whom he wishes to vote.))~~ Ballots shall be voted in the manner appropriate for the type of system used.

~~((In case of a ballot containing a constitutional amendment or other question to be submitted to the vote of the people the voter shall mark a cross 'X' after the question, for or against the amendment or proposition, as the case may be.))~~ Any ~~((elector))~~ voter may write ~~((in the blank spaces))~~ the name of any person for an office who has filed as a write-in candidate for the office in the manner provided by section 12(1) of this 1985 act, or who is exempted from filing by section 12(2) of this 1985 act, for whom he or she may wish to vote ~~((PROVIDED, That where a partisan office is concerned, the voter must not only write in the name of the candidate but also the party affiliation of such person pursuant to the provisions of RCW 29.51.170 as now or hereafter amended))~~.

Before leaving the booth or compartment the ~~((elector))~~ voter shall fold ~~((his))~~ the ballot or ballot card or place the ballot card in the envelope provided in such a manner that the number of the ballot ~~((shall))~~ appears on the outside ~~((thereof))~~ or projects beyond the covering page or envelope end, without displaying the marks on the face ~~((thereof, and deliver it))~~ of the ballot. The voter shall then return with the ballot to the inspector of election.

Sec. 16. 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:

For any office 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) who has filed as a write-in candidate for that office in the manner provided by section 12(1) of this 1985 act, or who is exempted from filing by section 12(2) of this 1985 act, 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 pays the same fee required by law to be paid by candidates for filing for the office for which he has been nominated.

Sec. 17. Section 29.51.110, chapter 9, Laws of 1965 as amended by section 43, chapter 202, Laws of 1971 ex. sess. and RCW 29.51.110 are each amended to read as follows:

Upon delivery of each ballot after being marked and folded by a voter, the inspector (~~in an audible tone shall repeat the name of the voter and the number of the ballot. The election clerks having in charge the registration cards and poll books or precinct lists of registered voters, if they find that the number marked opposite the voter's name thereon corresponds with the number of the ballot handed to the inspector, shall mark the word "voted" or check a spot so designated opposite the name of such voter and one of the clerks shall call back in an audible tone the name of the voter and the number of his ballot. The inspector~~) shall ~~((then))~~ separate the slip containing the number of the ballot from the ballot and shall deposit the ballot in the ballot box. ~~((The numbers removed from the ballots shall be destroyed immediately.))~~ The inspector shall, however, permit any voter expressing a desire to separate his or her own slip or to deposit his or her own ballot, or both, to do so. Any voter detaching or separating the number slip must return that slip to the inspector.

Sec. 18. Section 35.23.190, chapter 7, Laws of 1965 and RCW 35.23.190 are each amended to read as follows:

Before entering upon his duties and within ten days after receiving notice of his election or appointment every officer of the city shall qualify by taking the oath of office and by filing such bond duly approved as may be required of him. The oath of office shall be filed with the county auditor. If no notice of election or appointment was received, the officer must qualify on or before the date fixed for the assumption by him of the duties of the office to which he was elected or appointed. The city council shall fix the amount of all official bonds and may designate what officers shall be required to give bonds in addition to those required to do so by statute.

The clerk, treasurer, city attorney, chief of police, police judge and street commissioner shall each execute an official bond in such penal sum as the city council by ordinance may determine, conditioned for the faithful performance of their duties, including in the same bond the duties of all offices of which he is the ex officio incumbent.

All official bonds shall be approved by the city council and when so approved shall be filed with the city clerk except the city clerk's which shall be filed with the mayor. No city officer shall be eligible as a surety upon any bond running to the city as obligee.

The city council may require a new or additional bond of any officer whenever it deems it expedient.

Sec. 19. Section 35.24.080, chapter 7, Laws of 1965 and RCW 35.24.080 are each amended to read as follows:

In a city of the third class, the treasurer, city attorney, clerk, police judge, chief of police, and such other officers as the council may require shall each, before entering upon the duties of his office, take an oath of office and execute and file with the clerk an official bond in such penal sum as the council shall determine, conditioned for the faithful performance of his duties and otherwise conditioned as may be provided by ordinance. The oath of office shall be filed with the county auditor.

Sec. 20. Section 35.27.120, chapter 7, Laws of 1965 and RCW 35.27.120 are each amended to read as follows:

Every officer of a town before entering upon the duties of his office shall take and file with the ~~((town clerk))~~ county auditor his oath of office. The clerk, treasurer, and marshal before entering upon their respective duties shall also each execute a bond approved by the council in such penal sum as the council by ordinance may determine, conditioned for the faithful performance of his duties including in the same bond the duties of all offices of which he is made ex officio incumbent.

All bonds, when approved, shall be filed with the town clerk, except the bonds of the clerk which shall be filed with the mayor.

Sec. 21. Section 35A.12.080, chapter 119, Laws of 1967 ex. sess. and RCW 35A.12.080 are each amended to read as follows:

Any officer before entering upon the performance of his duties may be required to take an oath or affirmation as prescribed by charter or by ordinance for the faithful performance of his duties. The oath or affirmation shall be filed with the county auditor. The clerk, treasurer, if any, chief of police, and such other officers or employees as may be designated by ordinance or by charter shall be required to furnish annually an official bond conditioned on the honest and faithful performance of their official duties. The terms and penalty of official bonds and the surety therefor shall be prescribed by ordinance or charter and the bond shall be approved by the chief administrative officer of the city. The premiums on such bonds shall be paid by the city. When the furnishing of an official bond is required of an officer or employee, compliance with such provisions shall be an essential part of qualification for office.

Sec. 22. Section 35A.29.110, chapter 119, Laws of 1967 ex. sess. as last amended by section 30, chapter 18, Laws of 1979 ex. sess. and RCW 35A.29.110 are each amended to read as follows:

A candidate for office in a code city shall file a declaration of candidacy substantially in the form set forth in RCW 29.18.030 insofar as such form is applicable to nonpartisan offices. Declarations of candidacy for offices of code cities to be voted upon at any municipal general election shall be filed with the county auditor not earlier than the ~~((last))~~ fourth Monday of July

nor later than the next succeeding Friday in the year such general election is to be held (~~PROVIDED, That~~). However, if the first election of all officers upon reorganization as a non-charter code city under a plan of government newly adopted in the manner provided in RCW 35A.02.020, 35A.02.030, 35A.02.080, or 35A.06.030 (~~as now or hereafter amended~~) is an election as provided in RCW 35A.02.050 (~~as now or hereafter amended~~), such declarations of candidacy shall be filed with the county auditor not more than fifty nor less than forty-six days prior to the primary election provided for in RCW 35A.02.050 (~~as amended~~). Any candidate may withdraw his declaration at any time (~~but not later than five days after~~) before the Friday following the last day allowed for filing declarations of candidacy. Nominating petitions for charter commissioners and for any other office for which nominating petitions may be required shall be filed with the county auditor not more than sixty nor less than forty-six days prior to the date of the election, and may be withdrawn at any time, but not later than five days after the last day allowed for filing such petitions.

Sec. 23. Section 29, chapter 34, Laws of 1939 as amended by section 34, chapter 230, Laws of 1984 and RCW 52.14.070 are each amended to read as follows:

Before beginning the duties of office, each fire commissioner shall take and subscribe the official oath for the faithful discharge of the duties of office as required by RCW 29.01.135, which oath shall be filed in the office of the (~~clerk of the superior court in~~) auditor of the county in which the district is situated.

Sec. 24. Section 10, chapter 265, Laws of 1959 and RCW 54.12.100 are each amended to read as follows:

Each commissioner before he enters upon the duties of his office shall take and subscribe an oath or affirmation that he will faithfully and impartially discharge the duties of his office to the best of his ability. This oath, or affirmation, shall be administered and certified by an officer of the county in which the district is situated, who is authorized to administer oaths, without charge therefor. The oath or affirmation shall be filed with the county auditor.

Sec. 25. Section 18, chapter 6, Laws of 1947 and RCW 68.16.180 are each amended to read as follows:

Each cemetery commissioner, before assuming the duties of his office, shall take and subscribe an official oath to faithfully discharge the duties of his office, which oath shall be filed in the office of the county (~~clerk~~) auditor.

NEW SECTION, Sec. 26. The names of all candidates for partisan office and for all judicial offices except district court judge shall be rotated in each precinct in the manner specified by RCW 29.30.040, 29.30.340, and 29.30.440. The order of names of candidates for such offices on sample ballots and on absentee ballots in primaries shall be determined in the following manner:

(1) After the close of business on the last day for candidates to file for office, the officer with whom declarations of candidacy are filed shall, from among those filings made in person and by mail in accordance with section 27(2) of this act, determine by lot the order in which the names of those candidates shall appear on the sample and absentee ballots under the appropriate office heading. The determination shall be done publicly, and may be witnessed by the media and by any candidate desiring to do so.

(2) For the purposes of this section and section 27 of this act, 'filing officer' means the officer with whom declarations of candidacy for an office must be filed.

NEW SECTION, Sec. 27. Any candidate may mail his or her declaration of candidacy for an office to the filing officer. Such declarations of candidacy shall be processed by the filing officer in the following manner:

(1) Any declaration received by the filing officer by mail before the tenth business day immediately preceding the first day for candidates to file for office shall be returned to the candidate submitting it, together with a notification that the declaration of candidacy was received too early to be processed. The candidate shall then be permitted to resubmit his or her declaration of candidacy during the filing period.

(2) Any properly executed declaration of candidacy received by mail on or after the tenth business day immediately preceding the first day for candidates to file for office and before the close of business on the last day of the filing period shall be included with filings made in person during the filing period. In partisan and judicial elections other than for district court judge, the filing officer shall determine by lot the order in which the names of those candidates shall appear upon sample and absentee primary ballots.

(3) Any declaration of candidacy received by the filing officer after the close of business on the last day for candidates to file for office shall be rejected and returned to the candidate attempting to file it.

Sec. 28. Section 29.30.060, chapter 9, Laws of 1965 as amended by section 55, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.060 are each amended to read as follows:

In counties or portions of counties using paper ballots, on or before the fifteenth day before a primary or an election, the county auditor shall prepare a sample paper ballot which he shall display in a conspicuous place in his office for public inspection. Sample paper ballots shall be substantially in the same form as the official paper ballots but upon colored paper (~~and~~). The names of the candidates in the primary for each office shall be arranged (~~thereon~~)

on the sample ballot in the order provided by sections 26 and 27 of this act, and the names of candidates in the general election for each office shall be in the order in which their ((declarations of candidacy were filed)) names appear on the official ballot, as provided in RCW 29.30.081(2), except that the position of precinct committeeman shall be shown on the general election sample ballot only by a listing of the position itself, and the names of candidates therefor need not be shown.

Sec. 29. Section 37, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.350 are each amended to read as follows:

In counties or portions of counties using absentee ballots designed to be tabulated on a vote tallying system, on or before the fifteenth day before a primary or an election, the county auditor shall prepare sample ballots which he shall display in a conspicuous place in his office for public inspection. Sample ballots shall be substantially in the same form as the official ballot pages but the names of the candidates in the primary for each office shall be arranged ((thereon)) on the sample ballot in the order provided by sections 26 and 27 of this act, and the names of candidates in the general election for each office shall be arranged in the order in which their ((declarations of candidacy were filed)) names appear on the official ballot, as provided in RCW 29.30.380, except that the position of precinct committeeman shall be shown on the general election sample ballot only by a listing of the position itself, and the names of candidates therefor need not be shown.

Sec. 30. Section 46, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.450 are each amended to read as follows:

In counties or portions of counties using voting machines, on or before the fifteenth day before a primary or an election, the county auditor shall prepare a voting machine diagram which he shall display in a conspicuous place in his office for public inspection. Voting machine diagrams shall be substantially in the same form as the official ballot labels, but the names of the candidates in the primary for each office shall be arranged ((thereon)) on the diagram in the order provided by sections 26 and 27 of this act, and the names of candidates in the general election for each office shall be arranged in the order in which their ((declarations of candidacy were filed)) names appear on the official ballot labels as provided in RCW 29.30.480(2), except that the position of precinct committeeman shall be shown on the general election voting machine diagram only by a listing of the position itself, and the names of candidates therefor need not be shown. Voting machine diagrams shall also include instructions for write-in voting.

NEW SECTION. Sec. 31. Sections 26 and 27 of this act shall be added to chapter 29.18 RCW.

Sec. 32. Section 29.07.070, chapter 9, Laws of 1965 as last amended by section 3, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.070 are each amended to read as follows:

((The registration officer shall interrogate the)) An applicant for voter registration((:)) shall provide the following information concerning his or her qualifications as a voter of the state, ((and of the)) county, city, town, and precinct in which he ((applies for registration, requiring him to state)) or she resides:

(1) The ((previous)) address of ((the)) his or her last ((former)) registration ((of the applicant)) as a voter in ((the)) this state, if applicable;

(2) His or her full name;

(3) His or her date of birth; and

(4) His or her place of residence, giving the street and number, if any, or the post office ((or rural mail route address;

(5) Whether he is a citizen of the United States;)) box designation and a physical description sufficient to determine the location of the applicant's residence;

(5) Place of birth (city and state or equivalent).

The applicant may, at his or her option, designate a political party or independent preference. The applicant may also be asked to provide the registration officer with a telephone number where he or she may be reached to verify or complete information on the voter registration record. The form shall clearly state that the political party or independent designation and telephone number are optional and are not requirements for registration.

The answers of the applicant to all such questions shall be ((inserted)) recorded on a ((single)) voter registration form ((to be)) prescribed and furnished by the secretary of state under RCW 29.07.240. Any designation of a political party or independent preference under this section shall be maintained on the computer file of registered voters under RCW 29.07.220.

Sec. 33. Section 12, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.220 are each amended to read as follows:

Each county auditor shall ((establish, on or before July 1, 1975, and)) maintain a computer file of all registered voters within that county on magnetic tape ((or)), disk, ((punched cards;)) or other computer-readable form of data storage ((containing the records of all registered voters within the county: PROVIDED, That an auditor in a county with more than one hundred fifty thousand registered voters may decline to comply with the provisions of all or none of RCW 29.04.055, 29.07.166, 29.07.220, 29.07.230, and 29.07.240)). Where it is necessary or advisable, the auditor may provide for the ((establishment and)) maintenance of such files by private contract or through interlocal agreement ((as provided by)) under chapter 39.34 RCW((;

~~as it now exists or is hereafter amended~~). The computer file shall include, but not be limited to, each voter's full name, residence address, date of birth, sex, date of registration, political party designation, if any, and applicable taxing district and precinct codes (~~and the last date on which the individual voted~~). The county auditor shall subsequently record each consecutive date upon which the individual (~~has voted~~) votes and shall retain at least the last five such (~~consecutive~~) dates (~~PROVIDED, That if the voter has not voted at least five times since establishing his current registration record, only the available dates shall be included~~).

Sec. 34. Section 29.10.020, chapter 9, Laws of 1965 as last amended by section 2, chapter 184, Laws of 1975 1st ex. sess. and RCW 29.10.020 are each amended to read as follows:

Any registered voter who changes his or her residence from one address to another within the same county(;;) shall (~~have his registration transferred to his new address by sending~~) send or deliver to the county auditor a signed request stating (~~his present~~) the address (~~and precinct~~) of his or her new residence and the address (~~and precinct from~~) at which he or she was last registered (~~or by appearing in person before him to have his registration transferred, and signing such request, or in the manner provided by~~) or shall notify the county auditor of the new address under RCW 29.10.160 (~~as now or hereafter amended~~). The voter may, at his or her option, designate or change a political party or independent preference at the time he or she transfers to a new residence. The forms provided for transferring a voter registration shall contain a space for this party designation and notice to the voter that the political party or independent designation is optional.

Sec. 35. Section 29.51.060, chapter 9, Laws of 1965 as last amended by section 41, chapter 202, Laws of 1971 ex. sess. and RCW 29.51.060 are each amended to read as follows:

If any person appears and offers or demands the right to vote at any primary or election, as a registered voter in the precinct where the primary or election is held, the election officers shall require (~~him~~) the voter to sign (~~his name and current address~~) the precinct list of registered voters. The signature shall attest, subject to penalties of perjury (~~in one of the official poll books or in a space provided on one of the precinct lists of registered voters, which shall be designated the county auditor's copy. PROVIDED, That~~), to a declaration printed at the top of each page of the precinct list of registered voters that the voter is qualified to vote at that primary or election. If the voter's current address is different from the address on the precinct list of registered voters, the voter shall also designate the current address. If the person registered using a cross or mark(;;) and (~~being~~) was identified by the signature of some other person, the election officers must require the person offering to vote to be identified by the person who so signed (;;) or by (~~an~~) another registered voter of the precinct. Unless the identifying witness is personally known to the election officers (;;) or to some of them, they may require the identifying witness to sign his name in the presence of the election officers for the purpose of identification.

The precinct list of registered voters shall include, for each voter in that precinct who has designated such a preference, a record of the most current information optionally provided by the voter regarding political party or independent preference. The voter may, at his or her option, record a political party or independent preference in a space provided on the precinct list of registered voters or change a preference previously designated. The precinct list of registered voters shall clearly state that the party designation is optional and not a requirement for voting.

As soon as it is determined that the person is qualified to vote, one of the precinct election officers shall copy the voter's name (~~and address~~) on the corresponding line in a second (~~poll book or~~) precinct list of registered voters, which shall be (~~identified as~~) retained by the (~~inspector's copy~~) inspector for six months following the election or primary.

NEW SECTION. Sec. 36. A new section is added to chapter 29.07 RCW to read as follows:

Except as provided under section 39 of this act, not later than July 1, 1987, each county auditor shall modify or redesign his or her automated voter registration system to incorporate the information and procedures required in RCW 29.07.070, 29.07.220, 29.10.020, 29.51.060, sections 37 through 39 of this act, and this section in a manner consistent with the provisions thereof.

NEW SECTION. Sec. 37. A new section is added to chapter 29.07 RCW to read as follows:

Except as provided under section 39 of this act, each county auditor shall, not later than July 1, 1988, complete the testing and installation of the new or modified automated voter registration system and the incorporation of the optional political party preference information collected under RCW 29.07.070, 29.10.020, and 29.51.060 for any voter who is currently registered at the time of the conversion to the new or modified system.

NEW SECTION. Sec. 38. A new section is added to chapter 29.07 RCW to read as follows:

After each primary, special election, and general election, the county auditor shall update the optional party preference information on the voter registration record of any voter who supplies a new or different party preference on the precinct list of registered voters at that primary or election.

NEW SECTION. Sec. 39. A new section is added to chapter 29.07 RCW to read as follows:

By July 1, 1986, each county legislative authority shall determine if the county's existing automated registration system has the capacity to include party preference information in the

voter registration records of that county or if the county has the resources to modify the system so as to accommodate these changes.

If the county legislative authority determines that the county's registration system does not have such a capacity and that the authority does not have the resources to modify the system, sections 36 and 37 of this act shall not apply, on or after the effective date of those sections, to that county. A county legislative authority operating under the exemption in this section shall review the determination again by March 1, 1988, and at least every two years thereafter.

Sec. 40. Section 13, chapter 329, Laws of 1977 ex. sess. and RCW 29.18.160 are each amended to read as follows:

(1) A vacancy caused by the death or disqualification of any candidate or nominee of a major or minor political party may be filled at any time up to and including the day prior to the election for that position. For state partisan offices in any political subdivision voted on solely by electors of a single county, an individual shall be appointed to fill such vacancy by the county central committee in the case of a major political party or by the state central committee or comparable governing body in the case of a minor political party. For other partisan offices, including federal or state-wide offices, an individual shall be appointed to fill such vacancy by the state central committee or comparable governing body of the appropriate political party.

(2) Should such vacancy and appointment occur no later than the third Tuesday prior to the state primary or general election concerned and the ballots and voting machine labels have been printed, it shall be mandatory that they be corrected by the appropriate election officers. In making such correction, it shall not be necessary to reprint complete ballots if any other less expensive technique can be used and the resulting correction is reasonably clear.

(3) Should such vacancy and appointment occur after the third Tuesday prior to said state primary or general election, not later than the Tuesday before the primary or election, and time does not exist in which to correct ~~((paper))~~ ballots (including absentee ballots) or voting machine labels, ~~((either in total or in part, then the votes cast or recorded for the person who has died or become disqualified shall be counted for the person who has been named to fill such vacancy;))~~ the individual appointed to fill the vacancy shall file as a write-in candidate for the office or nomination in accordance with section 12(1) of this 1985 act. If the vacancy occurs after the Tuesday before the primary or election, the provisions of section 12(1) of this 1985 act do not apply to write-in candidates for that office or nomination.

Votes cast for the person who has died or become disqualified during the period described in subsection (1) of this section shall not be tabulated or recorded by the canvassing board.

(4) When the secretary of state is the person with whom the appointment by the major or minor political party is filed, he shall, in certifying candidates or nominations to the various county officers insert the name of the person appointed to fill a vacancy.

In the event that the secretary of state has already sent forth his certificate when the appointment to fill a vacancy is filed with him, he shall forthwith certify to the county auditors of the proper counties the name and place of residence of the person appointed to fill a vacancy, the office for which he is a candidate or nominee, the party he represents and all other pertinent facts pertaining to the vacancy.

NEW SECTION. Sec. 41. A new section is added to chapter 29.85 RCW to read as follows:

Official election materials produced at public expense shall not be altered and subsequently used in political campaigns as to favor an individual candidate or candidates or a ballot proposition. This section does not apply to the use of any reproduction of such official election materials if (1) the reproduction is not produced at public expense and (2) the reproduction does not bear any language or device indicating that it or the original from which it is made is an official publication of any jurisdiction of the state. Any person who violates this section is guilty of a misdemeanor.

NEW SECTION. Sec. 42. A new section is added to chapter 29.07 RCW to read as follows:

The county auditor shall have custody of the voter registration records for each county and shall maintain those records in accordance with this section.

(1) The original voter registration form, as established by RCW 29.07.070, shall be filed alphabetically without regard to precinct and shall not be available for public inspection and copying.

(2) An automated file of all registered voters shall be maintained pursuant to RCW 29.07-.220, which shall be the source of the precinct lists of registered voters used at the polls on election day. Lists of registered voters produced from the automated file are public records and are thus available for inspection and copying. Information on any individual voter is exempt from public inspection and copying whenever, in the opinion of the county auditor, the release of such information would result in an unreasonable invasion of personal privacy. If a person is denied public inspection and copying of the automated file, the justification for the denial shall be explained fully in writing.

NEW SECTION. Sec. 43. Section 29.07.150, chapter 9, Laws of 1965, section 19, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.150 are each repealed.

Sec. 44. Section 2, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.065 are each amended to read as follows:

In addition to other information required by this chapter, each applicant for registration shall establish his identity, unless personally known by the registration officer, by producing at least one of the following items:

(1) A social security card containing the applicant's signature. Whenever the social security record is so used, the registration officer shall enter the applicant's social security number upon the appropriate registration forms;

(2) A driver's license which contains the signature and/or a photograph of the applicant;

(3) A valid Washington state identicaid;

(4) A nationally or regionally known credit card containing the signature and/or photograph of the applicant;

(5) An identification card issued by the United States, any state or any agency of either, of a kind commonly used to identify the members or employees of such government agencies (including military I.D. cards), and which contain the signature and/or the photograph of the applicant.

In addition, whenever the registration officer has a doubt as to whether the applicant is of legal voting age, such officer (~~may~~) shall require the applicant to produce a record (~~which~~) that establishes the applicant's date of birth.

Failure to produce such identification except when necessary to establish the applicant's date of birth at the time of registration as set forth in this section shall not deter the act of registration: PROVIDED, That registration officials shall indicate on the registration form by checking either 'identification produced' or 'identification not produced'.

NEW SECTION. Sec. 45. Sections 32 through 35 and 38 of this act shall become effective on July 1, 1987.

NEW SECTION. Sec. 46. The following acts or parts of acts are each repealed:

(1) Section 29.51.090, chapter 9, Laws of 1965 and RCW 29.51.090; and

(2) Section 95, chapter 361, Laws of 1977 ex. sess. and RCW 29.54.180.

NEW SECTION. Sec. 47. 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 page 1, line 1 of the title, after "elections;" strike the remainder of the title and insert "amending RCW 28A.57.322, 29.04.040, 29.13.020, 29.18.025, 29.21.060, 29.30.010, 29.30.081, 29.30.310, 29.34.125, 29.36.010, 29.36.075, 29.51.100, 29.51.170, 29.51.110, 35.23.190, 35.24.080, 35.27.120, 35A.12.080, 35A.29.110, 52.14.070, 54.12.100, 68.16.180, 29.30.060, 29.30.350, 29.30.450, 29.07.070, 29.07.220, 29.10.020, 29.51.060, 29.18.160, and 29.07.065; adding new sections to chapter 29.04 RCW; adding a new section to chapter 29.13 RCW; adding new sections to chapter 29.18 RCW; adding new sections to chapter 29.07 RCW; adding a new section to chapter 29.85 RCW; repealing RCW 29.51.090, 29.54.180, and 29.07.150; prescribing penalties; and providing an effective date."

Signed by Senators Talmadge, Thompson; Representatives Fisher, Miller, Leonard.

MOTION

Ms. Fisher moved that the report of the Free Conference Committee be adopted.

Representatives Fisher and Miller spoke in favor of the motion, and it was carried.

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 Substitute Senate Bill No. 3310 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3310 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 82; nays, 15; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Beicher, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lundquist, Lux, Madsen, May, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Padden, Peery, Rayburn, Rust, Sayan, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luven, Vander Stoep, Vekich, Walk, Walker.

Wang, West, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 82.

Voting nay: Representatives Betzoff, Chandler, Fuhrman, Hastings, Isaacson, Lewis, Long, Nealey, Nelson G, Patrick, Prince, Sanders, Schmidt, van Dyke, Williams J - 15.

Excused: Representative Smith C - 1.

Substitute Senate Bill No. 3310 as amended by 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.

The Speaker called on Mr. O'Brien to preside.

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3029, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 28, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3029, modifying provisions relating to the cashing of government checks by financial institutions, have had the same under consideration, and we recommend that the bill be amended as follows and the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. For the purposes of sections 2 through 5 of this act, 'valid photo identification' means any personal photographic identification that is properly executed and lawfully issued by the government of the state of Washington or the United States to the person who negotiates the check or assigns the warrant to the financial institution.

NEW SECTION, Sec. 2. A new section is added to chapter 39.58 RCW to read as follows:

In order to qualify or act as a public depository under this chapter, a financial institution shall, upon presentation of valid photo identification and without requiring a deposit or payment of a fee in excess of a total of one dollar and fifty cents per check or warrant, cash checks or warrants issued in payment of benefits to recipients of public assistance authorized by chapter 74.04 RCW, workers compensation, unemployment compensation, or social security, or issued as refunds of federal income tax. This requirement is in addition to any other requirement imposed under this chapter.

NEW SECTION, Sec. 3. The public deposit protection commission shall adopt rules as necessary under chapter 34.04 RCW to carry out the purposes of this act."

Signed by Senators Williams, Moore; Representatives Locke, Lux.

MOTION

Mr. Lux moved that the report of the Free Conference Committee be adopted.

Representatives Lux, Zellinsky and J. Williams spoke in favor of the motion, and Representatives Winsley, Wineberry, Wang and K. Wilson spoke against it.

Mr. Crane demanded the previous question, and the demand was sustained.

The motion was lost and the House did not adopt the report of the Free Conference Committee.

MESSAGES FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has granted the request of the House for a Conference on ENGROSSED SENATE BILL NO. 3230, and the President has appointed the following members as conferees: Senators Talmadge, Newhouse and Halsan, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 28, 1985

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3654, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

April 28, 1985

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 3230, strengthening and clarifying laws against driving while intoxicated, have had the same under consideration, and we recommend that the House amendments to Engrossed Senate Bill No. 3230 be adopted except for sections 21, 22, 23, 24 and 25, and the title amendments pertaining to those sections be not adopted.

Signed by Senators Talmadge, Halsan; Representatives Armstrong, West, McMullen.

MOTION

Mr. Armstrong moved that the House adopt the report of the Conference Committee on Engrossed Senate Bill No. 3230.

Representatives Armstrong and West spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF SENATE BILL
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 3230 as recommended by Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3230 as recommended by Conference Committee, and the bill passed the House by the following vote: Yeas, 92; nays, 5; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Baugher, Belcher, Betzoff, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Ballard, Barnes, Bond, Prince, Tilly - 5.

Excused: Representative Smith C - 1.

Engrossed Senate Bill No. 3230 as recommended by 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.

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3630, and has granted the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

April 27, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3630, changing provisions relating to the Washington high-technology coordinating board, have had the same under consideration, and we recommend the bill be amended as follows and that the bill as amended by the Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 5, chapter 72, Laws of 1983 1st ex. sess. as amended by section 1, chapter 66, Laws of 1984 and RCW 28B.65.040 are each amended to read as follows:

(1) The Washington high-technology coordinating board is hereby created.

(2) The board shall be composed of ~~((seventeen))~~ eighteen members as follows:

(a) Eleven shall be citizen members appointed by the governor, with the consent of the senate, for four-year terms. In making the appointments the governor shall ensure that a balanced geographic representation of the state is achieved and shall attempt to choose persons experienced in high-technology fields, including at least one representative of labor. Any person appointed to fill a vacancy occurring before a term expires shall be appointed only for the remainder of that term; and

(b) ~~((Six))~~ Seven of the members shall be as follows: One representative from each of the state's two research universities, one representative of the state college and regional universities, the director for the state system of community colleges or the director's designee, the superintendent of public instruction or the superintendent's designee, ~~((and))~~ a representative of the council for postsecondary education or its statutory successor, and the director of the department of trade and economic development or the director's designee.

(3) Members of the board shall not receive any salary for their services, but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060 for each day actually spent in attending to duties as a member of the board.

(4) A citizen member of the board shall not be, during the term of office, a member of the governing board of any public or private educational institution, or an employee of any state or local agency.

Sec. 2. Section 6, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.65.050 are each amended to read as follows:

(1) The board shall oversee ~~((and))~~, coordinate ((the)), and evaluate high-technology ~~((education and training))~~ programs.

(2) The board shall:

(a) Determine the specific high-technology occupational fields in which technical training is needed and advise the institutions of higher education and the council for postsecondary education or its statutory successor on their findings;

(b) Identify economic areas ~~((with))~~ and high-technology industries in need of technical training and research and development critical to ~~((economic renewal or))~~ economic development and advise the institutions of higher education and the council for postsecondary education or its statutory successor on their findings;

(c) Oversee and coordinate the Washington high-technology education and training program to insure high standards, efficiency, and effectiveness;

(d) Work cooperatively with the superintendent of public instruction to identify the skills prerequisite to the high-technology programs in the institutions of higher education;

(e) Work cooperatively with and provide any information or advice which may be requested by the council for postsecondary education or its statutory successor during the council's review of new baccalaureate degree program proposals which are submitted under this chapter. Nothing in this chapter shall be construed as altering or superseding the powers or prerogatives of the council for postsecondary education or its statutory successor over the review of new degree programs as established in RCW 28B.80.035;

(f) ~~((Prepare and submit a report to the 1984 legislature on whether or not high-technology education and training consortiums should be established between the state's community colleges and four-year colleges and universities pursuant to RCW 28B.65.080, including their geographic division and the pattern of cooperation between the community colleges and the four-year colleges and universities and shall investigate the establishment of such consortiums within existing resources))~~ Work cooperatively with the department of trade and economic development to identify the high-technology education and training needs of existing Washington businesses and businesses with the potential to locate in Washington; ((and))

(g) Work towards increasing private sector participation and contributions in Washington high-technology programs;

(h) Identify and evaluate the effectiveness of state sponsored research related to high technology;

(i) Establish and maintain a plan, including priorities, to guide high-technology program development in public institutions of higher education, which plan shall include an assessment of current high-technology programs, steps to increase existing programs, new initiatives and programs necessary to promote high technology, and methods to coordinate and target high-technology programs to changing market opportunities in business and industry;

(j) Prepare and submit to the legislature before the first day of each regular session an annual report on ~~((the))~~ Washington high-technology ~~((education and training))~~ programs including, but not limited to:

(i) An evaluation of ~~((the))~~ each program;

(ii) A determination of the feasibility of expanding the program; and

(iii) Recommendations, including recommendations for further legislation as the board deems necessary.

(3) The board may adopt rules under chapter 28B.19 RCW as it deems necessary to carry out the purposes of this chapter.

(4) The board shall cease to exist on June 30, 1987, unless extended by law for an additional fixed period of time.

Sec. 3. Section 7, chapter 72, Laws of 1983 1st ex. sess. and RCW 28B.65.060 are each amended to read as follows:

Staff support for the high-technology coordinating board shall be provided by the ~~((council for postsecondary education))~~ department of trade and economic development."

Signed by Senators Gaspard, Cantu, Bauer; Representatives Sommers, May, McMullen.

MOTIONS

On motion of Mr. Appelwick, Joint Rule 11 was suspended to allow immediate consideration of the Free Conference Committee Report on Substitute Senate Bill No. 3630.

On motion of Mr. Appelwick, the House adopted the report of the Free Conference Committee on Substitute Senate Bill No. 3630.

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 the final passage of Substitute Senate Bill No. 3630 as amended by Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3630 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betrozoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Smith C - 1.

Substitute Senate Bill No. 3630, as amended by 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.

The House advanced to the sixth order of business.

SECOND READING

REENGROSSED SUBSTITUTE SENATE BILL NO. 3656, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Adopting the 1985-87 biennial operating appropriations act.

The bill was read the second time.

Mr. Grimm moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. (1) A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified 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 for salaries, wages, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 1985, and ending June 30, 1987, except as otherwise provided, out of the several funds of the state hereinafter named.

(2) Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(a) 'Fiscal year 1986' or 'FY 1986' means the fiscal year ending June 30, 1986.

(b) 'Fiscal year 1987' or 'FY 1987' means the fiscal year ending June 30, 1987.

(c) 'Provided solely' means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose which is unnecessary to fulfill the specified purpose shall revert.

(d) 'Revert' or 'lapse' means the amount shall return to an unappropriated status.

(3) Transfers between appropriations are not permitted unless specifically authorized in this act.

(4) Fifty percent of amounts designated for fiscal year 1986 and remaining unexpended and not lawfully obligated at the end of the fiscal year shall revert. The balance of such amounts may be expended during fiscal year 1987.

PART I

GENERAL GOVERNMENT

NEW SECTION. Sec. 101. FOR THE HOUSE OF REPRESENTATIVES

	FY 1986	FY 1987
General Fund Appropriation	\$ 14,515,000	15,834,000
Total Appropriation	\$30,349,000	

NEW SECTION. Sec. 102. FOR THE SENATE

	FY 1986	FY 1987
General Fund Appropriation	\$ 11,092,000	13,561,000
Total Appropriation	\$24,653,000	

NEW SECTION. Sec. 103. FOR THE LEGISLATIVE BUDGET COMMITTEE

	FY 1986	FY 1987
General Fund Appropriation	\$ 723,000	723,000
Total Appropriation	\$1,446,000	

NEW SECTION. Sec. 104. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

	FY 1986	FY 1987
General Fund Appropriation	\$ 913,000	912,000
Total Appropriation	\$1,825,000	

NEW SECTION. Sec. 105. FOR THE OFFICE OF THE STATE ACTUARY

	FY 1986	FY 1987
General Fund Appropriation	\$ 268,000	238,000
Total Appropriation	\$506,000	

NEW SECTION. Sec. 106. FOR THE STATUTE LAW COMMITTEE

	FY 1986	FY 1987
General Fund Appropriation	\$ 3,265,000	3,264,000
Total Appropriation	\$6,529,000	

NEW SECTION. Sec. 107. FOR THE SUPREME COURT

	FY 1986	FY 1987
General Fund Appropriation	\$ 4,436,000	4,436,000
Total Appropriation	\$8,872,000	

The appropriations in this section are subject to the following conditions and limitations: \$1,314,000 of the fiscal year 1986 appropriation and \$1,314,000 of the fiscal year 1987 appropriation are provided solely for the indigent appeals program.

NEW SECTION. Sec. 108. FOR THE LAW LIBRARY

	FY 1986	FY 1987
General Fund Appropriation	\$ 1,163,000	1,163,000
Total Appropriation	\$2,326,000	

NEW SECTION. Sec. 109. FOR THE COURT OF APPEALS

	FY 1986	FY 1987
General Fund Appropriation	\$ 5,182,000	5,182,000
Total Appropriation	\$10,364,000	

NEW SECTION. Sec. 110. FOR THE ADMINISTRATOR FOR THE COURTS

	FY 1986	FY 1987
General Fund Appropriation	\$ 9,796,000	9,745,000
General Fund—Public Safety and Education Account Appropriation	\$ 7,219,000	6,619,000

Total Appropriation \$33,379,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$5,767,000 of the fiscal year 1986 general fund appropriation and \$5,767,000 of the fiscal year 1987 general fund appropriation may be spent for the superior court judges.

(2) \$50,000 of the general fund appropriation for fiscal year 1987 is provided solely for the additional costs associated with the newly created superior court judges positions in accordance with Substitute Senate Bill No. 3165. If SSB 3165 is not enacted by July 1, 1985, the amount provided in this subsection shall revert.

(3) \$1,700,000 of the fiscal year 1986 and \$1,700,000 of the fiscal year 1987 general fund—state appropriation are provided solely for the continuation of the alternatives to street crime programs in Pierce, Snohomish, Clark, King, Spokane and Yakima counties.

(4) \$122,000 of the fiscal year 1986 and \$121,000 of the fiscal year 1987 general fund—state appropriation are provided solely for community diversion programs.

(5) \$100,000 of the general fund appropriation is provided solely for allocation to the superior court of Thurston county to relieve the impact of litigation involving the state of Washington.

NEW SECTION, Sec. 111. FOR THE JUDICIAL QUALIFICATIONS COMMISSION

		FY 1986	FY 1987
General Fund Appropriation	\$	177,000	177,000
Total Appropriation			\$354,000

NEW SECTION, Sec. 112. FOR THE OFFICE OF THE GOVERNOR

		FY 1986	FY 1987
General Fund Appropriation	\$	2,442,000	2,293,000
Total Appropriation			\$4,735,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$355,000 is provided solely for extradition expenses to carry out the provisions of RCW 10.34.030, providing for the return of fugitives by the governor, including prior claims, and for extradition-related legal services as determined by the attorney general.

(2) \$79,000 of the fiscal year 1986 appropriation and \$79,000 of the fiscal year 1987 appropriation are provided solely for mansion maintenance.

(3) \$10,000 of the fiscal year 1986 appropriation is provided solely for the painting and framing of the official portrait of Governor John Spellman to be permanently displayed in the reception room of the executive office upon delivery.

NEW SECTION, Sec. 113. FOR THE LIEUTENANT GOVERNOR

		FY 1986	FY 1987
General Fund Appropriation	\$	142,000	135,000
Total Appropriation			\$277,000

NEW SECTION, Sec. 114. FOR THE SECRETARY OF STATE

		FY 1986	FY 1987
General Fund Appropriation	\$	3,243,000	2,413,000
General Fund—Archives and Records Management Account Appropriation—State	\$	871,000	834,000
General Fund—Archives and Records Management Account Appropriation—Federal	\$	47,000	
Total Appropriation			\$7,408,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,040,000 of the fiscal year 1986 general fund—state appropriation are provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(2) \$641,000 for fiscal year 1986 and \$883,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

NEW SECTION, Sec. 115. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS

		FY 1986	FY 1987
General Fund Appropriation	\$	102,000	102,000
Total Appropriation			\$204,000

NEW SECTION, Sec. 116. FOR THE COMMISSION ON ASIAN-AMERICAN AFFAIRS

		FY 1986	FY 1987
General Fund Appropriation	\$	130,000	130,000
Total Appropriation			\$260,000

NEW SECTION, Sec. 117. FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

		FY 1986	FY 1987
General Fund Appropriation	\$	108,000	108,000
Total Appropriation			\$216,000

NEW SECTION, Sec. 118. FOR THE STATE TREASURER

		FY 1986	FY 1987
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Motor Vehicle Fund Appropriation	\$	22,000	22,000
State Treasurer's Service Fund Appropriation	\$	3,868,000	3,868,000
Total Appropriation		\$7,736,000	

NEW SECTION, Sec. 119. FOR THE STATE AUDITOR

		FY 1986	FY 1987
General Fund Appropriation	\$	394,000	394,000
Motor Vehicle Fund Appropriation	\$	175,000	175,000
Municipal Revolving Fund Appropriation	\$	6,588,000	6,588,000
Auditing Services Revolving Fund Appropriation	\$	3,793,000	3,793,000
Total Appropriation		\$21,900,000	

The appropriations in this section are subject to the following conditions and limitations: The director of financial management shall approve sufficient payments to the state auditor in all cases of necessity under RCW 43.09.418, including but not limited to cases of suspected malfeasance, misfeasance, or fraud, notwithstanding the level of auditing activity supported by the appropriation in this section.

NEW SECTION, Sec. 120. FOR THE ATTORNEY GENERAL

		FY 1986	FY 1987
General Fund Appropriation	\$	2,350,000	2,350,000
Legal Services Revolving Fund Appropriation	\$	14,694,000	14,694,000
Total Appropriation		\$34,088,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$170,000 for fiscal year 1986 and \$170,000 for fiscal year 1987 are provided solely for the criminal litigation unit.

(2) The attorney general's office shall produce a comprehensive consumer catalog that provides in-depth information in a form accessible to schools, other organizations, and interested citizens by August 1, 1985.

NEW SECTION, Sec. 121. FOR THE OFFICE OF FINANCIAL MANAGEMENT

		FY 1986	FY 1987
General Fund Appropriation	\$	7,939,000	6,861,000
Medical Aid Fund Appropriation	\$	50,000	50,000
Total Appropriation		\$14,900,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$8,300 of the general fund appropriation is provided solely for payment of claims against the state of \$500 or less, under RCW 4.92.040.

(2) \$195,000 of the fiscal year 1986 and \$169,000 of the fiscal year 1987 general fund appropriation are provided solely for health care cost containment activities as provided in chapter --- (SHB 1077 or SSB 4242), Laws of 1985. If neither bill is enacted by July 1, 1985, the amounts provided in this subsection shall revert.

(3) \$69,000 of the fiscal year 1986 and \$38,000 of the fiscal year 1987 general fund appropriation are provided solely for jail population forecast activities as provided in chapter --- (SB 3596), Laws of 1985. If SB 3596 is not enacted by July 1, 1985, the amounts provided in this subsection shall revert.

(4) \$1,000,000 of the fiscal year 1986 general fund—state appropriation is provided solely for grants to cities and counties for adjudication of serious traffic offenses as defined in section 2, chapter 110, Laws of 1984. The funding provided under this subsection is intended to assist cities and counties in becoming able to adjudicate these offenses without financial assistance from the state. These grants shall be distributed, using the eligibility and priority standards provided in sections 2 through 5 of chapter 110, Laws of 1984, after adjusting the dates specified in that chapter as appropriate to achieve the purpose of this subsection. These grants shall be limited to adjudication activities conducted during the city or county's fiscal year ending December 31, 1985.

NEW SECTION, Sec. 122. FOR THE STATE INVESTMENT BOARD

		FY 1986	FY 1987
General Fund—State Investment Board Expense			
Account Appropriation	\$	771,000	771,000
Total Appropriation		\$1,542,000	

NEW SECTION, Sec. 123. FOR THE DEPARTMENT OF PERSONNEL

		FY 1986	FY 1987
Department of Personnel Service Fund Appropriation ..	\$	5,317,000	5,317,000
State Employees' Insurance Fund Appropriation	\$	863,000	863,000
Total Appropriation		\$12,360,000	

NEW SECTION, Sec. 124. FOR THE PERSONNEL APPEALS BOARD

		FY 1986	FY 1987
Department of Personnel Service Fund Appropriation ..	\$	358,000	358,000
Total Appropriation		\$716,000	

NEW SECTION, Sec. 125. FOR THE DATA PROCESSING AUTHORITY

		FY 1986	FY 1987
Data Processing Revolving Fund Appropriation	\$	508,000	508,000

Total Appropriation \$1,016,000
NEW SECTION, Sec. 126. FOR THE WASHINGTON STATE LOTTERY

	FY 1986	FY 1987
Lottery Administrative Account Appropriation \$	7,231,000	7,231,000
Total Appropriation	\$14,462,000	

The appropriations in this section are subject to the following conditions and limitations: If Substitute Senate Bill No. 3684 is not enacted by July 1, 1985, the appropriations in this section shall lapse.

NEW SECTION, Sec. 127. FOR THE DEPARTMENT OF REVENUE

	FY 1986	FY 1987
General Fund Appropriation \$	30,552,000	29,305,000
General Fund—Hazardous Waste Control and Elimination Account Appropriation \$	54,000	54,000
General Fund—Timber Tax Distribution Account Appropriation \$	1,469,000	1,469,000
Total Appropriation	\$62,903,000	

NEW SECTION, Sec. 128. FOR THE BOARD OF TAX APPEALS

	FY 1986	FY 1987
General Fund Appropriation \$	543,000	543,000
Total Appropriation	\$1,086,000	

NEW SECTION, Sec. 129. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

	FY 1986	FY 1987
General Fund Appropriation—State \$	3,783,000	3,727,000
General Fund Appropriation—Private/Local \$	30,000	30,000
General Fund—Motor Transport Account Appropriation \$	3,450,000	3,060,000
General Administration Facilities and Services Revolving Fund Appropriation \$	9,188,000	8,948,000
Total Appropriation	\$32,216,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The community college districts shall transfer to the motor transport account \$8,373 from the general local fund and \$34,469 from the local motor pool fund. These transfers shall be made in accordance with schedules provided by the office of financial management.

(2) Charges made by the department for the facilities and services revolving fund and the central stores revolving fund during the 1985-87 biennium, other than charges for telecommunications and utilities, shall not exceed one hundred three percent of the charges made for those funds during the fiscal year ending June 30, 1985.

(3) \$109,425 of the fiscal year 1986 and \$109,425 of the fiscal year 1987 general fund appropriation are provided solely to fully implement Senate Bill No. 3569. If SB 3569 is not enacted by July 1, 1985, the amounts provided in this subsection shall lapse.

(4) \$99,000 of the fiscal year 1986 and \$97,000 of the fiscal year 1987 appropriation are provided solely for the operation of the risk management office.

(5) \$150,000 of the fiscal year 1986 and \$150,000 of the fiscal year 1987 general fund—state appropriation are provided solely for energy retrofit studies.

NEW SECTION, Sec. 130. FOR THE INSURANCE COMMISSIONER

	FY 1986	FY 1987
Insurance Commissioner's Regulatory Account Appropriation \$	4,332,000	4,332,000
Total Appropriation	\$8,664,000	

The appropriations in this section are subject to the following conditions and limitations: If Senate Bill No. 3657 is not enacted by July 1, 1985, the appropriation in this section shall be made from the general fund.

NEW SECTION, Sec. 131. FOR THE PUBLIC DISCLOSURE COMMISSION

	FY 1986	FY 1987
General Fund Appropriation \$	488,000	488,000
Total Appropriation	\$976,000	

NEW SECTION, Sec. 132. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS

	FY 1986	FY 1987
Department of Retirement Systems Expense Fund Appropriation \$	6,785,000	6,786,000
Total Appropriation	\$13,571,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The employer rate for all employers for the retirement system governed by chapter 41.40 RCW shall be set for the 1985-1987 biennium by the director consistent with the appropriations made in this act for state agencies and shall include the administrative expense for the biennium.

(2) The employer contributions for the retirement system governed by chapter 41.32 RCW shall be set for the 1985-1987 biennium by the director as follows:

(a) For the period July and August 1985, the system shall receive the amount appropriated in section 704(1) of this act for this purpose.

(b) For the period September 1985 through August 1986, the superintendent of public instruction shall transfer to the department all moneys allocated to the superintendent for the certificated employees of the school and educational service districts for retirement purposes by this act for this period.

(c) For the period September 1985 through August 1986, all employers of members of the teachers' retirement system, other than those covered in subsection (2)(b) of this section, shall pay an employer rate set consistent with the appropriations made to the employers covered by subsection (2)(b) of this section and which shall include the administrative expense for this period.

(d) For the period September 1986 through June 1987, all employers shall pay a rate set consistent with this act and which shall include the administrative expense for this period.

NEW SECTION. Sec. 133. FOR THE MUNICIPAL RESEARCH COUNCIL

	FY 1986	FY 1987
General Fund Appropriation	\$ 867,000	923,000
Total Appropriation	\$1,790,000	

NEW SECTION. Sec. 134. FOR THE UNIFORM LEGISLATION COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 12,000	2,000
Total Appropriation	\$14,000	

The appropriation in this section is subject to the following conditions and limitations: \$10,000 is provided solely for Washington state's contribution to the national conference of commissioners on uniform state laws.

NEW SECTION. Sec. 135. FOR THE BOARD OF ACCOUNTANCY

	FY 1986	FY 1987
General Fund Appropriation	\$ 171,000	171,000
General Fund—Certified Public Accountant Examination Account Appropriation	\$ 270,000	270,000
Total Appropriation	\$882,000	

NEW SECTION. Sec. 136. FOR THE BOXING COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 43,000	43,000
Total Appropriation	\$86,000	

NEW SECTION. Sec. 137. FOR THE CEMETERY BOARD

	FY 1986	FY 1987
General Fund—Cemetery Account Appropriation	\$ 59,000	59,000
Total Appropriation	\$118,000	

NEW SECTION. Sec. 138. FOR THE HORSE RACING COMMISSION

	FY 1986	FY 1987
Horse Racing Commission Fund Appropriation	\$ 1,867,000	1,867,000
Total Appropriation	\$3,734,000	

The appropriations in this section are subject to the following conditions and limitations: If there are more than three hundred ninety-three racing days during fiscal year 1986 or more than three hundred ninety-three racing days during fiscal year 1987, the governor is authorized to allocate such additional moneys from the horse racing commission fund as may be required.

NEW SECTION. Sec. 139. FOR THE LIQUOR CONTROL BOARD—THE ADMINISTRATION PROGRAM AND THE LICENSING AND ENFORCEMENT PROGRAM

	FY 1986	FY 1987
Liquor Revolving Fund Appropriation	\$ 8,365,000	8,365,000
Total Appropriation	\$16,730,000	

NEW SECTION. Sec. 140. FOR THE LIQUOR CONTROL BOARD—THE MERCHANDISING PROGRAM

	FY 1986	FY 1987
Liquor Revolving Fund Appropriation	\$ 34,221,000	34,221,000
Total Appropriation	\$68,442,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The liquor control board shall maintain a minimum productivity of 43,821 bottles sold adjusted to retail per full time equivalent staff year. As used in this section, 'bottles sold adjusted to retail' has the same meaning and shall be calculated in the same manner as in the board's budget request for the fiscal biennium ending June 30, 1987. Except as provided in subsection (2) of this section, the board shall not permit a productivity less than that specified in this section for any reason, including but not limited to the sale of lottery tickets or decreases in the demand for liquor.

(2) If bottles sold adjusted to retail declines during a fiscal year, only 50% of the decline in bottles sold shall be recognized in calculating compliance with the minimum productivity requirement in subsection (1) of this section.

(3) The liquor control board is authorized to relocate stores during the fiscal biennium ending June 30, 1987, if necessary to conduct business in the most efficient and economical manner possible.

(4) The liquor control board is prohibited from opening any new retail sales outlets or to convert agencies to retail sales outlets during the fiscal biennium ending June 30, 1987.

(5) The liquor control board shall distribute and offer for sale lottery tickets for the Washington state lottery during the fiscal biennium ending June 30, 1987.

NEW SECTION. Sec. 141. FOR THE PHARMACY BOARD

	FY 1986	FY 1987
General Fund Appropriation	\$ 584,000	584,000
General Fund—Health Professions Account Approp- riation	\$ 198,000	198,000
Total Appropriation	\$1,564,000	

NEW SECTION. Sec. 142. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

	FY 1986	FY 1987
Public Service Revolving Fund Appropriation— State	\$ 11,360,000	11,299,000
Public Service Revolving Fund Appropriation— Federal	\$ 213,000	213,000
Grade Crossing Protective Fund Appropriation	\$ 97,000	97,000
Total Appropriation	\$23,279,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,061,000 for fiscal year 1986 and \$1,000,000 for fiscal year 1987 from the public service revolving fund—state appropriation are provided solely for the purpose of funding implementation of Substitute Senate Bill No. 3305. If SSB 3305 is not enacted before July 1, 1985, the amounts provided in this subsection shall revert.

(2) \$391,000 for fiscal year 1986 and \$391,000 for fiscal year 1987 from the public service revolving fund appropriation are provided solely for costs of the attorney general associated with representation of the public before the commission, including but not limited to the costs of special attorneys general, expert witnesses, technical assistants, and consultants.

(3) \$139,000 for fiscal year 1986 and \$139,000 for fiscal year 1987 from the public service revolving fund—state appropriation are provided solely for the purpose of funding the joint select committee on telecommunications in accordance with House Concurrent Resolution No. 7. If HCR 7 is not enacted by July 1, 1985, this amount shall revert.

NEW SECTION. Sec. 143. FOR THE BOARD FOR VOLUNTEER FIREMEN

	FY 1986	FY 1987
Volunteer Firemen's Relief and Pension Fund Approp- riation	\$ 107,000	98,000
Total Appropriation	\$205,000	

NEW SECTION. Sec. 144. FOR THE DEPARTMENT OF EMERGENCY MANAGEMENT

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 518,000	518,000
General Fund Appropriation—Federal	\$ 2,715,000	2,715,000
Total Appropriation	\$6,466,000	

NEW SECTION. Sec. 145. FOR THE MILITARY DEPARTMENT

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 3,531,000	3,531,000
General Fund Appropriation—Federal	\$ 1,042,000	1,042,000
Total Appropriation	\$9,146,000	

The appropriations in this section are subject to the following conditions and limitations: \$15,000 of the fiscal year 1986 and \$15,000 of the fiscal year 1987 general fund—state appropriation are provided solely for the support of the office of the director of employer support.

NEW SECTION. Sec. 146. FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 793,000	793,000
Total Appropriation	\$1,586,000	

NEW SECTION. Sec. 147. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS

	FY 1986	FY 1987
Administrative Hearings Revolving Fund Appropria- tion	\$ 3,798,000	3,798,000
Total Appropriation	\$7,596,000	

NEW SECTION. Sec. 148. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

	FY 1986	FY 1987
General Fund Appropriation	\$ 780,000	743,000
Total Appropriation	\$1,523,000	

PART II
HUMAN SERVICES

NEW SECTION, Sec. 201. FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

	FY 1986	FY 1987
General Fund Appropriation \$	27,799,000	27,816,000
Total Appropriation	\$55,615,000	

The appropriations in this subsection are subject to the following conditions and limitations:
(a) \$15,226,000 is provided for fiscal year 1986 and \$15,243,000 is provided for fiscal year 1987 to provide community supervision services. The department shall develop workload standards for meeting the requirements of chapter 9.94A RCW and shall report to the legislature such workload standards and actual results on June 30, 1986, and annually thereafter.

(b) \$11,351,000 is provided for fiscal year 1986 and \$11,351,000 is provided for fiscal year 1987 to operate and/or contract with nonprofit corporations for work training release for convicted felons.

(c) \$1,122,000 is provided for fiscal year 1986 and \$1,122,000 is provided for fiscal year 1987 for support of the office of the director of community services. The director of community services shall monitor community corrections services provided and/or contracted for by other governmental jurisdictions in the state. The state director shall document such nonstate community corrections services as of July 1, 1985, for the purpose of establishing a basis upon which to evaluate current services, to assess any local program changes, and to identify emerging program needs.

(d) \$100,000 of the fiscal year 1986 and \$100,000 of the fiscal year 1987 general fund—state appropriation are provided solely for a program to notify victims and witnesses of any parole, work release placement, furlough, or unescorted leave of absence from a state correctional facility of any inmate convicted of a violent offense.

(2) INSTITUTIONAL SERVICES

	FY 1986	FY 1987
General Fund Appropriation \$	126,625,000	119,240,000
Total Appropriation	\$245,865,000	

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$13,475,000 of the general fund—state appropriation is provided solely for operating the Clallam Bay corrections center, of which \$5,443,000 is provided for fiscal year 1986 and \$8,032,000 is provided for fiscal year 1987.

(b) \$502,000 of the fiscal year 1986 and \$502,000 of the fiscal year 1987 general fund—state appropriation are provided solely for drug and alcohol rehabilitation treatment programs at appropriate state correctional institutions, as defined in RCW 72.01.050, for persons who: (i) Are defined as inmates under RCW 72.09.020; (ii) in the opinion of a qualified health professional designated by the department, are in need of such treatment; and (iii) have less than one year remaining in their confinement to a state correctional facility. Such programs may include facilities for both residential and outpatient treatment.

(c) The superintendents of each correctional institution, as defined in RCW 72.65.010, shall establish community-based volunteer alcohol and drug rehabilitation programs in their respective correctional institution. The superintendents shall encourage groups conducting such programs outside the institutions to participate in such programs inside the institution. An employee at each correctional institution shall be designated to coordinate the programs mandated in this subsection.

(d) \$620,000 of the fiscal year 1986 and \$620,000 of the fiscal year 1987 general fund—state appropriation are provided solely for contracting with counties for the use of county jail beds for state inmates.

(e) \$200,000 is provided solely for Snohomish county pursuant to Snohomish county v. State of Washington to cover local impact costs of the Twin Rivers corrections center.

(3) ADMINISTRATION AND PROGRAM SUPPORT

	FY 1986	FY 1987
General Fund Appropriation \$	9,426,000	8,527,000
General Fund—Institutional		
Impact Account Appropriation \$	150,000	150,000
Total Appropriation	\$18,253,000	

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$400,000 of the general fund appropriation is provided solely for the one-time cost impact to communities associated with locating additional state correctional facilities.

(b) The department shall report to the house and senate ways and means committees on January 1, 1986, and January 1, 1987, regarding its progress toward employing more minorities and women in top level management positions.

(4) INSTITUTIONAL INDUSTRIES

	FY 1986	FY 1987
General Fund Appropriation \$	2,039,000	1,766,000
Total Appropriation	\$3,805,000	

NEW SECTION, Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) Appropriations made by this act to the department of social and health services shall be initially allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, nor shall allotment modifications permit moneys which are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that will require expenditure of state general fund moneys except as expressly authorized in this act, unless the services were provided on March 1, 1985. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act and, in the case of unanticipated unrestricted federal moneys, as long as an equal amount of appropriated state general fund moneys is placed in a reserve status. Unrestricted federal moneys shall be used, to the maximum extent permitted under federal law, to replace state general fund moneys appropriated under this act for the fiscal year ending June 30, 1986. As used in this subsection, 'unrestricted federal moneys' includes block grants and other funds that federal law does not require to be spent on explicitly defined projects or matched on a formula basis by state funds.

NEW SECTION, Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—CHILDREN AND FAMILY SERVICES PROGRAM

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 64,335,000	63,290,000
General Fund Appropriation—Federal	\$ 24,343,000	26,095,000
Total Appropriation	\$178,063,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Vendor rate adjustments shall average 3% on January 1, 1986.

(2) \$2,423,000 for fiscal year 1986 and \$3,231,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for phased-in increases in child protective services field staff.

(3) \$116,000 for fiscal year 1986 and \$116,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to expand the homebuilders program beyond current service levels.

(4) \$185,000 for fiscal year 1986 and \$185,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to expand services in the therapeutic day-care program beyond current levels.

(5) \$516,000 for fiscal year 1986 and \$487,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for field staff increases in day-care screening, licensing, monitoring, and information and referral. The department shall conduct at least one scheduled and one unannounced on-site inspection of each licensed day-care facility during the facility's licensing period. The department shall make available to any parent, guardian, or custodian requesting information about day-care providers, for inspection and copying (with copying fees waivable in cases of hardship), any documents in its possession relating to any licensed day-care facility that are not exempt from public disclosure under chapter 42.17 RCW. The department shall require that every licensed day-care facility display prominently on its premises the address and telephone number of the appropriate local or regional office of the department and the name(s) of any department employee(s) responsible for the licensing and monitoring of the facility.

(6) \$3,654,000 for fiscal year 1986, of which \$3,370,000 is from the general fund—state appropriation, and \$3,654,000 for fiscal year 1987, of which \$3,370,000 is from the general fund—state appropriation, are provided solely to increase the safety and quality of care in children's group homes, including the conversion of at least 75 but not more than 143 beds for use in intensive residential treatment of severely disturbed youth at a monthly rate of \$2,100 per occupied bed, effective July 1, 1985. The department shall develop and implement written standards as to which children may be placed in residential treatment, clearly distinguishing the residential treatment population from the remaining group care population. As used in this subsection, 'residential treatment' includes permanent planning for child placement, counseling of natural parents when appropriate, and recruiting, training, and counseling of adoptive or foster parents when appropriate, for which services the department may develop additional rates. The department shall develop a client outcome monitoring system as part of a specific plan for performance-based contracts whereby a portion of vendor payments for group care and residential treatment is contingent on vendor attainment of client outcome standards to be developed by the department. The plan shall be transmitted to the ways and means committees of the senate and house of representatives and the legislative budget committee by July 1, 1986, and scheduled for implementation on July 1, 1987, pending legislative review.

(7) \$615,000 for fiscal year 1986, of which \$554,000 is from the general fund—state appropriation, and \$615,000 for fiscal year 1987, of which \$554,000 is from the general fund—state appropriation, are provided solely to increase vendor rates for family foster care, effective July 1, 1985.

(8) \$50,000 for fiscal year 1986 and \$50,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to increase private agency service fees in connection with foster care placements, effective July 1, 1985.

(9) \$17,000 for fiscal year 1986 and \$17,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to increase vendor rates for group crisis residential centers, effective July 1, 1985.

(10) \$51,000 for fiscal year 1986 and \$51,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to increase vendor rates for family interim care homes, effective July 1, 1985.

(11) \$139,000 for fiscal year 1986, of which \$132,000 is from the general fund—state appropriation, and \$139,000 for fiscal year 1987, of which \$132,000 is from the general fund—state appropriation, are provided solely to expand the children's hospitalization alternative program by up to 25 additional beds, including expansion into geographical areas not presently served.

(12) \$50,000 for fiscal year 1986 and \$50,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for emergency medical examinations of child protective services clients who are not eligible for federally matched medical assistance.

(13) \$455,000 of the general fund—state appropriation for fiscal year 1986 is provided solely for contracted services to 'street kids.' For purposes of this subsection, 'street kids' are children between the ages of eight and seventeen who do not receive care, shelter, or supervision from parents or other responsible adults, who are not placed in residential settings by the department, and who are living in a dangerous urban environment. Services may include street outreach, advocacy, counseling, and foster care. Not more than 150 'street kids' may receive services supported under this subsection from any single center at any one time. All programs receiving funds under this subsection shall provide cultural- and language-sensitive services to minority 'street kids.'

(14) \$11,056,000 for fiscal year 1986, of which \$7,791,000 is from the general fund—state appropriation, and \$11,185,000 for fiscal year 1987, of which \$6,196,000 is from the general fund—state appropriation, shall be initially allotted for day-care payments. The department shall revise program eligibility and/or participation criteria, consistent with statute, if necessary to prevent the overexpenditure of moneys allotted for the program in each fiscal year.

(15) \$175,000 for fiscal year 1986 and \$175,000 for fiscal year 1987 from the general fund—state appropriation are provided solely for the victims of sexual assault program.

NEW SECTION. Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

(1) COMMUNITY SERVICES

		FY 1986	FY 1987
General Fund Appropriation—State	\$	13,940,000	13,912,000
General Fund Appropriation—Federal	\$	39,000	39,000
Total Appropriation		\$27,930,000	

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Vendor rate adjustments shall average 3.0% on January 1, 1986.

(b) \$397,000 for fiscal year 1986 and \$397,000 for fiscal year 1987 from the general fund—state appropriation are provided solely to increase vendor rates to private group care providers.

(c) The department shall develop a specific plan for performance-based contracts whereby a portion of vendor payments for private group care and other community residential placements is contingent on vendor attainment of client outcome standards to be developed by the department. The plan shall be transmitted to the ways and means committees of the senate and house of representatives and the legislative budget committee by July 1, 1986, and scheduled for implementation on July 1, 1987, pending legislative review.

(d) \$2,788,000 for fiscal year 1986 and \$2,630,000 for fiscal year 1987 from the general fund—state appropriation are provided solely for Woodinville, Sunrise, Oakridge, Canyon View, Parke Creek, Twin Rivers, and Ridgeview state group homes. The total number of youths in residential status at these state group homes shall average at least 100 per month. Residential status includes youths in actual residence, those on leave up to 14 days, and those in the process of being transferred or paroled. If the average number of youths in residential status falls below 100 per month, the general fund—state appropriation in this section shall be reduced by \$2,067 per month for every unfilled bed below 100.

(2) INSTITUTIONAL SERVICES

		FY 1986	FY 1987
General Fund Appropriation—State	\$	21,814,000	21,179,000
General Fund Appropriation—Federal	\$	445,000	445,000
Total Appropriation		\$43,883,000	

The appropriations in this subsection are subject to the following conditions and limitations: The department shall review and evaluate the number of beds necessary to ensure the prudent management of juvenile offenders in the juvenile rehabilitation system prior to closing any

cottages at the Green Hill school. Such analysis shall be presented to the ways and means committees of the senate and house of representatives on June 1, 1986.

(3) PROGRAM SUPPORT

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 1,323,000	1,323,000
Total Appropriation	\$2,646,000	

NEW SECTION, Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 49,275,000	50,057,000
General Fund Appropriation—Federal	\$ 17,930,000	18,178,000
General Fund Appropriation—Local	\$ 355,000	355,000
Total Appropriation	\$136,150,000	

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$240,000 for fiscal year 1986 and \$240,000 for fiscal year 1987 from the general fund—state are provided solely for continuation of the community psychiatric training program at the University of Washington.

(b) \$309,000 for fiscal year 1986 and \$309,000 for fiscal year 1987 from the general fund—federal are provided solely for the continuation of the minority mental health program.

(c) \$565,000 for fiscal year 1986 of which \$500,000 is from the general fund—state appropriation and \$65,000 for fiscal year 1987 of which \$500,000 is from the general fund—state appropriation, is provided solely to increase the children's hospitalization alternative program by 25 additional beds to allow for increased service capacity and to extend the program to unserved areas within the state. The department shall not increase the number of beds over 85 in total.

(d) \$452,000 for fiscal year 1986, of which \$405,000 is from the general fund—state appropriation and \$47,000 for fiscal year 1987, of which \$689,000 is from the general fund—state appropriation are provided solely for the Kitsap resources consolidated residential treatment center's alternative project. Of the \$452,000 for fiscal year 1986, \$61,000 of the general fund—state appropriation is provided solely for initial program costs associated with implementation. The state reimbursement rate shall not exceed \$180 per client day and treatment for individual clients shall not exceed 180 days. All eligible involuntary treatment referrals will be made to the project. No involuntary treatment referrals of Kitsap county residents will be made to Western State Hospital after December 31, 1985. The maximum reimbursement rate to Kitsap county private hospitals shall be \$250 per day per patient. Kitsap resources consolidated shall provide quarterly reports to the senate and house committees on ways and means describing the numbers and characteristics of clients served and resulting diversions from private hospitals and Western State Hospital. In addition, the department shall present an annual report to the same legislative committees beginning January 1, 1987, indicating progress made toward meeting the long-term residential bed needs of Kitsap County.

(e) Vendor rate adjustments shall average 3.0% on January 1, 1986.

(2) INSTITUTIONAL SERVICES

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 66,188,000	66,904,000
General Fund Appropriation—Federal	\$ 3,103,000	3,116,000
Total Appropriation	\$139,311,000	

The appropriations in this subsection are subject to the following conditions and limitations: \$20,000 for fiscal year 1986 and \$20,000 for fiscal year 1987 from the general fund—state appropriation are provided solely to conduct a study to develop alternatives for the long range use of Northern state hospital.

(3) PROGRAM SUPPORT

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 1,439,000	1,438,000
General Fund Appropriation—Federal	\$ 771,000	771,000
Total Appropriation	\$4,419,000	

The appropriations in this section are subject to the following conditions and limitations: \$38,000 for fiscal year 1986 and \$38,000 for fiscal year 1987 from the general fund—state appropriation are provided solely for an allocation to a nonprofit agency advocating for the mentally ill for the purposes of technical assistance to state agencies, educational programs, outreach and family support, self-help support groups, and patient advocacy.

(4) SPECIAL PROJECTS

	FY 1986	FY 1987
General Fund Appropriation—Federal	\$ 111,000	111,000
Total Appropriation	\$222,000	

NEW SECTION, Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 30,435,000	30,969,000
General Fund Appropriation—Federal	\$ 26,046,000	26,252,000
Total Appropriation	\$113,702,000	

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$56,000 for fiscal year 1986 and \$56,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for the dental education in care of the disabled graduate training program with the University of Washington.

(b) \$1,952,000 for fiscal year 1986 of which \$1,144,000 is from the general fund—state appropriation and \$1,952,000 for fiscal year 1987 of which \$1,144,000 is from the general fund—state appropriation, is provided solely to increase compensation for staff providing treatment and training in division contracted community residential and training programs. Contracts with vendors shall specify the amount of payments to be used solely for this purpose.

(c) Vendor rate adjustments shall average 3.0% on January 1, 1986.

(2) INSTITUTIONAL SERVICES

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 53,405,000	52,812,000
General Fund Appropriation—Federal	\$ 37,330,000	37,330,000
Total Appropriation	\$180,877,000	

(3) PROGRAM SUPPORT

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 1,652,000	1,652,000
General Fund Appropriation—Federal	\$ 388,000	388,000
Total Appropriation	\$4,080,000	

(4) SPECIAL PROJECTS

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 54,000	54,000
General Fund Appropriation—Federal	\$ 606,000	606,000
Total Appropriation	\$1,320,000	

NEW SECTION, Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—

LONG-TERM CARE SERVICES

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 137,965,000	132,964,000
General Fund Appropriation—Federal	\$ 120,741,000	126,895,000
Total Appropriation	\$518,565,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall provide an integrated system of long-term care services which will allow for the most efficient, equitable, and appropriate use of available resources. The department shall endeavor to provide these services in the least restrictive and most cost-effective manner appropriate for individual clients.

(2) \$187,048,000 for fiscal year 1986, of which \$94,078,000 is from the general fund—state appropriation, and \$188,104,000 for fiscal year 1987, of which \$94,610,000 is from the general fund—state appropriation, are provided for nursing home services.

(a) If Substitute Senate Bill No. 3390 is not enacted before July 1, 1985, \$2,500,000 in fiscal year 1986 and \$2,500,000 in fiscal year 1987 of the general fund—state appropriation shall be provided solely for full-scope audits under chapter 74.46 RCW as interpreted by the state auditor.

(b) Rates shall be adjusted for inflation under RCW 74.46.495 by 3% on July 1, 1985.

(c) Adjustments to the clothing and personal incidentals allowance shall average 3% on January 1, 1986.

(d) \$65,000 for fiscal year 1986 and \$65,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for prospective rate increases for installation of sprinkler systems in facilities not meeting federal and state fire safety requirements.

(3) \$63,899,000 for fiscal year 1986, of which \$39,543,000 is from the general fund—state appropriation, and \$64,554,000 for fiscal year 1987, of which \$34,555,000 is from the general fund—state appropriation, are provided solely for community-based long-term care services including congregate care, adult family home care, chore services, home health care, nutrition services, transportation services, and case management services.

(a) Vendor rate adjustments shall average 3% on January 1, 1986.

(b) Adjustments to the clothing and personal incidentals allowance shall average 3% on January 1, 1986.

(c) \$80,000 for fiscal year 1986 and \$80,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to purchase insurance coverage for adult family homes in order to promote participation in the program.

(d) \$41,000 for fiscal year 1986 and \$41,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to extend eligibility for adult family home and congregate care services to adult protective services clients.

(e) \$200,000 for fiscal year 1986 and \$200,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for case management services under the senior citizen services act for adult protective services clients.

(f) \$7,558,000 for fiscal year 1986 and \$7,666,000 for fiscal year 1987 from the general fund—state appropriation shall be initially allotted for implementation of the senior citizens services act. At least 7 percent of the amount allotted for the senior citizens services act in each fiscal year shall be used for programs that utilize volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the chore services program.

(g) \$39,225,000 for fiscal year 1986, of which \$25,611,000 is from the general fund—state appropriation, and \$39,286,000 for fiscal year 1987, of which \$19,762,000 is from the general fund—state appropriation, shall be initially allotted for chore services. The department shall revise eligibility and cost-sharing criteria and/or establish waiting lists for the chore services program, consistent with statute, if necessary to prevent the overexpenditure of moneys allotted for the program in each fiscal year, including state general fund moneys used to match federal moneys under the community options programs entry system.

(4) The bureau of nursing home affairs shall increase patient review staff by two full time equivalents not later than October 1, 1985.

(5) \$545,000 for fiscal year 1986 of the general fund—state appropriation is provided solely to continue the three respite care demonstration projects as established and defined under chapter 158, Laws of 1984 until June 30, 1986.

NEW SECTION, Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME ASSISTANCE PROGRAM

		FY 1986	FY 1987
General Fund Appropriation—State	\$	213,137,000	224,186,000
General Fund Appropriation—Federal	\$	171,118,000	178,924,000
Total Appropriation		\$787,365,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall continue the aid to families with dependent children program for two-parent families through June 30, 1987.

(2) Not later than June 1, 1985, the department shall adopt by rule medical criteria for general assistance eligibility to ensure that eligibility decisions are consistent with statutory requirements and are based on clear, objective medical information.

(a) The process implementing such medical criteria shall involve consideration of opinions of the treating or consulting physicians or health care professionals regarding incapacity, and any eligibility decision which rejects uncontradicted medical opinion must set forth clear and convincing reasons for doing so.

(b) Recipients of general assistance who remain otherwise eligible shall not have their benefits terminated absent a clear showing of material improvement in their medical or mental condition or specific error in the prior determination that found the recipient eligible by reason of incapacitation.

(3) Grant payment standards and vendor rates shall be increased by 3% on January 1, 1986, above the standards and rates in effect on March 1, 1985, for aid to families with dependent children, general assistance, consolidated emergency assistance, and refugee assistance.

(4) It is the continuing intention of the legislature that payment levels in the aid to families with dependent children, general assistance, and refugee assistance programs contain an energy allowance to offset the high and rising costs of energy and that such allowance be excluded from consideration as income for the purpose of determining eligibility and benefit levels of the food stamp program to the maximum extent such exclusion is authorized under federal law and RCW 74.08.046. To this end, up to \$100,000,000 is so designated for exemptions of the following amounts:

Family size:	1	2	3	4	5	6	7	8	or more
Exemption:	\$30	39	46	56	63	72	84	92	

NEW SECTION, Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES PROGRAM

		FY 1986	FY 1987
General Fund Appropriation—State	\$	17,844,000	18,136,000
General Fund Appropriation—Federal	\$	7,034,000	7,059,000
General Fund Appropriation—Local	\$	82,000	83,000
Total Appropriation		\$50,238,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Vendor rate adjustments shall average 3% on January 1, 1986.

(2) \$441,000 for fiscal year 1986 and \$441,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to increase recovery house vendor rates, effective July 1, 1985.

(3) \$286,000 for fiscal year 1986, of which \$268,000 is from the general fund—state appropriation, and \$286,000 for fiscal year 1987, of which \$268,000 is from the general fund—

state appropriation, are provided solely to increase vendor rates for detoxification, effective July 1, 1985.

(4) The department shall ensure that grants to counties for alcohol and drug services are distributed to providers of such services on an equitable basis. Consideration shall be given to the percentage of indigent clients served by each provider and the resources available to such provider from other than public funds.

**NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
MEDICAL ASSISTANCE PROGRAM**

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 246,491,000	225,487,000
General Fund Appropriation—Federal	\$ 151,339,000	155,846,000
Total Appropriation	\$779,163,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Vendor rate adjustments for the Indian health and family planning programs shall average 3% on January 1, 1986.

(2) \$610,000 for fiscal year 1986, of which \$185,000 is from the general fund—state appropriation, and \$610,000 for fiscal year 1987, of which \$185,000 is from the general fund—state appropriation, are provided solely for early and periodic screening, diagnosis and treatment services and family planning services under the limited casualty program for the medically needy.

(3) \$524,000 for fiscal year 1986, of which \$270,000 is from the general fund—state appropriation, and \$524,000 for fiscal year 1987, of which \$270,000 is from the general fund—state appropriation, are provided solely to increase fee maximums for maternity care services by up to ten percent.

(4) The legislature finds that rising hospital costs continue to be a matter of serious concern to the public and to the state government. The department shall continue to pay for inpatient hospital services principally on the basis of diagnosis-related groups. The department shall continue in force rateable reductions not less than those imposed in 1984 on hospital payments under the medical care services program and the limited casualty program for the medically indigent.

(5) The department shall provide payment for chiropractic services under RCW 74.09.035 and 74.09.520.

**NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
PUBLIC HEALTH PROGRAM**

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 21,765,000	21,646,000
General Fund Appropriation—Federal	\$ 33,260,000	33,375,000
General Fund Appropriation—Local	\$ 4,024,000	3,996,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)— Appropriation	\$ 22,444,000	22,444,000
General Fund Appropriation—State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 128, Laws of 1972 ex. sess. (Referendum 27); chapter 258, Laws of 1979 ex. sess. (chapter 43.99D RCW); and chapter 234, Laws of 1979 ex. sess. (Referendum 38)—Reappropriation	\$ 28,908,000	
Total Appropriation	\$191,862,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Vendor rate adjustments shall average 3% on January 1, 1986.

(2) \$1,000,000 for fiscal year 1986 and \$1,000,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for grants in aid to public and private non-profit community health centers serving populations that lack access to affordable health care. Grants awarded under this subsection shall be used by the centers to provide primary health care services to persons who have no health care coverage. The grants shall be in addition to any federal or other funding available to the centers. No center may receive funding under this subsection if it fails or refuses to provide medically necessary care on the basis of any patient's inability to pay or lack of coverage, or if it does not contract with the department to provide care under the medical assistance program. Grants shall not be awarded to cover periods exceeding twelve months. The department may audit the books and records of community health centers to assure compliance with the purposes of this subsection. In awarding grants, the secretary shall attempt to provide an equitable distribution of funds based on need throughout the state, including rural areas.

(3) \$43,000 for fiscal year 1986 and \$43,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to implement the provisions of chapter 187, Laws of 1984, regarding standards for organic chemicals in drinking water.

(4) \$34,000 for fiscal year 1986 and \$34,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to implement the provisions of chapter 156, Laws of 1984, regarding compiling of information on sentinel birth defects.

(5) \$90,000 for fiscal year 1986 and \$90,000 for fiscal year 1987 of the general fund—local appropriation are provided solely for monitoring and implementation of health and sanitation standards for agricultural labor camps under chapter 248-63 WAC, as adopted by the state board of health in 1984. In health jurisdictions where there is no agreement with the local health officer for local enforcement of the standards, the department shall enforce the standards and charge fees under RCW 43.20A.670 in amounts sufficient to cover its enforcement costs.

(6) \$260,000 for fiscal year 1986 and \$276,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for contracts on a competitive selection basis to public and private nonprofit nationally recognized academic or research organizations engaged in cancer research or in research concerning the effects of smoking on the cardiovascular and respiratory systems.

(7) \$593,000 for fiscal year 1986 and \$554,000 for fiscal year 1987 of the general fund—local appropriation is provided solely for radiation control activities, including those required under Engrossed Substitute Senate Bill No. 3799 and Engrossed Second Substitute House Bill No. 3.

**NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
VOCATIONAL REHABILITATION PROGRAM**

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 6,347,000	6,235,000
General Fund Appropriation—Federal	\$ 14,684,000	14,686,000
Total Appropriation	\$41,952,000	

The appropriations in this section are subject to the following conditions and limitations: Vendor rate adjustments shall average 3% on January 1, 1986.

**NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 31,922,000	31,049,000
General Fund Appropriation—Federal	\$ 19,555,000	19,477,000
General Fund—Institutional Impact Account Approp- riation	\$ 37,000	37,000
Total Appropriation	\$102,077,000	

The appropriations in this section are subject to the following conditions and limitations: The department of social and health services shall transfer from its various programs up to \$1,600,000 from the general fund—state appropriations from the operating programs to the administration and support services program for travel, goods and services, and equipment for the biennium ending June 30, 1987, and revise initial allotments accordingly.

**NEW SECTION. Sec. 214. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—
COMMUNITY SERVICES ADMINISTRATION PROGRAM**

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 61,840,000	62,614,000
General Fund Appropriation—Federal	\$ 72,747,000	72,979,000
General Fund Appropriation—Local	\$ 366,000	366,000
Total Appropriation	\$270,912,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Department staff shall assist general assistance clients in establishing eligibility for social security and/or supplemental security income benefits. The assistance shall include providing to the client or the appropriate social security office any documentation of the client's disability and, if appropriate, referral to legal counsel with expertise in social security law.

(2) The department shall develop and submit to the federal department of health and human services a work incentive demonstration project proposal to allow administration of the work incentive program to be solely borne by the department of social and health services. Before implementation of the proposal, but not later than December 1, 1985, the department shall report to the ways and means and social and health services committees of the senate and house of representatives. The report shall advise the legislature regarding effects of the proposal on (a) the administration of the work incentive program, (b) the receipt of federal funds for the program, and (c) expected client outcomes under the proposal. In administering the program under chapter 74.23 RCW, the department shall emphasize efforts to prepare registrants for long-term unsubsidized employment and economic independence. To the maximum extent permissible under federal law, and to the maximum extent to which exceptions to limitations on training duration may be obtained from the federal government, the department

shall permit registrants to enter or continue in training programs that are aimed at preparing them for long-term unsubsidized employment and economic independence.

(3) The department shall develop a program to supplement the community work and training program for recipients of food stamps established under RCW 74.04.477. The supplemental program shall provide that the program be extended to an additional four counties, two east and two west of the Cascade mountains, and shall serve a minimum of three hundred recipients each year. The supplemental program shall be run under the same terms and conditions as set forth in RCW 74.04.477 and the regulations thereunder.

(4) The department shall develop a program to supplement the community work and training program for recipients of aid to families with dependent children established under RCW 74.04.473. The supplemental program shall provide for community work and training services to a minimum of four hundred recipients this biennium, under the same terms and conditions as set forth in RCW 74.04.473 and the regulations thereunder.

NEW SECTION, Sec. 215. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REVENUE COLLECTIONS PROGRAM

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 7,815,000	8,043,000
General Fund Appropriation—Federal	\$ 15,556,000	16,093,000
Total Appropriation	\$47,507,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,195,000 for fiscal year 1986, of which \$359,000 is from the general fund—state appropriation, and \$1,597,000 for fiscal year 1987, of which \$478,000 is from the general fund—state appropriation, are provided solely to implement the order of the King county superior court in Carter v. Simpson, cause number 82-5-50039-0. If this order is reversed on appeal, the unexpended balance of the amounts provided in this subsection shall revert.

(2) In serving custodial parents not on public assistance who apply for support enforcement services, the department shall, to the maximum extent permitted by federal and state law, give priority to cases in which the custodial parent is at risk of becoming eligible for aid to families with dependent children.

(3) The department shall study and make recommendations to the legislature regarding a comprehensive and equitable plan for determining financial responsibility of clients and relatives of clients who receive department-provided or department-funded services. A committee shall be established to oversee the study, to be composed of representatives of the department, the affected population, the public, and other branches of government, including both caucuses of both houses of the legislature. The secretary of social and health services, or the secretary's designee, shall serve as chairperson of the committee. The study shall consider the legal, ethical, financial, managerial, and pragmatic consequences of the imposition of financial responsibility on utilizers of services provided or funded by the department. The study specifically shall address, but is not limited to:

(a) The level of financial responsibility assessed under existing statutes and policy for utilization of various department services by clients and their responsible relatives;

(b) The effect of financial responsibility on discouraging the utilization of necessary services provided by the department; and

(c) An equitable method of assessing the amount of financial responsibility.

The study findings shall be submitted to the appropriate committees of the house of representatives and the senate no later than November 1, 1986, along with any recommendations for legislative action.

NEW SECTION, Sec. 216. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REAPPROPRIATIONS

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 75,000,000	
General Fund Appropriation—Federal	\$ 56,000,000	
General Fund Appropriation—Local	\$ 1,000,000	
Total Appropriation	\$ 132,000,000	

The appropriations in this section are subject to the following conditions and limitations: These general fund reappropriations are for services and supplies not in excess of the unexpended balances of the 1983-1985 appropriations for such purposes.

NEW SECTION, Sec. 217. FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 6,383,000	6,146,000
General Fund Appropriation—Federal	\$ 70,233,000	70,406,000
Total Appropriation	\$153,168,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$975,000 for fiscal year 1986 and \$975,000 for fiscal year 1987 of the general fund—state appropriation shall be used solely for grants in aid to public or private nonprofit organizations operating shelters for homeless persons. Grants awarded under this subsection shall be used to provide temporary emergency shelter, including either direct shelter services or vouchers to pay for low-cost commercial accommodations, to persons and families who are without housing and lack funds to purchase lodging. Grantee organizations shall give priority

in the use of grant funds to shelter for families and children. Grants shall be in addition to any federal or other funding available to grantee organizations, and shall be awarded in amounts not exceeding the amount of local government and private funds that an organization receives in the grant year. Grants shall not be awarded to cover periods exceeding twelve months. The department may audit the books and records of grantee organizations to assure compliance with the purposes of this subsection. In awarding grants, the director shall attempt to provide an equitable distribution of funds based on need throughout the state, including rural areas.

(2) \$475,000 for fiscal year 1986 and \$475,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for grants in aid to private nonprofit organizations operating food banks which distribute food without charge to persons unable to purchase enough food for their subsistence, and to private nonprofit organizations operating food distribution systems that furnish donated or purchased food to food banks. Grants awarded under this subsection shall be in addition to any federal or other funding available to grantee organizations, and shall be awarded in amounts not exceeding the amount of local government and private funds that an organization receives in the grant year. Sixty percent of the funds under this subsection shall be provided to food banks and forty percent to food distribution organizations. Grants shall not be awarded to cover periods exceeding twelve months. The department may audit the books and records of grantee organizations to assure compliance with the purposes of this subsection. In awarding grants, the director shall attempt to provide an equitable distribution of funds based on need throughout the state, including rural areas.

(3) \$50,000 for fiscal year 1986 and \$50,000 for fiscal year 1987 of the general fund—state appropriation is provided solely for administration of grants in aid to emergency shelter and food programs under subsections (1) and (2) of this section.

(4) If Second Substitute House Bill No. 738 is not enacted by July 1, 1985, \$250,000 in fiscal year 1986 and \$250,000 in fiscal year 1987 of the general fund—state appropriation shall revert.

(5) \$120,000, of which \$96,000 is from the general fund—state appropriation for fiscal year 1986, and \$120,000 from the general fund—building code council account appropriation for fiscal year 1987 is provided solely to implement Engrossed Substitute Senate Bill No. 3261. The general fund—state appropriation shall be paid back to the state general fund from the building code council account by June 30, 1989.

(6) \$60,000 of the general fund—state appropriation for fiscal year 1986 is provided solely to implement Substitute House Bill No. 1114. If federal funds are available for the purposes of SHB 1114, a portion of the amount provided in this subsection equal to the amount of available federal funds shall revert.

NEW SECTION, Sec. 218. FOR THE DEPARTMENT OF VETERANS AFFAIRS

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 8,466,000	8,375,000
General Fund Appropriation—Federal	\$ 1,669,000	1,669,000
General Fund Appropriation—Local	\$ 2,402,000	2,369,000
Total Appropriation	\$24,929,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$202,000 for fiscal year 1986 and \$202,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for assistance to veterans of the Viet Nam conflict, including counseling on delayed stress syndrome and other services appropriate to assist such veterans in overcoming employment barriers and readjusting to civilian life.

(2) The department shall contract with the University of Washington's health policy analysis program to assess the potential for medicare certification and reimbursement in the state's veterans' homes. \$10,000 for fiscal year 1986 and \$10,000 for fiscal year 1987 of the general fund—state appropriation is provided solely for the purposes described in this subsection.

NEW SECTION, Sec. 219. FOR THE HUMAN RIGHTS COMMISSION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 1,477,000	1,477,000
General Fund Appropriation—Federal	\$ 556,000	556,000
Total Appropriation	\$4,066,000	

NEW SECTION, Sec. 220. FOR THE DEATH INVESTIGATION COUNCIL

	FY 1986	FY 1987
General Fund—Death Investigations Account		
Appropriation	\$ 3,000	2,000
Total Appropriation	\$5,000	

NEW SECTION, Sec. 221. FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS

	FY 1986	FY 1987
General Fund—Public Safety and Education		
Account Appropriation	\$ 67,000	67,000
Accident Fund Appropriation	\$ 1,893,000	1,848,000
Medical Aid Fund Appropriation	\$ 1,893,000	1,848,000
Total Appropriation	\$7,616,000	

The appropriations in this section are subject to the following conditions and limitations: \$153,000 for fiscal year 1986 and \$153,000 for fiscal year 1987 of the accident fund appropriation, and \$153,000 for fiscal year 1986 and \$153,000 for fiscal year 1987 of the medical aid fund appropriation, are provided solely for a mediation program and the publication and indexing of board decisions, as provided in Substitute Senate Bill No. 4190. If the bill is not enacted by July 1, 1985, the amounts provided shall revert.

NEW SECTION, Sec. 222. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

	FY 1986	FY 1987
General Fund—Death Investigations Account		
Appropriation	\$ 15,000	15,000
General Fund—Public Safety and Education		
Account Appropriation	\$ 3,463,000	3,455,000
Total Appropriation	\$ 6,948,000	

NEW SECTION, Sec. 223. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

	FY 1986	FY 1987
General Fund Appropriation	\$ 4,014,000	3,795,000
General Fund—Public Safety and Education		
Account Appropriation	\$ 3,952,000	3,954,000
Accident Fund Appropriation	\$ 35,481,000	34,916,000
Electrical License Fund Appropriation	\$ 3,642,000	3,651,000
Medical Aid Fund Appropriation	\$ 34,530,000	33,868,000
Plumbing Certificate Fund Appropriation	\$ 218,000	218,000
Pressure Systems Safety Fund Appropriation	\$ 524,000	531,000
Worker and Community Right to Know Fund Appropriation	\$ 540,000	961,000
Farm Worker Revolving Fund Appropriation—		
Local	\$ 78,000	72,000
Total Appropriation	\$ 164,945,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall establish a review committee. The review committee shall monitor on a regular quarterly basis the progress reports and work plans of the agency's information systems, including the medical information and payment system (MIPS), to ensure executive-level oversight and control of the data processing and management information systems within the agency. The review committee shall include representatives of the department of labor and industries, the office of financial management, and other appropriate persons.

(2) \$160,000 of the general fund appropriation is provided solely as a loan for the worker-right-to-know program and shall be repaid to the general fund when sufficient funds are available in the worker and community right to know fund.

(3) The farm worker revolving fund appropriation is provided solely for increased activities in connection with the licensing and regulation of farm labor contractors under Substitute House Bill No. 199. If the bill is not enacted by July 1, 1985, this appropriation shall lapse.

NEW SECTION, Sec. 224. FOR THE BOARD OF PRISON TERMS AND PAROLES

	FY 1986	FY 1987
General Fund Appropriation	\$ 1,458,000	1,294,000
Total Appropriation	\$ 2,752,000	

The appropriations in this section are subject to the following conditions and limitations: \$77,000 for fiscal year 1986 and \$77,000 for fiscal year 1987 of the general fund—state appropriation are provided to continue the board membership at seven members through June 30, 1986, under Engrossed Substitute House Bill No. 204. If Engrossed Substitute House Bill No. 204 is not enacted by July 1, 1985, the amounts provided shall revert.

NEW SECTION, Sec. 225. FOR THE HOSPITAL COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 950,000	883,000
General Fund—Hospital Commission Account		
Appropriation	\$ 631,000	698,000
Total Appropriation	\$ 3,162,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$50,000 for fiscal year 1986 and \$50,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for attorney general support. The attorney general shall assign at least one assistant attorney general to work with the commission on a full-time basis, and shall provide additional support if necessary in connection with any litigation arising from chapter 288, Laws of 1984.

(2) \$43,000 for fiscal year 1986 and \$43,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to conduct formal hearings as the commission deems necessary.

(3) \$48,000 for fiscal year 1986 and \$48,000 for fiscal year 1987 of the general fund—state appropriation are provided solely for audits of patient discharge data.

NEW SECTION. Sec. 226. FOR THE EMPLOYMENT SECURITY DEPARTMENT

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 2,726,000	2,727,000
General Fund Appropriation—Federal	\$ 75,144,000	75,308,000
General Fund Appropriation—Local	\$ 3,869,000	3,869,000
Administrative Contingency Fund		
Appropriation—Federal	\$ 3,204,000	2,640,000
Unemployment Compensation Administration Fund		
Appropriation	\$ 52,696,000	51,901,000
Total Appropriation	\$274,082,000	

The appropriations in this section are subject to the following conditions and limitations: In administering the work incentive program under chapter 74.23 RCW, the department shall emphasize efforts to prepare registrants for long-term unsubsidized employment and economic independence. To the maximum extent permissible under federal law, and to the maximum extent to which exceptions to limitations on training duration may be obtained from the federal government, the department shall permit registrants to enter or continue in training programs that are aimed at preparing them for long-term unsubsidized employment and economic independence.

NEW SECTION. Sec. 227. FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 1,111,000	1,109,000
General Fund Appropriation—Federal	\$ 1,918,000	1,912,000
Total Appropriation	\$6,050,000	

The appropriations in this section are subject to the following conditions and limitations: The department of services for the blind shall report to the legislature, no later than January 1, 1986, on its efforts to meet the needs of deaf-blind persons, particularly in the areas of improving access to existing services and coordination with other agencies. This report shall be written in conjunction with the divisions of vocational rehabilitation and developmental disabilities of the department of social and health services.

NEW SECTION. Sec. 228. FOR THE CORRECTIONS STANDARDS BOARD

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 346,000	346,000
General Fund Appropriation—Federal	\$ 36,000	36,000
General Fund—Local Jail Improvement and Construction Account Appropriation	\$ 21,232,000	11,904,000
Total Appropriation	\$33,900,000	

NEW SECTION. Sec. 229. FOR THE SENTENCING GUIDELINES COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 318,000	276,000
Total Appropriation	\$594,000	

PART III

NATURAL RESOURCES

NEW SECTION. Sec. 301. FOR THE STATE ENERGY OFFICE

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 818,000	777,000
General Fund Appropriation—Federal	\$ 7,281,000	6,697,000
General Fund Appropriation—Geothermal Account/Federal	\$ 42,000	44,000
General Fund—Building Code Council Account		
Appropriation	\$ 375,000	375,000
Total Appropriation	\$16,409,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$122,000 in each fiscal year is provided solely for the state building energy management program. The office of financial management shall revert savings in state agency budgets resulting from this program.

(2) The general fund—building code council account appropriation is provided solely for an in situ testing program by the University of Washington college of architecture and department of mechanical engineering, of annual thermal transmittance of individual construction components and conservation measures proposed for new residential construction by the Pacific northwest electric power planning and conservation council. These funds shall be inclusive of administrative costs incurred by the state energy office. This appropriation is limited to the amount of revenues in the building code council account.

NEW SECTION. Sec. 302. FOR THE COLUMBIA RIVER GORGE COMMISSION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 52,000	52,000
General Fund Appropriation—Private/Local	\$ 41,000	41,000
Total Appropriation	\$186,000	

NEW SECTION. Sec. 303. FOR THE DEPARTMENT OF ECOLOGY

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 21,258,000	21,143,000
General Fund Appropriation—Federal	\$ 10,122,000	10,128,000
General Fund Appropriation—Private/Local	\$ 64,000	64,000
General Fund—Hazardous Waste Control and Elimination Account Appropriation	\$ 1,154,000	1,158,000
General Fund—Flood Control Account Appropriation	\$ 2,000,000	2,000,000
General Fund—Special Grass Seed Burning Account Appropriation	\$ 35,000	35,000
General Fund—Reclamation Revolving Account Appropriation	\$ 561,000	562,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$ 311,000	335,000
General Fund—Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.: Reappropriation	\$ 3,000,000	3,570,000
Water Project Revolving Account Subtotal	\$ 3,311,000	3,905,000
General Fund—Litter Control Account Appropriation	\$ 2,356,000	2,394,000
General Fund—Water Quality Account Appropriation	\$ 10,000,000	90,000,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$ 363,000	373,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26): Reappropriation	\$ 20,000,000	26,278,000
Referendum 26 Subtotal	\$ 20,363,000	26,651,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$ 39,346,000	39,441,000
General Fund—State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39): Reappropriation	\$ 100,000,000	97,400,000
Referendum 39 Subtotal	\$ 139,346,000	136,841,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities	\$ 3,354,000	3,412,000
General Fund—State and Local Improvements Revolving Account—Water Supply Facilities: Reappropriation	\$ 18,000,000	18,043,000
Water Supply Subtotal	\$ 21,354,000	21,455,000
Stream Gaging Basic Data Fund Appropriation	\$ 100,000	100,000
Total Appropriation	\$548,460,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) On or before October 1, 1985, the department of ecology shall file with the committees on ways and means of the senate and house of representatives and the office of financial management a master compilation by project type of those projects proposed for funding during the 1985-87 biennium from the appropriations for waste disposal facilities and water supply facilities. A separate compilation shall be supplied for each bond proceed account. The department shall submit updates for the master compilation to the committees on ways and means and the office of financial management at six-month intervals during the 1985-87 biennium. The updates shall reflect project completions, deletions, substitutions, or additions made during the course of administering the projects. If the department proposes to change or modify any project list on the master compilation, it shall give the committees on ways and means and the office of financial management thirty days' written notice of the change or modification prior to the expenditure or obligation of any funds appropriated by this section. The department shall immediately inform the committees and the office of financial management of significant changes from historic federal funding levels for waste disposal facilities and water supply facilities. If the department does not comply fully and in a timely manner with the several compilations, updates, and modification reports required by this subsection, the director of financial management is authorized to place in reserve the second year funds allotted to

the department until such time as the documents are produced and distributed as directed by this subsection.

(2) The appropriation from the state and local improvements revolving account—water supply facilities (Referendum 27) may be expended to pay up to 50% of the eligible cost of any project as a grant or loan or combination thereof. Also, the department may lend up to 100% of the eligible costs of preconstruction activities and the department may provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(3) The appropriation from the state and local improvements revolving account—waste disposal facilities (Referendum 26) may be expended by the department to pay for up to 50% of the eligible cost of any project as a grant or up to 100% as a loan or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(4) The appropriation from the state and local improvements revolving account—waste disposal facilities 1980 (Referendum 39) may be expended by the department to pay up to 75% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution, lake rehabilitation, or solid waste management facilities. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(5) Contingent on the enactment of House Bill No. 811, House Bill No. 1081, Substitute Senate Bill No. 3703, or Engrossed Second Substitute Senate Bill No. 3827, the appropriation from the water quality account may be expended by the department to pay up to 50% of the eligible cost of any project as a grant or up to 100% as a loan, or combination thereof, for waste water treatment or disposal, agricultural pollution or water storage facilities which enhance water quality. The department is authorized to provide up to 100% of the costs necessary to meet the conditions required to receive federal funds.

(6) In order to monitor the expenditure of Referendum 38 funds that are to be expended prior to the use of funds provided by Second Substitute Senate Bill No. 4136, the department of ecology shall provide an annual report to the legislature of the funds remaining from Referendum 38 and the projects that are in work and awaiting approval. If SSB 4136 is not enacted by July 1, 1985, the annual reports shall not be required.

(7) The department may operate, and seek and accept grants or gifts for the purpose of operating and maintaining, the Padilla Bay estuarine sanctuary and interpretive center.

(8) Not more than \$10,286,000 of the general fund—state appropriation for fiscal year 1986 and \$10,196,000 of the general fund—state appropriation for fiscal year 1987 shall be expended in the hazardous waste and air quality program. This includes funds necessary to implement Engrossed Substitute House Bill No. 975.

(9) Not more than \$4,154,000 of the general fund—state appropriation for fiscal year 1986 and \$4,151,000 of the general fund—state appropriation for fiscal year 1987 shall be expended in the water and land resources program including but not limited to:

- (a) Public water supply reservation;
- (b) Well drilling enforcement;
- (c) Ground/surface water data collection;
- (d) State-wide groundwater planning;
- (e) Increased shoreline management grants to local governments; and
- (f) Shoreline management support.

(10) Not more than \$2,155,000 of the general fund—state appropriation for fiscal year 1986 and \$2,133,000 of the general fund—state appropriation for fiscal year 1987 shall be expended in the water quality program including but not limited to:

- (a) Groundwater management and investigation;
- (b) Groundwater technical assistance; and
- (c) Municipal water management.

(11) \$985,000 of the general fund—state appropriation is provided for grants to activated air pollution control authorities.

(12) \$200,000 of the general fund—state appropriation is provided solely as a loan for the hazardous substances information and education program. At the close of the 1985-87 biennium, the state treasurer shall transfer \$200,000 from the worker and community right to know fund to the general fund. If House Bill No. 865 is not enacted before July 1, 1985, the general fund amount provided in this subsection shall revert and the transfer from the worker and community right to know fund shall not occur.

(13) \$354,000 of the general fund—state appropriation is provided solely for the department to develop a state hazardous waste management plan, including criteria for the siting of hazardous waste management facilities.

(14) For the purpose of implementing the requirements of a shellfish protection program, including a pilot program for the prevention of nonpoint source pollution of important shellfish resource areas, the department of ecology shall expend up to a maximum of \$300,000 for:

- (a) The development of regulations designating priority shellfish protection resource areas;

(b) Contracts with local governments and conservation districts to develop plans, educational programs, and other activities to clean up and protect shellfish resource areas; and
 (c) Washington conservation corps activities and other programs to assist land owners in eliminating animal waste related pollution.

NEW SECTION. Sec. 304. FOR THE PUGET SOUND WATER QUALITY AUTHORITY

	FY 1986	FY 1987
General Fund Appropriation	\$ 1,300,000	1,400,000
Total Appropriation	\$770,000	

The appropriation in this section is contingent on the enactment of Engrossed Second Substitute Senate Bill No. 3828.

NEW SECTION. Sec. 305. FOR THE ENVIRONMENTAL HEARINGS OFFICE

	FY 1986	FY 1987
General Fund Appropriation	\$ 388,000	388,000
Total Appropriation	\$776,000	

NEW SECTION. Sec. 306. FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL

	FY 1986	FY 1987
General Fund Appropriation—Private/Local	\$ 1,370,000	1,370,000
Total Appropriation	\$2,740,000	

NEW SECTION. Sec. 307. FOR THE STATE PARKS AND RECREATION COMMISSION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 17,328,000	16,628,000
General Fund Appropriation—Federal	\$ 330,000	330,000
General Fund Appropriation—Private/Local	\$ 326,000	326,000
General Fund—Trust Land Purchase Account Appropriation	\$ 4,243,000	3,620,000
General Fund—Winter Recreation Parking Account Appropriation	\$ 155,000	155,000
General Fund—Snowmobile Account Appropriation	\$ 437,000	437,000
General Fund—Outdoor Recreation Account Approp- riation	\$ 86,000	74,000
Motor Vehicle Fund Appropriation	\$ 500,000	500,000
Total Appropriation	\$45,475,000	

NEW SECTION. Sec. 308. FOR THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 185,000	182,000
General Fund Appropriation—Federal	\$ 307,000	307,000
Total Appropriation	\$981,000	

NEW SECTION. Sec. 309. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

	FY 1986	FY 1987
General Fund—Outdoor Recreation Account Approp- riation—State	\$ 6,994,000	7,839,000
General Fund—Outdoor Recreation Account Appropriation— Federal	\$ 2,767,000	3,026,000
Total Appropriation	\$20,626,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$54,000 of the outdoor recreation account—state appropriation shall be used by the committee to update and expand the outdoor recreation guide required by RCW 43.99.142.

(2) A maximum of \$120,000 of the outdoor recreation account—state appropriation shall be used by the committee for grants to update the current off-road vehicle (ORV) plan as required by RCW 46.09.250.

NEW SECTION. Sec. 310. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

	FY 1986	FY 1987
General Fund Appropriation	\$ 12,266,000	11,815,000
Motor Vehicle Fund Appropriation	\$ 258,000	261,000
Total Appropriation	\$24,600,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,951,000 of the general fund—state appropriation shall be expended in each fiscal year solely for the University of Washington for the continuation of the Washington high technology center and the center for international trade in forest products as matching funds to private-sector, federal, and in-kind contributions, on the basis of the following percentages:

(a) Washington high technology center, 50 percent; and nonstate contributions, 50 percent; and

(b) Center for international trade in forest products, 50 percent; and nonstate contributions, 50 percent.

(2) The motor vehicle fund appropriation shall be used in conformance with constitutional limitations.

(3) \$175,000 of the general fund appropriation is provided solely for the Washington state economic development board. If House Bill No. 627 is not enacted before July 1, 1985, the amount provided in this subsection shall revert.

(4) \$200,000 of the general fund—state appropriation is provided solely for vocational training in the community college system. If House Bill No. 1207 is not enacted before July 1, 1985, the amount provided in this subsection shall revert.

(5) Not more than \$251,000 of the general fund—state appropriation shall be expended in fiscal year 1986 for the high-technology coordinating board.

NEW SECTION. Sec. 311. FOR THE DEPARTMENT OF FISHERIES

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 21,550,000	21,550,000
General Fund Appropriation—Federal	\$ 5,406,000	5,518,000
General Fund Appropriation—Private/Local	\$ 1,425,000	1,424,000
General Fund—Aquatic Lands Enhancement		
Account Appropriation	\$ 157,000	157,000
Total Appropriation	\$57,187,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Not more than \$204,000 of the general fund—state appropriation shall be expended in each fiscal year for the increased departmental and tribal coordination and planning of the salmon fishery management.

(2) \$404,000 of the general fund—state appropriation or so much thereof as may be necessary shall be expended on developing long-term regional salmon fishery resource policy statements and a detailed salmon enhancement plan with proposed enhancement projects, and identifying the full production capacity of the salmon hatcheries.

NEW SECTION. Sec. 312. FOR THE DEPARTMENT OF GAME

	FY 1986	FY 1987
General Fund—ORV (Off-Road Vehicle) Account		
Appropriation	\$ 123,000	124,000
General Fund—Aquatic Lands Enhancement		
Account Appropriation	\$ 158,000	158,000
General Fund—Public Safety and Education		
Account Appropriation	\$ 233,000	245,000
Game Fund Appropriation—State	\$ 20,054,000	19,585,000
Game Fund Appropriation—Federal	\$ 5,664,000	5,803,000
Game Fund Appropriation—Private/Local	\$ 647,000	646,000
Game Fund—Special Wildlife Account Appropria- tion	\$ 148,000	148,000
Total Appropriation	\$53,736,000	

NEW SECTION. Sec. 313. FOR THE STATE CONVENTION AND TRADE CENTER

	FY 1986	FY 1987
General Fund—State Convention and Trade Center		
Account Appropriation	\$ 2,270,000	2,643,000
Total Appropriation	\$4,913,000	

NEW SECTION. Sec. 314. FOR THE DEPARTMENT OF NATURAL RESOURCES

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 15,799,000	14,992,000
General Fund Appropriation—Federal	\$ 129,000	129,000
General Fund—ORV (Off-Road Vehicle) Account		
Appropriation	\$ 1,508,000	1,488,000
General Fund—Geothermal Account Appropria- tion—Federal	\$ 8,000	8,000
General Fund—Forest Development Account Appropria- tion	\$ 6,606,000	6,481,000
General Fund—Survey and Maps Account Appropria- tion	\$ 362,000	369,000
General Fund—Landowner Contingency Forest Fire Suppression Account Appropriation	\$ 708,000	724,000
General Fund—Resource Management Cost		
Account Appropriation	\$ 24,595,000	24,655,000
Total Appropriation	\$98,561,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$601,000 of the general fund—state appropriation is provided solely for litigation costs in fiscal year 1986, and \$581,000 of the general fund—state appropriation is provided solely for litigation costs in fiscal year 1987, associated with court actions brought by the state against timber companies that have defaulted on timber sales contracts. Ten percent of all

funds recovered by the state in these court actions shall be deposited in the general fund until the total deposited in the general fund equals \$1,182,000.

(2) \$310,000 of the general fund—state appropriation in each fiscal year is provided solely for costs associated with flood damage litigation in Skagit and Whatcom counties.

(3) \$482,000 of the general fund—state appropriation for fiscal year 1986 shall be used solely for the department of natural resources to move from the public lands building and vacate the house office building.

NEW SECTION. Sec. 315. FOR THE DEPARTMENT OF AGRICULTURE

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 7,482,000	7,352,000
General Fund Appropriation—Federal	\$ 387,000	354,000
General Fund—Feed and Fertilizer Account Appropriation	\$ 10,000	7,000
Fertilizer, Agricultural, Mineral and Lime Fund Appropriation	\$ 214,000	220,000
Commercial Feed Fund Appropriation	\$ 246,000	236,000
Seed Fund Appropriation	\$ 486,000	498,000
Nursery Inspection Fund Appropriation	\$ 315,000	316,000
Total Appropriation	\$18,123,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Not more than \$851,000 of the general fund—state appropriation shall be expended in each fiscal year for enhanced export and domestic marketing in the agricultural development program.

(2) Not more than \$549,000 of the general fund—state appropriation in each fiscal year shall be expended for the continuation of the IMPACT center at Washington State University.

(3) \$125,000 for fiscal year 1986 and \$125,000 for fiscal year 1987 from the general fund—state appropriation are provided solely for the purchase of materials or biological control agents for controlling or eradicating noxious weeds and shall be available only for distribution by the director of the department to those activated county noxious weed control boards and active weed districts that employ administrative personnel to supervise a weed control program and that have a budget from other than state sources of at least twenty-five thousand dollars annually. The moneys provided under this paragraph shall be allocated to such boards and districts based on the severity of the noxious weed control problems.

NEW SECTION. Sec. 316. FOR THE CONSERVATION COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 182,000	182,000
Total Appropriation	\$364,000	

NEW SECTION. Sec. 317. FOR THE WASHINGTON CENTENNIAL COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 754,000	739,000
General Fund—State Centennial Commission Account Appropriation	\$ 77,000	145,000
Total Appropriation	\$1,715,000	

NEW SECTION. Sec. 318. FOR THE WORLD FAIR COMMISSION

	FY 1986	FY 1987
General Fund Appropriation	\$ 3,384,000	504,000
Total Appropriation	\$3,888,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) Not more than \$354,000 shall be used for commission administration and oversight in fiscal year 1986.

(2) \$247,000 is provided for operation of the state of Washington exhibit at EXPO '86 in fiscal year 1986.

(3) \$2,783,000 is provided for the development and construction of the state of Washington exhibit at EXPO '86 in fiscal year 1986.

PART IV
TRANSPORTATION

NEW SECTION. Sec. 401. FOR THE STATE PATROL

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 6,614,000	6,541,000
General Fund Appropriation—Federal	\$ 70,000	70,000
General Fund Appropriation—Private/Local	\$ 718,000	539,000
General Fund—Death Investigations Account Appropriation	\$ 12,000	12,000
Total Appropriation	\$14,576,000	

The appropriations in this section are subject to the following conditions and limitations: \$95,000 for fiscal year 1986 and \$63,000 for fiscal year 1987 of the general fund—state

appropriation are provided solely to operate a missing children clearinghouse under Substitute House Bill No. 242. If the bill is not enacted before July 1, 1985, the amounts provided shall revert.

NEW SECTION, Sec. 402. FOR THE DEPARTMENT OF LICENSING

	FY 1986	FY 1987
General Fund Appropriation	\$ 6,366,000	5,319,000
General Fund—Architects' License Account Approp- riation	\$ 234,000	234,000
General Fund—Medical Disciplinary Account Appropriation	\$ 440,000	440,000
General Fund—Health Professions Account Approp- riation	\$ 2,826,000	2,770,000
General Fund—Professional Engineers' Account Appropriation	\$ 441,000	436,000
General Fund—Real Estate Commission Account Appropriation	\$ 2,834,000	2,434,000
Total Appropriation	\$24,774,000	

NEW SECTION, Sec. 403. FOR THE MARINE EMPLOYEES' COMMISSION

	FY 1986	FY 1987
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation	\$ 137,000	137,000
Total Appropriation	\$274,000	

PART V
EDUCATION

NEW SECTION, Sec. 501. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE ADMINISTRATION

General Fund Appropriation—State	\$ 19,173,000
General Fund Appropriation—Federal	\$ 7,412,000
General Fund—Public Safety and Education Account Appropriation	\$ 464,000
Total Appropriation	\$ 27,049,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The general fund—public safety and education account appropriation may be expended solely for administration of the traffic safety education program, including in-service training related to instruction in the risks of driving while under the influence of alcohol and other drugs.

(2) \$66,000 of the general fund—state appropriation is provided for compensation of members of the state board of education pursuant to RCW 43.03.240.

(3) The superintendent of public instruction is directed to establish an environmental education task force of natural resource agency representatives, educators, legislators, and concerned citizens to:

(a) Establish a definition of environmental literacy;

(b) Identify existing environmental and conservation education resources in the public and private sectors; and

(c) Conduct a needs assessment to determine how to maximize use of existing environmental education resources and to provide for future needs.

\$5,000 of the general fund—state appropriation is provided solely to establish the environmental education task force. The task force shall report its findings to the committees on education and parks and ecology of the senate and the committees on education and environmental affairs of the house of representatives during the 1986 regular legislative session.

(4) \$58,000 of the general fund—state appropriation is provided solely for teacher exchange activities between the province of Sichuan, China, and the state of Washington. Such funds may be used to offset living expenses and travel costs for not more than three Chinese and three American exchange teachers per year.

(5) A maximum of \$350,000 of the general fund—state appropriation may be expended for the implementation of Second Substitute House Bill No. 141, achievement test/10th grade.

(6) \$1,550,000 of the general fund—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 174, teacher's assistance program.

(7) \$512,000 of the general fund—state appropriation is provided solely for implementation of House Bill No. 849, teacher evaluation.

(8) \$500,000 of the general fund—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1056, school based management.

(9) \$1,000,000 of the general fund—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1065, school inservice program.

(10) \$10,000, or so much thereof as is necessary, of the general fund—state appropriation may be expended for implementation of section 2 of House Bill No. 999, authorizing a data base report on educational clinics.

NEW SECTION, Sec. 502. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund Appropriation \$ 9,568,000

The appropriation in this section is subject to the following conditions and limitations: The educational service districts shall continue to furnish financial services required by the superintendent of public instruction and RCW 28A.21.088 (3) and (4).

NEW SECTION, Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT (BASIC EDUCATION)

General Fund Appropriation \$ 3,465,393,000

The appropriation in this section is subject to the following conditions and limitations:

(1) As a condition to the allocation of funds to school districts appropriated pursuant to this section, the superintendent shall require school districts to ensure that, during the respective school year, the district has complied with all rules adopted by the superintendent of public instruction to implement RCW 28A.58.095. For any violation of such rules, the superintendent shall withhold an amount equal to the level of the violation when applied to the district's respective basic education allocation, unless or until such time as the school district comes into compliance with the rules.

(2) \$317,285,000 is provided solely for the remaining months of the 1984-85 school year.

(3) Allocations for certificated salaries for the 1985-86 and 1986-87 school years shall be calculated by multiplying each district's average basic education certificated salary allocation defined in section 504 of this act by the district's formula-generated certificated staff units determined as follows:

(a) One certificated staff unit for each twenty average annual full time equivalent kindergarten, elementary, and secondary students, excluding handicapped full time equivalent enrollment as calculated according to the procedures in the allocation model established in section 506 of this act and excluding full time equivalent enrollment otherwise recognized for certificated staff unit allocations in subsection (3) (b) through (d) of this section: PROVIDED, That those school districts with a minimum enrollment of 250 full time equivalent students and whose full time equivalent student enrollment count in a given enrollment month exceeds the first of the month full time equivalent enrollment count by 5% shall be entitled to an additional state allocation of 110% of the pro rata share that such enrollment would have generated had such additional full time equivalent students been included in the normal enrollment count for that particular month.

(b) During the 1985-86 school year, one certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction, for the 1986-87 school year one certificated staff unit for each average annual seventeen and one-half full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction: PROVIDED, That in skills centers, the ratio shall be one certificated staff unit for each average annual sixteen and sixty-seven one-hundredths full time equivalent students enrolled in an approved vocational education program.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, certificated staff units shall be determined as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollments above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated staff unit;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated unit.

(d) A district that operates no more than two high schools with enrollments of not more than three hundred average annual full time equivalent students shall be allocated certificated staff units for enrollment in each such high school as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(e) In addition to those staffing ratios specified by RCW 28A.41.140, school districts with an enrollment of at least 100 annual average full time equivalent students in grades kindergarten through third grade shall receive during the 1986-87 school year a certificated unit allocation in addition to that provided in subsection (3)(a) of this section, at a rate of one certificated staff unit per 1,000 annual average full time equivalent students enrolled in grades kindergarten through third grade.

(4) Allocations for classified salaries for the 1985-86 and 1986-87 school years shall be calculated by multiplying each district's average basic education classified salary allocation as defined in section 504 of this act by the district's formula-generated classified staff units determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit.

(5) Fringe benefit allocations shall be calculated at a rate of 20.03 percent in the 1985-86 school year and 20.08 percent in the 1986-87 school year of certificated salary allocations provided pursuant to subsection (3) of this section, and a rate of 16.86 percent in the 1985-86 school year and 16.91 percent in the 1986-87 school year of classified salary allocations provided pursuant to subsection (4) of this section.

(6) Insurance benefit allocations for the 1985-86 and 1986-87 school years shall be calculated at a rate of \$167 per month for the number of certificated staff units determined in subsection (3) of this section and for the number of classified staff units determined in subsection (4) of this section multiplied by 1.152.

(7)(a) For nonemployee related costs with each certificated staff unit determined under subsection (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$5,614 per staff unit in the 1985-86 school year and a maximum of \$5,833 per staff unit in the 1986-87 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (3)(b) of this section, there shall be provided a maximum of \$10,698 per staff unit in the 1985-86 school year and a maximum of \$11,115 per staff unit in the 1986-87 school year.

(8) Allocations for costs of substitutes for classroom teachers shall be provided at a rate of \$268 per full time equivalent basic education classroom teacher during the 1985-86 and 1986-87 school years.

(9) The superintendent shall distribute a maximum of \$3,010,000 outside the basic education formula during fiscal years 1986 and 1987 as follows:

(a) For fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW, a maximum of \$320,000 may be expended in fiscal year 1986 and a maximum of \$342,000 in fiscal year 1987.

(b) For summer vocational programs at skills centers, not more than \$999,000 shall be expended in fiscal year 1986 and not more than \$1,077,000 in fiscal year 1987.

(c) For school district emergencies, a maximum of \$136,000 may be expended in fiscal year 1986 and a maximum of \$136,000 may be expended in fiscal 1987.

NEW SECTION. Sec. 504. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SCHOOL DISTRICT EMPLOYEE COMPENSATION

(1) For the purposes of sections 503 and this section, the following conditions and limitations apply:

(a) 'LEAP Document 7' means the computer tabulation of 1984-85 derived base salaries for basic education certified staff and 1984-85 average salaries for basic education classified staff, as developed by the legislative evaluation and accountability program committee on April 11, 1985, at 10:36 hours.

(b) Each district's average basic education certificated salary allocation shall be the district's certificated derived base salary shown on LEAP Document 7, multiplied by the districts prior year staff mix factor calculated using LEAP Document 1.

(c) Each district's average basic education classified salary allocation for both the 1985-86 and 1986-87 school years shall be the district's classified derived base salary multiplied by the district's prior year classified increment mix factor, as specified in this section. For the 1985-86 school year, the classified derived base salary for each district shall be the average classified salary specified for each district in LEAP Document 7 divided by the 1984-85 classified increment mix factor for each district calculated according to the formula used by the superintendent of public instruction in the 1984-85 school year. By December 1, 1985, the superintendent of public instruction shall provide to the legislative evaluation and accountability program committee the appropriate data with which to modify LEAP Document 7 to reflect the classified derived base salary for use in the 1986-87 school year.

(2) For the purposes of RCW 28A.58.095 and section 503(1) of this act, the following conditions and limitations apply:

(a) The maximum average percentage salary increase in school district programs other than the basic education program shall not exceed the percentage increase authorized for the district's basic education program.

(b) Insurance benefits are limited by this act to an average monthly rate of \$167 per full time equivalent certificated employee and to an average monthly rate of \$167 per classified unit. Classified units shall be calculated on the basis of 1,440 hours of work per year, with no individual employee counted for more than one unit. In accordance with RCW 28A.58.095, this subsection relates to insurance benefit increases granted in either the 1985-86 or 1986-87 school year which would raise the rate per full time equivalent unit to over \$167 per month.

(c) Increments granted by school districts to certificated staff shall constitute salary increase in the year in which the increments are given by a district to the extent only that the aggregate of increments granted by a district exceeds the aggregate of increments pursuant to LEAP Document 1.

(d) Seniority increments granted by a school district pursuant to the district's salary schedule for classified employees shall constitute salary increase in the year in which the increments are given to the extent only that the aggregate of the increments granted by the district exceeds the amount of the district's increments calculated using the formula adopted by the superintendent of public instruction for the classified increment mix factor.

NEW SECTION. Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—PART-TIME CLASSIFIED EMPLOYEE INSURANCE BENEFITS

General Fund Appropriation	\$	4,381,000
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The appropriation in this section is subject to the following conditions and limitations: A maximum of \$4,381,000 may be allocated during the months of July and August 1985 for insurance benefits for part-time classified employees as specified in section 503(8) of Engrossed Substitute House Bill No. 386 for such benefits for the time period from September 1, 1984, through June 30, 1985.

NEW SECTION. Sec. 506. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED EDUCATION PROGRAMS

General Fund Appropriation—State	\$	355,371,000
General Fund Appropriation—Federal	\$	30,153,000
Total Appropriation	\$	385,524,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$32,235,000 of the general fund—state appropriation is provided solely for the remaining months of the 1984-85 school year.

(2) The superintendent of public instruction shall distribute state funds for the 1985-86 and 1986-87 school years in accordance with a district's actual handicapped enrollments and the allocation model established in new LEAP Document 8 as developed by the legislative evaluation and accountability program committee on April 18, 1985, at 9:21 hours.

(3) A maximum of \$250,840 may be expended from the general fund—state appropriation to fund three teachers and one aide at Children's Orthopedic Hospital and Medical Center. This amount is in lieu of money provided through home and hospital allocation and the handicapped program.

NEW SECTION. Sec. 507. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	20,982,000
General Fund Appropriation—Federal	\$	6,663,000
Total Appropriation	\$	27,645,000

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$10,449,000 of the general fund—state appropriation may be expended for the 1985-86 school year, distributed as follows:

(a) A maximum of \$4,745,000 is provided for programs in state institutions for the handicapped or emotionally disturbed distributed at a maximum average rate of \$9.927 per full time equivalent student.

(b) A maximum of \$3,203,000 is provided for programs in state institutions for delinquent youth distributed at a maximum average rate of \$5,550 per full time equivalent student.

(c) A maximum of \$275,844 is provided for programs in state group homes for delinquent youth distributed at a maximum average rate of \$3,448 per full time equivalent student.

(d) A maximum of \$532,000 is provided for juvenile parole learning center programs distributed at a maximum average rate of \$1,326 per full time equivalent student, excluding funds provided through the basic education formula established in section 503 of this act.

(e) A maximum of \$1,695,000 is provided for programs in county detention centers distributed at a maximum average rate of \$3,851 per full time equivalent student.

(2) A maximum of \$10,089,000 of the general fund—state appropriation may be expended for the 1986-87 school year, distributed as follows:

(a) A maximum of \$4,465,000 is provided for programs in state institutions for the handicapped or emotionally disturbed distributed at a maximum average rate of \$9,967 per full time equivalent student.

(b) A maximum of \$3,116,000 is provided for programs in state institutions for delinquent youth distributed at a maximum average rate of \$5,555 per full time equivalent student.

(c) A maximum of \$276,000 is provided for programs in state group homes for delinquent youth distributed at a maximum average rate of \$3,456 per full time equivalent student.

(d) A maximum of \$533,000 is provided for juvenile parole learning center programs distributed at a maximum average rate of \$1,319 per full time equivalent student, excluding funds provided through the basic education formula established in section 503 of this act.

(e) A maximum of \$1,698,000 is provided for programs in county detention centers distributed at a maximum average rate of \$3,859 per full time equivalent student.

NEW SECTION. Sec. 508. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund Appropriation \$ 9,342,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$760,000 is provided solely for the remaining months of the 1984-85 school year.
- (2) The superintendent shall distribute funds for the 1985-86 and 1986-87 school years at a maximum rate of \$410 per eligible student.

NEW SECTION. Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR REMEDIATION ASSISTANCE

General Fund Appropriation \$ 24,733,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$2,644,000 is provided solely for the remaining months of the 1984-85 school year.
- (2) Funding for school district remediation programs serving grades two through nine shall be distributed during the 1985-86 and 1986-87 school years at a maximum rate of \$337 per unit as calculated pursuant to this subsection. The number of units for each school district shall be the sum of: (a) The number of students enrolled in grades two through six in the district multiplied by the percentage of students taking the fourth grade basic skills test in the previous year who scored in the lowest quartile as compared to national norms, and then reduced to the extent that the number of students ages seven through eleven in the district who are identified as specific learning disabled and served through programs established pursuant to chapter 28A.13 RCW exceeds four percent of the district full time equivalent enrollment in grades two through six; and (b) the number of students enrolled in grades seven through nine in the district multiplied by the percentage of students taking the eighth grade basic skills test in the previous year who scored in the lowest quartile as compared to national norms, and then reduced to the extent that the number of students ages twelve through fourteen in the district who are identified as specific learning disabled and served through programs established pursuant to chapter 28A.13 RCW exceeds four percent of the district full time equivalent enrollment in grades seven through nine.

NEW SECTION. Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund Appropriation \$ 4,918,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$408,000 is provided solely for distribution to school districts for the remaining months of the 1984-85 school year.
- (2) A maximum of \$2,326,000 may be expended by school district programs for highly capable students during the 1985-86 school year, distributed at a maximum rate of \$326 per student for up to one percent of each district's 1985-86 full time equivalent enrollment.
- (3) A maximum of \$2,391,000 may be expended in school district programs for highly capable students in the 1986-87 school year, at a maximum rate of \$330 per student for up to one percent of each district's 1986-87 full time equivalent enrollment.
- (4) A maximum of \$271,000 is provided to contract for an approved gifted program to be conducted at Fort Worden state park.

NEW SECTION. Sec. 511. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE ENUMERATED PURPOSES

General Fund Appropriation—Federal \$ 108,324,000
 (1) Education Consolidation and Improvement Act \$ 105,360,000
 (2) Education of Indian Children \$ 335,000
 (3) Adult Basic Education \$ 2,629,000

NEW SECTION. Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES

General Fund Appropriation \$ 63,312,000

The appropriation in this section is subject to the following conditions and limitations:

- (1) Funding for vocational programs during the 1985-86 school year shall be distributed at a rate of \$2,779 per student for a maximum of 11,255 full time equivalent students.

(2) Funding for vocational programs during the 1986-87 school year shall be distributed at a rate of \$2,820 per student for a maximum of 11,255 full time equivalent students.

(3) Not more than \$779,000 of this appropriation may be expended for adult basic educational programs.

NEW SECTION. Sec. 513. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation \$ 2,332,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Not more than \$1,166,000 of this appropriation shall be expended during fiscal year 1986.

(2) The appropriation in this section is intended to provide an average state support level of \$750 per student for fiscal year 1986 and \$779 per student for fiscal year 1987.

NEW SECTION. Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund Appropriation \$ 208,894,000

The appropriation in this section is subject to the following conditions and limitations:

(1) A maximum of \$92,238,000 may be distributed for pupil transportation operating costs in the 1985-86 school year.

(2) A maximum of \$755,000 may be expended for regional transportation coordinators.

(3) A maximum of \$56,000 may be expended for bus driver training.

NEW SECTION. Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS

General Fund Appropriation—State \$ 6,000,000

General Fund Appropriation—Federal \$ 69,584,000

Total Appropriation \$ 75,584,000

NEW SECTION. Sec. 516. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRAFFIC SAFETY EDUCATION PROGRAMS

General Fund—Public Safety and Education Account Appropriation \$ 15,123,000

The appropriation in this section is subject to the following conditions and limitations: Not more than \$549,000 may be expended for regional traffic safety education coordinators.

NEW SECTION. Sec. 517. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL AND PILOT PROGRAMS

General Fund Appropriation \$ 4,126,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Not more than \$2,017,000 of this appropriation is provided for operation by the educational service districts of regional computer demonstration centers and computer information centers.

(2) Not more than \$831,000 of this appropriation is provided for teacher training in drug and alcohol abuse education and prevention in grades K through 12.

(3) Not more than \$623,000 of this appropriation is provided for pilot programs to encourage potential high school drop-outs to remain in school.

(4) Not more than \$575,000 of this appropriation is provided for a contract with the Pacific Science Center for educational programs serving public schools.

(5) Not more than \$80,000 of this appropriation is provided for a contract with the Cispus learning center for environmental education programs.

NEW SECTION. Sec. 518. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL DISTRICT SUPPORT

General Fund Appropriation \$ 255,000

The appropriation in this section is subject to the following conditions and limitations: These funds shall be expended for teacher in-service training in math, science, and computer technology.

**PART VI
HIGHER EDUCATION**

NEW SECTION. Sec. 601. HIGHER EDUCATION

The appropriations in sections 602 through 609 of this act are subject to the following conditions and limitations:

(1) (a) It is the intent of the legislature that cost reductions related to enrollment reductions shall be phased in over four years to the extent financial circumstances of the state allow. Costs associated with enrollment reductions in this act are phased in to the extent they represent the difference between the total cost of a full time equivalent student divided by the total institutional budget (research, public service, and hospital expenditures not included) and the fiscal year 1985 budgeted direct student instructional and support costs. This subsection is explanatory only, and does not affect any requirements imposed in this act.

(b) A legislative committee on enrollment policy is established to provide an enrollment policy recommendation to the 1986 legislature. The committee shall consist of:

(i) Four members of the senate, to be appointed by the president of the senate, with equal representation of the two largest caucuses of the senate;

(ii) Four members of the house of representatives, to be appointed by the speaker of the house of representatives, with equal representation of the two largest caucuses of the house of representatives;

- (iii) Four citizen members, to be appointed by the governor; and
- (iv) The following nonvoting members, to be appointed by the governor:
 - (A) One representative from each research university;
 - (B) One representative from the regional universities;
 - (C) One representative from the state community college system; and
 - (D) One representative of the governor's office.

(c) The chairperson of the committee shall be elected from among the legislative members of the committee. The chairperson shall develop rules and procedures in consultation with the committee or an executive committee designated by the committee.

(d) Legislative members of the committee shall be reimbursed for travel expenses as provided in RCW 44.04.120. Nonlegislative members shall be reimbursed by the senate and house of representatives for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(2) No funds may be used for the inauguration or operation of new degree programs until the program has been reviewed and favorably recommended by the council for postsecondary education or its successor agency.

(3) The expenditure per student requirements in sections 602 through 608 of this act may be reduced by two percent if the director of financial management certifies, on or before the tenth day of the last regular instructional period of the fiscal biennium, that the failure to meet the minimum support per student is attributable to financial or other circumstances beyond the control of the institution. The director's rationale for granting the waiver shall be transmitted to the legislative ways and means committees within ten days of notification to the institution.

(4) No state funds may be used for the direct support of intercollegiate athletics other than specifically allowed for that purpose in this act. It is the intent of the legislature that no state funds will be spent on intercollegiate athletics after December 31, 1989.

(5) Off-campus courses that are intended to provide graduate educational opportunities for employed adults shall be offered on a partially or completely self-sustaining basis to the greatest extent feasible.

(6) Institutions may establish summer school as a self-supporting program through an interagency agreement with the office of financial management. There shall be no net impact on the state general fund based on the initial 1985-87 budget assumptions.

(7) Moneys appropriated in this act shall not be spent for salary schedule increments for longevity or professional advancement for community college faculty or exempt staff.

(8) A report, including relevant descriptive data, on the progress of the institutions of higher education in meeting the objectives of affirmative action and state policies on women and minority businesses in the hiring of personnel at the management level shall be prepared and submitted by the first day of each October for the review of the council for postsecondary education. The council shall submit a report on the information and degree of compliance with such standards to the legislative ways and means committees each November 1.

NEW SECTION. Sec. 602. HIGHER EDUCATION—INSTITUTIONAL LOAN FUND TRANSFERS

For the purpose of assisting the various institutions of higher education in meeting emergency financial problems, the institutions of higher education are directed to transfer the following amounts from the institutional loan fund established in RCW 28B.15.820 to their respective local general funds:

University of Washington	\$	1,869,000
Washington State University	\$	817,000
Eastern Washington University	\$	285,000
Central Washington University	\$	251,000
The Evergreen State College	\$	130,000
Western Washington University	\$	339,000
State board for community college education	\$	1,458,000

The transfer authority shall be in effect only for the fiscal biennium beginning July 1, 1985, and ending June 30, 1987.

NEW SECTION. Sec. 603. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

		FY 1986	FY 1987
General Fund Appropriation	\$	239,035,000	239,035,000
Total Appropriation		\$478,070,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$130,069,000 from the fiscal year 1986 general fund appropriation and \$130,068,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$1,573 per regular session full time equivalent student shall be spent from the state general fund in the instruction program. A maximum of \$160,000 may be spent on activities related to federated learning centers.

(2) \$1,920,000 from the fiscal year 1986 general fund appropriation and \$1,920,000 from the fiscal year 1987 general fund appropriation are provided solely for the operation of the state board office.

(3) The office of financial management shall initially allot for the following:

- (a) Equipment \$9,849,000
- (b) Plant operations and maintenance \$61,424,000

(4) A maximum of \$648,000 may be spent for intercollegiate sports purposes.
NEW SECTION, Sec. 604. FOR THE UNIVERSITY OF WASHINGTON

	FY 1986	FY 1987
General Fund Appropriation	\$ 220,985,000	220,712,000
Medical Aid Fund Appropriation	\$ 1,059,000	1,059,000
Accident Fund Appropriation	\$ 1,059,000	1,059,000
General Fund—Death Investigations		
Account Appropriation	\$ 335,000	379,000
Total Appropriation	\$446,647,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$130,034,000 from the fiscal year 1986 general fund appropriation and \$129,742,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$4,437 per regular session full time equivalent student shall be spent from the state general fund in the instruction program. A maximum of \$40,000 may be spent on activities related to federated learning centers.

(2) The office of financial management shall initially allot for the following:

- (a) Equipment \$6,489,000
- (b) Plant operations and maintenance \$48,148,000

(3) Salary increases, other than normal increments, for the faculty of the University of Washington, effective March 1, 1986, may be granted solely to reduce critical market disparities in teaching disciplines. For the purposes of this subsection, 'faculty' means only those individuals holding faculty appointments in the instruction, research, public service, primary support, and sponsored research programs, including medical residents. The university shall report to the office of financial management its plans for granting salary increases under this section, including but not limited to data on increases to specific disciplines by professorial rank by November 30, 1985. The office of financial management shall report to the ways and means committees of the senate and house of representatives regarding the specific criteria the university will use to measure market disparities in teaching disciplines and to allocate salary increases to reduce such disparities. The report shall be made before any salary increases are granted from this appropriation, but not later than January 1, 1986.

(4) A maximum of \$400,000 may be spent for costs of initiating in underserved urban areas those undergraduate programs that are intended to become substantially self-supporting. Full time enrollments resulting from expenditures under this subsection are not subject to the conditions of subsection (1) of this section.

(5) The university may develop and/or operate a cardiac transplantation unit. The university shall provide a report to the senate and house ways and means committees on January 1, 1986, and January 1, 1987. The report shall detail total expenditures to date by fiscal year and by each fund source relating to the development and/or operation of the cardiac transplantation unit and shall include expenditures from all fund sources.

NEW SECTION, Sec. 605. FOR WASHINGTON STATE UNIVERSITY

	FY 1986	FY 1987
General Fund Appropriation	\$ 125,424,000	124,863,000
Total Appropriation	\$250,287,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$55,456,000 from the fiscal year 1986 general fund appropriation and \$55,298,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$3,559 per regular session full time equivalent student shall be spent from the state general fund in the instruction program.

(2) The office of financial management shall initially allot for the following:

- (a) Equipment \$2,521,000
- (b) Plant operations and maintenance (09) \$33,092,000
- (c) Agriculture Research (021) \$23,573,000
- (d) Cooperative Extension (032) \$16,505,000

(3) A maximum of \$170,000 may be spent for continued funding of the endrin replacement project.

(4) The college of agriculture and home economics shall establish a plan for agricultural research projects and programs. The plan shall be developed in consultation with representatives of the state's agricultural industry. The plan shall identify the amount of funds allocated to or proposed to be allocated to the research projects and programs, by subject area, during each of fiscal years 1984, 1985, 1986, and 1987 and shall establish an order of priority for funding the various types and subject areas of agricultural research. The order of priority and funding shall reflect the current and future needs of Washington state agriculture and the process to coordinate with research of other land grant universities. The dean of the college shall submit the plan to the office of financial management and to the ways and means committees

of the house of representatives and senate by January 1, 1986. The submittal of the plan is a condition for the allocation of state research funds for use by the college after January 1, 1986.

(5) Salary increases, other than normal increments, for the faculty of Washington State University, effective March 1, 1986, shall be granted solely to reduce critical market disparities in teaching disciplines. For the purposes of this subsection, 'faculty' means only those individuals holding faculty appointments in the instruction, research, public service, primary support, and sponsored research programs, including medical residents. The university shall report to the office of financial management its plans for granting salary increases under this section, including but not limited to data on increases to specific disciplines by professorial rank by November 30, 1985. The office of financial management shall report to the ways and means committees of the senate and house of representatives regarding the specific criteria the university will use to measure market disparities in teaching disciplines and to allocate salary increases to reduce such disparities. The report shall be made before any salary increases are granted from this appropriation, but not later than January 1, 1986.

(6) No more than \$7,500 per full time equivalent enrollment averaged for the biennium shall be spent at the southwest joint center for education on the total cost of providing education programs as authorized by the legislature.

(7) A maximum of \$1,165,000 may be spent on intercollegiate sports activities.

NEW SECTION, Sec. 606. FOR EASTERN WASHINGTON UNIVERSITY

	FY 1986	FY 1987
General Fund Appropriation	\$ 35,477,000	35,401,000
Total Appropriation	\$70,878,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$18,052,000 from the fiscal year 1986 general fund appropriation and \$17,978,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$2,659 per regular session full time equivalent student shall be spent from the state general fund in the instruction program. Of the amounts provided in this subsection, a maximum of \$111,000 may be spent for departmental research fellowships, limited to no more than three months per award.

(2) The office of financial management shall initially allot for the following:

- (a) Equipment
- (b) Plant operations and maintenance

(3) A maximum of \$1,000,000 may be spent on intercollegiate sports activities.

NEW SECTION, Sec. 607. FOR CENTRAL WASHINGTON UNIVERSITY

	FY 1986	FY 1987
General Fund Appropriation	\$ 30,688,000	30,673,000
Total Appropriation	\$61,361,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$15,903,000 from the fiscal year 1986 general fund appropriation and \$15,889,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$2,716 per regular session full time equivalent student shall be spent from the state general fund in the instruction program. Of the amounts provided in this subsection, a maximum of \$167,000 may be spent for departmental research fellowships, limited to no more than three months per award. A maximum of \$40,000 may be spent on federated learning centers.

(2) The office of financial management shall initially allot for the following:

- (a) Equipment
- (b) Plant operations and maintenance

(3) A maximum of \$441,000 may be spent on intercollegiate sports activities.

NEW SECTION, Sec. 608. FOR THE EVERGREEN STATE COLLEGE

	FY 1986	FY 1987
General Fund Appropriation	\$ 16,519,000	16,489,000
Total Appropriation	\$33,008,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,751,000 from the fiscal year 1986 general fund appropriation and \$6,732,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$2,859 per regular session full time equivalent student shall be spent from the state general fund in the instruction program. Of the amounts provided in this subsection, a maximum of \$194,000 may be spent for departmental research fellowships, limited to no more than three months per award.

(2) \$20,000 is provided solely for fiscal year 1986 from the general fund appropriation for the Washington state institute for public policy to complete the Washington state minorities incarceration study using the staff of the University of Washington. \$15,000 of this amount is provided solely for increasing the number of sample counties in the study. \$5,000, or the amount equal to the unexpended balance of the 1983-85 appropriation for this purpose, is provided solely for continuation of the original study. The expanded study shall be presented to the legislature by November 1, 1985.

(3) A maximum of \$40,000 from the general fund—state appropriation may be spent for matching funds as provided in this subsection. The Washington state center for the improvement of the quality of undergraduate instruction shall include The Evergreen State College, as a participant with other higher education institutions desiring to participate, in instructional program innovation through the establishment of federated learning centers. State funds shall be matched with cash matching funds to the greatest extent possible.

(4) The office of financial management shall initially allot for the following:

- (a) Equipment \$590,000
- (b) Plant operations and maintenance \$6,184,000

(5) A maximum of \$178,000 may be spent on intercollegiate sports activities.

(6) A maximum of \$469,000 may be spent for enrollments in underserved urban areas. Full time equivalent enrollments resulting from expenditures under this subsection are not subject to the conditions of subsection (1) of this section.

NEW SECTION, Sec. 609. FOR WESTERN WASHINGTON UNIVERSITY

	FY 1986	FY 1987
General Fund Appropriation	\$ 38,107,000	38,028,000
Total Appropriation	\$76,134,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$22,301,000 from the fiscal year 1986 general fund appropriation and \$22,214,000 from the fiscal year 1987 general fund appropriation are provided solely for the instruction program. Not less than a biennial average of \$2,760 per regular session full time equivalent student shall be spent from the state general fund in the instruction program. Of the amounts provided in this subsection, a maximum of \$287,000 may be spent for departmental research fellowships, limited to no more than three months per award. A maximum of \$40,000 may be spent on federated learning centers.

(2) \$612,000 is provided to partially equalize the support resources among the regional institutions.

(3) The office of financial management shall initially allot for the following:

- (a) Equipment \$1,620,000
- (b) Plant operations and maintenance \$9,752,000

(4) A maximum of \$395,000 may be spent on intercollegiate sports activities.

NEW SECTION, Sec. 610. FOR THE COUNCIL FOR POSTSECONDARY EDUCATION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 18,117,000	18,118,000
General Fund Appropriation—Federal	\$ 1,817,000	1,817,000
State Educational Grant Appropriation	\$ 20,000	20,000
Total Appropriation	\$39,909,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$16,824,000 from the fiscal year 1986 general fund—state appropriation and \$16,824,000 from the fiscal year 1987 general fund—state appropriation are provided solely for student financial aid, including administrative costs. The council's first priority shall be to provide financial assistance to the core of students with extremely high unmet need. The council shall adopt a definition for this group of students and provide financial aid for all such students at a standard to be established by the council. To the greatest extent possible, the council shall emphasize work study and other self-help programs in its financial assistance programs.

(2) The council shall take all necessary management precautions to ensure that financial aid awards to individuals and institutions do not exceed the amounts provided in subsection (1) of this section. Any over-commitment of funds shall be paid directly from the funds provided for the coordination and policy analysis program until those funds are exhausted.

NEW SECTION, Sec. 611. FOR THE COMMISSION FOR VOCATIONAL EDUCATION

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 3,513,000	2,763,000
General Fund Appropriation—Federal	\$ 11,280,000	11,280,000
General Fund—Fire Service Training Account Appropriation	\$ 250,000	250,000
Total Appropriation	\$29,336,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) No state funds may be used by the advisory council for vocational education.

(2) \$750,000 of the general fund—state appropriation is provided solely for services and supplies in the job skills program initiated but not completed during the 1983-85 biennium.

(3) If Substitute Senate Bill No. 3442 is not enacted by July 1, 1985, the fire service training account appropriations in this section shall revert.

(4) A maximum of \$2,980,390 is provided for the fire service training program, of which \$1,288,801 is from the general fund—state appropriation, \$1,191,589 is from the general fund—federal appropriation, and \$500,000 is from the fire service training account appropriation.

NEW SECTION, Sec. 612. FOR THE HIGHER EDUCATION PERSONNEL BOARD

FY 1986 FY 1987

Higher Education Personnel Board Service Fund			
Appropriation	\$	780,000	781,000
Total Appropriation		\$1,561,000	

NEW SECTION, Sec. 613. FOR THE STATE LIBRARY

		FY 1986	FY 1987
General Fund Appropriation—State	\$	4,262,000	4,262,000
General Fund Appropriation—Federal	\$	1,188,000	1,188,000
General Fund Appropriation—Private/Local	\$	50,000	50,000
Washington Library Network Computer System			
Revolving Fund Appropriation—Private/Local	\$	6,281,000	6,943,000
Total Appropriation		\$24,224,000	

NEW SECTION, Sec. 614. FOR THE WASHINGTON STATE ARTS COMMISSION

		FY 1986	FY 1987
General Fund Appropriation—State	\$	1,952,000	1,586,000
General Fund Appropriation—Federal	\$	469,000	469,000
Total Appropriation		\$4,476,000	

The appropriations in this section are subject to the following conditions and limitations: \$150,000 of the general fund—state appropriation may be expended for works of art in the rotunda area of the legislative building, assisted by the joint legislative arts committee, to assist in the recognition of the 1989 Centennial. The works of art shall depict the early history of the state of Washington and its natural resources, agriculture, economy, and industry.

NEW SECTION, Sec. 615. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

		FY 1986	FY 1987
General Fund Appropriation	\$	315,000	315,000
Total Appropriation		\$630,000	

NEW SECTION, Sec. 616. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

		FY 1986	FY 1987
General Fund Appropriation	\$	313,000	313,000
Total Appropriation		\$626,000	

NEW SECTION, Sec. 617. FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

		FY 1986	FY 1987
General Fund Appropriation	\$	281,000	281,000
General Fund—State Capitol Historical Association			
Museum Account Appropriation	\$	56,000	56,000
Total Appropriation		\$674,000	

PART VII
SPECIAL APPROPRIATIONSNEW SECTION, Sec. 701. FOR THE GOVERNOR—EMERGENCY FUND

General Fund Appropriation—State	\$	1,700,000
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The appropriation in this section is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

NEW SECTION, Sec. 702. FOR THE GOVERNOR—COMPARABLE WORTH IMPLEMENTATION AND LAWSUIT

		FY 1986	FY 1987
General Fund Appropriation	\$	26,790,000	
Special Fund Salary Increase			
Revolving Fund Appropriation	\$	19,120,000	
Total Appropriation	\$	45,910,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,578,000 of the general fund appropriation and \$1,305,000 of the special fund salary increase revolving fund appropriation are provided solely for a salary increase for those job classifications tied to salary survey benchmarks falling 8 ranges or more below the January 1, 1985, actual average comparable worth line as calculated under the formula of $\$983.72 + (\$3.28 \times \text{points})$ and rounded to the nearest Step G or equivalent step for shortened ranges. However, a job classification shall receive an increase only if its salary range as of January 1, 1985, is also 8 or more ranges less than the salary range of that classification as calculated under the aforementioned formula using the evaluation points of that classification as adopted by the respective personnel board. The adjustments shall take place July 1, 1985, and July 1, 1986, and shall equal \$75 a year for all affected classes and employees.

(2) \$350,000 of the general fund—state appropriation shall be used solely by the office of the governor to hire an independent consultant with expertise in developing and evaluating public employee job classification systems and implementing comparable worth. The selection of the independent consultant shall be made after consulting with the state government committee of the house of representatives and the governmental operations committee of the senate. The consultant shall:

(a) Review the Willis methodology for any potential gender bias and make any necessary adjustments;

(b) Update job class specifications for all job classes with incumbents that have not been reviewed for the past five years and eliminate any potential gender bias;

(c) Develop a new benchmark and indexing structure which reflects the evaluated worth of the job classes and eliminates any potential gender bias; and

(d) Evaluate the job class specifications for the implementation of comparable worth.

(3) The department of personnel and the higher education personnel board shall provide any assistance needed by the consultant to perform the activities in subsection (2) of this section. Both the state personnel board and higher education personnel board must submit joint reports to the legislature on the progress to date in implementing the consultant's recommendations no later than January 1, 1986, and July 1, 1986. On January 1, 1987, both boards shall submit a final report to the legislature.

(4) \$150,000 of the general fund—state appropriation shall be used solely for the office of the governor to allocate to agencies that provide technical assistance to the consultant hired under subsection (2) of this section.

(5) \$23,612,000 of the general fund appropriation and \$17,815,000 of the special fund salary increase revolving fund appropriation are provided for the settlement of all claims of all plaintiffs and class members of American Federation of State, County, and Municipal Employees, et al. vs. State of Washington, et al., Cause Nos. C82-4657, 84-3569, and 84-3590. The settlement shall result in complete discharge of all claims relating to Cause Nos. C82-4657, 84-3569, and 84-3590 of any nature whatsoever of all plaintiffs and class members. It is the intent of the legislature that salary adjustments for affected class members not exceed the adjustment calculated using the average actual comparable worth salary line as applied to the Willis evaluation points of the affected job classification and adopted by the state personnel board and the higher education personnel board. The governor as the chief executive officer of the state, with the assistance of the attorney general, is authorized to seek a proposed settlement. However, any such settlement is tentative and subject to legislative ratification. \$100,000 of the general fund appropriation is provided solely for the office of the governor to retain any special consultants or negotiators to work with the attorney general in seeking a settlement of American Federation of State, County, and Municipal Employees, et al. vs. State of Washington, et al., within the terms of the appropriation as set out in this subsection. If a tentative settlement is reached within the terms of the appropriation within this subsection, the governor and the attorney general shall jointly present a report on the tentative settlement to the legislature no later than January 1, 1986, for ratification. No funds shall be released before January 1, 1987, and until such time as stipulated final judgment is entered under the terms of the tentative settlement ratified by the legislature. The appropriation provided for settlement in this subsection shall lapse if no proposal is brought before the legislature before January 1, 1986, if the tentative settlement brought before the legislature is not ratified by the legislature during the 1986 legislative session, or if stipulated final judgment is not entered before June 30, 1986.

(6) The settlement, if ratified by the legislature, shall not be construed as compliance with RCW 41.06.155 and 28B.16.116.

(7) The department of personnel and the higher education personnel board shall report to the legislature by January 1, 1987, with a report identifying those job classifications not covered by the lawsuit that would be entitled to receive adjustments under the average actual comparable worth line. The report shall include recommendations regarding implementation of comparable worth adjustments for these affected job classes.

(8) To facilitate payment of salary increases from special funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund salary and insurance contribution increase revolving fund hereby created in accordance with schedules provided by the office of financial management.

NEW SECTION, Sec. 703. FOR INSURANCE BENEFITS

(1) The monthly contributions for insurance benefits shall not exceed \$167 per eligible employee.

(2) Any returns of funds to the state employees' insurance board resulting from favorable claims experienced during the 1985-87 biennium shall be held in reserve within the state employees insurance fund until appropriated by the legislature.

(3) Funds provided under this section, including funds resulting from dividends or refunds, shall not be used to increase employee insurance benefits over the level of services provided on the effective date of this act. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of this act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date upon which coverage is extended.

NEW SECTION, Sec. 704. FOR THE GOVERNOR—RETIREMENT CONTRIBUTIONS

		FY 1986	FY 1987
General Fund Appropriation	\$	41,700,000	-0-
Total Appropriation		\$41,700,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The governor shall transfer \$25,700,000 of the general fund appropriation to the department of retirement systems during July and August 1985 solely for payment to the teachers' retirement system.

(2) The governor shall allocate not more than \$16,000,000 to the superintendent of public instruction to be used solely for employer contributions to the teachers' retirement system for school and educational service districts during the 1985-86 school year for nonstate-supported certificated staff.

NEW SECTION, Sec. 705. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT CONTRIBUTIONS

	FY 1986	FY 1987
General Fund Appropriation	\$ 114,000,000	114,000,000
Total Appropriation	\$228,000,000	

NEW SECTION, Sec. 706. FOR THE STATE TREASURER—TRANSFERS

General Fund Appropriation: For transfer to the General Fund— Institutional Impact Account	\$	350,000
General Fund Appropriation: For transfer to the Energy Account— Nonappropriated, for interest earned in prior biennia	\$	164,733
General Fund Appropriation: For transfer to the General Fund— Flood Control Assistance Account pursuant to RCW 86.26.007	\$	4,000,000
General Fund—Forest Development Account Appropriation: For transfer to the General Fund—Resource Management Cost Account to the extent funds are available as determined by the department of natural resources. The department shall provide the state treasurer with a schedule of such transfers	\$	11,908,000
Motor Vehicle Fund—Highway Stabilization Account Appropria- tion: For transfer to the Motor Vehicle Fund—State	\$	25,000,000
Motor Vehicle Fund Appropriation: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation and the Washington state patrol during the period July 1, 1985, through June 30, 1987	\$	11,250,000
State Treasurer's Service Fund Appropriation: For transfer to the gen- eral fund on or before July 20, 1987, an amount up to \$9,853,000 in excess of the cash requirements in the State Treasurer's Ser- vice Fund for fiscal year 1988, for credit to the fiscal year in which earned	\$	9,853,000
General Fund—Charitable, Educational, Penal and Reformatory Institutions Account Appropriations: For transfer to the General Fund—Resource Management Cost Account to the extent that funds are available as determined by the department of natural resources. The department shall provide the state treasurer with a schedule of such transfers	\$	600,000
General Fund Appropriation: For transfer to the Tort Claims Revolv- ing Fund on June 30, 1985	\$	2,000,000
General Fund Appropriation: For transfer to the Tort Claims Revolv- ing Fund as required to maintain a positive working capital bal- ance	\$	2,000,000

NEW SECTION, Sec. 707. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—TRANSFERS

General Fund Appropriation: For transfer to the Department of Retire- ment Systems Expense Fund	\$	14,000
Motor Vehicle Fund—State Patrol Highway Account Appropriation: For transfer to the Department of Retirement Systems Expense Fund	\$	72,000
Teachers' Retirement Fund Appropriation: For transfer to the Depart- ment of Retirement Systems Expense Fund	\$	327,000

NEW SECTION, Sec. 708. FOR BELATED CLAIMS

(1) There is appropriated to the office of financial management for payment of supplies and services furnished in previous biennia, from the General Fund . . . \$ 1,145,000

(2) 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 act to June 30, 1987, except as otherwise noted.

To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

General Fund—Criminal Justice		
Training Account	\$	4,094
General fund—Institutional Impact Account	\$	30,593
General Fund—Architects' License Account	\$	1,277
General Fund—Cemetery Account	\$	10
General Fund—Trust Land Purchase Account	\$	73

General Fund—Archives and Records Management Account	\$	5,987
General Fund—Judiciary Education Account	\$	249
General Fund—State Timber Tax Reserve Account	\$	169
General Fund—Health Professions Account	\$	110
General Fund—Professional Engineers' Account	\$	218
General Fund—Real Estate Commission Account	\$	19,933
General Fund—State Investment Board Expense Account	\$	5,732
General Fund—Capitol Building Construction Account	\$	30,618
General Fund—Motor Transport Account	\$	10,539
General Fund—State Capitol Historical Association Museum Account	\$	67
General Fund—Resource Management Cost Account	\$	31,248
General Fund—Litter Control Account	\$	2,767
General Fund—Traffic Safety Education Account	\$	292
General Fund—Salmon Enhancement Construction Account	\$	5,982
General Fund—State Building Account	\$	10,680
General Fund—L.I.R. Water Supply Facilities Account	\$	359
General Fund—State Social and Health Services Construction Account	\$	60,813
General Fund—Fisheries Capital Projects Account	\$	1,760
Grade Crossing Protective Fund	\$	1,772
State Patrol Highway Account	\$	47,224
Fertilizer, Agriculture, Mineral and Lime Fund	\$	131
Commercial Feed Fund	\$	296
Seed Fund	\$	2,863
Electrical License Fund	\$	1,943
State Game Fund	\$	41,881
Highway Safety Fund	\$	8,351
Motor Vehicle Fund	\$	21,502
Public Service Revolving Fund	\$	21,945
Horse Racing Commission Fund	\$	1,516
State Treasurer's Service Fund	\$	6,831
Legal Services Revolving Fund	\$	3,818
General Administration Facilities and Services Revolving Fund	\$	996
Department of Personnel Service Fund	\$	8,604
State Employees' Insurance Fund	\$	3,355
Data Processing Revolving Fund	\$	860
State Auditing Services Revolving Fund	\$	338
Liquor Revolving Fund	\$	18,665
Department of Retirement Systems Expense Fund	\$	1,456
Accident Fund	\$	15,683
Medical Aid Fund	\$	15,720
Washington Library Network Computer System Revolving Fund	\$	9,647

NEW SECTION, Sec. 709. FOR SUNDRY CLAIMS

The following sums, or so much thereof as are necessary, are appropriated from the general fund, unless otherwise indicated, for the payment of court judgments and for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of financial management, except as otherwise provided, as follows:

- (1) In settlement of all claims for expenses in Fox v. State, Superior Court for King County, Judgment No. 83-2-16479-6, pursuant to RCW 9.01.200, including interest
- (2) In settlement of all claims for expenses in State v. Christian, Superior Court for King County, Judgment No. 59720, pursuant to RCW 9.01.200, including interest
- (3) In settlement of all claims for expenses in State v. Thew, District Court for Spokane County, Judgment No. 8314016, pursuant to RCW 9.01.200, including interest

(4) In settlement of all claims for expenses in <i>State v. Thacker</i> , Superior Court for Kitsap County, Judgment No. C-3363, pursuant to RCW 9.01.200, including interest	\$	37,715.00
(5) In settlement of all claims for expenses in <i>State v. Brusseau</i> , Superior Court for Spokane County, Judgment No. 8410532, pursuant to RCW 9.01.200, including interest	\$	900.38
(6) In settlement of all claims for expenses in <i>Niederer v. Powers</i> , Superior Court for King County, Judgment No. 82-5-50674-6, pursuant to RCW 9.01.200	\$	3,250.00
(7) In settlement of all claims for expenses in <i>Carrillo v. State</i> , Superior Court for King County, Judgment No. 84-2-10706-5, pursuant to RCW 9.01.200, including interest	\$	8,812.20
(8) In settlement of all claims for expenses in <i>Lindsey v. Murphy Brothers Construction, Inc.</i> , Superior Court for Ferry County, Judgment No. 7081, pursuant to RCW 9.01.200, including interest	\$	5,607.22
(9) In settlement of all claims for expenses in <i>Keith v. Cain</i> , Superior Court for King County, Judgment No. 83-2-00358-0, pursuant to RCW 9.01.200	\$	3,427.72
(10) Department of Social and Health Services: (a) Payment for medical insurance premiums for the month of July 1976 due the Health Care Financing Administration	\$	300,190.30
(b) Payment of judgment in <i>Washington Natural Gas Co. v. State</i> , Superior Court for King County, Judgment No. 80-2-04165-7, including interest	\$	52,330.00
(c) In settlement of all claims of the parties in <i>Boyce, et al. v. DSHS</i> , Superior Court for Thurston County, Judgment No. 80-2-00309-4, including interest	\$	315,307.00
(d) Payment of judgment in <i>United Nursing Homes v. State</i> , Superior Court for Thurston County, Judgment No. 80-2-01170-4, including interest: PROVIDED, That to the extent that federal financial participation is available, the department of social and health services shall apply such funds before using this appropriation	\$	72,222.41
(e) In settlement of all claims of the parties in <i>Washington Federation of State Employees v. State</i> , Superior Court for Thurston County, Cause No. 80-2-00966-1	\$	71,840.93
(11) <i>Irwin & Associates</i> , Payment of judgment in <i>Irwin v. State</i> , Superior Court for King County, Judgment No. 84-2-18326-8, including interest	\$	56,510.00
(12) <i>Michael R. Boespflug</i> , In settlement of all claims in <i>State v. State Credit Assoc., Inc.</i> , Superior Court for King County, Judgment No. 848-936 including interest	\$	34,709.40
(13) In settlement of all claims of the parties in <i>Burman v. State</i> , Superior Court for King County, Cause No. 82-2-09155-3: PROVIDED, That payment shall be made from the Public Safety and Education Account, under the control of the court, and any remaining balance be returned to the state	\$	1,200,000.00
(14) <i>William J. Rush</i> , Payment of judgment in <i>State v. American Antenna Corp.</i> , Superior Court for Pierce County, Judgment No. 82-2-01064-8	\$	80,000.00
(15) <i>Ray A. Bonderman</i> , Payment for loss of personal property while under protection of the department of fisheries	\$	889.80
(16) Compensation to the following for all pending claims of damage to crops by game: PROVIDED, That payment shall be made from the Game Fund:		
(a) <i>Ray Beller</i>	\$	4,086.03
(b) <i>Barry J. Wheeler</i>	\$	2,150.72
(c) <i>Robert M. Smith</i>	\$	600.05
(d) <i>Richard E. Rubenser</i>	\$	22,107.05
(e) <i>John Frank Thelen</i>	\$	4,885.00
(f) <i>Lewis B. Cox</i>	\$	4,224.50
(g) <i>Frank Saitta</i>	\$	3,320.00
(h) <i>David K. Billingsley</i>	\$	1,441.80
(i) <i>Patrick A. Wolf</i>	\$	5,928.00
(j) <i>Dean C. Farrants</i>	\$	2,524.50
(17) Office of the Attorney General, payment of judgments for costs (United States Court of Appeals, Third Circuit, Judgment dated May 23, 1983, in appeal Nos. 81-2341/50; United States District		

Court, Eastern District of Pennsylvania, Judgment dated August 9, 1983 in M.D.L. No. 323; and United States Court of Appeals, Third Circuit, Judgment dated September 6, 1984 in appeal No. 83-1742), including interest, pursuant to Agreement Re Satisfaction of Judgments which, upon payment of that amount as a result of authorization from the current session, will fully and completely discharge the state from any and all further claims under the judgments	\$	34,035.86
(18) Anthony Schwab, Payment of judgment in State v. Schwab, Supreme Court No. 50756-2, including interest	\$	2,298.45
<u>NEW SECTION</u> , Sec. 710. FOR THE STATE TREASURER—STATE REVENUES FOR		

DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution	\$	4,337,900
General Fund Appropriation for public utility district excise tax distribution	\$	21,932,000
General Fund Appropriation for prosecuting attorneys' salaries	\$	1,708,071
General Fund Appropriation for motor vehicle excise tax distribution	\$	43,415,000
General Fund Appropriation for local mass transit assistance	\$	136,800,000
General Fund Appropriation for camper and travel trailer excise tax distribution	\$	1,263,292
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution	\$	22,073
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	\$	18,778,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$	269,336,034
Liquor Revolving Fund Appropriation for liquor profits distribution	\$	44,000,000
General Fund—Timber Tax Distribution Account Appropriation for distribution to 'Timber' counties	\$	37,760,000
General Fund—Municipal Sales and Use Tax Equalization Account Appropriation	\$	23,378,000
General Fund—County Sales and Use Tax Equalization Account Appropriation	\$	7,858,000
General Fund—Death Investigations Account Appropriation for distribution to counties for public funded autopsies	\$	200,000
Total Appropriation	\$	610,788,370

NEW SECTION, Sec. 711. FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

Forest Reserve Fund Appropriation for forest reserve fund distribution	\$	25,164,000
General Fund Appropriation for federal flood control funds distribution	\$	30,000
General Fund Appropriation for federal grazing fees distribution	\$	50,000
General Fund—Geothermal Account Appropriation	\$	117,260
General Fund Appropriation for distribution to counties in conformance with Public Law 97-99	\$	837,896
Total Appropriation	\$	26,199,156

NEW SECTION, Sec. 712. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, INCLUDING ONGOING BOND REGISTRATION AND TRANSFER CHARGES

Fisheries Bond Redemption Fund 1977 Appropriation	\$	3,476,774
Salmon Enhancement Bond Redemption Fund 1977 Appropriation	\$	4,666,130
Higher Education Refunding Bond Redemption Fund 1977 Appropriation	\$	8,746,565
Fire Service Training Center Bond Retirement Fund 1977 Appropriation	\$	1,626,243
Highway Bond Retirement Fund Appropriation	\$	138,861,113
Indian Cultural Center Construction Bond Redemption Fund 1976 Appropriation	\$	234,600
Higher Education Bond Redemption Fund 1977 Appropriation	\$	15,087,751
Ferry Bond Retirement Fund 1977 Appropriation	\$	29,142,170
Emergency Water Projects Bond Retirement Fund 1977 Appropriation	\$	2,594,770
General Administration Building Bond Redemption Fund Appropriation	\$	29,425
Public School Building Bond Redemption Fund 1965 Appropriation	\$	2,470,955
State Building and Higher Education Construction Bond Redemption Fund 1965 Appropriation	\$	3,215,565
Spokane River Toll Bridge Account Appropriation	\$	886,400
Higher Education Bond Retirement Fund 1979 Appropriation	\$	32,531,592

State General Obligation Bond Retirement Fund 1979 Appropriation	\$	208,589,280
Fisheries Bond Redemption Fund 1976 Appropriation	\$	766,136
State Building Bond Redemption Fund 1967 Appropriation	\$	652,100
Community College Capital Construction Bond Redemption Fund 1975, 1976, 1977 Appropriation	\$	16,067,247
Common School Building Bond Redemption Fund 1967 Appropriation	\$	6,876,110
Outdoor Recreation Bond Redemption Fund 1967 Appropriation	\$	6,276,470
Water Pollution Control Facilities Bond Redemption Fund 1967 Approp- riation	\$	4,015,067
State Building and Higher Education Construction Bond Redemption Fund 1967 Appropriation	\$	10,240,447
State Building and Parking Bond Redemption Fund 1969 Appropria- tion	\$	2,456,880
Waste Disposal Facilities Bond Redemption Fund Appropriation	\$	98,604,041
Water Supply Facilities Bond Redemption Fund Appropriation	\$	11,974,758
Social and Health Services Facilities 1972 Bond Redemption Fund Appropriation	\$	3,734,611
Recreation Improvements Bond Redemption Fund Appropriation	\$	5,990,090
Community College Capital Improvement Bond Redemption Fund 1972 Appropriation	\$	7,508,345
State Building Authority Bond Redemption Fund Appropriation	\$	9,562,105
Office-Laboratory Facilities Bond Redemption Fund Appropriation	\$	276,830
University of Washington Hospital Bond Retirement Fund 1975 Approp- riation	\$	1,165,915
Washington State University Bond Redemption Fund 1977 Appropria- tion	\$	559,295
Higher Education Bond Redemption Fund 1975 Appropriation	\$	2,173,165
State Building Bond Redemption Fund 1973 Appropriation	\$	3,824,535
State Building Bond Retirement Fund 1975 Appropriation	\$	1,358,440
State Higher Education Bond Redemption Fund 1973 Appropriation	\$	4,374,678
Social and Health Services Bond Redemption Fund 1976 Appropria- tion	\$	9,480,564
State Building (Expo 74) Bond Redemption Fund 1973A Appropriation	\$	375,371
Community College Refunding Bond Retirement Fund 1974 Appropria- tion	\$	9,457,123
State Higher Education Bond Redemption Fund 1974 Appropriation	\$	1,201,300
State Facilities Renewal Bond Retirement Fund Appropriation	\$	6,356,000
Total Appropriation	\$	677,486,956

NEW SECTION. Sec. 713. Notwithstanding the provisions of chapter 82, Laws of 1973 1st ex. sess., the house of representatives, the senate, and the permanent statutory committees shall pay expenses quarterly to the department of general administration facilities and services revolving fund for services rendered by the department for operations, maintenance, and supplies relating to buildings, structures, and facilities utilized by the legislature for the biennium beginning July 1, 1985.

NEW SECTION. Sec. 714. Whenever allocations are made from the governor's emergency fund appropriation to an agency which is financed in whole or in part by other than general fund moneys, the director of financial management may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance the agency. No appropriation shall be necessary to effect such repayment.

NEW SECTION. Sec. 715. In addition to the amounts appropriated in this act for revenue for distribution, bond retirement and interest including ongoing bond registration and transfer charges, transfers, interest on registered warrants, and certificates of indebtedness, there is also appropriated such further amounts as may be required or available for these purposes under any statutory formula or under any proper bond covenant made in accordance with law.

NEW SECTION. Sec. 716. In addition to such other appropriations as are made by this act, there is hereby appropriated to the state finance committee from legally available bond proceeds in the respective construction or building funds and accounts such amounts as are necessary to pay the expenses incurred in the issuance and sale of the subject bonds.

NEW SECTION. Sec. 717. Amounts received by an agency as reimbursements pursuant to RCW 39.34.130 shall be considered as returned loans of materials supplied or services rendered. Such amounts may be expended as a part of the original appropriation of the fund to which it belongs, without further or additional appropriation, subject to conditions and procedures prescribed by the director of financial management, which shall provide for determination of full costs, disclosure of such reimbursements in the governor's budget, maximum interagency usage of data processing equipment and services, and such restrictions as will promote more economical operations of state government without incurring continuing costs beyond those reimbursed.

NEW SECTION. Sec. 718. Amounts lawfully obligated but not actually spent during the 1983-85 fiscal biennium for department of social and health services medical assistance vendor payments may be spent under other appropriations for the same biennium if necessary to avoid allotment reductions under chapter 43.88 RCW. Appropriations and reappropriations for the 1985-87 fiscal biennium have been adjusted in this act accordingly.

NEW SECTION. Sec. 719. The appropriations of moneys and the designation of funds and accounts by this and other acts of the 1985 legislature shall be construed in a manner consistent with legislation enacted by the 1985 legislature to conform state funds and accounts with generally accepted accounting principles.

NEW SECTION. Sec. 720. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 244, Laws of 1984, section 9, chapter 6, Laws of 1985 and RCW 43.63A.200;

(2) Section 2, chapter 244, Laws of 1984, section 42, chapter 57, Laws of 1985 and RCW 43.79.450; and

(3) Section 3, chapter 244, Laws of 1984 and RCW 43.79.452.

NEW SECTION. Sec. 721. 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. 722. 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.

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Mr. B. Williams moved adoption of the following amendment to the Grimm amendment:

On page 8, after line 2 insert new sections as follows:

***NEW SECTION.** Sec. 122. (1) The office of financial management shall adopt rules and regulations limiting the allowable number of state employees among the various state agencies to the number employed by, or allotted to the agency as of January 31, 1986, whichever is lower. The agencies shall reduce their level of employment as necessary to meet the January 31, 1986 level. No agency may hire any new employees beyond the January 31, 1986 level or the level in effect as of the effective date of this act, whichever is lower, without receiving authorization from the office of financial management. Such authorization shall only be granted when the office of financial management determines that emergency conditions exist which require the hiring of additional state employees. Such additional employment may not last longer than the emergency conditions.

(2) Each agency headed by a state elected official shall also adopt rules and regulations limiting the allowable number of state employees as provided in subsection (1) of this section.

(3) The office of financial management shall reduce agency general fund-state allotments to produce a savings of no less than \$180 million.

(4) The office of financial management shall, in concert with other agencies administering employee suggestions systems, establish a system that has as its goal a savings of at least \$50 million general fund-state during the 1985-87 biennium.

(5) There is hereby appropriated \$5 million in general fund-state funds to be used solely for the employee suggestion authorized in subsection 3."

Renumber the remaining sections consecutively.

Mr. B. Williams spoke in favor of the amendment to the amendment, and Mr. Braddock opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to the Grimm amendment to Reengrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G. Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L. Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove,

Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Smith C - 1.

Mr. B. Williams moved adoption of the following amendment to the Grimm amendment:

On page 8, after line 2 insert a new subsection as follows:

"(5) The office of financial management shall take such action as is necessary to limit the following general fund-state funded objects of expenditure to no more than the amount expended during the 1983-85 biennium plus an inflation factor of seven percent: personal services contracts; goods and services; travel; and furnishings and equipment. The office shall reduce the general fund-state allotments to agencies to produce a savings of no less than \$150 million to reach this goal. These funds shall be placed in a reserve status subject to appropriation by the legislature."

Mr. B. Williams spoke in favor of the amendment, and Mr. Braddock spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to the Grimm amendment to Reengrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Armstrong, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Smith C - 1.

Mr. G. Nelson moved adoption of the following amendments to the Grimm amendment:

On page 62, line 33 strike "3,465,393,000" and insert "3,465,758,000"

On page 66, after line 35 insert a new subsection to read as follows:

"(10) \$365,000 of the general fund-state appropriation is provided solely for instruction in the prevention of child abuse under RCW 28A.05.010 and Substitute House Bill No. 805."

Mr. G. Nelson spoke in favor of the amendments, and Mr. Braddock opposed them.

Mr. G. Nelson spoke again in favor of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative G. Nelson to the Grimm amendment to Reengrossed Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 45; nays, 52; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Ebersole, Hankins, Hastings, Holland, Isaacson, King P, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Scott, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 45.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Smith C - 1.

Mr. Grimm moved adoption of the following amendment to the Grimm amendment by Representatives Grimm, Scott and G. Nelson:

On page 40, after line 6 insert a new subsection as follows:

"(7) A maximum of \$100,000 for fiscal year 1986 and \$100,000 for fiscal year 1987 of the general fund-state appropriation may be spent in mitigating the impact of the proposed Navy home port at Everett, Washington."

Representatives Grimm and G. Nelson spoke in favor of the amendment, and it was adopted.

Mr. Holland moved adoption of the following amendment to the Grimm amendment:

On page 62, beginning on line 31, strike all material down to and including line 35 on page 66 and insert the following:

***NEW SECTION. Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT (BASIC EDUCATION)**

General Fund Appropriation \$ 3,477,986,000

The appropriation in this section is subject to the following conditions and limitations:

(1) As a condition to the allocation of funds to school districts appropriated pursuant to this section, the superintendent shall require school districts to ensure that, during the respective school year, the district has complied with all rules adopted by the superintendent of public instruction to implement RCW 28A.58.095. For any violation of such rules, the superintendent shall withhold an amount equal to the level of the violation when applied to the district's respective basic education allocation, unless or until such time as the school district comes into compliance with the rules.

(2) \$317,285,000 is provided solely for the remaining months of the 1984-85 school year.

(3) Allocations for certificated salaries for the 1985-86 and 1986-87 school years shall be calculated by multiplying each district's average basic education certificated salary allocation defined in section 507 of this act by the district's formula-generated certificated staff units determined as follows:

(a) One certificated staff unit for each twenty average annual full time equivalent kindergarten, elementary, and secondary students, excluding handicapped full time equivalent enrollment as calculated according to the procedures in the allocation model established in section 510 of this act and excluding full time equivalent enrollment otherwise recognized for certificated staff unit allocations in subsection (3) (b) through (d) of this section: PROVIDED, That those school districts with a minimum enrollment of 250 full time equivalent students and whose full time equivalent student enrollment count in a given enrollment month exceeds the first of the month full time equivalent enrollment count by 5% shall be entitled to an additional state allocation of 110% of the pro rata share that such enrollment would have generated had such additional full time equivalent students been included in the normal enrollment count for that particular month.

(b) During the 1986-87 school year, one certificated staff unit for each average annual eighteen and three-tenths full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction, and for the 1986-87 school year one certificated staff unit for each average annual seventeen and one-half full time equivalent students enrolled in a vocational education program approved by the superintendent of public instruction: PROVIDED, That in skills centers, the ratio shall be one certificated staff unit for each average annual sixteen and sixty-seven one-hundredths full time equivalent students enrolled in an approved vocational education program.

(c) For districts enrolling not more than one hundred average annual full time equivalent students (except as otherwise specified) and for small school plants within any school district, which small plants have been judged to be remote and necessary by the state board of education, certificated staff units shall be determined as follows:

(i) For grades K-6, for enrollments of not more than sixty annual average full time equivalent students, three certificated staff units;

(ii) For grades K-6, for enrollments above sixty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(iii) For grades 7 and 8, for enrollments of not more than twenty annual average full time equivalent students, one certificated staff unit;

(iv) For grades 7 and 8, for enrollments above twenty annual average full time equivalent students, additional certificated staff units based upon a ratio of one certificated staff unit per twenty annual average full time equivalent students;

(v) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated staff unit;

(vi) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated unit.

(d) A district that operates no more than two high schools with enrollments of not more than three hundred average annual full time equivalent students shall be allocated certificated staff units for enrollment in each such high school as follows:

(i) Nine and one-half certificated staff units for the first sixty annual average full time equivalent students;

(ii) Additional certificated staff units based upon a ratio of one certificated staff unit per forty-three and one-half average annual full time equivalent students.

(e) In addition to those staffing ratios specified by RCW 28A.41.140, school districts with an enrollment of at least 100 annual average full time equivalent students in grades kindergarten through twelfth grade shall receive during the 1986-87 school year a certificated unit allocation in addition to that provided in subsection (3)(a) of this section, at a rate of one certificated staff unit per 1,000 annual average full time equivalent students enrolled in grades kindergarten through twelfth grade. Certificated staff allocated by this subsection are provided as an enrichment to that program of basic education required by the Washington state Constitution and are not part of the program of basic education which the state must fund under Article IX of the state Constitution.

(4) Allocations for classified salaries for the 1985-86 and 1986-87 school years shall be calculated by multiplying each district's average basic education classified salary allocation as defined in section 506 of this act by the district's formula-generated classified staff units determined as follows:

(a) One classified staff unit per each three certificated staff units determined under subsection (3) (a), (c), and (d) of this section;

(b) One classified staff unit for each sixty full time equivalent vocational students enrolled; and

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit.

(5) Fringe benefit allocations shall be calculated at a rate of 20.03 percent in the 1985-86 school year and 20.08 percent in the 1986-87 school year of certificated salary allocations provided pursuant to subsection (3) of this section, and a rate of 16.86 percent in the 1985-86 school year and 16.91 percent in the 1986-87 school year of classified salary allocations provided pursuant to subsection (4) of this section.

(6) Insurance benefit allocations for the 1985-86 and 1986-87 school years shall be calculated at a rate of \$167 per month for the number of certificated staff units determined in subsection (3) of this section and for the number of classified staff units determined in subsection (4) of this section multiplied by 1.152.

(7)(a) For nonemployee related costs with each certificated staff unit determined under subsection (3) (a), (c), and (d) of this section, there shall be provided a maximum of \$5,614 per staff unit in the 1985-86 school year and a maximum of \$5,833 per staff unit in the 1986-87 school year.

(b) For nonemployee related costs with each certificated staff unit determined under subsection (3)(b) of this section, there shall be provided a maximum of \$10,698 per staff unit in the 1985-86 school year and a maximum of \$11,115 per staff unit in the 1986-87 school year.

(8) Allocations for costs of substitutes for classroom teachers shall be provided at a rate of \$268 per full time equivalent basic education classroom teacher during the 1985-86 and 1986-87 school years.

(9) The superintendent shall distribute a maximum of \$3,010,000 outside the basic education formula during fiscal years 1986 and 1987 as follows:

(a) For fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW, a maximum of \$320,000 may be expended in fiscal year 1986 and a maximum of \$342,000 in fiscal year 1987.

(b) For summer vocational programs at skills centers, not more than \$999,000 shall be expended in fiscal year 1986 and not more than \$1,077,000 in fiscal year 1987.

(c) For school district emergencies, a maximum of \$136,000 may be expended in fiscal year 1986 and a maximum of \$136,000 may be expended in fiscal year 1987.

NEW SECTION. Sec. 504. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—CERTIFICATED SALARY INCREASE

General Fund Appropriation \$ 42,796,000

The appropriation in this section is subject to the following conditions and limitations: The superintendent shall allocate the funds appropriated by this section to implement a five percent salary increase effective September 1, 1986, applied to the LEAP Document 7 certificated derived base salary of each district for the basic education program. The superintendent shall allocate salary increases for school district state funded certificated staff in programs other than basic education in the same manner as the basic education program. Not less than fifty percent of the funds allocated to a school district by this section shall be expended to increase

salaries of teachers, particularly beginning teachers, paid less than \$18,000 per year and for salary increases for math and science teachers.

NEW SECTION. Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR CERTIFICATED DERIVED BASE SALARY EQUALIZATION

General Fund Appropriation—State \$ 19,400,000

The appropriation in this section is subject to the following conditions and limitations:

(1) School districts with a certificated derived base salary of less than \$16,673 as shown on LEAP Document 7 for the 1984-85 school year shall be authorized during the 1985-86 school year to increase their certificated derived base salary to \$16,673.

(2) The superintendent of public instruction shall modify LEAP Document 7 to reflect increases granted by school districts as authorized by subsection (1) of this section for school years 1985-86 and 1986-87.*

Renumber the sections consecutively and correct internal references accordingly.

Representatives Holland and Betrozoff spoke in favor of the amendment to the amendment, and Mr. Ebersole opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Holland to the Grimm amendment to Reengrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 42; nays, 55; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Hankins, Hastings, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Sloep, Walker, West, Williams B, Wilson S, Winsley - 42.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Williams J, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 55.

Excused: Representative Smith C - 1.

On motion of Mr. Grimm, the following amendments were adopted:

On page 74, after line 21 insert a new section:

***NEW SECTION. Sec. 519. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION -- FOR ENCUMBRANCES OF FEDERAL GRANTS**

General Fund Appropriation—Federal \$ 24,085,000*

Renumber the remaining sections consecutively and correct internal references.

On page 77, line 27 strike "\$239,035,000" 239,035,000"
and insert" "\$239,335,000" 239,335,000"
On page 77, line 28 strike "\$478,070,000" and insert "\$478,670,000"

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Silver and Patrick to the Grimm amendment:

On page 91, beginning on line 18, strike all material down to and including line 30 and insert the following:

***NEW SECTION. Sec. 704. FOR THE GOVERNOR—RETIREMENT CONTRIBUTIONS**

	FY 1986	FY 1987
General Fund Appropriation—State	\$ 124,700,000	66,500,000
Special Fund Retirement Contribution Revolving Fund		
Appropriation	\$ 15,750,000	12,850,000
Total Appropriation	\$219,800,000	

The appropriations in this section are subject to the following conditions and limitations:

(1) The governor shall transfer \$33,000,000 of the general fund—state appropriation to the department of retirement systems during July and August 1985 solely for payment to the teachers' retirement system.

(2) The governor shall allocate the following amounts to the following agencies solely for payment of employer contributions to the teachers' retirement system:

(a) To the superintendent of public instruction for school and educational service district employer contributions for certificated staff during the 1985-86 school year, \$78,000,000 from the general fund—state appropriation and \$2,900,000 from the special fund retirement contribution revolving fund appropriation. These amounts shall be credited to school and educational service districts for nonstate-supported certificated staff and for unfunded liability for state-supported and nonstate-supported certificated staff.

(b) To the superintendent of public instruction for school and educational service district employer contributions for state-supported certificated staff for contributions during the 1986-87 school year, \$53,000,000 from the general fund—state appropriation. This amount shall be distributed to school and educational service districts solely for unfunded liability.

(c) To the office of the superintendent of public instruction, department of social and health services, community colleges, and four-year colleges and universities, for employer contributions from the general fund—state appropriation, \$2,500,000 for fiscal year 1986 and \$2,300,000 for fiscal year 1987. These amounts are solely for state-funded full time equivalent employees for unfunded liability.

(3) The governor shall allocate to state agencies from the general fund—state appropriation \$9,500,000 for fiscal year 1986 and \$9,500,000 for fiscal year 1987, and from the special fund retirement contribution revolving fund appropriation \$12,850,000 for fiscal year 1986 and \$12,850,000 for fiscal year 1987. The allocations in this section shall be used solely for payment of employer contributions to the public employees' retirement system for unfunded liability.

(4) The governor shall allocate to the administrator for the courts \$1,700,000 from the general fund—state appropriation for fiscal year 1986 and \$1,700,000 for fiscal year 1987 solely for payment of employer contributions to the judicial retirement system for unfunded liability.

(5) The fiscal year 1986 appropriations for unfunded liability shall be transferred to the appropriate retirement fund within the department of retirement systems on a quarterly basis. The fiscal year 1987 appropriations for unfunded liability shall be transferred to the appropriate retirement fund within the department of retirement systems on a quarterly basis.

NEW SECTION. Sec. 705. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT CONTRIBUTIONS

	FY 1986	FY 1987
General Fund Appropriation	\$ 202,700,000	202,700,000
Total Appropriation	\$405,400,000	

The appropriations in this section are limited to the following conditions and limitations:

(1) \$88,700,000 of the fiscal year 1986 appropriation and \$88,700,000 of the fiscal year 1987 appropriation are provided solely for payment for unfunded liability of the law enforcement officers' and fire fighters' retirement system.

(2) The fiscal year 1986 appropriation for unfunded liability shall be transferred to the department of retirement systems on a quarterly basis. The fiscal year 1987 appropriation for unfunded liability shall be transferred to the department of retirement systems on a quarterly basis."

Representatives Tilly, Van Luven and B. Williams spoke in favor of the amendment to the amendment, and Representative Grimm spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly and others to the Grimm amendment to Reengrossed Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 44; nays, 51; absent, 2; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Sloep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 44.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 51.

Absent: Representatives Dobbs, Locke - 2.

Excused: Representative Smith C - 1.

Mr. G. Nelson moved adoption of the following amendment by Representatives G. Nelson and Long:

On page 7, beginning on line 26 strike all material down to and including "1985." on page 8, line 2 and insert the following:

"(4) \$4,500,000 of the dedicated funding source, or so much thereof as is necessary, is provided solely to cities and counties according to Substitute Senate Bill 3764 for DWI and other serious traffic offense investigations, prosecution and court costs."

Representatives G. Nelson, Long, Holland and Lundquist spoke in favor of the amendment, and Representatives Hine, McMullen and Appelwick spoke against it.

Ms. Long spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative G. Nelson and others to the Grimm amendment to Reengrossed Substitute Senate Bill No. 3656, and the amendment was adopted by the following vote: Yeas, 59; nays, 38; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Basich, Baugher, Betrozoff, Bond, Brooks, Brough, Chandler, Crane, Dellwo, Dobbs, Doty, Fisch, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, King P, King R, Kremen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Schmidt, Schoon, Scott, Silver, Smith L, Taylor, Thomas, Tilly, Todd, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson K, Wilson S, Winsley, Zellinsky - 59.

Voting nay: Representatives Appelwick, Armstrong, Belcher, Braddock, Brekke, Bristow, Cole, Day, Ebersole, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Rust, Sayan, Smitherman, Sommers, Sutherland, Tanner, Unsoeld, Valle, Vekich, Walk, Wang, Wineberry, and Mr. Speaker - 38.

Excused: Representative Smith C - 1.

Ms. Schmidt moved adoption of the following amendments by Representatives Schmidt and Zellinsky:

On page 56, line 2 strike "15,799,000" and insert "15,922,000"

On page 56, line 17 strike "98,561,000" and insert "98,684,000"

On page 56, after line 34 insert a new subsection to read as follows:

"(4) \$123,000 of the general fund-state appropriation for fiscal year 1986 shall be used solely for defense of land ownership claims with Indian tribes."

Representatives Schmidt and Zellinsky spoke in favor of the amendments, and Mr. Braddock spoke against them.

The amendments were not adopted.

The Clerk read the following amendment by Representative Addison to the Grimm amendment:

On page 30, line 11 after "1987," insert "The department shall develop rules and regulations to implement the expansion of the community work and training program for recipients of aid to families with dependent children, under RCW 74.04.473, to include no more than six hundred recipients located in not more than six counties. The department shall also develop rules and regulations to implement the expansion of the community work and training program for food stamp recipients, under RCW 74.04.477, to not more than six counties."

With the consent of the House, Mr. Addison withdrew the amendment.

The Grimm amendment as amended was adopted.

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

Representative Grimm spoke in favor of passage of the bill, and Representatives Tilly, Silver and S. Wilson spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 3656 as amended by the House, and the bill passed the House by the following vote: Yeas, 50; nays, 47; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Belcher, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Jacobsen, Lewis, Long, Lundquist, May, Miller, Nealey, Nelson D, Nelson G, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, van Dyke, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 47.

Excused: Representative Smith C - 1.

Reengrossed Substitute Senate Bill No. 3656 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. G. Nelson moved that the Committee on Ways & Means be relieved of Engrossed Second Substitute Senate Bill No. 3764 and the bill be placed at the top of today's second reading calendar.

Mr. G. Nelson spoke in favor of the motion, and Mr. J. King spoke against it.

Mr. G. Nelson spoke again in favor of the motion.

A division was called.

ROLL CALL

The Clerk called the roll on the motion to relieve Ways & Means Committee of Engrossed Second Substitute Senate Bill No. 3764 and place it on the second reading calendar, and the motion was lost by the following vote: Yeas, 34; nays, 62; absent, 1; excused, 1.

Voting yea: Representatives Allen, Ballard, Barnes, Barrett, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fisch, Fuhrman, Haugen, Holland, Isaacson, Long, Lundquist, May, Miller, Nealey, Nelson G, Padden, Patrick, Sanders, Schoon, Silver, Smith L, Taylor, Tilly, van Dyke, Van Luvan, Vander Stoep, West, Williams J - 34.

Voting nay: Representatives Addison, Appelwick, Armstrong, Basich, Belcher, Betrozoff, Braddock, Brekke, Bristow, Cole, Crane, Day, Deliwo, Ebersole, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Rust, Sayan, Schmidt, Scott, Smitherman, Sommers, Sutherland, Tanner, Thomas, Todd, Unsoeld, Valle, Vekich, Walk, Walker, Wang, Williams B, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 62.

Absent: Representative Baugher - 1.

Excused: Representative Smith C - 1.

The Speaker (Mr. O'Brien presiding) called on Representative Appelwick to preside.

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has adopted the second report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 956, and has passed the bill as amended by the Free Conference Committee, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Deliwo, Joint Rule 11 was suspended to allow consideration of the Free Conference Committee report on Substitute House Bill No. 956.

REPORT OF FREE CONFERENCE COMMITTEE

April 28, 1985

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 956, relating to the powers of local government in relation to federal grants and programs, have had the same under consideration, and we recommend that the bill be amended as follows and the bill as amended by Free Conference Committee do pass:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 2, chapter 37, Laws of 1974 ex. sess. and RCW 35.21.730 are each amended to read as follows:

In order to improve the administration of authorized federal grants or programs, ~~((including revenue sharing;))~~ to improve governmental efficiency(;) and services, ~~((and))~~ or to improve the general living conditions in the urban areas of the state, any city, town, or county ~~((utilizing federal or private funds))~~ may by lawfully adopted ordinance or resolution:

(1) Transfer to any public corporation, commission, or authority created hereunder, with or without consideration, any funds, real or personal property, property interests, or services ~~((all of which are received from the federal government or from private sources))~~;

(2) Organize and participate in joint operations or cooperative organizations funded by the federal government when acting solely as coordinators or agents of the federal government;

(3) Continue federally-assisted programs, projects, and activities after expiration of contractual term or after expending allocated federal funds as deemed appropriate to fulfill contracts made in connection with such agreements or as may be proper to permit an orderly readjustment by participating corporations, associations, or individuals ~~((PROVIDED, HOWEVER, That nothing herein shall be construed in a manner contrary to the provisions of Article VIII, section 7, of the Washington state Constitution))~~;

(4) Create public corporations, commissions, and authorities to: Administer and execute federal grants or programs; ((to)) receive and administer private funds, goods, or services for any lawful public purpose; ((and to)) and perform any lawful public purpose or public function. The ordinance or resolution shall limit the liability of such public corporations, commissions, and authorities to the assets and properties of such public corporation, commission, or authority in order to prevent recourse to such cities, towns, or counties or their assets or credit.

Sec. 2. Section 5, chapter 37, Laws of 1974 ex. sess. and RCW 35.21.745 are each amended to read as follows:

Any city, town, or county which shall create a public corporation, commission, or authority pursuant to RCW 35.21.730 or 35.21.660, shall provide for its organization and operations and shall control and oversee its operation and funds in order to correct any deficiency and to assure that the purposes of each program undertaken are reasonably accomplished.

Any public corporation, commission, or authority created as provided in RCW 35.21.730 may be empowered to own and sell real and personal property; to contract with individuals, associations, and corporations, and the state and the United States; to sue and be sued; to loan and borrow funds and issue bonds and other instruments evidencing indebtedness; transfer((; with or without consideration;)) any funds, real or personal property, property interests, or services ((received from the federal government, private sources or, if otherwise legal, from a city or county)); to do anything a natural person may do; and to perform all manner and type of community services ~~((utilizing federal or private funds))~~; PROVIDED, That such public corporation, commission, or authority shall have no power of eminent domain nor any power to levy taxes or special assessments.

Sec. 3. Section 3, chapter 37, Laws of 1974 ex. sess. and RCW 35.21.735 are each amended to read as follows:

The legislature hereby declares that carrying out the purposes of federal grants or programs is both a public purpose and an appropriate function for such a public corporation. The provisions of RCW ~~((35-21-725))~~ 35.21.730 through 35.21.755 and RCW 35.21.660 and 35.21.670 and the enabling authority herein conferred to implement these provisions shall be construed to accomplish the purposes of RCW ~~((35-21-725))~~ 35.21.730 through 35.21.755.

All cities, towns and counties shall have the power and authority to enter into agreements with the United States or any agency or department thereof, or any agency of the state government or its political subdivisions, and pursuant to such agreements may receive and expend federal or private funds for any lawful public purpose.

Sec. 4. Section 4, chapter 37, Laws of 1974 ex. sess. and RCW 35.21.740 are each amended to read as follows:

Powers, authorities, or rights expressly or impliedly granted to any city, town, or county or their agents under any provision of RCW ~~((35-21-725))~~ 35.21.730 through 35.21.755 shall not be operable or applicable, or have any effect beyond the limits of the incorporated area of any city or town implementing RCW ~~((35-21-725))~~ 35.21.730 through 35.21.755, unless so provided by contract between the city and another city or county.

Sec. 5. Section 7, chapter 37, Laws of 1974 ex. sess. as last amended by section 1, chapter 116, Laws of 1984 and RCW 35.21.755 are each amended to read as follows:

A public corporation, commission, or authority created pursuant to RCW 35.21.730 or 35.21.660 shall receive the same immunity or exemption from taxation as that of the city, town, or county creating the same: PROVIDED, That, except for any property within a special review district established by ordinance prior to January 1, 1976, or listed on or which is within a district listed on any federal or state register of historical sites, any such public corporation, commission, or authority shall pay to the county treasurer an annual excise tax equal to the amounts which would be paid upon real property and personal property devoted to the purposes of such public corporation, commission, or authority were it in private ownership, and such real property and personal property is acquired and/or operated under RCW ~~((35-21-725))~~ 35.21.730 through 35.21.755, and the proceeds of such excise tax shall be allocated by the county treasurer to the various taxing authorities in which such property is situated, in the same manner as though the property were in private ownership: PROVIDED FURTHER, That the provisions of chapter 82.29A RCW shall not apply to property within a special review district established by ordinance prior to January 1, 1976, or listed on or which is within a district listed

on any federal or state register of historical sites and which is controlled by a public corporation, commission, or authority created pursuant to RCW 35.21.730 or 35.21.660, which was in existence prior to January 1, 1976; AND PROVIDED FURTHER, That property within a special review district established by ordinance prior to January 1, 1976, or property which is listed on any federal or state register of historical sites and controlled by a public corporation, commission, or authority created pursuant to RCW 35.21.730 or 35.21.660, which was in existence prior to January 1, 1976, shall receive the same immunity or exemption from taxation as if such property had been within a district listed on any such federal or state register of historical sites as of January 1, 1976, and controlled by a public corporation, commission, or authority created pursuant to RCW 35.21.730 or 35.21.660 which was in existence prior to January 1, 1976.

NEW SECTION, Sec. 6. A new section is added to chapter 35.21 RCW to read as follows:

Nothing in RCW 35.21.730 through 35.21.755 shall be construed in any manner contrary to the provisions of Article VIII, section 7, of the Washington state Constitution.

NEW SECTION, Sec. 7. A new section is added to chapter 35.21 RCW to read as follows:

It is the desire of the legislature that the citizens of newly incorporated cities or towns receive uninterrupted and adequate services in the period prior to the city or town government attaining the ability to provide such service levels. In addition to the services provided under RCW _____ (section 1, chapter 143, Laws of 1985), it is the purpose of this section to permit the county or counties in which a newly incorporated city or town is located to contract with the newly incorporated city or town for the continuation of essential services until the newly incorporated city or town has attained the ability to provide such services at least at the levels provided by the county before the incorporation. These essential services may include but are not limited to, law enforcement, road and street maintenance, drainage, and other utility services previously provided by the county before incorporation. The contract should be negotiated on the basis of the county's cost to provide services without consideration of capital assets which do not continue to be amortized for principal and interest or depreciated by the county. The exception for not considering capital assets which are no longer amortized for principal and interest or depreciated is recognition of the preexisting financial investment of citizens of the newly incorporated city or town have made in county capital assets.

Nothing in this section limits the ability of the county and the newly incorporated city or town to contract for higher service levels or for other time periods than those imposed by this section.

Sec. 8. Section 2, chapter 216, Laws of 1982 and RCW 39.50.010 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) 'Governing body' means the legislative authority of a municipal corporation by whatever name designated;

(2) 'Local improvement district' includes local improvement districts, utility local improvement districts, road improvement districts, and other improvement districts that a municipal corporation is authorized by law to establish;

(3) 'Municipal corporation' means any city, town, county, water district, sewer district, school district, port district, public utility district, metropolitan municipal corporation, public transportation benefit area, park and recreation district, irrigation district, or fire protection district or any other municipal or quasi municipal corporation described as such by statute, except joint operating agencies under chapter 43.52 RCW;

(4) 'Ordinance' means an ordinance of a city or town or resolution or other instrument by which the governing body of the municipal corporation exercising any power under this chapter takes formal action and adopts legislative provisions and matters of some permanency; and

(5) 'Short-term obligations' are warrants, notes, or other evidences of indebtedness, except bonds (~~which mature in not to exceed three years after the date thereof~~).

Sec. 9. Section 5, chapter 216, Laws of 1982 as amended by section 2, chapter 71, Laws of 1985 and RCW 39.50.040 are each amended to read as follows:

Short-term obligations may, from time to time, be renewed or refunded by the issuance of short-term obligations and may be funded by the issuance of revenue, local improvement district, special assessment, or general obligation bonds. Short-term obligations payable from taxes shall not be renewed or refunded to a date later than six months from the end of the fiscal year in which the original short-term obligation was issued. For the purpose of this section, short-term obligations issued in anticipation of the sale of general obligation bonds shall not be considered to be short-term obligations payable from taxes.

NEW SECTION, Sec. 10. Section 1, chapter 37, Laws of 1974 ex. sess. and RCW 35.21.725 are each repealed."

On page 1, line 1 of the title, after "government;" strike the remainder of the title and insert "amending RCW 35.21.730, 35.21.745, 35.21.735, 35.21.740, 35.21.755, 39.50.010, and 39.50.040; adding new sections to chapter 35.21 RCW; and repealing RCW 35.21.725."

Signed by Senators Thompson, Fleming; Representatives Nutley, Haugen, Brough.

MOTION

Ms. Nutley moved that the report of the Free Conference Committee on Substitute House Bill No. 956 be adopted.

Representatives Nutley and Brough spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 956 as amended by Free Conference Committee.

Mr. Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 956 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 91; nays, 6; excused, 1.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Nealey, Nelson D, Nelson G, Niemi, Nutley, O'Brien, Padden, Peery, Prince, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Vander Stoep, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Betzoff, Miller, Patrick, Rayburn, Van Luven, Winsley - 6.

Excused: Representative Smith C - 1.

Substitute House Bill No. 956 as amended by 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 28, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3012,
SUBSTITUTE SENATE BILL NO. 3146,
SUBSTITUTE SENATE BILL NO. 3165,
SENATE BILL NO. 3167,
SUBSTITUTE SENATE BILL NO. 3367,
SUBSTITUTE SENATE BILL NO. 3376,
SUBSTITUTE SENATE BILL NO. 3390,
SENATE BILL NO. 3400,
SENATE BILL NO. 3426,
SUBSTITUTE SENATE BILL NO. 3500,
SUBSTITUTE SENATE BILL NO. 4424,
SENATE CONCURRENT RESOLUTION NO. 114,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 28, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3679,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION FOR RECONSIDERATION

Mr. McMullen, having voted on the prevailing side, moved that the House now reconsider the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 863 failed to pass the House.

The motion was carried.

MOTION FOR RECONSIDERATION

Mr. Walk, having voted on the prevailing side of the action whereby the House concurred in the Senate amendments, moved that the House reconsider that action.

The motion was carried.

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the motion to concur in the Senate amendments to Engrossed Substitute House Bill No. 863.

Ms. Schmidt spoke against the motion.

The motion was lost.

The Speaker (Mr. Appelwick presiding) stated that the House, by its action, had voted not to concur in the Senate amendments to Engrossed Substitute House Bill No. 863.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3541:

The House resumed consideration of the bill.

The Speaker (Mr. Appelwick presiding) stated the question before the House to be the motion by Representative Lux that the House recede from its amendments to the bill.

Representatives Niemi, Holland and Tilly spoke against the motion, and Mr. Lux spoke in favor of it.

Ms. Niemi again opposed the motion.

A division was called.

ROLL CALL

The Clerk called the roll on the motion that the House recede from its amendments to Engrossed Substitute Senate Bill No. 3541, and the motion was lost by the following vote: Yeas, 13; nays, 84; excused, 1.

Voting yea: Representatives Baugher, Cole, Gallagher, Leonard, Locke, Lux, Nelson D, O'Brien, Rust, Sayan, Valle, Wang, Wilson K - 13.

Voting nay: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Lewis, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson G, Niemi, Nutley, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, van Dyke, Van Luven, Vander Stoep, Vekich, Walk, Walker, West, Williams B, Williams J, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 84.

Excused: Representative Smith C - 1.

MOTION

On motion of Mr. Lux, the House insisted on its position on Engrossed Substitute Senate Bill No. 3541, and again asked the Senate to concur therein.

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

The Speaker resumed the Chair.

INTRODUCTION AND FIRST READING

E2SSB 3679 by Committee on Ways & Means (originally sponsored by Senator McDermott)

Authorizing general obligation bonds.

MOTION

On motion of Mr. Appelwick, the rules were suspended and the bill was advanced to second reading and placed at the top of the second reading calendar.

Engrossed Second Substitute Senate Bill No. 3679 was read the second time.

Mr. Braddock moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of three hundred twelve million two hundred thirty-six thousand dollars, or so much thereof as may be required, to finance the projects authorized in section 2 of this act and all costs incidental thereto.

Bonds authorized in this section shall be sold in such manner, at such time or times, in such amounts and at such price as the state finance committee shall determine. No such bonds may be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds. The state finance committee may obtain insurance or letters of credit and may authorize the execution and delivery of agreements, promissory notes, and other obligations for the purpose of insuring the payment or enhancing the marketability of bonds authorized in this section. Promissory notes or other obligations issued pursuant to this section shall not constitute a debt or the contracting of indebtedness under any constitutional or statutory indebtedness limitation if their payment is conditioned upon the failure of the state to pay the principal or or interest on the bonds with respect to which the same relate.

The state finance committee shall consider the issuance of short-term obligations in lieu of long-term obligations for the purposes of more favorable interest rates, lower total interest costs, and increased marketability and for the purpose of retiring the bonds during the life of the project for which they were issued.

NEW SECTION. Sec. 2. Bonds issued under section 1 of this act are subject to the following conditions and limitations:

(1) General obligation bonds of the state of Washington in the sum of thirty-eight million six hundred ninety-two thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the department of general administration, department of commerce and economic development, department of veterans affairs, military department, parks and recreation commission, and department of corrections to acquire real property and perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, lands, and waters, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the state building construction account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the department of general administration, subject to legislative appropriation.

(2) General obligation bonds of the state of Washington in the sum of four million six hundred thirty-five thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the planning, design, acquisition, construction, and improvement of a Washington state agricultural trade center, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the state building construction account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the department of commerce and economic development, subject to legislative appropriation.

(3) General obligation bonds of the state of Washington in the sum of thirty-nine million nine hundred seventy-seven thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the department of social and health services and the department of corrections to perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, and grounds, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the social and health services construction account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the department of social and health services, subject to legislative appropriation.

(4) General obligation bonds of the state of Washington in the sum of three million two hundred thirty thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the department of ecology, parks and recreation commission,

department of fisheries, department of game, and the department of natural resources to acquire real property and perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, lands, and waters, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the outdoor recreation account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the interagency committee for outdoor recreation, subject to legislative appropriation.

(5) General obligation bonds of the state of Washington in the sum of three million three hundred fifty-nine thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the department of fisheries to acquire real property and perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, lands, and waters, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the fisheries capital project account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the department of fisheries, subject to legislative appropriation.

(6) General obligation bonds of the state of Washington in the sum of fifty-eight million two hundred eighty-seven thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for state agencies and the institutions of higher education, including the community colleges, to perform capital renewal projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, lands, and waters, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the state facilities renewal account hereby created in the state treasury, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the office of the state treasurer, subject to legislative appropriation.

(7) General obligation bonds of the state of Washington in the sum of twenty-three million six hundred forty-three thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the University of Washington and the state community colleges to perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, improving, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, and lands, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the higher education reimbursable short-term bond account hereby created in the state treasury, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the University of Washington, subject to legislative appropriation.

(8) General obligation bonds of the state of Washington in the sum of twenty million dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for capital improvements consisting of the planning, acquisition, construction, rehabilitation, and improvement of agricultural water supply facilities as defined in RCW 43.99E.030 for the Yakima River Basin water enhancement project, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, cost of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The department shall pursue projects or a combination of projects that provide a balanced combination of long-term economic development benefits, and environmental and quality of life benefits. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the state and local improvements revolving account—water supply facilities, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the department of ecology, subject to legislative appropriation. No bonds authorized

in this subsection may be sold until the general adjudication of water rights in the Yakima River Basin (State v. Aquavella) is completed. The bond authorization contained in this subsection shall lapse if the legislature does not adopt, by June 30, 1986, a plan to implement the Yakima River Basin water enhancement project.

(9) General obligation bonds of the state of Washington in the sum of thirty-three million nine hundred twenty-eight thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the institutions of higher education to perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, and lands, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the higher education construction account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by Washington State University, subject to legislative appropriation.

(10) General obligation bonds of the state of Washington in the sum of eighty-six million four hundred eighty-five thousand one hundred eighty dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the institutions of higher education, including facilities for the community college system, to perform capital projects which consist of the planning, designing, constructing, remodeling, repairing, furnishing, and equipping of state buildings, structures, utilities, roads, grounds, and lands, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection, together with all grants, donations, transferred funds, and all other moneys which the state finance committee may direct the state treasurer to deposit therein, shall be deposited in the state higher education construction account in the state treasury and shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection.

NEW SECTION. Sec. 3. Both principal of and interest on the bonds issued for the purposes specified in section 2 (1) through (8) of this act shall be payable from the state general obligation bond retirement fund. The state finance committee may provide that a special account be created in such fund to facilitate payment of such principal and interest.

The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount required for principal and interest on such bonds in accordance with the provisions of the bond proceedings. The state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the state general obligation bond retirement fund, or a special account in such fund, such amounts and at such times as are required by the bond proceedings.

NEW SECTION. Sec. 4. Both principal of and interest on the bonds issued for the purposes of section 2(9) of this act shall be payable from the higher education bond retirement fund of 1979. The state finance committee may provide that a special account be created in such fund to facilitate payment of such principal and interest.

The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount required for principal and interest on such bonds in accordance with the provisions of the bond proceedings. The state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the higher education bond retirement fund of 1979, or a special account in such fund, such amounts and at such times as are required by the bond proceedings.

NEW SECTION. Sec. 5. Both principal of and interest on the bonds issued for the purposes of section 2(10) of this act shall be payable from the state higher education bond retirement fund of 1977. The state finance committee may provide that a special account be created in such fund to facilitate payment of such principal and interest.

The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount required for principal and interest on such bonds in accordance with the provisions of the bond proceedings. The state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the state higher education bond retirement fund of 1977, or a special account in such fund, such amounts and at such times as are required by the bond proceedings.

NEW SECTION. Sec. 6. Bonds issued under section 1 of this act shall state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay the principal and interest as the same shall become due.

The owner and holder of each of the bonds or the trustee for the owner and holder of any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

NEW SECTION, Sec. 7. On or before June 30th of each year and in accordance with the provisions of the bond proceedings the state finance committee shall determine the relative shares of the principal and interest payments determined pursuant to section 4 of this act, exclusive of deposit interest credit, attributable to each of the institutions of higher education in proportion to the principal amount of bonds issued for the purposes of section 2(9) of this act for projects for each institution. On each date on which any interest or principal and interest payment is due, the board of regents or the board of trustees of each institution of higher education shall cause the amount so computed to be paid out of the appropriate building account or capital projects account to the state treasurer for deposit into the general fund of the state treasury.

NEW SECTION, Sec. 8. The legislature may provide additional means for raising moneys for the payment of the principal of and interest on the bonds authorized in section 1 of this act, and sections 3 through 5 of this act shall not be deemed to provide an exclusive method for the payment.

NEW SECTION, Sec. 9. The bonds authorized in section 1 of this act shall be a legal investment for all state funds or funds under state control and for all funds of any other public body.

Sec. 10. Section 2, chapter 266, Laws of 1984 and RCW 28A.47.841 are each amended to read as follows:

For the purpose of furnishing funds for state assistance to school districts in providing common school plant facilities and modernization of existing common school plant facilities, and to provide for the state administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of credit enhancement agreements, and other expenses incidental to the administration of capital projects, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of forty million one hundred seventy thousand dollars, or so much thereof as may be required, to finance these projects and all costs incidental thereto.

Bonds authorized in this section may be sold in such manner, at such time or times, in such amounts, and at such price as the state finance committee shall determine. ~~((Section 887, chapter 57, Laws of 1983 1st ex. sess. is appropriation authority for the bonds authorized in this section, and no further appropriation authority of the net proceeds of the sale of such bonds is necessary for the bonds authorized in this section.))~~ No such bonds may be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds. The state finance committee may obtain insurance or letters of credit and may authorize the execution and delivery of agreements, promissory notes, and other obligations for the purpose of insuring the payment or enhancing the marketability of bonds authorized in this section. Promissory notes or other obligations issued pursuant to this section shall not constitute a debt or the contracting of indebtedness under any constitutional or statutory indebtedness limitation if their payment is conditioned upon the failure of the state to pay the principal of or interest on the bonds with respect to which the same relate.

Sec. 11. Section 5, chapter 266, Laws of 1984 and RCW 28A.47.844 are each amended to read as follows:

The state general obligation bond retirement fund shall be used for the payment of the principal of and interest on the bonds authorized in RCW 28A.47.841. The state finance committee may provide that a special account be created in such fund to facilitate payment of such principal and interest.

The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount ~~((needed in the ensuing twelve months to meet the bond retirement and interest requirements))~~ required for principal and interest on such bonds in accordance with the provisions of the bond proceedings. ~~((Not less than thirty days prior to the date on which any interest or principal and interest payment is due.))~~ The state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the general obligation bond retirement fund ~~((an amount equal to the amount certified by the state finance committee to be due on the payment date)),~~ or a special account in such fund, such amounts and at such times as are required by the bond proceedings. On each date on which any interest or principal and interest is due, the state treasurer shall cause an identical amount to be transferred to the general fund of the state treasury from that portion of the common school construction fund derived from the interest on the permanent common school fund. The transfers from the common school construction fund shall be subject to all pledges, liens, and encumbrances heretofore granted or created on the portion of the fund derived from interest on the permanent common school fund. Any deficiency in such transfer shall be made up as soon as moneys are available for transfer and shall constitute a continuing obligation of that portion of the common school construction fund derived from the interest on the permanent common school fund until all deficiencies are fully paid.

Bonds issued under RCW 28A.47.841 shall state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the

principal thereof and the interest thereon, and shall contain an unconditional promise to pay the principal and interest as the same shall become due.

The owner and holder of each of the bonds or the trustee for the owner and holder of any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

Sec. 12. Section 2, chapter 308, Laws of 1977 ex. sess. as last amended by section 162, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.48.020 are each amended to read as follows:

For the purpose of providing funds for the planning, acquisition, construction, and improvement of salmon hatcheries, other salmon propagation facilities including natural production sites, and necessary supporting facilities within the state, the state finance committee may issue (~~(-at any time prior to January 1, 1985;)~~) general obligation bonds of the state of Washington in the sum of thirty-four million five hundred thousand dollars or so much thereof as may be required to finance the improvements defined in this chapter and all costs incidental thereto. These bonds shall be paid and discharged within thirty years. No bonds authorized by this chapter may be offered for sale without prior legislative appropriation of the proceeds of such bonds to be sold.

Sec. 13. Section 1, chapter 13, Laws of 1969 as last amended by section 1, chapter 108, Laws of 1974 ex. sess. and RCW 28A.47.792 are each amended to read as follows:

For the purpose of furnishing funds for state assistance to school districts in providing common school plant facilities and modernization of existing common school plant facilities, there shall be issued and sold general obligation bonds of the state of Washington in the sum of ~~((twenty-six million four))~~ twenty-two million five hundred thousand dollars to be paid and discharged in accordance with terms to be established by the state finance committee. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee: PROVIDED, That no part of the twenty-six million four hundred thousand dollar bond issue shall be sold unless there are insufficient funds in the common school construction fund to meet appropriations authorized by RCW 28A.47.792 through 28A.47.799 as now or hereafter amended as evidenced by a joint agreement entered into between the governor and the superintendent of public instruction.

The state finance committee is authorized to prescribe the forms of such bonds; the provisions of sale of all or any portion or portions of such bonds; the terms, provisions, and covenants of said bonds, and the sale, issuance and redemption thereof. The covenants of said bonds may include but not be limited to a covenant for the creation, maintenance and replenishment of a reserve account or accounts within the common school building bond redemption fund of 1967 to secure the payment of the principal of and interest on said bonds, into which it shall be pledged there will be paid, from the same sources pledged for the payment of such principal and interest, such amounts at such times which in the opinion of the state finance committee are necessary for the most advantageous sale of said bonds; a covenant that additional bonds which may be authorized by the legislature payable out of the same source or sources may be issued on a parity with the bonds authorized in RCW 28A.47.784 through 28A.47.791, as amended, and in RCW 28A.47.792 through 28A.47.799 as now or hereafter amended upon compliance with such conditions as the state finance committee may deem necessary to effect the most advantageous sale of the bonds authorized in RCW 28A.47.792 through 28A.47.799 as now or hereafter amended and such additional bonds; and if found reasonably necessary by the state finance committee to accomplish the most advantageous sale of the bonds authorized herein or any issue or series thereof, such committee may select a trustee for the owners and holders of such bonds or issue or series thereof and shall fix the rights, duties, powers and obligations of such trustee. The money in such reserve account or accounts and in such common school construction fund may be invested in any investments that are legal for the permanent common school fund of the state, and any interest earned on or profits realized from the sale of any such investments shall be deposited in such common school building bond redemption fund of 1967. None of the bonds herein authorized shall be sold for less than the par value thereof.

The committee may provide that the bonds, or any of them, may be called prior to the maturity date thereof under such terms, conditions, and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and upon any coupons attached thereto. Such bonds shall be payable at such places as the state finance committee may provide.

Sec. 14. Section 1, chapter 141, Laws of 1980 and RCW 28A.47B.010 are each amended to read as follows:

For the purpose of furnishing funds for state assistance to school districts in providing for the construction of common school plant facilities, the state finance committee is hereby authorized to issue general obligation bonds of the state of Washington in the sum of ~~((thirty million))~~ twenty-two million seven hundred thousand dollars or so much thereof as may be required to provide state assistance to local school districts for the construction of common school plant facilities and to compensate the common school construction fund for the sale of timber from common school, indemnity, and escheat trust lands sold to the parks and recreation commission prior to March 13, 1980, pursuant to RCW 43.51.270 and 43.51.280. The amount of bonds

issued under this chapter shall not exceed the fair market value of the timber. No bonds authorized by this chapter shall be offered for sale without prior legislative appropriation and these bonds shall be paid and discharged in not more than thirty years of the date of issuance.

Sec. 15. Section 1, chapter 135, Laws of 1973 1st ex. sess. and RCW 28B.10.850 are each amended to read as follows:

For the purpose of providing needed capital improvements consisting of the acquisition, construction, remodeling, furnishing and equipping of state buildings and facilities for the institutions of higher education, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of (~~thirty-four million three~~) thirty million two hundred thousand dollars or so much thereof as shall be required to finance the capital projects relating to the institutions of higher education as set forth in the capital appropriations act, chapter 114, Laws of 1973 1st ex. sess., to be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the Constitution of the state of Washington.

The state finance committee is authorized to prescribe the form of such bonds, and the time of sale of all or any portion or portions of such bonds, and the conditions of sale and issuance thereof.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due. The committee may provide that the bonds, or any of them, may be called prior to the due date thereof under such terms and conditions as it may determine. The state finance committee may authorize the use of facsimile signatures in the issuance of the bonds.

Sec. 16. Section 1, chapter 354, Laws of 1977 ex. sess. and RCW 28B.14C.010 are each amended to read as follows:

The state finance committee is hereby authorized to issue from time to time on behalf of the state, general obligation bonds of the state in the amount of (~~sixty million~~) forty-eight million six hundred thousand dollars, or so much thereof as may be required to refund at or prior to maturity, all or some or any part of the various issues of outstanding limited obligation revenue bonds identified below, issued by various of the institutions of higher education, similarly identified:

(1) University of Washington general tuition fee revenue bonds, all series, aggregating \$28,850,000 in original principal amount;

(2) Washington State University general tuition fee revenue bonds and general tuition fee and scientific fund revenue bonds, all series, aggregating \$19,450,000 in original principal amount;

(3) Western Washington State College general tuition fee and normal school fund revenue bonds, all series, aggregating \$11,620,000 in original principal amount;

(4) Eastern Washington State College general tuition fee and normal school fund revenue bonds, all series, aggregating \$9,501,000 in original principal amount;

(5) Central Washington State College general tuition fee and normal school fund revenue bonds, all series, including refunding series, aggregating \$8,925,000 in original principal amount; and

(6) The Evergreen State College general tuition fee revenue bonds, all series, aggregating \$2,191,125 in original principal amount.

Sec. 17. Section 1, chapter 230, Laws of 1979 ex. sess. and RCW 43.83.150 are each amended to read as follows:

For the purpose of acquiring land and providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, and furnishing, together with all improvements, enhancements, fixed equipment facilities of office buildings, parking facilities, and such other buildings, facilities, and utilities as are determined to be necessary to provide space including offices, committee rooms, hearing rooms, work rooms, and industrial-related space for the legislature, for other elective officials, and such other state agencies as may be necessary, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of (~~fifteen million~~) twelve million five hundred thousand dollars, or so much thereof as may be required, to finance these projects, and all costs incidental thereto. No bonds authorized by RCW 43.83.150 through 43.83.170 shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance.

NEW SECTION. Sec. 18. 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. 19. The following acts or parts of acts are each repealed:

(1) Section 2, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.940;

(2) Section 3, chapter 197, Laws of 1979 ex. sess., section 30, chapter 57, Laws of 1985 and RCW 43.31.942;

(3) Section 4, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.944;

(4) Section 5, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.946; and

(5) Section 6, chapter 197, Laws of 1979 ex. sess. and RCW 43.31.948.

NEW SECTION. Sec. 20. Sections 1 through 9 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 21. 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, except section 19 of this act which shall take effect July 1, 1986."

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

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate refuses to concur in the House amendment to REENGROSSED SUBSTITUTE SENATE BILL NO. 3656 and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Grimm, the House insisted on its position on Reengrossed Substitute Senate Bill No. 3656, and again asked the Senate to concur therein.

MESSAGES FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has receded from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 863 and has passed the bill without the Senate amendments, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 28, 1985

Mr. Speaker:

The Senate adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 3230 and passed the bill as recommended by the Conference Committee.

Bill Gleason, Assistant Secretary.

April 28, 1985

Mr. Speaker:

The Senate adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 3630 and passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

April 28, 1985

Mr. Speaker:

The Senate concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3678 and passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 28, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3066,
SENATE BILL NO. 3120,
SUBSTITUTE SENATE BILL NO. 3184,
SUBSTITUTE SENATE BILL NO. 3235,
SUBSTITUTE SENATE BILL NO. 3354,
SUBSTITUTE SENATE BILL NO. 3516,
SENATE BILL NO. 4142,
SUBSTITUTE SENATE BILL NO. 4231.

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

	SUBSTITUTE HOUSE BILL NO.	46,
	SUBSTITUTE HOUSE BILL NO.	242,
	HOUSE BILL NO.	327,
	HOUSE BILL NO.	593,
SECOND SUBSTITUTE	HOUSE BILL NO.	627,
	HOUSE BILL NO.	832,
SECOND SUBSTITUTE	HOUSE BILL NO.	849,
	SUBSTITUTE HOUSE BILL NO.	1079,
	SUBSTITUTE HOUSE BILL NO.	1107,
	SUBSTITUTE SENATE BILL NO.	3012,
	SUBSTITUTE SENATE BILL NO.	3146,
	SUBSTITUTE SENATE BILL NO.	3165,
	SENATE BILL NO.	3167,
	SUBSTITUTE SENATE BILL NO.	3367,
	SUBSTITUTE SENATE BILL NO.	3376,
	SUBSTITUTE SENATE BILL NO.	3390,
	SENATE BILL NO.	3400,
	SENATE BILL NO.	3426,
	SUBSTITUTE SENATE BILL NO.	3500,
	SUBSTITUTE SENATE BILL NO.	4424,
SENATE CONCURRENT	RESOLUTION NO.	114.

The House resumed consideration of Engrossed Second Substitute Senate Bill No. 3679.

The Speaker stated the question before the House to be the amendment by Representative Braddock.

Representatives Barrett, Hine, Miller and Rayburn spoke against the amendment, and Ms. Rust spoke in favor of it.

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate adheres to its position regarding the House amendments to REENGROSSED SUBSTITUTE SENATE BILL NO. 3656 and once again asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Grimm, the House insisted on its position on Reengrossed Substitute Senate Bill No. 3656 and again asked the Senate to concur therein.

The Speaker stated the question before the House to be the amendment by Representative Braddock to Engrossed Second Substitute Senate Bill No. 3679.

Representatives Sommers, Appelwick and Locke spoke in favor of the amendment, and Representative Taylor spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

A division was called.

ROLL CALL

The Clerk called the roll on the amendment by Representative Braddock to Engrossed Second Substitute Senate Bill No. 3679, and the amendment was not adopted by the following vote: Yeas, 24; nays, 73; excused, 1.

Voting yea: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Cole, Ebersole, Fisher, Grimm, Hargrove, Locke, Madsen, Niemi, Rust, Smitherman, Sommers, Sutherland, Tanner, Vekich, Walk, Wilson K, Wineberry, Zellinsky - 24.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betzoff, Bond, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Dobbs, Doty, Fisch, Fuhrman, Gallagher, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Long, Lundquist, Lux, May, McMullen, Miller, Nealey, Nelson D,

Nelson G. Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, van Dyke, Van Luvan, Vander Stoep, Walker, Wang, West, Williams B, Williams J, Wilson S, Winsley, and Mr. Speaker - 73.

Excused: Representative Smith C - 1.

Mr. West moved adoption of the following amendment by Representatives West, Day, Taylor, Lewis, Padden, Silver, Barrett, Dellwo and Hine:

On page 2, line 27 strike all of subsection (2) and insert:

"(2) General obligation bonds of the state of Washington in the sum of four million six hundred thirty-five thousand dollars, or so much thereof as may be required, shall be issued for the purpose of providing funds for the planning, design, acquisition, construction, and improvement of a Washington state agricultural trade center, and to provide for the administrative cost of such projects, including costs of bond issuance and retirement, salaries and related costs of officials and employees of the state, costs of insurance or credit enhancement agreements, and other expenses incidental to the administration of capital projects. The proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the state building construction account, shall be used exclusively for the purposes specified in this subsection and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of this subsection, and shall be administered by the department of commerce and economic development, subject to legislative appropriation."

Representatives West and Dellwo spoke in favor of the amendment, and it was adopted.

Mr. Chandler moved adoption of the following amendment:

On page 6, line 24 following "appropriation," insert "No such bonds may be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds."

Representatives Chandler, Vander Stoep and Doty spoke in favor of the amendment, and it was adopted.

Mr. Nealey moved adoption of the following amendment by Representatives Nealey and Bristow:

On page 7, line 29 after "sources," insert "From the effective date of this act until December 31, 1995, not less than two and one-half percent of the total distribution of grants and loans made from the water quality account shall be transferred by the department to the state conservation commission for water pollution control facilities or activities, of which one-half percent shall be used for research."

POINT OF ORDER

Ms. Unsoeld: "Mr. Speaker, I believe that amendment was prepared for another bill. I question the scope and object."

SPEAKER'S RULING

The Speaker: "It appears not to be within the scope and object. Your point is well taken. Representative Unsoeld."

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

Representative Hargrove spoke against passage of the bill.

POINT OF ORDER

Mr. Sayan: "Mr. Speaker, I believe the speaker is not speaking to the issue at all. He is talking about some other subject totally unrelated, something about the Department of Natural Resources. He should be instructed to speak to the issue."

The Speaker: "Your point is well taken. Representative Hargrove, could you speak to the issue before us."

Mr. Hargrove concluded his remarks, speaking in opposition to the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3679 as amended by the House, and the bill passed the House by the following vote: Yeas, 62; nays, 35; excused, 1.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Braddock, Bristow, Brooks, Brough, Chandler, Crane, Day, Dellwo, Doty, Gallagher, Grimm, Hankins, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis,

Locke, Long, Lundquist, Madsen, May, McMullen, Miller, Nealey, Nelson D, Nelson G, Nutley, O'Brien, Padden, Rayburn, Sanders, Sayan, Schoon, Scott, Silver, Smitherman, Taylor, Todd, Unsoeld, Valle, Van Luven, Walk, Walker, Wang, West, Wilson S, Wineberry, Winsley, and Mr. Speaker - 62.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Betrozoff, Bond, Brekke, Cole, Dobbs, Ebersole, Fisch, Fisher, Fuhrman, Hargrove, Hastings, Lux, Niemi, Patrick, Peery, Prince, Rust, Schmidt, Smith L, Sommers, Sutherland, Tanner, Thomas, Tilly, van Dyke, Vander Stoep, Vekich, Williams B, Williams J, Wilson K, Zellinsky - 35.

Excused: Representative Smith C - 1.

Engrossed Second Substitute Senate Bill No. 3679 as amended by the House, having received the constitutional sixty percent 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 27, 1985

Mr. Speaker:

The Senate has refused to concur in the House amendments to ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 3827, and asks the House to recede therefrom, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Ms. Hine moved that the House recede from its amendments to Engrossed Third Substitute Senate Bill No. 3827.

Ms. Hine spoke in favor of the motion, and Ms. Sommers spoke against it.

Mr. J. King 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 Addison, Ballard, Brough, Dobbs, Hine, Isaacson, R. King, Long, G. Nelson, Padden, Patrick, Prince, Sanders, Schoon, C. Smith, L. Smith, Thomas, Valle, van Dyke, Van Luven, B. Williams and S. Wilson.

On motion of Mr. J. King, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker called on Mr. O'Brien to preside.

POINT OF PARLIAMENTARY INQUIRY

Mr. Taylor: "Mr. Speaker, the session has ended as of midnight. Under what rule, after midnight when the legislature is not in session, under what rule do we make a Call of the House? I think for history we ought to know this. I think we are being cooperative, we're staying, but I think we need a ruling under what rule we do this."

The Speaker (Mr. O'Brien presiding): "We're going to withhold the answer for a few minutes, Representative Taylor."

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

The Speaker called the House to order.

SPEAKER'S RULING

The Speaker: "The Speaker would note that it is past 12 o'clock and further consideration of this issue cannot be constitutionally done at this time."

On motion of Mr. J. King, further business under the Call of the House was dispensed with.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

The House reverted to the fourth order of business.

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 120,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 120, by Senators Bottiger, Fleming, Hayner and Sellar

Returning all bills back to house of origin.

On motion of Mr. Appelwick, the rules were suspended and Senate Concurrent Resolution No. 120 was advanced to second reading and read the second time in full.

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

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 272,

SUBSTITUTE HOUSE BILL NO. 461,

SUBSTITUTE HOUSE BILL NO. 799,

SUBSTITUTE HOUSE BILL NO. 804,

SUBSTITUTE HOUSE BILL NO. 890.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-56, by Representatives J. King and S. Wilson

WHEREAS, The 1985 Regular Session of the Forty-ninth 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 before the next session;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That there is created the Executive Rules Committee, which shall consist of the Speaker and four additional members who shall be appointed by the Speaker from the Rules Committee. The Chief Clerk of the House shall be the nonvoting secretary of the Committee; and

BE IT FURTHER RESOLVED, That the Executive Rules Committee is authorized to assign subject matters and bills, memorials, and resolutions to authorized committees for study during the interim, and the Speaker is authorized to create special and select committees as may be necessary to carry out the functions, including interim studies, of the House in an orderly manner and appoint members thereto with the approval of the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That during the interim the Executive Rules Committee shall authorize schedules and locations for meetings of any authorized committee or subcommittee, and such committees or subcommittees may conduct hearings and scheduling without a quorum being present; and

BE IT FURTHER RESOLVED, That during the interim, authorized committees have the power of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW if and when specifically authorized by the Executive Rules Committee for specific purposes and specific subjects; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives is directed to complete the work of the 1985 Regular Session of the Forty-ninth Legislature, and all details that arise therefrom, including the editing, indexing, and publishing of the journal of the House; and

BE IT FURTHER RESOLVED, That the Sergeant-at-Arms is directed to complete the necessary work of the 1985 Regular Session of the Forty-ninth 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 are authorized and directed to retain such additional employees as may be necessary to continue the interim work of the Legislature and to fix their compensation therefor; and

BE IT FURTHER RESOLVED, That the Chief Clerk is 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 any other business of the House of Representatives; and

BE IT FURTHER RESOLVED, That neither the Speaker nor the Chief Clerk may approve or sign any personal service contract without the express approval of the Executive Rules Committee; and

BE IT FURTHER RESOLVED, That the State Treasurer is directed to draw warrants for the payment of salaries, per diem, in lieu payments, and reimbursements of and to the members of the House of Representatives, and 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 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

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, the National Conference of State Legislatures, and other organizations are offering a variety of training and continuing education courses and meetings on such subjects; and

WHEREAS, The participation in those 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 and the Chief Clerk may authorize the attendance of members and staff members at such courses or meetings as may be deemed pertinent and may authorize the expenditure of registration or tuition fees and reimbursement for subsistence and travel for such purpose; and

BE IT FURTHER RESOLVED, That members of the Legislature be reimbursed for expenses incurred in attending such conferences, meetings, and continuing education courses at the rate prescribed by RCW 44.04.120, plus mileage to and from the conferences, meetings, and courses at the rate established by law, except that if travel was by means of common carrier then only actual fare may be claimed, which reimbursements shall be paid on their vouchers from any appropriation made to the House of Representatives for legislative expense; and

BE IT FURTHER RESOLVED, That employees of the Legislature be reimbursed for expenses incurred in attending such conferences, meetings, and continuing education courses at the rate prescribed by RCW 43.03.050, plus mileage to and from the conferences, meetings, and courses at the rate established by law, except that if travel was by means of common carrier then only actual fare may be claimed, which reimbursement shall be paid on their vouchers out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That the Chief Clerk 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 established by law; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized and directed, during the interim, and as authorized by the Speaker and the Employment Committee, 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 committee reports, committee bills, 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 after the adjournment of the 1985 Regular Session of the Forty-ninth 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 or Senator's family; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized to make out the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn.

On motion of Mr. J. King, House Resolution No. 85-56 was adopted.

HOUSE FLOOR RESOLUTION NO. 85-80, by Representatives J. King and Barrett

BE IT RESOLVED, That a committee of three members be appointed by the Speaker to notify the Senate that the House of Representatives is ready to adjourn sine die.

On motion of Mr. J. King, the resolution was adopted.

Under the provisions of House Resolution No. 85-80, the Speaker appointed Representatives Baugher, Sayan and G. Nelson to notify the Senate that the House was about to adjourn sine die.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO.	116,
SUBSTITUTE HOUSE BILL NO.	190,
SUBSTITUTE HOUSE BILL NO.	314,
SUBSTITUTE HOUSE BILL NO.	625,
SUBSTITUTE HOUSE BILL NO.	660,
HOUSE BILL NO.	718,
HOUSE BILL NO.	723,
SUBSTITUTE HOUSE BILL NO.	843,
SUBSTITUTE HOUSE BILL NO.	848,
SUBSTITUTE HOUSE BILL NO.	863,
SUBSTITUTE HOUSE BILL NO.	956,
SUBSTITUTE HOUSE BILL NO.	1089,
HOUSE JOINT RESOLUTION NO.	23,
HOUSE CONCURRENT RESOLUTION NO.	7.

The House reverted to the fourth order of business.

MESSAGES FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 7.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 28, 1985

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO.	46,
SUBSTITUTE HOUSE BILL NO.	242,
HOUSE BILL NO.	327,
HOUSE BILL NO.	593,
SECOND SUBSTITUTE HOUSE BILL NO.	627,
HOUSE BILL NO.	832,

SECOND SUBSTITUTE HOUSE BILL NO. 849,
 SUBSTITUTE HOUSE BILL NO. 1079,
 SUBSTITUTE HOUSE BILL NO. 1107,
 SENATE BILL NO. 3230,
 SUBSTITUTE SENATE BILL NO. 3261,
 SUBSTITUTE SENATE BILL NO. 3384,
 SUBSTITUTE SENATE BILL NO. 3630,
 SUBSTITUTE SENATE BILL NO. 3654,
 SUBSTITUTE SENATE BILL NO. 3678,
 SUBSTITUTE SENATE BILL NO. 3799,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

HCR 13 by Representatives J. King and Barrett

Appointing a committee to notify the Governor that the legislature is about to adjourn sine die.

On motion of Mr. J. King, the rules were suspended, and House Concurrent Resolution No. 13 was advanced to second reading and read the second time in full.

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

Under the provisions of House Concurrent Resolution No. 13, the Speaker appointed Representatives Bristow, Rayburn and Barnes to notify the Governor that the Legislature was about to adjourn sine die.

MESSAGES FROM THE SENATE

April 28, 1985

Mr. Speaker:

The Senate has failed to adopt the Free Conference Committee report on ENGROSSED SUBSTITUTE SENATE BILL NO. 4196.

Bill Gleason, Assistant Secretary.

April 28, 1985

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 13,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 13.

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 116,
 SUBSTITUTE HOUSE BILL NO. 190,
 SUBSTITUTE HOUSE BILL NO. 272,
 SUBSTITUTE HOUSE BILL NO. 314,
 SUBSTITUTE HOUSE BILL NO. 461,
 SUBSTITUTE HOUSE BILL NO. 625,
 SUBSTITUTE HOUSE BILL NO. 660,
 HOUSE BILL NO. 718,
 HOUSE BILL NO. 723,
 SUBSTITUTE HOUSE BILL NO. 799,
 SUBSTITUTE HOUSE BILL NO. 804,
 SUBSTITUTE HOUSE BILL NO. 843,
 SUBSTITUTE HOUSE BILL NO. 848.

SUBSTITUTE HOUSE BILL NO. 863,
 SUBSTITUTE HOUSE BILL NO. 890,
 SUBSTITUTE HOUSE BILL NO. 956,
 SUBSTITUTE HOUSE BILL NO. 1089,
 HOUSE JOINT RESOLUTION NO. 23,
 HOUSE CONCURRENT RESOLUTION NO. 7,
 HOUSE CONCURRENT RESOLUTION NO. 13,
 SENATE BILL NO. 3134,
 SENATE BILL NO. 4146,
 SENATE CONCURRENT RESOLUTION NO. 120,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE SENATE BILL NO. 3066,
 SENATE BILL NO. 3120,
 SENATE BILL NO. 3134,
 SUBSTITUTE SENATE BILL NO. 3184,
 SENATE BILL NO. 3230,
 SUBSTITUTE SENATE BILL NO. 3235,
 SUBSTITUTE SENATE BILL NO. 3261,
 SUBSTITUTE SENATE BILL NO. 3354,
 SUBSTITUTE SENATE BILL NO. 3384,
 SUBSTITUTE SENATE BILL NO. 3516,
 SUBSTITUTE SENATE BILL NO. 3630,
 SUBSTITUTE SENATE BILL NO. 3654,
 SUBSTITUTE SENATE BILL NO. 3678,
 SUBSTITUTE SENATE BILL NO. 3799,
 SENATE BILL NO. 4142,
 SENATE BILL NO. 4146,
 SUBSTITUTE SENATE BILL NO. 4231,
 SENATE CONCURRENT RESOLUTION NO. 120.

REPORT OF SPECIAL COMMITTEE

The committee appointed to notify the Senate that the House was about to adjourn sine die appeared at the bar of the House and reported that they had accomplished their mission.

The report was received and the committee was discharged.

MESSAGE FROM THE SENATE

April 28, 1985

Mr. Speaker:

In accordance with SCR 120, the following bills are herewith transmitted:

SUBSTITUTE HOUSE BILL NO. 2,
 HOUSE BILL NO. 10,
 HOUSE BILL NO. 20,
 ENGROSSED HOUSE BILL NO. 22,
 SUBSTITUTE HOUSE BILL NO. 24,
 HOUSE BILL NO. 25,
 SUBSTITUTE HOUSE BILL NO. 26,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 32,
 ENGROSSED HOUSE BILL NO. 37,
 SUBSTITUTE HOUSE BILL NO. 41,
 HOUSE BILL NO. 43,
 SUBSTITUTE HOUSE BILL NO. 44,
 ENGROSSED HOUSE BILL NO. 51,
 ENGROSSED HOUSE BILL NO. 55,
 HOUSE BILL NO. 78,
 SUBSTITUTE HOUSE BILL NO. 81,
 SUBSTITUTE HOUSE BILL NO. 93,

ENGROSSED SUBSTITUTE HOUSE BILL NO.	98.
HOUSE BILL NO.	102.
SUBSTITUTE HOUSE BILL NO.	103.
SUBSTITUTE HOUSE BILL NO.	108.
HOUSE BILL NO.	109.
ENGROSSED HOUSE BILL NO.	110.
SUBSTITUTE HOUSE BILL NO.	114.
SUBSTITUTE HOUSE BILL NO.	131.
ENGROSSED HOUSE BILL NO.	134.
SUBSTITUTE HOUSE BILL NO.	137.
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.	138.
SUBSTITUTE HOUSE BILL NO.	170.
ENGROSSED HOUSE BILL NO.	173.
ENGROSSED HOUSE BILL NO.	181.
HOUSE BILL NO.	191.
SUBSTITUTE HOUSE BILL NO.	197.
SUBSTITUTE HOUSE BILL NO.	205.
SUBSTITUTE HOUSE BILL NO.	243.
HOUSE BILL NO.	244.
SUBSTITUTE HOUSE BILL NO.	246.
ENGROSSED HOUSE BILL NO.	266.
SUBSTITUTE HOUSE BILL NO.	274.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	317.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	339.
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.	348.
HOUSE BILL NO.	351.
SUBSTITUTE HOUSE BILL NO.	378.
HOUSE BILL NO.	390.
HOUSE BILL NO.	392.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	393.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	397.
HOUSE BILL NO.	405.
SUBSTITUTE HOUSE BILL NO.	406.
HOUSE BILL NO.	419.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	433.
SUBSTITUTE HOUSE BILL NO.	452.
SUBSTITUTE HOUSE BILL NO.	456.
SUBSTITUTE HOUSE BILL NO.	458.
HOUSE BILL NO.	464.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	470.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	486.
SUBSTITUTE HOUSE BILL NO.	489.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	494.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	495.
HOUSE BILL NO.	507.
ENGROSSED HOUSE BILL NO.	542.
SUBSTITUTE HOUSE BILL NO.	545.
SUBSTITUTE HOUSE BILL NO.	547.
SUBSTITUTE HOUSE BILL NO.	566.
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.	587.
SUBSTITUTE HOUSE BILL NO.	594.
ENGROSSED SUBSTITUTE HOUSE BILL NO.	595.
ENGROSSED HOUSE BILL NO.	600.
SUBSTITUTE HOUSE BILL NO.	612.
HOUSE BILL NO.	677.
ENGROSSED HOUSE BILL NO.	701.
SUBSTITUTE HOUSE BILL NO.	712.
SUBSTITUTE HOUSE BILL NO.	732.
SUBSTITUTE HOUSE BILL NO.	744.
HOUSE BILL NO.	747.
ENGROSSED HOUSE BILL NO.	753.

ENGROSSED SUBSTITUTE HOUSE BILL NO.	785,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	796,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	820,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	836,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	852,
ENGROSSED HOUSE BILL NO.	856,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.	879,
SUBSTITUTE HOUSE BILL NO.	894,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.	930,
SUBSTITUTE HOUSE BILL NO.	936,
HOUSE BILL NO.	1002,
SUBSTITUTE HOUSE BILL NO.	1012,
SUBSTITUTE HOUSE BILL NO.	1013,
SUBSTITUTE HOUSE BILL NO.	1037,
SECOND SUBSTITUTE HOUSE BILL NO.	1068,
SUBSTITUTE HOUSE BILL NO.	1074,
SUBSTITUTE HOUSE BILL NO.	1102,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	1106,
SUBSTITUTE HOUSE BILL NO.	1122,
SUBSTITUTE HOUSE BILL NO.	1134,
SUBSTITUTE HOUSE BILL NO.	1143,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	1172,
SUBSTITUTE HOUSE BILL NO.	1177,
ENGROSSED SUBSTITUTE HOUSE BILL NO.	1182,
HOUSE BILL NO.	1198,
HOUSE JOINT MEMORIAL NO.	12,
HOUSE JOINT MEMORIAL NO.	17,
HOUSE JOINT MEMORIAL NO.	22,
SUBSTITUTE HOUSE JOINT MEMORIAL NO.	24,
ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO.	6,
ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO.	25,
SUBSTITUTE HOUSE JOINT RESOLUTION NO.	30,
HOUSE CONCURRENT RESOLUTION NO.	3,

Bill Gleason, Assistant Secretary.

REPORT OF SPECIAL COMMITTEE

The Special Committee appointed under the provisions of SCR 120, appeared at the bar of the House and reported that they had notified the Senate that the Legislature was about to adjourn sine die.

The report was received and the committee was discharged.

MOTION

On motion of Mr. J. King, reading of the Journal of the One Hundred Fifth Day of the 1985 Regular Session of the Forty-ninth Legislature was dispensed with and it was ordered to stand approved.

MOTION

On motion of Mr. J. King, the House of Representatives of the 1985 Regular Session of the Forty-ninth Legislature adjourned sine die.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

FIRST SPECIAL SESSION

FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wash., June 10, 1985

The Speaker called the House to order at 9:00 a.m. The Clerk called the roll and all members were present except Representatives Lundquist, McMullen, G. Nelson, C. Smith, Tanner, Vander Stoep and van Dyke. Representatives Lundquist, McMullen, G. Nelson, C. Smith and van Dyke were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tod Sturgeon and Trish Burke. Prayer was offered by Reverend Robert Samuelson, Peace Lutheran Church of Olympia.

MESSAGE FROM SECRETARY OF STATE

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

We herewith respectfully transmit a Proclamation by the Governor of the State of Washington, calling a Special Session of the Washington State Legislature, as provided by Article III, Section 7, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, Washington, this 31st Day of May, 1985.

(SEAL) RALPH MUNRO,
Secretary of State

PROCLAMATION BY THE GOVERNOR

In accordance with Article II, Section 12 (Amendment 68), the 1985 Regular Session adjourned April 28, 1985, the 105th Day of the session without finishing its essential tasks. It is therefore necessary for me to convene an extraordinary session for the purpose of addressing the state budget and budget-related items.

Now, Therefore, I, Booth Gardner, Governor of the State of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68), and Article III, Section 7 of the State Constitution, do hereby convene the Legislature of the State of Washington on Monday, June 10, 1985, at 9:00 a.m. in extraordinary session in the Capitol at Olympia for the purposes stated herein.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 31st Day of May, Nineteen Hundred and Eighty-five.

(SEAL) BOOTH GARDNER,
Governor.

The House advanced to the eighth order of business.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-83, by Representatives J. King and Barrett

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 to conduct business.

On motion of Mr. J. King, the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Representatives Wang, Madsen and Hankins to notify the Senate that the House was organized and ready to conduct business.

REPORT OF SPECIAL COMMITTEE FROM SENATE

A committee from the Senate, consisting of Senators Garrett, Cantu and Stratton, appeared at the bar of the House and notified the House that the Senate was organized and ready for business.

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

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

INTRODUCTION AND FIRST READING

HCR 14 by Representatives J. King and Barrett

Notifying the Governor the Legislature is organized and ready to conduct business.

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

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

The resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Representatives Zellinsky, Belcher and Miller to notify the Governor that the Legislature was organized and ready for business.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Senate that the House was organized and ready to conduct business.

The report was received and the committee was discharged.

The House reverted to the third order of business.

MESSAGES FROM SECRETARY OF STATE

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

I respectfully transmit for your consideration SUBSTITUTE HOUSE BILL NO. 61, SUBSTITUTE HOUSE BILL NO. 493, and HOUSE BILL NO. 723, which have been vetoed by the Governor, together with the respective veto messages of the Governor setting forth his objections to each of the bills as required by Article III, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have set my hand and affixed the Seal of the State of Washington at Olympia, this thirty-first day of May, 1985.

(Seal)

RALPH MUNRO, Secretary of State.

MESSAGES FROM THE GOVERNOR

May 21, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval, SUBSTITUTE HOUSE BILL NO. 61, entitled:

"AN ACT Relating to health insurance."

This bill would impose costs on local governments to provide insurance programs to some of their former employees. This issue should be decided at the local level since the cost is substantial and the state is providing no added revenue sources or funding. Some local governments have also expressed concern that this legislation violates the intent, if not the letter, of Initiative 62, which restricted the state's ability to impose new programs on local governments without providing funding sources.

The idea contained in this bill is worthwhile. People who have taken early retirement from local governments find it expensive to obtain coverage under reasonably priced individual policies. Those eligible for medicare coverage fare slightly better when purchasing supplemental health insurance but still face costly options.

Several local governments have established programs similar to the one contained in this bill, but the retirement group is separately rated from the active employees group. Joining the two groups increases the cost to local government. The extent of the increased cost is not easy to estimate.

However, there is little doubt that the cost of this bill for local governments would be substantial. It would vary from government unit to unit depending on the size of the active employee group, the benefits in the health policy, the number of retirees, and the insurance carrier(s).

I would encourage local governments to provide this program for their retired employees. The state and local governments who have opted to join the State Employees' Insurance Board (SEIB) have this program already. Others can also provide the coverage by joining SEIB or setting up the program with their separate insurance carriers.

Due to the substantial cost impact on local governments, I have vetoed Substitute House Bill No. 61.

Respectfully submitted,
BOOTH GARDNER, Governor.

May 21, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval, SUBSTITUTE HOUSE BILL NO. 493, entitled:

"AN ACT Relating to Seismic Safety."

Substitute House Bill No. 493 would create a seismic safety commission which would review preparedness for an earthquake, recommend priorities, and disseminate information. The Department of Emergency Management currently has a program and the legal authority to carry out these functions. Furthermore, the proposed commission would include only two members who are not state officials.

Creation of new boards and commissions should be done only after careful consideration of their need. In the case of this department, the creation of a new commission without funding may lessen the needed staff time to work on this and other serious department measures. In general, commissions can be useful where functions cannot be exercised by a single existing state agency or where there is a strong public purpose served in establishing citizen oversight of governmental functions. Even in these circumstances, alternatives such as interagency coordination and temporary advisory groups should be considered before creating a new government entity.

I have instructed the Director of the Department of Emergency Management to ensure that the purposes of Substitute House Bill No. 493 are carried out by the department. As needed, the Director will ask for technical advice from experts outside the department.

For these reasons, I have vetoed Substitute House Bill No. 493.

Respectfully submitted,
BOOTH GARDNER, Governor.

May 21, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval, HOUSE BILL NO. 723, entitled:
"AN ACT Relating to radioactive waste."

House Bill No. 723 extends the Business and Occupational tax rates currently applied to the disposal of low level radioactive wastes at Hanford to all activities related to the storage or disposal of high level radioactive wastes in the state. It is intended that this tax be levied on U.S. Department of Energy site characterization activities related to the possible siting of a high level repository at Hanford, as well as to the disposal of high level wastes.

The paramount issue in siting a repository at Hanford is safety. I have stated on many occasions that the site must be proven both safe and the safest available. I am concerned that signing this measure would send a new message: That the state will accept the repository if the price is right.

Some proponents of the bill see it as a significant near-term source of revenue for the state. I believe the state could not rely on such revenues. Attempting to collect such a tax on federal activities would certainly result in prolonged litigation with uncertain prospects for eventual success.

The Nuclear Waste Policy Act of 1982 commits the Federal government to making payment in lieu of taxes at rates the state would ordinarily collect. I am committed to ensuring that such payments will be made at the appropriate rate.

For these reasons, I have vetoed House Bill No. 723.

Respectfully submitted,
BOOTH GARDNER, Governor.

MESSAGE FROM THE SENATE

June 10, 1985

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 121,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SCR 121 by Senators Bottiger, Fleming, Hayner and Sellar

Providing for the consideration of bills, memorials, and resolutions during the 1985 first special session.

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

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

The resolution was adopted.

INTRODUCTIONS AND FIRST READING

HB 1326 by Representatives Peery, P. King and R. King; by Governor request

AN ACT Relating to sales and use tax deferrals for manufacturing or research and development investment projects for persons not currently engaged in manufacturing or research and development in Washington state and upon which construction is commenced prior to December 31, 1986; adding a new chapter to Title 82 RCW; providing an expiration date; and declaring an emergency.

HB 1327 by Representatives Grimm, P. King and Holland

AN ACT Relating to common school capital projects; amending RCW 28A.47.841 and 28A.47.844; and declaring an emergency.

HB 1328 by Representative Grimm

AN ACT Relating to capital projects authorized in the state capital budget acts; amending RCW 75.48.020, 28A.47.792, 28A.47B.010, 28B.10.850, 28B.14C.010, and 43.83.150; adding a new chapter to Title 43 RCW; and declaring an emergency.

MOTION

On motion of Mr. J. King, the bills remaining on the third reading calendar were referred to Committee on Rules.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Governor that the Legislature was organized and ready for business.

The report was received and the committee was discharged.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Mr. J. King, the rules were suspended and House Bill No. 1326, House Bill No. 1327 and House Bill No. 1328 were placed at the top of the second reading calendar.

The House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1327, by Representatives Grimm, P. King and Holland

Authorizing the issuance of general obligation bonds for common school facilities.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1327, and the bill passed the House by the following vote: Yeas, 90; nays, 1; absent, 2; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J. King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, May, Miller, Nealey, Nelson D, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, Smith L, Smitherman, Sommers, Sutherland, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Van Luvan, Vekich, Walk, Walker, Wang, West, Williams B, Williams J, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representative Hargrove - 1.

Absent: Representatives Tanner, Vander Stoep - 2.

Excused: Representatives Lundquist, McMullen, Nelson G, Smith C, van Dyke - 5.

House Bill No. 1327, having received the constitutional sixty percent 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. 1328, by Representative Grimm

Authorizing the issuance of general obligation bonds for capital projects.

The bill was read the second time.

Mr. J. King moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Mr. B. Williams spoke against passage of the bill, and Mr. Braddock spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1328, and the bill passed the House by the following vote: Yeas, 70; nays, 21; absent, 2; excused, 5.

Voting yea: Representatives Addison, Allen, Appelwick, Armstrong, Barrett, Basich, Belcher, Braddock, Brekke, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Doly, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Madsen, May, Miller, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sanders, Sayan, Scott, Silver, Smitherman, Sommers, Taylor, Tilly, Todd, Unsoeld, Valle, Van Luven, Vekich, Walk, Wang, West, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Ballard, Barnes, Baugher, Betrozoff, Bond, Brooks, Dobbs, Fuhrman, Lux, Nealey, Padden, Prince, Schmidt, Schoon, Smith L, Sutherland, Thomas, Walker, Williams B, Williams J, Winsley - 21.

Absent: Representatives Tanner, Vander Stoep - 2.

Excused: Representatives Lundquist, McMullen, Nelson G, Smith C, van Dyke - 5.

House Bill No. 1328, having received the constitutional sixty percent 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 inadvertently voted 'Nay' on House Bill No. 1328. I intended to vote 'Yes.'
SALLY W. WALKER, 28th District.

MOTION

On motion of Mr. J. King, House Bill No. 1327 and House Bill No. 1328 were ordered immediately transmitted to the Senate.

The Speaker declared the House to be at ease until 1:00 p.m.

AFTERNOON SESSION

The House was called to order at 1:00 p.m. by the Speaker. Representatives Tanner and Vander Stoep appeared at the bar of the House.

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

MESSAGE FROM THE SENATE

June 10, 1985

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 3656,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

2SSB 3656 by Committee on Ways & Means (originally sponsored by Senator McDermott)

Adopting the 1985-87 biennial operating appropriations act.

MOTION

On motion of Mr. J. King, the rules were suspended, and Second Substitute Senate Bill No. 3656 was advanced to second reading.

The House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-85, by Representative Zellinsky

WHEREAS, The Olympic High School Jazz Ensemble is a nationally and internationally acclaimed musical group; and

WHEREAS, Susan Bates, Karen Brownley, Diane Christensen, Joel Christensen, David Garber, Kris Gotheridge, John Haberlin, Jay Hermanson, Edward Jones,

Chris Kreifels, Jeffrey Loidhamer, David Lott, Ronnie Melencio, Pat Napper, Tina Peal, Eric Ryan, Douglas Scott, Robert Skinner, Jon Snyder and Jennifer Wheeler are members of the Olympic High School Jazz Ensemble who play excellent jazz; and

WHEREAS, The Olympic High School Jazz Ensemble is directed by Dennis Goans; and

WHEREAS, The Olympic High School Jazz Ensemble has placed first in the Clark College Jazz Festival, the North Kitsap Jazz Festival and the Reno Jazz Festival; and

WHEREAS, The Olympic High School Jazz Ensemble has performed at invitational jazz festivals at Central Washington University and at Moscow, Idaho; and

WHEREAS, Members of the Olympic High School Jazz Ensemble concurrently perform as part of the Olympic High School Marching Band which has won AA championships at the 1984 Kingbowl Band Competition and the Apple Blossom Festival in 1983, 1984 and 1985; and

WHEREAS, This group, because of its excellent performance at the Reno Jazz Festival, received invitations to play at the International Jazz Festival in Montreux, Switzerland and the North Sea Jazz Festival in The Hague; and

WHEREAS, The Olympic High School Jazz Ensemble is the only high school performing group from the United States invited to perform at Montreux and The Hague festivals;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That congratulations for this accomplishment be extended to the members of the Olympic High School Jazz Ensemble and its director; and

BE IT FURTHER RESOLVED, That the Olympic High School Jazz Ensemble and its director be highly commended for this accomplishment which has made the students of Olympic High School, the citizens of Silverdale and Bremerton, and the State of Washington very proud; and

BE IT FURTHER RESOLVED, That copies of this Resolution be forwarded to the members and director of the Olympic High School Jazz Ensemble.

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

HOUSE FLOOR RESOLUTION NO. 85-84, by Representatives Ebersole, Hastings, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ehlers, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, Isaacson, Jacobsen, J. King, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Vaile, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, Since the great State of Washington was established in 1889, there have been a total of 4,299 regular, special and extraordinary session days of the Washington State Legislature; and

WHEREAS, Over the course of the last ninety-six years and the 4,299 session days, one individual has served more years and more session days than any other legislator in this state's great history; and

WHEREAS, John L. O'Brien, Speaker Pro Tempore, was first elected forty-five years ago in 1940 and has served continuously with the exception of one term in 1947 and 1948; and

WHEREAS, John L. O'Brien has served in a major leadership post longer than any state legislator - Democrat or Republican, House member or Senator - in the entire United States of America; and

WHEREAS, John L. O'Brien's total number of session days served during his tenure as a member of the Washington State House of Representatives is 2,512; and

WHEREAS, This means that John L. O'Brien has served 58.5 percent of all session days in this state's entire history;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives commend John L. O'Brien and express its formal and profound appreciation to Speaker O'Brien for his venerability, sagacity, longevity, charm, grace, good humor and wit, and for his many contributions to the dignity of this chamber and to the welfare of the people of the state.

Mr. Ebersole moved adoption of the resolution. Representatives Ebersole and Hastings spoke in favor of the resolution, and it was adopted.

MESSAGES FROM THE SENATE

June 10, 1985

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 14.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 10, 1985

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 121.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 14.

SENATE CONCURRENT RESOLUTION NO. 121.

The House reverted to the sixth order of business.

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 3656, by Committee on Ways & Means (originally sponsored by Senator McDermott)

Adopting the 1985-87 biennial operating appropriations act.

The bill was read the second time.

Mr. Tilly moved adoption of the following amendment:

On page 6, line 33 strike "Total Appropriation.... \$7,780,000" and insert:

	FY 1986	FY 1987
Emergency Appropriation Account	\$50,000,000	\$50,000,000
Total Appropriation		\$107,780,000

There is created within the office of the state treasurer a special account to be known as the Emergency Appropriation Account. The moneys in this account may only be utilized through appropriations by the legislature, meeting in regular or special session, with a sixty percent affirmative vote of all members elected or appointed to each house. This amount, or any portion thereof, which may remain in the Emergency Appropriation Account at the end of the 1985-1987 fiscal biennium shall be transferred to the revenue accrual account pursuant to the provisions of RCW 82.32.400."

Mr. Tilly spoke in favor of the amendment, and Mr. Grimm opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 6, line 33 of Second Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; excused, 5.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L. Taylor, Thomas, Tilly, Van Luven, Vander Sloep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, Nelson

D. Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Lundquist, McMullen, Nelson G, Smith C, van Dyke - 5.

Ms. Doty moved adoption of the following amendment by Representatives Doty and B. Williams:

On page 8, after line 29 insert:

"(5) The office of financial management shall take such action as is necessary to limit the following general fund-state funded objects of expenditure to no more than the amount expended during the 1983-85 biennium plus an inflation factor of seven percent: personal services contracts; goods and services; travel; and furnishings and equipment. The office shall reduce the general fund-state allotments to agencies to produce a savings of no less than \$150 million to reach this goal. These funds shall be placed in a reserve status subject to appropriation by the legislature."

Representatives Doty and B. Williams spoke in favor of the amendment, and Mr. Braddock spoke against it.

Mr. J. King demanded an electric roll call vote and the demand was sustained.

Mr. Grimm opposed the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Doty and B. Williams to page 8, line 29 of Second Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 37; nays, 56; excused, 5.

Voting yea: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S - 37.

Voting nay: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 56.

Excused: Representatives Lundquist, McMullen, Nelson G, Smith C, van Dyke - 5.

Ms. Thomas moved adoption of the following amendment by Representatives Thomas, B. Williams and Van Luven:

On page 8, after line 29 insert a new section as follows:

*NEW SECTION. Sec. 122. (1) The office of financial management shall adopt rules and regulations limiting the allowable number of state employees among the various state agencies to the number employed by, or allotted to the agency as of January 31, 1986, whichever is lower. The agencies shall reduce their level of employment as necessary to meet the January 31, 1986 level. No agency may hire any new employees beyond the January 31, 1986 level or the level in effect as of the effective date of this act, whichever is lower, without receiving authorization from the office of financial management. Such authorization shall only be granted when the office of financial management determines that emergency conditions exist which require the hiring of additional state employees. Such additional employment may not last longer than the emergency conditions.

(2) Each agency headed by a state elected official shall also adopt rules and regulations limiting the allowable number of state employees as provided in subsection (1) of this section.

(3) The office of financial management shall reduce agency general fund-state allotments to produce a savings of no less than \$180 million.

(4) The office of financial management shall, in concert with other agencies administering employee suggestion systems, establish a system that has as its goal a savings of at least \$50 million general fund-state during the 1985-87 biennium.

(5) There is hereby appropriated \$5 million in general fund-state funds to be used solely for the employee suggestion authorized in subsection (3)."

Renumber the remaining sections consecutively.

Representatives Thomas, Van Luven and Sanders spoke in favor of the amendment, and Mr. Braddock opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Thomas and others to page 8, line 29 of Second Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; excused, 5.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Lundquist, McMullen, Nelson G, Smith C, van Dyke - 5.

Ms. Miller moved adoption of the following amendment:

On page 54, following line 10 insert a new subsection as follows:

"(1) At least \$900,000 of the sums appropriated herein shall be expended upon developing high technology programs in our community colleges."

Renumber the remaining subsections consecutively.

Representatives Miller and Allen spoke in favor of the amendment, and Mr. J. King opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Miller to page 54 of Second Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; excused, 5.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Lundquist, McMullen, Nelson G, Smith C, van Dyke - 5.

Mr. Nealey moved adoption of the following amendment by Representatives Nealey and Prince:

On page 58, line 3 strike "twenty-five thousand" and insert "twelve thousand five hundred"

Representatives Nealey and Prince spoke in favor of the amendment, and Mr. Braddock spoke against it.

Mr. Nealey spoke again in favor of the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Nealey and Prince to page 58, line 3 of Second Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 46; nays, 47; excused, 5.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Baugher, Betrozoff, Bond, Bristow, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Haugen, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Nelson D, Padden, Patrick, Prince, Rayburn, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 46.

Voting nay: Representatives Appelwick, Armstrong, Basich, Belcher, Braddock, Brekke, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen,

King J. King P. King R. Kremen, Leonard, Locke, Lux, Madsen, Niemi, Nutley, O'Brien, Peery, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 47.

Excused: Representatives Lundquist, McMullen, Nelson G, Smith C, van Dyke - 5.

Mr. Patrick moved adoption of the following amendments by Representatives Patrick and Tilly:

On page 59, line 5 strike "6,684,000" and "6,611,000" and insert "6,742,000" and "7,101,000"

On page 59, line 11 strike "14,716,000" and insert "15,264,000"

On page 59, line 13 after "limitations:" insert "(1)"

On page 59, after line 17 insert "(2) \$58,000 for fiscal year 1986 and \$490,000 for fiscal year 1987 of the general fund—state appropriation are provided solely to develop and implement an automated fingerprint identification system."

Representatives Patrick, Padden and Tilly spoke in favor of the amendments, and Mr. Braddock opposed them.

Mr. Patrick spoke again in favor of the amendments.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Patrick and Tilly to page 59 of Second Substitute Senate Bill No. 3656, and the amendments were not adopted by the following vote: Yeas, 41; nays, 52; excused, 5.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Lundquist, McMullen, Nelson G, Smith C, van Dyke - 5.

Mr. Sanders moved adoption of the following amendment by Representatives Sanders, B. Williams, Silver, Tilly and Isaacson:

On page 74, line 21 following "technology," insert:

"NEW SECTION, Sec. 519. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PAYMENTS TO THE TEACHERS' RETIREMENT SYSTEM

General Fund Approp--State \$136,000,000"

Representatives Sanders and B. Williams spoke in favor of the amendment, and Mr. Grimm spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Sanders and others to page 74, line 21 of Second Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; excused, 5.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Lundquist, McMullen, Nelson G, Smith C, van Dyke - 5.

Mr. Patrick moved adoption of the following amendment:

On page 91, strike lines 18 through 24 on page 92 and insert:

***NEW SECTION, Sec. 705. FOR THE GOVERNOR - RETIREMENT CONTRIBUTIONS**

There is appropriated for all state agencies from the General Fund-State to the Special Fund Retirement Contribution Revolving Fund \$26,300,000

There is appropriated for all state agencies from the Special Fund Retirement Contribution Revolving Fund \$25,100,000

To facilitate payment of general fund-state and funds other than general fund-state funds by state agencies to the respective retirement funds, the state treasurer is directed to transfer sufficient income from each special fund to the special fund retirement contribution revolving fund hereby created in accordance with schedules provided by the office of financial management.

NEW SECTION, Sec. 706. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT CONTRIBUTIONS

	FY 1986	FY 1987
General Fund Appropriation	\$185,400,000	\$185,400,000
Total Appropriation	\$370,800,000	

\$185,400,000 of the appropriation for each fiscal year shall be deposited in the law enforcement officers' and fire fighters' retirement fund pursuant to RCW 41.26.080."

Renumber the remaining sections consecutively.

Mr. Patrick spoke in favor of the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Patrick to page 91 of Second Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; excused, 5.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Waik, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Lundquist, McMullen, Nelson G, Smith C, van Dyke - 5.

Mr. B. Williams moved adoption of the following amendment:

On page 103, after line 34 insert:

***NEW SECTION, Sec. 714. FOR THE BUDGET STABILIZATION ACCOUNT**

General Fund Appropriation \$9,983,000"

Renumber the sections consecutively and correct internal references accordingly.

Mr. B. Williams spoke in favor of the amendment, and Mr. Braddock opposed it.

Mr. B. Williams spoke again in favor of the amendment.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative B. Williams to page 103 of Second Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; excused, 5.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betzoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers,

Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Lundquist, McMullen, Nelson G, Smith C, van Dyke - 8.

Mr. Tilly moved adoption of the following amendment:

On page 2, after line 33 insert:

"The appropriations in this section are subject to the following conditions and limitations: The Joint Select Committee on Public Retirement, created by 1984 SCR 149, shall continue in existence for the purposes of studying cost of living adjustments, portability, pension funding, and other pension issues.

The committee shall submit a report and recommendations to the 1986 legislature."

Mr. Tilly spoke in favor of the amendment and Mr. Grimm opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Tilly to page 2, line 33 of Second Substitute Senate Bill No. 3656, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; excused, 5.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Van Luven, Vander Sloep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 41.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representatives Lundquist, McMullen, Nelson G, Smith C, van Dyke - 8.

MOTION

Mr. J. King, moved that the rules be suspended, the second reading considered the third, and Second Substitute Senate Bill No. 3656 be placed on final passage.

Representative McMullen appeared at the bar of the House.

POINT OF PARLIAMENTARY INQUIRY

Mr. Barrett: "Mr. Speaker, how many votes does this motion take to pass?"

The Speaker: "Two-thirds of those present."

Mr. Barrett: "Mr. Speaker, could you tell me then, what is the closing date of the current session?"

The Speaker: "We hope to get out within the next couple of days. I'm sure that with your continued cooperation we will be able to do that, but it is our understanding that by the Constitution we could be here for up to thirty days."

The motion was carried.

Representatives Grimm, Belcher and J. King spoke in favor of passage of the bill, and Representatives Tilly, S. Wilson, Sanders and B. Williams spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 3656, and the bill passed the House by the following vote: Yeas, 53; nays, 41; excused, 4.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Bond, Brooks, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Hastings, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L,

Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, West, Williams B, Williams J, Wilson S, Winsley - 41.

Excused: Representatives Lundquist, Nelson G, Smith C, van Dyke - 4.

Second Substitute Senate Bill No. 3656, having received the 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 declared the House to be at ease.

The Speaker called the House to order.

Representatives Bond, Hastings and West were excused.

MESSAGES FROM THE SENATE

June 10, 1985

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 14,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 10, 1985

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1327,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 10, 1985

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 3656,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1327,

SECOND SUBSTITUTE SENATE BILL NO. 3656.

MESSAGE FROM THE SENATE

June 10, 1985

Mr. Speaker:

The Senate has passed:

REENGROSSED SUBSTITUTE SENATE BILL NO. 4196,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ReESSB 4196 by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Cantu and Wojahn; by Department of Employment Security request)

Providing for special programs to assist the unemployed and underemployed.

On motion of Mr. J. King, the rules were suspended, and Reengrossed Substitute Senate Bill No. 4196 was advanced to second reading and placed on the second reading calendar.

The House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-79, by Representatives Belcher and Unsoeld

WHEREAS, Joseph L. Wroblewski of Forty Fort, Pennsylvania will serve as President of the International Association of Lions Clubs during the year 1985-86; and

WHEREAS, Mr. Wroblewski has demonstrated his keen leadership in various Lions Club activities thereby strengthening the contribution of community service to the peoples of the world; and

WHEREAS, Mr. Wroblewski's high standards and excellence have earned him the respect of all Lions;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the members of the House of Representatives extend to Mr. Wroblewski upon his visit to Olympia to mark the occasion of the 50th anniversary of the Olympia Host Lions Club heartfelt appreciation for the work of the International Association of Lions Clubs and wish him continued success as International President; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit copies of this Resolution to International President Joseph L. Wroblewski.

On motion of Ms. Belcher, the resolution was adopted.

The Speaker called on Mr. Locke to preside.

HOUSE FLOOR RESOLUTION NO. 85-87, by Representatives Ehlers, J. King, Addison, Allen, Appelwick, Armstrong, Ballard, Barnes, Barrett, Basich, Baugher, Belcher, Betzoff, Bond, Braddock, Brekke, Bristow, Brooks, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Doty, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Hastings, Haugen, Hine, Holland, Isaacson, Jacobsen, P. King, R. King, Kremen, Leonard, Lewis, Locke, Long, Lundquist, Lux, Madsen, May, McMullen, Miller, Nealey, D. Nelson, G. Nelson, Niemi, Nutley, O'Brien, Padden, Patrick, Peery, Prince, Rayburn, Rust, Sanders, Sayan, Schmidt, Schoon, Scott, Silver, C. Smith, L. Smith, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Tilly, Todd, Unsoeld, Valle, Vander Stoep, van Dyke, Van Luven, Vekich, Walk, Walker, Wang, West, B. Williams, J. Williams, K. Wilson, S. Wilson, Wineberry, Winsley and Zellinsky

WHEREAS, The members of the House of Representatives have learned with deep sorrow of the passing of our colleague, The Honorable A. A. "Doc" Adams; and

WHEREAS, Doc Adams served with distinction as a member of the House of Representatives from 1969 through 1980, and played a key role as chairman of the House Committee on Social and Health Services in the passing of landmark legislation in the area of health programs and services; and

WHEREAS, Under the leadership of Representative Adams, legislation was adopted establishing the Senior Citizens Services Act, the Natural Death Act, the Generic Drug Act, along with measures to assist the victims of domestic violence, to aid the handicapped and to license the health care professions; and

WHEREAS, Doc Adams was a leader in his profession of chiropractic medicine and brought his skills in public relations to his chosen field of activity and, before and after his service in the Legislature, was recognized as one of the most respected members of the Third House in Olympia; and

WHEREAS, Above all, our colleague Doc Adams was a loving husband and father, a dedicated public servant, a person accomplished in his profession, and a good and kind friend;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That our deepest sympathy be extended to our colleague's wife, Mildred, his daughter, Gloria Graham, and their families.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives deliver a copy of this Resolution to the family.

Mr. Ehlers moved adoption of the resolution. Representatives Ehlers, Gallagher, Wang, Winsley, Lux, B. Williams and O'Brien spoke in favor of the resolution, and it was adopted.

The Speaker resumed the Chair.

The House reverted to the sixth order of business.

SECOND READING

On motion of Mr. J. King, House Bill No. 1256 was placed on the calendar for immediate consideration.

HOUSE BILL NO. 1256, by Representative Grimm

Relating to increases in revenue.

The bill was read the second time.

Mr. Grimm moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 82.24.020, chapter 15, Laws of 1961 as last amended by section 15, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.24.020 are each amended to read as follows:

(1) There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling, possession or distribution of all cigarettes, in an amount equal to the rate of ~~(eight)~~ fifteen and one-half mills per cigarette.

(2) Wholesalers and retailers subject to the payment of this tax may, if they wish, absorb one-half mill per cigarette of the tax and not pass it on to purchasers without being in violation of this section or any other act relating to the sale or taxation of cigarettes.

(3) For purposes of this chapter ~~((and RCW 28A.47.440))~~, 'possession' shall mean both (a) physical possession by the purchaser and, (b) when cigarettes are being transported to or held for the purchaser or his designee by a person other than the purchaser, constructive possession by the purchaser or his designee, which constructive possession shall be deemed to occur at the location of the cigarettes being so transported or held.

~~((2) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section. RCW 82.24.025, and 28A.47.440.))~~

Sec. 2. 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 are each amended to read as follows:

Wholesalers and retailers subject to the provisions of this chapter shall be allowed compensation for their services in affixing the stamps herein required a sum equal to two percent of the first four mills of the value of the stamps purchased or affixed by them, one percent of the next one mill of the value of the stamps purchased or affixed by them, and one-half of one percent of the next one-half mill of the value of the stamps purchased or affixed by them.

Sec. 3. Section 7, chapter 157, Laws of 1972 ex. sess. as last amended by section 217, chapter 3, Laws of 1983 and by section 3, chapter 189, Laws of 1983 and RCW 82.24.260 are each reenacted and amended to read as follows:

Any retailer who sells or otherwise disposes of any unstamped cigarettes other than (1) a federal instrumentality with respect to sales to authorized military personnel and (2) a federally recognized Indian tribal organization with respect to sales to enrolled members of the tribe shall collect from the buyer or transferee thereof the tax imposed on such buyer or transferee by ~~((RCW 82.24.020, 82.24.025, and 28A.47.440))~~ this chapter and remit the same to the department after deducting from the tax collected the compensation he would have been entitled to under the provisions of this chapter ~~((and RCW 28A.47.440))~~ if he had affixed stamps to the unstamped cigarettes. Such remittance shall be made at the same time and manner as remittances of the retail sales tax as required under chapters 82.08 and 82.32 RCW. In the event the retailer fails to collect the tax from the buyer or transferee, or fails to remit the same, the retailer shall be personally liable therefor, and shall be subject to the administrative provisions of RCW 82.24.230 with respect to the collection thereof by the department. The provisions of this section shall not relieve the buyer or possessor of unstamped cigarettes from personal liability for the tax imposed by ~~((RCW 82.24.020, 82.24.025, and 28A.47.440))~~ this chapter.

Nothing in this section shall relieve a wholesaler or a retailer from the requirements of affixing stamps pursuant to RCW 82.24.040 and 82.24.050.

Sec. 4. Section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 9, chapter 471, Laws of 1985 and RCW 82.02.030 are each amended to read as follows:

(1) The rate of the additional taxes under RCW 54.28.020(2), 54.28.025(2), 66.24.210(2), 66.24.290(2), 82.04.2901, 82.16.020(2), 82.26.020(2), 82.27.020(5), 82.29A.030(2), 82.44.020(5), and 82.45.060(2) shall be seven percent;

(2) The rate of the additional taxes under RCW 82.08.150(4) shall be fourteen percent; and

(3) ~~((The rate of the additional taxes under RCW 82.24.020(2) shall be fifteen percent; and~~

~~(4))~~ The rate of the additional taxes under RCW 48.14.020(3) shall be four percent.

NEW SECTION. Sec. 5. The following acts or parts of acts are each repealed:

(1) Section 28A.47.440, chapter 223, Laws of 1969 ex. sess., section 1, chapter 70, Laws of 1971 ex. sess., section 1, chapter 157, Laws of 1972 ex. sess., section 2, chapter 189, Laws of 1983 and RCW 28A.47.440; and

(2) Section 2, chapter 59, Laws of 1979 ex. sess. and RCW 82.24.025; OS enif, l erpdy nO

Sec. 6. Section 14.02, chapter 79, Laws of 1947 as last amended by section 7, chapter 3, Laws of 1983 2nd ex. sess. and RCW 48.14.020 are each amended to read as follows:

(1) Subject to other provisions of this chapter, each authorized insurer except title insurers shall on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax on premiums. Except as provided in subsection (2) of this section, such tax shall be in the amount of two and sixteen one-hundredths percent of all premiums, excluding amounts returned to or the amount of reductions in premiums allowed to holders of industrial life policies for payment of premiums directly to an office of the insurer, collected or received by the insurer during the preceding calendar year in the case of foreign and alien insurers, and in the amount of one and sixteen one-hundredths percent of all such premiums in the case of domestic insurers, for direct insurances, other than ocean marine and foreign trade insurances, after deducting premiums paid to policyholders as returned premiums, upon risks or property resident, situated, or to be performed in this state. For the purposes of this section the consideration received by an insurer for the granting of an annuity shall not be deemed to be a premium.

(2) In the case of insurers which require the payment by their policyholders at the inception of their policies of the entire premium thereon in the form of premiums or premium deposits which are the same in amount, based on the character of the risks, regardless of the length of term for which such policies are written, such tax shall be in the amount of two and sixteen one-hundredths percent of the gross amount of such premiums and premium deposits upon policies on risks resident, located, or to be performed in this state, in force as of the thirty-first day of December next preceding, less the unused or unabsorbed portion of such premiums and premium deposits computed at the average rate thereof actually paid or credited to policyholders or applied in part payment of any renewal premiums or premium deposits on one-year policies expiring during such year.

(3) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the taxes payable under subsections (1), (2), and ~~((4))~~ (5) of this section. All revenues from this additional tax shall be deposited in the state general fund.

(4) An additional tax is imposed for calendar year 1985 and thereafter upon each authorized insurer which has at any time during 1985 offered homeowners' insurance covering non-business liability risks within the state of Washington to persons operating at the insured premises a family day care center as defined by RCW 74.15.020 and licensed by the department of social and health services, and which insurer does not offer such coverage to such persons after July 1, 1985. The amount of such tax shall be equal to the premiums derived from the sale of all homeowners' insurance policies within the state of Washington by such insurer multiplied by one-half of one percent.

(5) Each authorized insurer shall with respect to all ocean marine and foreign trade insurance contracts written within this state during the preceding calendar year, on or before the first day of March of each year pay to the state treasurer through the commissioner's office a tax of ninety-one one-hundredths of one percent on its gross underwriting profit. Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e., gross premiums less all return premiums and premiums for reinsurance) on such ocean marine and foreign trade insurance contracts the net losses paid (i.e., gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include, for computation of the tax prescribed by this subsection, the amounts refunded, or paid as participation dividends, by such insurers to the holders of such contracts.

~~((5))~~ (6) The state does hereby preempt the field of imposing excise or privilege taxes upon insurers or their agents, other than title insurers, and no county, city, town or other municipal subdivision shall have the right to impose any such taxes upon such insurers or their agents.

~~((6))~~ (7) If an authorized insurer collects or receives any such premiums on account of policies in force in this state which were originally issued by another insurer and which other insurer is not authorized to transact insurance in this state on its own account, such collecting insurer shall be liable for and shall pay the tax on such premiums.

~~((7))~~ (8) This section shall be effective as to and shall govern the payment of all taxes due for calendar year ~~((1982))~~ 1985 and thereafter.

NEW SECTION. Sec. 7. 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 July 1, 1985, except sections 1 through 5 of this act shall take effect October 1, 1985, if the federal tax on cigarettes under 26 U.S.C. Sec. 5701(b)(1) on this date has reverted from eight dollars per thousand cigarettes to four dollars per thousand cigarettes; otherwise sections 1 through 5 of this act shall be null and void in their entirety.

Mr. Holland moved adoption of the following amendments to the Grimm amendment:

On page 1, line 17 after "of" strike everything down to and including "fifteen" and insert "eight"

On page 1, line 20 insert:

"(2) Subsection (1) of this section notwithstanding, on or after October 1, 1985, the state of Washington may increase the current rate of cigarette excise tax in direct proportion to any decrease in the federal excise tax on small cigarettes enacted under 26 U.S.C. Section 5701(b)(1)."

Renumber the following subsections consecutively.

Representatives Holland and S. Wilson spoke in favor of the amendments to the amendment, and Mr. Grimm opposed them.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Holland to the Grimm amendment to House Bill No. 1256, and the amendment was not adopted by the following vote: Yeas, 39; nays, 51; excused, 8.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Smitherman, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 39.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 51.

Excused: Representatives Bond, Brooks, Hastings, Lundquist, Nelson G, Smith C, van Dyke, West - 8.

The Clerk read the following amendment by Representative Tilly to the Grimm amendment:

On page 4 of the amendment, beginning on line 8, strike all of section 4 and insert the following:

*Sec. 4. Section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 9, chapter 471, Laws of 1985 and RCW 82.02.030 are each amended to read as follows:

(1) The rate of the additional taxes under RCW 54.28.020(2), 54.28.025(2), 66.24.210(2), 66.24.290(2), 82.04.2901, 82.16.020(2), ~~((82.26.020(2)))~~ 82.27.020(5), 82.29A.030(2), 82.44.020(5), and 82.45.060(2) shall be seven percent:

(2) The rate of the additional taxes under RCW 82.08.150(4) shall be fourteen percent; and

(3) ~~((The rate of the additional taxes under RCW 82.24.020(2) shall be fifteen percent; and~~

(4)) The rate of the additional taxes under RCW 48.14.020(3) shall be four percent.

Sec. 5. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 16, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.26.020 are each amended to read as follows:

~~((1) From and after June 1, 1971))~~ There is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of ~~((forty-five))~~ fifty-five percent of the wholesale sales price of such tobacco products. Such tax shall be imposed at the time the distributor ~~((e))~~ (1) brings, or causes to be brought, into this state from without the state tobacco products for sale, ~~((b))~~ (2) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or ~~((c))~~ (3) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

~~((2) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section.))~~

Renumber the sections consecutively and correct internal references accordingly.

With the consent of the House, Mr. Tilly withdrew the amendment to the amendment.

Mr. Barnes moved adoption of the following amendment to the Grimm amendment:

On page 7, following line 23 insert:

"The legislature finds that the state of Washington faces a crisis in home day care and that legislation is needed to correct the problems of insurance for day care providers. It is the policy of the state of Washington that the providers of day care services must pay the full premium costs of insuring for liability but that such insurance must be available. The financial institutions and insurance committees of the house and senate shall report proposed legislation by December 30, 1985 to their respective houses."

POINT OF ORDER

Mr. Locke: "Mr. Speaker, I challenge the validity of this amendment as being beyond the scope and object of 'AN ACT Relating to revenue...' I ask the Speaker for a ruling on the amendment."

SPEAKER'S RULING

The Speaker: "Representative Locke, the Speaker has examined the bill, which is House Bill 1256, 'An Act Relating to revenue increases....' and has looked at the striking amendment by Representative Grimm. In examining the section which deals with day care, I believe it is a further clarification of the language that relates to day care facilities and the insurance thereto. Therefore, the Speaker finds your point of order not well taken."

Representatives Barnes and Locke spoke in favor of the amendment to the amendment, and it was adopted.

Mr. Tilly moved adoption of the following amendment to the Grimm amendment:

On page 9, after line 1 insert:

"Sec. 7. Section 82.26.020, chapter 15, Laws of 1961 as last amended by section 16, chapter 3, Laws of 1983 2nd ex. sess. and RCW 82.26.020 are each amended to read as follows:

~~((1) From and after June 1, 1971:))~~ There is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of ~~((forty-five))~~ fifty-five percent of the wholesale sales price of such tobacco products. Such tax shall be imposed at the time the distributor ~~((a))~~ (1) brings, or causes to be brought, into this state from without the state tobacco products for sale, ~~((b))~~ (2) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or ~~((c))~~ (3) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

~~((2) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section:))"~~

Renumber the sections consecutively and correct internal references accordingly.

Representatives Tilly and Grimm spoke in favor of the amendment to the amendment, and it was adopted.

The Grimm amendment as amended was adopted.

Mr. Grimm moved adoption of the following amendment to the title of the bill:

On page 1, line 1 of the title after "revenue" strike the remainder of the title and insert " : amending RCW 82.24.020, 82.24.070, 82.02.030, and 48.14.020; reenacting and amending RCW 82.24.260; repealing RCW 28A.47.440 and 82.24.025; providing effective dates; and declaring an emergency."

On motion of Mr. Tilly, the following amendment to the title amendment was adopted:

On page 9, line 14 of the title amendment, after "82.02.030," insert "82.26.020."

The title amendment as amended was adopted.

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

Mr. Grimm spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1256, and the bill passed the House by the following vote: Yeas, 58; nays, 32; excused, 8.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Long, Lux, Madsen, McMullen, Miller, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Tilly, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, and Mr. Speaker - 58.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Betzoff, Chandler, Dobbs, Doty, Fuhrman, Hankins, Holland, Isaacson, Lewis, May, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Zellinsky - 32.

Excused: Representatives Bond, Brooks, Hastings, Lundquist, Nelson G. Smith C, van Dyke, West - 8.

Engrossed House Bill No. 1256, having received the constitutional sixty percent 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

June 10, 1985

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3942,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. J. King, the rules were suspended, and Engrossed Senate Bill No. 3942 was advanced to second reading and placed on the second reading calendar for immediate consideration.

ENGROSSED SENATE BILL NO. 3942, by Senator Peterson

Relating to drivers licensing.

The bill was read the second time. On motion of Mr. J. King, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Walk spoke in favor of passage of the bill, and Ms. Schmidt opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3942, and the bill passed the House by the following vote: Yeas, 50; nays, 39; absent, 1; excused, 8.

Voting yea: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Brough, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Hine, Jacobsen, King J, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nulley, O'Brien, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, and Mr. Speaker - 50.

Voting nay: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Chandler, Dobbs, Doty, Fuhrman, Hankins, Haugen, Holland, Isaacson, King P, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Peery, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S, Winsley, Zellinsky - 39.

Absent: Representative Tilly - 1.

Excused: Representatives Bond, Brooks, Hastings, Lundquist, Nelson G. Smith C, van Dyke, West - 8.

Engrossed Senate Bill No. 3942, having received the 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

June 10, 1985

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1327,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

The House advanced to the eighth order of business.

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 85-89, by Representatives Belcher and Unsoeld

WHEREAS, The late Vibert D. Jeffers worked as a commercial photographer in Thurston County for almost fifty years; and

WHEREAS, Vibert and his father Joseph Jeffers were the official legislative portrait photographers from 1913 to 1971; and

WHEREAS, Their work has been on continuous display in the fourth floor corridors of the Legislative Building since 1913; and

WHEREAS, A large portion of Vibert Jeffers' photographic endeavors documented the history of Washington State government; and

WHEREAS, Eleven of his photographs have been selected for publication in the 1985 Legislative Digest; and

WHEREAS, 1985 is the 80th anniversary of Vibert Jeffers' birth and the 10th anniversary of his death; and

WHEREAS, Vibert Jeffers' contributions to the Legislature and Washington State history have never been officially recognized;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives and the Senate take this time to honor the memory and the contributions of Vibert D. Jeffers; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted to Vibert's brother Joseph and his widow Elizabeth.

On motion of Ms. Unsoeld, the resolution was adopted.

HOUSE FLOOR RESOLUTION NO. 85-88, by Representatives Lux, Winsley, Nutley, Addison, Dellwo, Zellinsky, Jacobsen, Holland, Locke, Prince, O'Brien, Niemi, Gallagher, Crane, P. King and Wang

WHEREAS, Many forms of state and federal financial assistance to the public are provided through payments by checks or warrants; and

WHEREAS, Many citizens receiving financial assistance from the state or federal government do not have or cannot afford to maintain checking accounts with financial institutions; and

WHEREAS, Citizens without checking accounts often must pay a fee to cash a state or federal check or warrant when presenting the check for payment by a financial institution; and

WHEREAS, The fees charged by some financial institutions to cash noncustomer government checks or warrants impose a financial hardship on citizens receiving financial assistance from the government; and

WHEREAS, Financial institutions are chartered to meet the convenience and needs of the public;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives encourages financial institutions to develop checking accounts that provide services at minimal cost so that recipients of government checks and warrants can avoid check cashing fees by becoming account holders of the financial institution; and

BE IT FURTHER RESOLVED, That financial institutions be encouraged to provide check-cashing services at little or no cost to recipients of government checks and warrants; and

BE IT FURTHER RESOLVED, That the state supervisors of banking and savings and loan associations report to the legislature by January 1, 1986 on efforts made by financial institutions to provide low-cost checking accounts and to remove or lower fees charged for cashing government checks for nonaccount-holders; and

BE IT FURTHER RESOLVED, That the supervisors of banking and savings and loan associations provide a list of the banks, savings banks, and savings and loan associations doing business in Washington indicating whether or not the financial institution provides a low-cost checking account and the account's availability and cost, and indicating whether or not the financial institution charges a fee to cash nonaccount-holder government checks and warrants, and the amount and applicability of any such fee; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit copies of this Resolution to the state supervisors of banking and savings and loan associations.

Mr. Lux moved adoption of the resolution and spoke in favor of it.

POINT OF INQUIRY

Mr. Lux yielded to question by Mr. Sanders.

Mr. Sanders: "Representative Lux, I would think the legislature would conduct this study that you are asking the executive branch to do. Why shouldn't the legislature conduct this study instead of the executive branch?"

Mr. Lux: "Representative Sanders, the staff of the Financial Institutions and Insurance Committee in the House has conducted a thorough investigation, they have a report, and that report was called into question because they felt the information was not factual. What we are asking is that the supervisors of both banking and savings and loans do this so there will be no question about the authenticity of the conditions in the market environment."

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

The House reverted to the sixth order of business.

SECOND READING

REENGROSSED SUBSTITUTE SENATE BILL NO. 4196, by Committee on Commerce & Labor (originally sponsored by Senators Warnke, Cantu and Wojahn; by Department of Employment Security request)

Providing for special programs to assist the unemployed and underemployed.

The bill was read the second time.

Mr. Vander Stoep moved adoption of the following amendment by Representatives Vander Stoep and B. Williams:

On page 1, line 9 following "Sec. 1." insert "The benefits provided in this act shall be made available only in counties with an unemployment rate equal to or in excess of twelve percent." Renumber the remaining sections consecutively.

Representatives Vander Stoep and B. Williams spoke in favor of the amendment, and Representatives Wang and Sayan opposed it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Vander Stoep and B. Williams to Reengrossed Substitute Senate Bill No. 4196, and the amendment was not adopted by the following vote: Yeas, 32; nays, 58; excused, 8.

Voting yea: Representatives Allen, Ballard, Barnes, Barrett, Betzoff, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Holland, Isaacson, May, Miller, Nealey, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S - 32.

Voting nay: Representatives Addison, Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Long, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 58.

Excused: Representatives Bond, Brooks, Hastings, Lundquist, Nelson G, Smith C, van Dyke, West - 8.

Mr. Ballard moved adoption of the following amendment by Representatives Ballard and Padden:

On page 1, line 9 after "Sec. 1." insert "The provisions of this act shall not apply to persons whose unemployment is a result of a voluntary work stoppage by the unemployed person."

Renumber the remaining sections consecutively.

Representatives Ballard and Padden spoke in favor of the amendment, and Representatives Sayan and R. King spoke against it.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Ballard and Padden to Reengrossed Substitute Senate Bill No. 4196, and the amendment was not adopted by the following vote: Yeas, 36; nays, 54; excused, 8.

Voting yea: Representatives Addison, Allen, Ballard, Barnes, Barrett, Betrozoff, Brough, Chandler, Dobbs, Doty, Fuhrman, Hankins, Holland, Isaacson, Lewis, Long, May, Miller, Nealey, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Smith L, Taylor, Thomas, Tilly, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S - 36.

Voting nay: Representatives Appelwick, Armstrong, Basich, Baugher, Belcher, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smitherman, Sommers, Sutherland, Tanner, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Bond, Brooks, Hastings, Lundquist, Nelson G, Smith C, van Dyke, West - 8.

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

Mr. Wang spoke in favor of passage of the bill, and Mr. Ballard spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 4196, and the bill passed the House by the following vote: Yeas, 61; nays, 28; absent, 1; excused, 8.

Voting yea: Representatives Allen, Appelwick, Armstrong, Basich, Baugher, Belcher, Betrozoff, Braddock, Brekke, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Jacobsen, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, McMullen, Nelson D, Niemi, Nutley, O'Brien, Patrick, Peery, Rayburn, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Tanner, Thomas, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Williams B, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 61.

Voting nay: Representatives Addison, Ballard, Barnes, Barrett, Brough, Chandler, Dobbs, Doty, Fuhrman, Holland, Long, May, Miller, Nealey, Padden, Prince, Sanders, Schmidt, Schoon, Silver, Sutherland, Taylor, Tilly, Van Luven, Vander Stoep, Walker, Williams J, Wilson S - 28.

Absent: Representative Isaacson - 1.

Excused: Representatives Bond, Brooks, Hastings, Lundquist, Nelson G, Smith C, van Dyke, West - 8.

Reengrossed Substitute Senate Bill No. 4196, having received the constitutional sixty percent 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. 1326, by Representatives Peery, P. King and R. King; by Governor request

Authorizing sales and use tax deferrals on certain investment projects for persons not currently engaged in manufacturing or research and development in Washington state.

The bill was read the second time.

Mr. D. Nelson moved adoption of the following amendments by Representatives D. Nelson and Lux:

On page 1, line 19 after "1986," insert "In addition, 'eligible investment project' means only that portion of a project which is directly used to create at least one new full-time qualified employment position for each two hundred thousand dollars of investment for which deferral is requested."

On page 2, after line 23, insert a new paragraph to read as follows:

"(9) 'Qualified employment position' means a permanent full-time employee employed in the eligible investment project during the entire tax year."

Renumber the remaining subsections consecutively.

On page 4, after line 14 insert a new section to read as follows:

"NEW SECTION. Sec. 6. (1) Each recipient shall submit a report to the department on December 31st of each year during the repayment period until the tax deferral is repaid. The report shall contain information, as required by the department, from which the department may determine whether the recipient is meeting the requirements of this chapter. If the recipient fails to submit a report or submits an inadequate report, the department may declare the amount of deferred taxes outstanding to be immediately assessed and payable.

(2) If, on the basis of a report under this section or other information, the department finds that an investment project is not eligible for tax deferral under this chapter for reasons other than failure to create the required number of qualified employment positions, the amount of deferred taxes outstanding for the project shall be immediately due.

(3) If, on the basis of a report under this section or other information, the department finds that an investment project has been operationally complete for three years and has failed to create the required number of qualified employment positions, the department shall assess interest, but not penalties, on the deferred taxes for the project. The interest shall be assessed at the rate provided for delinquent excise taxes, shall be assessed retroactively to the date of deferral, and shall accrue until the deferred taxes are repaid."

Renumber the remaining sections and correct internal references accordingly.

Representatives D. Nelson, Lux and Jacobsen spoke in favor of the amendments, and Representatives Peery and Fisch spoke against them.

Mr. D. Nelson spoke again in favor of the amendments.

A division was called.

ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives D. Nelson and Lux to House Bill No. 1326, and the amendments were not adopted by the following vote: Yeas, 26; nays, 64; excused, 8.

Voting yea: Representatives Addison, Allen, Appelwick, Barrett, Belcher, Brekke, Doty, Fisher, Isaacson, Jacobsen, Leonard, Miller, Nelson D. Padden, Patrick, Rust, Sanders, Silver, Tilly, Unsoeld, Valle, Van Luven, Walker, Williams B. Wilson K, Wilson S - 26.

Voting nay: Representatives Armstrong, Ballard, Barnes, Basich, Baugher, Betzoff, Braddock, Bristow, Brough, Chandler, Cole, Crane, Day, Dellwo, Dobbs, Ebersole, Fisch, Fuhrman, Gallagher, Grimm, Hankins, Hargrove, Haugen, Hine, Holland, King J, King P, King R, Kremen, Lewis, Locke, Long, Lux, Madsen, May, McMullen, Nealey, Niemi, Nutley, O'Brien, Peery, Prince, Rayburn, Sayan, Schmidt, Schoon, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Thomas, Todd, Vander Stoep, Vekich, Walk, Wang, Williams J, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 64.

Excused: Representatives Bond, Brooks, Hastings, Lundquist, Nelson G. Smith C, van Dyke, West - 8.

Ms. L. Smith moved adoption of the following amendment:

On page 3, strike all of section 3 and renumber the remaining sections consecutively.

POINT OF ORDER

Mr. Grimm: "Mr. Speaker, I would ask you to rule on scope and object of this amendment."

SPEAKER'S RULING

The Speaker: "House Bill 1326 is 'AN ACT Relating to sales and use tax deferrals for manufacturing or research and development investment projects for persons not currently engaged in manufacturing or research and development in Washington state and upon which construction is commenced prior to December 31, 1986....' The amendment would change the bill to allow instate companies to qualify for the tax deferral. This amendment would change the scope and object of the bill. Your point is well taken, Representative Grimm."

Mr. D. Nelson moved adoption of the following amendment by Representatives D. Nelson and Lux:

On page 4, line 9 after "(3)" strike all material through "other" on line 10 and insert "During each year in which taxes are deferred, interest shall be charged on the taxes deferred at the rate of twelve percent, simple annual interest. Interest payments shall be made by December 31st of each year. All"

Mr. D. Nelson spoke in favor of the amendment.

The amendment was not adopted.

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

Representatives Perry, Hargrove, Basich, Lux, D. Nelson, Zellinsky and Tanner spoke in favor of passage of the bill, and Representatives Silver, B. Williams, Chandler, Schoon, Van Luven and J. Williams spoke against it.

Mr. Crane demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1326, and the bill passed the House by the following vote: Yeas, 54; nays, 36; excused, 8.

Voting yea: Representatives Armstrong, Basich, Baugher, Braddock, Brække, Bristow, Cole, Crane, Day, Dellwo, Ebersole, Fisch, Fisher, Fuhrman, Gallagher, Grimm, Hargrove, Haugen, Hine, King J, King P, King R, Kremen, Leonard, Lewis, Locke, Lux, Madsen, McMullen, Niemi, Nutley, O'Brien, Peery, Rayburn, Rust, Sayan, Scott, Smith L, Smitherman, Sommers, Sutherland, Tanner, Taylor, Todd, Unsoeld, Valle, Vekich, Walk, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 54.

Voting nay: Representatives Addison, Allen, Appelwick, Ballard, Barnes, Barrett, Belcher, Betzoff, Brough, Chandler, Dobbs, Doty, Hankins, Holland, Isaacson, Jacobsen, Long, May, Miller, Nealey, Nelson D, Padden, Patrick, Prince, Sanders, Schmidt, Schoon, Silver, Thomas, Tilly, Van Luven, Vander Stoep, Walker, Williams B, Williams J, Wilson S - 36.

Excused: Representatives Bond, Brooks, Hastings, Lundquist, Nelson G, Smith C, van Dyke, West - 8.

House Bill No. 1326, having received the 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. J. King, the House adjourned until 10:00 a.m., Tuesday, June 11, 1985.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., June 11, 1985

The Speaker called the House to order at 10:00 a.m. The Clerk called the roll and all members were present except Representatives Bond, Brooks, Hastings, Lundquist, McMullen, G. Nelson, C. Smith, Vander Stoep, van Dyke and West, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Blake Still and Alexandra Asbury. Prayer was offered by Reverend Robert Samuelson, Peace 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

June 11, 1985

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3942,
SUBSTITUTE SENATE BILL NO. 4196,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTIONS AND FIRST READING

HB 1329 by Representatives Schoon, B. Williams and Silver

AN ACT Relating to excise tax deferral; adding a new chapter to Title 82 RCW; repealing RCW 82.04.435; and declaring an emergency.

HB 1330 by Representatives D. Nelson and Jacobsen

AN ACT Relating to the taxation of motor vehicle and special fuels; amending RCW 82.08.020 and 82.36.025; repealing RCW 82.08.0255 and 82.12.0256; providing an effective date; and declaring an emergency.

MOTIONS

On motion of Mr. J. King, HOUSE BILL NO. 1329 was referred to Committee on Trade & Economic Development.

On motion of Mr. J. King, HOUSE BILL NO. 1330 was referred to Committee on Transportation.

The Speaker declared the House to be at ease.

AFTERNOON SESSION

The House was called to order at 5:15 p.m. by the Speaker.

MESSAGE FROM THE SENATE

June 11, 1985

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1326,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE BILL NO. 1326.

SENATE BILL NO. 3942.

SUBSTITUTE SENATE BILL NO. 4196.

INTERIM COMMITTEE APPOINTMENTS

The Speaker announced the following appointments:

State Council on Aging: Representatives Day, Winsley;

British Columbia World Fair Commission 'Expo 86: Representative S. Wilson;

Joint Legislative Arts Commission: Representative Crane;

Business License Center, Board of Review: Representative Hargrove;

Council on Child Abuse and Neglect: Representative Leonard;

Joint Legislative Committee on Criminal Justice Systems: Representative Van Luven;

Education Commission of the States: Representative Ebersole;

Energy Advisory Council: Representatives D. Nelson, Isaacson;

Joint Legislative Ethics Board: Representatives Fisher, Leonard, Silver, Van Luven;

Joint Committee on Financial Institutions: Representatives Lux, West, Zellinsky;

Institutional Industries Board: Representatives D. Nelson, Dobbs;

Law Revision Commission: Representatives Schoon, Wang;

Legislative Budget Committee: Representatives Brekke, Grimm, G. Nelson, Sayan, Sommers, Tilly, Vander Stoep, B. Williams;

Legislative Evaluation and Accountability Program Committee: Representatives Grimm, Madsen, Sanders, Silver;

Municipal Research Council: Representatives Allen, Haugen, Hine, West;

Sentencing Guidelines Commission: Representatives Armstrong, Padden;

State Employees Insurance Board: Representative Lux;

State Investment Board: Representative Locke;

Statute Law Committee: Representatives Dellwo, Padden;

Joint Select Sunset Committee: Representatives Basich, Day, Lewis, Smitherman, Taylor;

Tax Advisory Council: Representative Appelwick;

Legislative Transportation Committee: Representatives Fisch, Fisher, Gallagher, Hankins, Patrick, Prince, McMullen, Schmidt, Sutherland, Walk, S. Wilson, Wineberry;

Winter Recreation Commission: Representative Madsen.

NATIONAL CONFERENCE OF STATE LEGISLATURES
STATE-FEDERAL ASSEMBLY

Agriculture and Food Policy: Representatives Baugher, Chandler;

Education and Labor: Representatives Berozoff, Ebersole;

Energy: Representatives Isaacson, D. Nelson;

Federal Taxation, Trade and Economic Development: Representatives Tanner, Tilly;

Government Operations and Regulation: Representatives Fisher, Hankins;

Health and Human Services: Representatives Lewis, Niemi;

Law and Justice: Representatives Appelwick, Padden;

Natural Resources and Environment: Representatives Lundquist, Vekich;

Pensions: Representatives Silver, Sommers;

Transportation and Communications: Representatives Schmidt, Walk.

NATIONAL CONFERENCE OF STATE LEGISLATURES
ASSEMBLY ON THE LEGISLATURE

Arts, Tourism and Cultural Resources: Representatives O'Brien, S. Wilson;

Commerce, Labor and Economic Development: Representatives Schoon, Wang;

Fiscal Affairs and Oversight: Representatives Bristow, B. Williams;

Science, Technology and Resource Planning: Representatives Nealey, Sutherland;

State Government Issues and Organization: Representatives Ballard, K. Wilson.

COUNCIL OF STATE GOVERNMENTS
WESTERN LEGISLATIVE CONFERENCE

Water Policy: Representatives C. Smith, Unsoeld;

Environment and Hazardous Materials: Representatives Allen, Rust;

Revenue and Taxation: Representatives Cole, Hastings;

Economic Development and International Trade: Representatives Barrett, Kremen;

Land and Energy: Representatives Thomas, Todd;

Health and Education: Representatives Dobbs, Leonard;

Committee on Suggested State Legislation: Representatives Barnes, Belcher, Brough, Crane, Day, Dellwo, Fuhrman, Hargrove, Holland, Jacobsen, P. King, R. King, Lux, Madsen, McMullen, Miller, Sayan, Schoon, Smitherman, Sutherland, Walker, J. Williams, Wineberry, Valle.

MESSAGE FROM THE SENATE

June 11, 1985

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 122,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SCR 122 by Senators Bottiger, Fleming, Hayner and Sellar

Returning all bills to house of origin.

MOTIONS

On motion of Mr. J. King, the rules were suspended and Senate Concurrent Resolution No. 122 was advanced to second reading and read the second time in full.

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

Senate Concurrent Resolution No. 122 was adopted.

MESSAGE FROM THE SENATE

June 11, 1985

Mr. Speaker:

ENGROSSED HOUSE BILL NO. 1256 is transmitted to the House under the provisions of Senate Concurrent Resolution No. 122.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. J. King, Engrossed House Bill No. 1256 was referred to Committee on Rules.

MESSAGES FROM THE SENATE

June 11, 1985

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1328,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

June 11, 1985

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1326,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:
HOUSE BILL NO. 1328.

The House advanced to the eighth order of business.

MOTION

On motion of Mr. J. King, the rules were suspended to allow consideration of House Floor Resolution No. 85-86.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 85-86, by Representatives J. King and Barrett

BE IT RESOLVED, That a committee of three members be appointed by the Speaker to notify the Senate that the House of Representatives is ready to adjourn sine die.

On motion of Mr. J. King, the resolution was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Resolution No. 85-86, the Speaker appointed Representatives Bristow, Crane and Long to notify the Senate that the House was ready to adjourn sine die.

The House reverted to the fourth order of business.

INTRODUCTION AND FIRST READING

HCR 15 by Representatives J. King and Barrett

Appointing a committee to notify the Governor that the legislature is about to adjourn sine die.

MOTIONS

On motion of Mr. J. King, the rules were suspended and House Concurrent Resolution No. 15 was advanced to second reading and read the second time in full.

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

House Concurrent Resolution No. 15 was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Representatives Grimm, Unsoeld and Taylor to notify the Governor that the Legislature was ready to adjourn sine die.

COMMITTEE FROM SENATE

A committee from the Senate, consisting of Senators Deccio, Goltz and DeJarnatt, appeared at the bar of the House and notified the House that the Senate was ready to adjourn sine die.

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

MESSAGE FROM THE SENATE

June 11, 1985

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1328,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Senate that the House was about to adjourn sine die.

The report was received and the committee was discharged.

MESSAGE FROM THE SENATE

June 11, 1985

Mr. Speaker:

The President has signed:
 SENATE CONCURRENT RESOLUTION NO. 122,
 and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:
 SENATE CONCURRENT RESOLUTION NO. 122.

MESSAGE FROM THE SENATE

June 11, 1985

Mr. Speaker:

The Senate has adopted:
 HOUSE CONCURRENT RESOLUTION NO. 15,
 and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:
 HOUSE CONCURRENT RESOLUTION NO. 15.

REPORT OF SPECIAL COMMITTEE

The Special Committee appeared at the bar of the House and reported that they had notified the Governor that the Legislature was about to adjourn *sine die*.

The report was received and the committee was discharged.

MESSAGE FROM THE SENATE

June 11, 1985

Mr. Speaker:

The President has signed:
 HOUSE CONCURRENT RESOLUTION NO. 15,
 and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. J. King, reading of the Journal of the Second Day of the 1985 First Special Session of the Forty-ninth Legislature was dispensed with and it was ordered to stand approved.

MOTION

On motion of Mr. J. King, the 1985 First Special Session of the 49th Legislature was adjourned sine die.

WAYNE EHLERS, Speaker

DENNIS L. HECK, Chief Clerk

HOUSE LEGISLATIVE LEADERS

1985

DEMOCRATIC LEADERSHIP

Speaker	Wayne Ehlers
Speaker Pro Tempore	John L. O'Brien
Majority Leader	Joseph E. King
Assistant Majority Leader	Marlin Appelwick
Democratic Caucus Chair	Lorraine A. Hine
Democratic Caucus Vice Chair/Secretary	Paul King
Majority Whip	Dennis Dellwo
Assistant Majority Whip	Margaret Rayburn
Assistant Majority Whip	James Hargrove

REPUBLICAN LEADERSHIP

Republican Leader	Sim Wilson
Minority Floor Leader	Dick Barrett
Minority Whip	Curt Smith
Republican Caucus Chair	Clyde Ballard
Assistant Minority Floor Leader	Jean Silver
Assistant Minority Floor Leader	Mike Padden
Republican Organization Leader	Bruce Addison
Assistant Minority Whip	Joe Williams
Assistant Minority Whip	Louise Miller
Assistant Minority Whip	Steve Fuhrman
Republican Caucus Vice Chair/Secretary	Katie Allen

1985 — HOUSE ROSTER
FORTY-NINTH LEGISLATURE

Name of Member	Dis- trict	Poli- tics	County	Mailing Address
Addison, Bruce	34	R	King, part	4509 S.W. Holgate Seattle 98116
Allen, Katherine	21	R	Snohomish, part	21712-85th Place W. Edmonds 98020
Appelwick, Marlin J.	46	D	King, part	14025 - 26th Avenue NE Seattle 98125
Armstrong, Seth	36	D	King, part	1715 Bigelow N. Seattle 98109
Ballard, Clyde	12	R	Chelan Douglas Grant, part Kittitas, part Okanogan, part	1790 N. Baker Street East Wenatchee 98801
Barnes, Richard O.	33	R	King, part	18118 - 6th Avenue SW Seattle 98166
Barrett, Richard H.	5	R	Spokane, part	N. 9819 Nez Perce Court Spokane 99208
Basich, Bob	19B	D	Pacific Grays Harbor, part Wahkiakum, part	510 Sumner Aberdeen 98520
Baugher, Forrest	15	D	Benton, part Yakima, part	Box 92 Parker 98939
Belcher, Jennifer	22	D	Thurston, part	6015 Hansen Road SE Olympia 98503
Betrozoff, John W.	45	R	King, part	11818 156th Avenue NE Redmond 98052
Bond, R. M. "Dick"	6	R	Spokane, part	S. 4226 Crestline Spokane 99203
Braddock, Dennis	42	D	Whatcom, part	112 Grand Ave., Room F Bellingham 98225
Brekke, Joanne	32	D	King, part	6525 Sycamore NW Seattle 98117
Bristow, Tom	7	D	Ferry Lincoln Pend Oreille Stevens Okanogan, part Spokane, part	P.O. Box 634 Colville 99114
Brooks, Peter T.	16	R	Walla Walla Benton, part Franklin, part	Route 5, Box 33-J Walla Walla 99362
Brough, Jean Marie	30	R	King, part Pierce, part	1118 S. 287th Place Federal Way 98003

Age	Birthplace	Occupation	Previous Sessions Served
31	Oregon	Associate Realtor	1979-1984
59	Colorado	Legislator/ Homemaker	1983-1984
31	Minnesota	Attorney	1983-1984
42	California	Attorney	1981-1984
48	Arkansas	Ballard Serv., Owner	1983-1984
62	Iowa	Systems Analyst Boeing	1974 Ex.-1984
53	Washington	Marketing Consultant	1981-1984
57	Washington	Retired teacher	.....
49	Washington	Electrician	.....
40	West Virginia	Management Consultant	1983-1984
49	Washington	Property Manager	1983-1984
60	Spokane	Gas Company President	1975-1984
39	Washington	Planning consultant	1983-1984
49	Washington	Real Estate	1977 Ex.-1984
38	California	Farmer	.....
68	Maine	Retired	.....
42	Washington, D.C.	Legislator/ Homemaker	1983-1984

Name of Member	Dis- trict	Poli- tics	County	Mailing Address
Chandler, Glyn	13	R	Adams, part Grant, part Kittitas, part Yakima, part	1816 Dunn Street Moses Lake 98837
Cole, Grace	1	D	King, part Snohomish, part	3026 163rd Street NE Seattle 98155
Crane, Ernest F.	31	D	King, part Pierce, part	220 1st Street NE Auburn 98002
Day, Bill	3	D	Spokane, part	P.O.Box 7235 Spokane 99207
Dellwo, Dennis A.	3	D	Spokane, part	424 Old National Bank Bldg. Spokane 99201
Dobbs, Glenn	20	R	Lewis, part Thurston, part	143 Brian Drive Chehalis 98532
Doty, Shirley L.	14	R	Yakima, part	4902 Englewood Yakima 98908
Ebersole, Brian	29	D	Pierce, part	4029 S. "G" St. Tacoma 98408
Ehlers, Wayne	2	D	Pierce, part Thurston, part	17310 Rich Road South B8 Spanaway 98387
Fisch, Richard E.	24	D	Clallam Jefferson Grays Harbor, part	620 W. 9th Street Port Angeles 98362
Fisher, Ruth	27	D	Pierce, part	1922 N. Prospect #9 Tacoma 98406
Fuhrman, Steve	7	R	Ferry Lincoln Pend Oreille Stevens Okanagon, part Spokane, part	Route 1 Box 320 Kettle Falls 99141
Gallagher, P. J. (Jim)	29	D	Pierce, part	125 South 72nd Tacoma 98408
Grimm, Daniel K	25	D	Pierce, part	P.O. Box 1046 Puyallup 98371
Hankins, Shirley	8	R	Benton, part	2120 Duportail #8 Richland 99352
Hargrove, James E.	24	D	Clallam Jefferson Grays Harbor, part	Route 3, Box 896 Hoquiam 98550
Hastings, Richard 'Doc'	16	R	Benton, part Franklin, part Walla Walla	5505 West Sylvester Pasco 99301

Age	Birthplace	Occupation	Previous Sessions Served
58	Arkansas	Farm Equip. Dealer	1983-1984
58	Idaho	Home economist	Appt. 1982
62	Iowa	Attorney	1983-1984
29	Washington	General Manager	.....
38	Washington, D.C.	Attorney	1983-1984
41	Texas	Real Estate Office Operator	.....
54	Alaska	Teacher Rancher	.....
36	Maryland	Education administrator	1983-1984
45	Washington	Educator	1973-1984
50	Washington	Com. College Instructor	1983-1984
59	Washington	Chair, Pierce Co. Png.Com.	1983-1984
38	Washington	Grain Elevator Farm Supply	1983-1984
68	Washington	Retired	1961-1984
34	Washington	Self-Employed Housing Indust.	1977-1984
52	Kansas	Program Anal. Nuclear Indust.	1981-1984
31	Oregon	Forrester	.....
42	Washington	Businessman Inst/Janitorial Supplies	1979-1984

Name of Member	Dis- trict	Poli- tics	County	Mailing Address
Haugen, Mary M.	10	D	Island Skagit, part Snohomish, part	1268 W. Olsen Road Camano Island 98292
Hine, Lorraine A.	33	D	King, part	1834 South 229th Des Moines 98188
Holland, Bruce J.	47	R	King, part	16216 133rd Place SE Renton 98055
Isaacson, Ray	8	R	Benton, part	2106 Lee Boulevard Richland 99352
Jacobsen, Ken	46	D	King, part	7307 40th NE Seattle 98115
King, Joseph E.	49	D	Clark, part	801 West Fourth Plain Blvd. Vancouver 98660
King, Paul H.	44	D	King, part Snohomish, part	22804 57th Avenue W. Mountlake Terrace 98043
King, Richard	38	D	Snohomish, part	309 77th Place SW Everett 98203
Kremen, Pete	42	D	Whatcom, part	3283 Northshore Road Bellingham 98226
Leonard, June	11	D	King, part	12444 Beacon Avenue S. Seattle 98178
Lewis, Jim	14	R	Yakima, part	P.O. Box 2869 Yakima 98907
Locke, Gary F.	37	D	King, part	5150 S. Wildwood Lane Seattle 98118
Long, Jeanine H.	44	R	King, part Snohomish, part	14730 24th Avenue SE Mill Creek 98012
Lundquist, Homer	40	R	San Juan Skagit, part Whatcom, part	1110-A Walker Road Mount Vernon 98273
Lux, Eugene V.	11	D	King, part	5537 South 119th Seattle 98178
Madsen, Ken	2	D	Pierce, part Thurston, part	P.O. Box 355 Roy 98580
May, Fred O.	41	R	King, part	15 Brook Bay Lane Mercer Island 98040
McMullen, Patrick R.	40	D	San Juan Skagit, part Whatcom, part	P.O. Box 152 Sedro Woolley 98284
Miller, Louise	45	R	King, part	17005 - 191st Avenue NE Woodinville 98072
Nealey, Darwin R.	9	R	Whitman	Box 365 LaCrosse 99143

Age	Birthplace	Occupation	Previous Sessions Served
43	Washington	School Director	1983-1984
53	South Dakota	State Representative	1981-1984
32	Washington	Financial Controls Mgr., Boeing	1983-1984
55	Arizona	Sr. Engr. Advisor Hanford	1979-1984
39	Nebraska	Business Representative	1983-1984
38	Texas	Owner Ins. Agency	1981-1984
34	Washington	Attorney	1983-1984
49	Washington	College Teacher	1965-1984
34	New York	News Director	.....
58	Washington	Dir. Renton Area Youth Services	.....
40	California	Owner, P R Agency	1981-1984
33	Washington	Attorney	1983-1984
55	Utah	Legislator/ Homemaker	1983-1984
63	Washington	Logger, Gen. Contractor	1981-1982
57	Nebraska	Building Contractor	1975-1984
45	Idaho	Consultant	.....
65	California	Retired	.....
39	Washington	Attorney	1983-1984
46	California	Priv. Music Teacher	1983-1984
65	Washington	Farmer	1983-1984

Name of Member	Dis- trict	Poli- tics	County	Mailing Address
Nelson, Dick	32	D	King, part	122 NW 50th St. Seattle 98107
Nelson, Gary A.	21	R	Snohomish, part	9710 Wharf Street Edmonds 98020
Niemi, Janice	43	D	King, part	226 Summit Avenue E. Seattle 98102
Nutley, Busse	49	D	Clark, part	409 West 37th Street Vancouver 98660
O'Brien, John L.	37	D	King, part	1305 Joseph Vance Bldg. Seattle 98101
Padden, Mike	4	R	Spokane, part	E. 13021-9th Avenue Spokane 99216
Patrick, Michael E.	47	R	King, part	13232 S.E. 192nd Renton 98055
Peery, W. Kim	17	D	Clark, part Klickitat Skamania	1245 NE 6th Avenue Camas 98607
Prince, Eugene A.	9	R	Whitman	P.O. Box 69 Thornton 99176
Rayburn, Margaret	15	D	Benton, part Yakima, part	Route 3, Box 3799 Grandview 98930
Rust, Nancy S.	1	D	Snohomish, part	18747 Ridgetfield Rd. NW Seattle 98177
Sanders, Paul	48	R	King, part	2680-169th SE Bellevue 98008
Sayan, Doug	35	D	Grays Harbor, part Kitsap, part Mason, Thurston, part	E. 211 Shore Drive Grapeview 98546
Schmidt, Karen	23	R	Kitsap, part	10805 Bill Point View Bainbridge Island 98110
Schoon, Dick	30	R	King, part Pierce, part	2669 S. 300th Street Federal Way 98003
Scott, Pat	38	D	Snohomish, part	7706 Rainier Drive Everett 98201
Silver, Jean B.	5	R	Spokane, part	N. 7102 Audubon Drive Spokane 99208
Smith, Curtis P.	13	R	Adams, part Kittitas, part Grant, part Yakima, part	Route 2 875 I NW Ephrata 98823

Age	Birthplace	Occupation	Previous Sessions Served
47	Washington	Energy Consultant	1977-1984
47	Washington	Staff Mgr. Priv. Utility	1973-1984
55	Michigan	Attorney	1983-1984
35	Washington	Land Use Planning Consultant	.....
72	Washington	C.P.A.	1941-1945; 1949-1984
37	Oregon	Attorney	1981-1984
43	Washington	Seattle Police Officer	1981-1984
35	Washington	Insurance Agency	Appt. 1985
53	Washington	Farmer	1981-1984
57	Oregon	Retired Teacher	.....
55	Iowa City, Iowa	State Representative	1981-1984
56	Maine	Boeing Executive	1976 2nd Ex.- 1984
55	Washington	Retired	1983-1984
38	California	Travel Agcy. Owner	1981-1984
51	Indiana	Purchasing agent Weyerhaeuser	1983-1984
45	Minnesota	Admin. Secretary to Everett Police Chief	Appt. 1/4/84
58	Washington	C.P.A.	1983-1984
67	Nebraska	Farmer	1979-1984

Name of Member	Dis- trict	Poli- tics	County	Mailing Address
Smith, Linda A.	18	R	Clark, part Cowlitz, part	10009 Ridgecrest Ave. NE Vancouver 98665
Smitherman, Bill	26	D	Kitsap, part Pierce, part	3408 N. Vassault Street Tacoma 98407
Sommers, Helen	36	D	King, part	2832 West Elmore Place Seattle 98199
Sutherland, Dean A.	17	D	Clark, part Klickitat Skamania	23503 NE 108th Street Vancouver 98662
Tanner, Joe	18	D	Clark, part Cowlitz, part	16121 NE 35th Avenue Ridgefield 98642
Taylor, Ren	4	R	Spokane, part	North 4710 Ella Road Spokane 99212
Thomas, Linda Craig	26	R	Kitsap, part Pierce, part	3407 60th Ave. NW Gig Harbor 98335
Tilly, Earl F.	12	R	Chelan, Douglas, Grant, part Kittitas, part Okanogan, part	1509 Jefferson Wenatchee 98801
Todd, Mike	31	D	King, part Pierce, part	17123 SE 339th Street Auburn 98002
Unsoeld, Jolene	22	D	Thurston, part	6110 Buckthorn NW Olympia 98502
Valle, Georgette	34	D	King, part	1434 SW 137th Street Seattle 98166
van Dyke, Dick	39B	R	Snohomish, part	4732-156th Street SE Bothell 98012
Van Luven, Steve	48	R	King, part	1923 - 167th SE Bellevue 98008
Vander Stoep, J.	20	R	Lewis, Thurston, part	727 S.W. 16th Street Chehalis 98532
Vekich, Max	35	D	Grays Harbor, part Kitsap, part Mason Thurston, part	200 Holly Lane/P.O. Box E Cosmopolis 98537
Walk, George W.	25	D	Pierce, part	11607-98th Avenue East Puyallup 98373
Walker, Sally W.	28	R	Pierce, part	5017-91st Avenue West Tacoma 98467
Wang, Art	27	D	Pierce, part	3319 N. Union Tacoma 98407
West, James E.	6	R	Spokane, part	E. 3613 Congress Spokane 99203

Age	Birthplace	Occupation	Previous Sessions Served
33	Colorado	Tax Consultant	Appt. 11/8/83-1984
41	Oklahoma	Mgmt-Planning Consultant	1983-1984
51	New Jersey	Economist	1973-1984
30	Minnesota	Electrician, Apiary, Owner	1983-1984
37	Texas	Pres., Columbia Eco. Dev. Council	1983-1984
59	Washington	Ret. Supt. School District	1979-1984
40	Washington	Accountant	.....
49	Oregon	Investments	1973-1984
36	Oregon	Dir., Heating Contractor	1983-1984
52	Oregon	State Legislator	.....
60	Minnesota	Occupational Therapist	1965-1967, 1972-1982
53	New York	Business/Technical Consultant	.....
37	Washington	Pres./Owner Exchange Broker	Appt. 11/7/83-1984
26	Washington	Securities Broker	1981-1984
30	Washington	Longshoreman	1983-1984
34	Washington	Teacher	1977-1984
55	Illinois	State Legislator	.....
34	Massachusetts	Law Student	1981-1984
34	Oregon	Licensed Realtor	1983-1984

1985 — HOUSE ROSTER—continued

Name of Member	Dis- trict	Poli- tics	County	Mailing Address
Williams, Bob	19A	R	Wahkiakum, part Cowlitz, part	111 Victoria Street Longview 98632
Williams, Joseph L.	41	R	King, part	4 Lindley Road Mercer Island 98040
Wilson, Karla	39A	D	Snohomish, part	11406-17th Place NE Lake Stevens 98258
Wilson, Simeon R. "Sim"	10	R	Island, Skagit, part Snohomish, part	P.O. Box 145 Marysville 98270
Wineberry, Jesse	43	D	King, part	157-27th Avenue Seattle 98122
Winsley, Shirley J.	28	R	Pierce, part	539 Buena Vista Avenue Tacoma 98466
Zellinsky, Paul	23	D	Kitsap, part	7476 Woodridge Lane NW Bremerton 98310
Heck, Dennis L.		D	Chief Clerk	707 N.E. 118th Avenue Vancouver 98664
Case, Sharon		D	Assistant Chief Clerk	7225 Bayview Drive NE 98506
Young, Ross		D	Sergeant at Arms	1381 Linwood Ave. Tumwater 98502

Age	Birthplace	Occupation	Previous Sessions Served
41	Pennsylvania	C.P.A.	1979-1984
52	California	Construction Consultant	1983-1984
50	Washington	Teacher	.....
56	Oregon	Newspaper Publisher	1973-1984
29	Washington	Law Student	.....
50	Minnesota	State Legislator	1974 ex., 1977-81
51	Washington	Owner-Car Dealership	1983-1984
32	Washington	Chief Clerk	Member 1976-1984
38	Washington	Assistant Chief Clerk	1983-1984
55	Washington	Retired USAF	1975-80; 1983-1984

**HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Forty-Ninth Legislature
1985 Regular Session
1985 First Special Session

House No.	Relating to:	Chapter No.	Effective Date
2S	3 Radiation protection	372	7/28/85
S	4 County seats removal	145	7/28/85
	12 TV improvement district/FM radio	76	7/28/85
S	14 Salmon angling licenses	174	7/28/85
S	15 Public works; prevailing wage	80	7/28/85
S	16 Prevailing wage payment	15	7/28/85
	21 Horticultural nursery dealer	36	7/28/85
S	23 Special districts, compensation	330	7/28/85
	27 Councilmanic offices reduction	106	7/28/85
S	28 Biennial municipal budgets	175	7/28/85
	31 Salmon/monofil gill net	147	7/28/85
	34 Water heater temperatures	119	7/28/85
S	36 Law enforcement; telephone intercept	260	7/28/85
S	39 Insurance Code; misc. changes	264	7/28/85
	*Sections 17 - 22		5/10/85
S	46 Consumer protection act; intent	401	7/28/85
S	48 Coll. barg; life support tech.	150	7/28/85
S	50 Soc. sec.; reimbursement	100	4/22/85
S	52 Human rights commission	PV 185	7/28/85
S	53 Center for voluntary action	110	4/22/85
	54 Radioactive waste; tort liab	275	7/28/85
	58 Arbitration awards; procedure	265	7/28/85
S	61 Health insurance; public employ	Vetoed	
S	62 Smoking; public places	236	7/28/85
	66 Plumbing contractors; training	465	7/28/85
S	68 Human remains; requirements	402	7/28/85
S	69 Solid wastes; trust funds	436	7/28/85
	73 Commission on equip/designees	165	7/28/85
	77 Ferry/performance requirements	176	7/28/85
	80 State highway routes; update	177	7/28/85
S	84 Schools; employee benefits	277	7/28/85
S	86 DOT civil service exemptions	178	7/28/85
S	91 Open space; public benefit	393	7/28/85
	92 Commission; outdoor recreation	77	7/28/85
S	94 Public health; director	124	7/28/85
	99 Fish farming; excise tax	PV 148	7/28/85
S	101 Chance drawing; grocery store	473	7/28/85
	107 Official proceeding; interfer	327	7/28/85
	116 Seniority; state employees	PV 461	7/28/85
S	124 State volunteers; defense	217	7/28/85
S	127 Wildlife, fisheries; law enforce	155	7/28/85
	132 County tax; nonresident	179	6/30/85
S	133 Highway info panel revisions	142	7/28/85
	139 Fire code; municipal airports	246	7/28/85
2S	141 Achievement test; tenth grade	403	
	*Effective pending funding provisions		
	142 Marriage licenses	82	7/28/85
	149 County treasurer; distraint papers	83	7/28/85

House No.	Relating to:	Chapter No.	Effective Date
S	150 Special purpose dists.; procedures	PV 396	7/28/85
	152 Community college treasurer; advance	180	7/28/85
	153 Child support enforcement	276	7/28/85
S	155 Notaries; requirements	156	*7/28/85
	*Secs. 1-19, 21, 23-26		1/1/86
	156 Driver's financial responsibility	157	7/28/85
	158 Driver license reinstatement fees	211	7/28/85
S	163 Driver lic. restrict/alcohol-drug abuse	101	7/28/85
S	166 University, college construction bids	152	7/28/85
	168 UW printers; personnel laws	266	7/28/85
	169 Public lands; rental and use	168	4/25/85
2S	174 Teachers' assistance programs	399	7/28/85
	175 Career exec. program extended	118	6/30/85
S	177 Veterans; hall rental funds	181	7/28/85
S	178 WA state internship program	442	7/28/85
S	179 Migratory waterfowl stamps	243	5/10/85
	183 Senior citizens' meals; tax exempt	104	4/22/85
S	187 County improvement; highways	PV 400	7/28/85
S	188 Mobile homes removal	78	7/28/85
S	189 Property tax; fire protection dist	112	7/28/85
S	190 Escrow agents	340	7/28/85
S	194 Water-sewer dist; territory	153	7/28/85
S	199 Farm labor contractors	280	1/1/86
S	203 County road tax	429	5/21/85
S	204 Board of prison terms and paroles	279	5/13/85
	213 Port commissioners; insurance	81	7/28/85
S	214 Watercraft; alcohol, drugs	267	7/28/85
S	220 Productivity board	114	7/1/85
	222 ML King, Jr./state holiday	189	7/28/85
S	223 Hydraulic projects; study	123	7/28/85
	228 Smallcraft registration	452	7/1/85
S	232 Groundwater advisory committee	453	5/21/85
S	242 Crime victims; rights	PV 443	7/1/85
	250 Small works roster; revision	154	7/28/85
	251 Ski area facility; fraud use	129	7/28/85
S	253 Code cities; annexation	105	7/28/85
S	254 Amusement rides; permits	262	1/1/86
	261 School plant facilities	136	7/28/85
S	262 Obsolete provisions, RCW 28A	PV 341	*7/28/85
	*Sections 4 and 13		8/1/85
	268 Institutional industry; resale	151	7/28/85
S	270 Acupuncture practice; certify	PV 326	7/28/85
	271 Assistance vans; stops	149	7/28/85
S	272 Children's statements; admission	404	7/28/85
S	279 Public hospital cmsn; meetings	166	7/28/85
	281 Radio communicatons service	167	7/28/85
	293 Trustees; regional universities	137	7/28/85
S	297 Organic food products	247	7/28/85
S	303 Water company redefined	161	7/28/85
	310 Wagering; permitted	86	7/28/85
	312 Private schools; hours, days	16	7/28/85
S	314 Budget modifications	PV 405	5/20/85
	318 Highway bond authorized, 1989	406	7/28/85
S	321 County road funds	120	*7/28/85
	*Section 3		7/1/87
S	323 Nisqually river system mgmt	244	7/28/85
	327 Strobe light restrictions	PV 331	5/16/85

House No.	Relating to:	Chapter No.	Effective Date
	331 Higher ed.; governing laws	218	7/28/85
2S	356 DSHS reimbursement	245	5/10/85
	357 Personal records; disclosure	334	7/28/85
S	358 Personnel files; inspection	336	7/28/85
S	379 LID laws revision	397	7/28/85
S	380 DOE/flood damage	454	7/28/85
S	386 Supplemental budget; Gov.'s req	PV 14	4/2/85
S	389 Vending machines; public bldgs	97	7/28/85
S	391 State purchasing; bid requirements	342	7/28/85
S	396 Public assistance eligibility	PV 335	7/28/85
	398 Heavy vehicle use tax	79	4/18/85
	399 MV related business licensing	109	7/28/85
	402 Raffle tickets; price increase	75	7/28/85
S	403 Aquifers/sewer districts	98	7/28/85
	409 Architecture; regulations	37	7/28/85
2S	428 Real estate license; education	PV 162	7/28/85
	434 U of W denistry faculty	111	7/28/85
S	435 LEOFF revisions	PV 462	7/28/85
S	444 LEOFF disability benefits	102	4/22/85
S	459 Kosher foods sale	127	7/28/85
S	460 Phone solicitation; restrict	121	7/28/85
S	461 Loans, grants; public facility	446	*7/28/85
	*Section 1		5/21/85
	*Sections 7 - 14		6/1/85
	*Sections 2 & 15 - 25		7/1/85
S	466 Fish dealers; wholesalers	248	7/28/85
S	469 Naturopathic medicine; defined	131	7/28/85
	479 Park and fish licenses; disabled	182	7/28/85
S	481 Licensing board; temp. members	116	7/28/85
S	482 Health care assistant; license	117	7/28/85
S	490 Transportation budget; supplemental	17	4/9/85
	492 Child abuse proceedings	183	7/28/85
S	493 Seismic safety commission	Vetoed	
S	500 Medical care coverage	5	3/25/85
S	512 Bill of rights; children	394	7/28/85
S	520 Industrial loan companies	74	7/28/85
S	543 City consolidation; uniform laws	281	5/13/85
S	546 Agric. commodity assess	261	5/10/85
S	550 Cable TV services; theft	PV 430	7/28/85
S	565 County treasure; fiscal agent	84	7/28/85
	575 Political contrib.; deduction	204	7/28/85
	576 Small works roster; contract	219	7/28/85
S	577 Employee stock ownership plan	263	7/28/85
	593 Drivers' license; alcohol	407	*1/1/86
	*Sections 2 & 4		7/1/85
S	596 Noise abatement impact area	115	7/28/85
	601 Sales tax included; ad prices	38	4/15/85
S	602 Plat standards	99	7/28/85
S	606 Lake management districts	398	*7/28/85
	*Sections 28 - 30		1/1/86
	610 Board of health; provisions	213	6/30/85
S	622 WA centennial commission	268	7/28/85
S	625 Trade & econ. dev. dept	PV 466	6/30/85
2S	627 WA state economic develop. board	PV 467	7/1/85
	629 Elections; gen. oblig. bonds	282	*12/5/85
	*Pending approval of HJR 22		
	643 Retirement; direct billing	138	7/28/85

House No.	Relating to:	Chapter No.	Effective Date
	657 LEOFF disability benefits	103	7/28/85
S	660 Private carriers; standards	333	7/28/85
	670 Salmon troll licenses	107	7/28/85
	675 Stepchild; wrongful death act	139	7/28/85
S	717 Phone rates; measured service	206	7/28/85
	718 Mobile homes; tax assessment	395	7/28/85
	720 Highway construction stabilization	140	7/1/85
	723 B&O tax; radioactive waste	Vetoed	
S	731 Horses; ag. dept. marketing	113	7/28/85
2S	738 Community revitalization team	PV 229	7/1/85
S	746 Health insur.; child support	108	7/28/85
	758 Utility services; theft	PV 427	7/28/85
S	760 Youth conservation corps	PV 230	5/10/85
S	767 Criminal profiteering	455	*7/1/85
	*Secs. 13, 14, 15, 16 & 17		7/1/86
S	781 Distinguished professorship prog	PV 343	7/28/85
	787 Exempt avalanche; explosive act	191	7/28/85
S	799 Parenting & child abuse program	344	7/28/85
S	802 Economic development programs	125	7/28/85
S	804 Tires; recycle program	345	7/28/85
S	805 Teachers; potential abuse training	419	7/28/85
	808 Destroyed property; tax value	220	5/7/85
S	814 Puget Sound wastewater standards	417	7/28/85
S	815 Sewage treatment facilities	249	7/28/85
	830 Business expansion; siting	85	4/18/85
S	831 Bond info; publication	130	7/28/85
	832 World fair commission; gifts	274	5/13/85
S	837 International trade; lumber	122	7/28/85
S	839 Land use plans; Puget Sound	126	7/28/85
S	843 Livestock; provisions modified	PV 415	7/28/85
S	846 Electric generation; municipal	444	7/28/85
S	848 Disposition inmates; notification	346	7/28/85
2S	849 Teacher evaluation	420	*7/28/85
	*Secs. 1 - 5, 7 - 10		7/1/87
S	850 Landscape architects; regulation	18	6/30/85
	853 Vessels; watercraft titles	PV 258	6/30/85
S	855 Development finance authority estab	164	7/28/85
S	863 Funding transportation improvements	PV 433	7/28/85
S	865 Haz. substance info office created	410	7/28/85
S	877 Adoptions; law revisions	421	5/20/85
S	890 Agricultural liens	412	*7/28/85
	*Sections 13 - 20		10/1/85
S	891 Park district annexation	416	7/28/85
	914 Timber tax distribution	184	*7/28/85
	*Section 2		4/25/85
S	932 Child abuse reporting	259	7/28/85
	943 WA technology exchange	269	7/28/85
	949 Energy equip. and services	169	7/28/85
S	956 Federal grants and programs	332	7/28/85
S	957 Underinsured motorists	328	7/28/85
S	958 Trust lands; transfers	163	7/28/85
S	974 Acid rain; provisions	456	7/28/85
2S	975 Hazardous wastes	448	7/28/85
	999 Educational clinics	PV 434	5/21/85
	1000 Trade-ins; use tax exempt	132	7/28/85
S	1003 Excise tax; admin. provisions	414	7/28/85
	1004 Revenue director; escheat property	133	7/28/85

House No.	Relating to:	Chapter No.	Effective Date
	1006 Consumer definition modified	134	7/28/85
	1009 Excise tax provisions	135	7/28/85
	1021 Pesticide control laws	158	7/28/85
S	1044 Irrigation district plats	160	7/28/85
S	1046 Health maintenance contracts	283	7/28/85
2S	1056 School-based management	422	*7/1/87
	*Pending funding		
S	1060 Tax; food fish and shellfish	413	7/28/85
S	1061 Trade assistance center	231	5/10/85
S	1063 International marketing prog	39	6/30/85
2S	1065 Schools; in-service training	423	*7/1/87
	*Pending funding		
2S	1078 Childhood assistance program	418	*7/1/87
	*Pending funding		
S	1079 Sales tax deferrals	232	5/10/85
S	1080 State exempt positions	221	7/28/85
S	1082 Industrial insurance	337	7/28/85
S	1084 Vocational rehab. laws	339	5/16/85
S	1085 L&I; prompt actions	338	7/28/85
S	1089 Industrial insurance penalties	347	7/28/85
	1094 Identacards issuance	212	7/28/85
S	1107 Vehicle license; valid driver lic	424	7/1/86
S	1114 Energy related building standard	144	4/24/85
S	1116 Aquifer protection areas	425	7/28/85
S	1129 Business improvement areas	128	7/28/85
S	1153 Voting & regis; handicapped	205	.
	*Sections 1, 2 and 13		5/7/85
	*Sections 15 and 16		7/28/85
	*Sections 3 - 12 and 14		1/1/86
S	1169 Community reinvestment act	329	1/1/86
S	1170 Right-to-know act	409	7/28/85
S	1190 Joint center for education	408	7/28/85
S	1191 County property distrib	PV 143	7/28/85
S	1195 Flex-time work schedules	411	7/28/85
S	1207 Voc. training; pilot program	437	6/30/85
S	1232 Water & sewer districts annex	141	7/28/85
S	1234 Ag. market program; responsibility	PV 159	7/28/85
S	1269 Emergency medical serv. levies	348	7/28/85
	1326 Tax deferral; certain projects	2 E1	6/14/85
	1327 Bonds; school facilities	3 E1	6/14/85
	1328 Bonds; capital projects	4 E1	6/14/85

**HOUSE MEMORIALS AND RESOLUTIONS PASSED
BY BOTH HOUSE AND SENATE**

Forty-Ninth Legislature

1985 Regular and First Special Session

No. Subject:

HOUSE JOINT MEMORIALS

1	Highway construction funds
2	Orthodox Christians; protection
S 16	South Lake Union Naval Base

HOUSE JOINT RESOLUTIONS

12	Industrial insurance funds; investment
22	Excess levies; forty percent validation
23	Ad valorem taxing districts
42	Agricultural assessments

HOUSE CONCURRENT RESOLUTIONS

1	Calling Joint Session
4	Joint Session; Memorial Service
7	Joint Select Committee on Telecommunications extended
13	Notifying Governor, sine die
14	Notifying Governor, legislature organized, 1st Special
15	Notifying Governor, sine die, 1st Special

**SENATE BILLS PASSED BY BOTH HOUSE AND SENATE
SHOWING THE ACTION BY THE GOVERNOR THEREON**

Forty-Ninth Legislature
1985 Regular First Special Session

Senate No.	Relating to:	Chapter No.	Effective Date
S 3001	Port commission vacancies	87	7/28/85
S 3007	MV license exemptions	PV 353	*5/20/85
	*Section 1		9/1/85
	3008 Use tax; out-of-state business	222	7/28/85
S 3012	Harassment/anti-harassment	288	5/13/85
S 3015	Used books	70	7/28/85
S 3027	Disabled drivers; refueling	309	7/28/85
	3028 Archaeological materials	64	7/28/85
S 3035	Motorcycle instruction permit	234	7/28/85
	3040 DCD obsolete references	6	7/28/85
	3041 RCW clean-up	7	7/28/85
S 3047	Western library network	21	6/30/85
S 3059	Unemployment benefit contribution	270	5/10/85
	3065 Subsistence/lodging; legislators	3	2/4/85
S 3066	Gambling	468	7/28/85
	3067 Aquatic farming	PV 457	7/28/85
S 3068	Mobile home move permits	22	7/28/85
S 3069	Health care PSCs	PV 431	7/28/85
	3070 County auditor records	44	7/28/85
	3072 Trust act corrections	30	4/10/85
	3073 Trust act wills corrections	23	4/10/85
	3074 Trust act partnership corrections	8	4/2/85
	3075 Trust act; declaratory judgments	9	4/2/85
	3076 Trust filing fee	24	4/10/85
	3077 Trust act; joint tenancy	10	4/2/85
	3078 Trust act; statute of limitation	11	4/2/85
	3079 Trust act; corrections	31	4/10/85
	3081 L&I claims reciprocity	48	7/28/85
	3085 Auto window sunscreens	304	7/28/85
S 3087	Juvenile offenders	73	6/30/85
S 3090	Coroner inquest; state reimb	Vetoed	
	3091 Real estate contracts	237	1/1/86
S 3094	Deeds of trust	193	7/28/85
	3096 Federal vacancies	45	7/28/85
S 3099	Mental health; juveniles	354	1/1/86
	3103 Award; in-lieu homestead	194	7/28/85
	3104 Statutes superseded by court rule	68	7/28/85
S 3116	Wildlife damage	355	7/28/85
	3120 MV standards	351	7/28/85
	3121 WSDOT federal funds	20	7/28/85
S 3122	DOT plans and specs	242	7/28/85
S 3125	Quinault tribal highway	228	5/8/85
	3127 Investment board; assist. state treas.	195	7/28/85
	3129 Veterans' affairs advisory committee	63	7/28/85
S 3131	Sell Mt. St. Helens dredge	12	7/28/85
	3134 Higher education; tuition	356	7/28/85
	3143 Trade name reregistration	88	7/28/85

Senate No.	Relating to:	Chapter No.	Effective Date
	3144 Model traffic ordinance	19	7/28/85
S	3145 Forest reserve fund distribution	311	7/28/85
S	3146 Correction institutions; name	350	7/1/85
	3148 Special adult supervision	52	7/28/85
S	3162 Entertainers; unemployment insurance	47	7/1/85
S	3165 Superior court positions	357	*7/28/85
	*Sections 1 and 2		1/1/87
	*Section 3		1/1/86
	3167 Timeshare regulation	358	7/28/85
S	3170 Natural resources reports	93	7/28/85
	3173 Aquaculture trespass	289	7/28/85
S	3175 Shellfish commercial regulation	51	7/28/85
	3176 Juvenile facilities; population	287	7/28/85
S	3179 Cashout annual leave	292	7/28/85
S	3180 Salary surveys	94	7/28/85
S	3184 State housing; certain employ	PV 463	5/21/85
	3189 Employee pay deduction, PACs	271	7/28/85
S	3198 Sexual assault victims	34	6/30/85
S	3201 PCBs; dangerous waste	65	7/28/85
	3202 Property value; initial assess	318	7/28/85
	3204 Veterans day; schools	60	7/28/85
	3205 School employee; leave accum	210	7/28/85
S	3207 Prison work programs	286	7/28/85
	3214 Economic dev. program	92	4/22/85
S	3220 Autopsy report access	300	7/28/85
	3225 African dev. bank; investment	301	7/28/85
	3230 DWI	352	*5/20/85
	*Section 1		7/1/85
S	3235 Educational excellence	349	7/28/85
	3236 Bank holding companies	310	7/1/87
S	3240 Child abuse offender; restraint	35	7/28/85
S	3249 Group life insurance	Vetoed	
S	3254 Domestic violence prevention	303	*7/28/85
	*Sections 1 and 2		9/1/85
S	3261 State building code	PV 360	7/28/85
S	3262 Nursing home licensing	284	7/28/85
	3267 Drive license surrender; return	302	5/13/85
	3270 Public retirement; tax deferral	13	4/2/85
	3273 Law enforcement; mutual aid	89	7/1/85
S	3279 Home schooling	441	7/28/85
	3282 State preference; historic prop	Vetoed	
S	3283 Historic property; preservation	449	7/28/85
	3298 Water level change notice	196	7/28/85
S	3302 Chaplains for police work	223	7/28/85
S	3305 Telecommunication services	450	7/28/85
S	3307 Campaign contribution limit	359	7/28/85
S	3309 License fees; setting	91	7/28/85
	3312 Municipal corporations; public agency	33	7/28/85
	3314 Fishing bait restriction	438	7/28/85
	3319 Open public meetings; costs	69	7/28/85
	3322 University regents increase	61	7/28/85
	3325 Alcohol beverage business	363	7/28/85
	3326 Special occasion liquor license	306	7/28/85
S	3332 Joint government; self insur	278	7/28/85
S	3333 Motorcycle dealer franchise	PV 472	7/28/85
	3337 DNR duties; lands commissioner	197	7/28/85
S	3342 Horse racing regulations	146	4/25/85

Senate No.	Relating to:	Chapter No.	Effective Date
S 3346	Affirmative action programs	365	7/28/85
S 3350	School districts; redesignation	58	7/28/85
S 3354	Workers; medical aid	PV 368	*7/28/85
	*Section 2		7/1/87
S 3356	County road admin. procedures	369	7/28/85
S 3357	Military higher ed.; tuition	362	7/28/85
S 3361	Savings banks	56	7/28/85
S 3363	Incest	53	7/28/85
S 3367	Public disclosure	PV 367	7/28/85
S 3368	Salmon; sale of inedible	28	7/28/85
S 3373	Judgment; plaintiff cost	215	7/28/85
S 3374	Attorney fees	240	7/28/85
S 3376	Higher ed.; coordinating board	PV 370	*7/28/85
	*Sections 1 - 96 and 105		1/1/86
	*Section 106		6/30/85
S 3384	Salmon, steelhead; rehab	PV 458	5/21/85
S 3386	Executive sessions; governing bodies	366	7/28/85
S 3387	Sewer connection payments	250	7/28/85
S 3388	Attorney general	251	5/10/85
S 3390	Nursing home audit standards	361	5/20/85
S 3393	Statute of limitations	186	7/28/85
S 3398	Purchase contract; local gov't	72	7/28/85
S 3400	Mineral, oil, gas leases	PV 459	7/28/85
S 3401	MV lic.; reciprocity; commercial	173	7/28/85
S 3406	Shared work programs	43	4/15/85
S 3407	Unemploy. comp., training	40	7/1/85
S 3408	Unemploy. insur., employer defined	41	7/28/85
S 3409	Experience rating; unemploy. comp	42	4/15/85
S 3415	Adjustable interest rates	224	7/1/85
S 3420	Open space transfers	319	5/16/85
S 3426	Industrial insurance; appeals	314	7/28/85
S 3427	Domestic insur.; holding corp	364	5/20/85
S 3436	Ballot titles, AG duty	252	7/28/85
S 3438	Energy emergencies	308	6/29/85
S 3442	Fire service training fund	312	7/28/85
S 3445	Park & recreation service areas	253	7/28/85
S 3450	Firearms	428	7/28/85
S 3456	MV fuel, alcohol; tax exemptions	371	7/28/85
S 3467	Rail districts	187	7/28/85
S 3468	Hanford; disposal site	293	5/13/85
S 3486	County gambling tax	172	7/28/85
S 3494	Turkey shoots	170	7/28/85
S 3500	Signs; tourists; agriculture	376	7/28/85
S 3516	Spanish/Japanese instruction	379	*7/28/85
	*Sections 1, 2, 3 and 4, pending funding		
S 3536	PUDs	95	7/28/85
S 3538	School seniority; nontransferrable	46	7/28/85
S 3540	HMOs	320	7/28/85
S 3547	School immunizations	49	4/17/85
S 3551	Tax statutes clarified	32	4/10/85
S 3553	Junk vehicles	377	1/1/86
S 3569	Risk management office	PV 188	7/28/85
S 3572	Generally accepted accounting practices	57	7/1/85
S 3576	Lake Osoyoos water project	27	7/28/85
S 3580	Business corporations	290	7/28/85
S 3593	Mt. St. Helens reimbursement	255	7/28/85
S 3594	Irrigation district voting	66	7/28/85

SENATE BILLS PASSED BY BOTH HOUSES

2319

Senate No.	Relating to:	Chapter No.	Effective Date
	3596 Criminal justice info system	201	7/28/85
S	3598 Service dogs; disabled persons	90	7/28/85
	3601 MV proportional licensing * of year following state entry IRP	380	*1/1/--
S	3602 Savings and loans	239	7/28/85
	3612 Freeze excess levy lid	PV 374	7/28/85
	3624 Employment security personnel	96	7/28/85
	3625 Fire district annexation	313	7/28/85
	3627 Marginal labor force	285	7/1/85
S	3630 High-tech coordinating board	381	7/28/85
S	3654 Capital budget	373	7/1/85
2S	3656 Biennial budget	PV 6 E1	6/27/85
S	3678 Revenue and taxation	PV 190	4/30/85
S	3684 Lottery funds/accounts	PV 375	3/1/85
S	3723 Hotel/motel tax	272	7/28/85
	3762 Convention trade center	233	5/10/85
	3765 Municipal utilities	445	7/28/85
S	3776 Arts commission	317	6/30/85
S	3781 State Patrol; exams officers	4	3/13/85
	3782 Honors award program	62	7/28/85
S	3786 Shopping cart thefts	382	7/28/85
S	3792 Banks and banking	305	7/28/85
	3794 School land purchase	200	7/28/85
S	3797 Blind, deaf schools	378	7/1/86
S	3799 Radiation control	PV 383	7/28/85
	3800 Legal notices	PV 469	7/28/85
	3804 AIDS liability	321	7/28/85
	3812 Water pollution control; penalties	316	7/28/85
	3818 Records committee	192	7/28/85
	3826 Local government finance	71	7/28/85
2S	3828 Puget Sound water quality authority	PV 451	5/21/85
	3829 Physician licensing	322	7/28/85
	3830 Street vacation	254	7/28/85
	3846 Schools, in-service training	214	7/28/85
	3851 Liquor premises; workers; 18 years	323	7/28/85
	3852 Child support; joint committee	294	7/28/85
	3854 Ongoing absentee voters	273	7/28/85
S	3856 Fire protection board	PV 470	1/1/86
S	3882 Armory rental; cleaning	295	7/28/85
S	3897 Property & casualty insurance	238	7/28/85
S	3898 Occupational therapists	296	7/28/85
S	3904 Self-medication	297	7/28/85
	3906 Pornography; moral nuisance	235	5/10/85
S	3911 Affordable housing	386	7/28/85
S	3920 Transportation budget	PV 460	5/21/85
	3942 Drivers' licensing	1 E1	7/1/85
S	3951 Northern State Hospital; reuse	241	5/10/85
S	3981 Taxicabs; industrial insurance	Vetoed	
S	3989 Mastectomy insurance	54	1/1/86
S	4041 Oyster reserves management	256	7/28/85
S	4059 Juvenile service restitution	257	7/28/85
S	4105 Mental health commitment	207	7/28/85
S	4107 Nurse; patient; privileged comm	447	7/28/85
	4110 SPI contract; admin. hearings	225	5/7/85
S	4114 State securities; sale	171	7/28/85
	4115 Sports facility; ind. dev. bonds	439	7/28/85

Senate No.	Relating to:	Chapter No.	Effective Date
4121	Agriculture assess.; HJR 42	26	*1/1/86
	*Pending approval of HJR 42		
4122	Bread and flour; contents	25	7/28/85
4127	Alcoholic beverage license	226	7/28/85
4129	Work release	298	7/28/85
S 4138	Domestic insurers	55	4/17/85
4140	High school graduation	384	7/28/85
4142	School districts; organization	385	*7/28/85
	*Sections 24 and 39		5/20/85
4143	Student transportation allowance	59	7/28/85
4146	Mt. St. Helens	307	5/16/85
4152	Tuition residency; higher ed	198	7/28/85
4155	Court costs	389	*7/28/85
	*Secs. 2 - 9		7/1/85
4169	Burke Museum, UW	29	6/30/85
4185	Higher ed.; tuition fees	390	7/28/85
S 4189	Indust. ins.; tax appeals	315	7/28/85
S 4190	Indust. ins.; appeals board	209	7/28/85
S 4196	Unemployed/underemployed assist	5 E1	6/14/85
4206	School bidding procedure	324	7/28/85
S 4209	Asbestos; removal, encapsulation	387	7/28/85
4216	Dentists; copayment	202	7/28/85
4227	Scoliosis screening	216	7/28/85
S 4228	B&O multiple activities	PV 471	7/1/85
S 4229	Juveniles; adult jails	50	7/28/85
S 4231	Hunting, fishing; fees	464	7/1/85
4236	Deferred comp.; appropriation	199	4/30/85
4259	Public accomodation; sex discrim	203	7/28/85
S 4263	Equity agreement	440	7/28/85
4266	Energy fac. site eval. council	67	7/28/85
S 4267	Rail right-of-way; DOT	PV 432	7/28/85
4278	MV impound; unlicensed	391	7/28/85
4288	On-the-job training; ind. ins	299	7/28/85
S 4294	Indust. ins. payments	227	7/1/85
4302	Lie detectors	426	7/28/85
S 4314	Natural fish runs	208	7/28/85
S 4358	L&I deputy director	325	7/28/85
S 4361	Centennial commission; duties	291	7/28/85
S 4386	Library districts	392	7/28/85
S 4399	Local government study commission	PV 388	5/20/85
S 4424	Yakima water adjudication	PV 435	7/28/85

**SENATE MEMORIALS AND RESOLUTIONS PASSED
BY BOTH HOUSE AND SENATE**

Forty-Ninth Legislature

1985 Regular and First Special Session

No. Subject:

SENATE JOINT MEMORIALS

102	Canadian forest products
S 104	Japanese-Americans assistance
107	Hazardous waste cleanup
108	Bonneville Power Administration; repayment
109	PUREX plant shutdown
110	Federal college savings plan
111	Minorities; graduate education
119	Bonneville Dam; funds
S 121	Farm banks assistance
127	Vessel air emissions study
128	Customs service; one west coast port

SENATE CONCURRENT RESOLUTIONS

101	Joint Committee; Telecommunications Regulation
102	Governor notified; Legislature organized
105	Cut-off dates
107	Joint operating rules
109	Nuclear waste liability
114	Joint select committee; industrial insurance
120	Bills returned to house of origin
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**GOVERNOR'S MESSAGES ON HOUSE BILLS
VETOED AND PARTIALLY VETOED**

Forty-Ninth Legislature
1985 Regular and Special Session

April 25, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval a portion of Section 4, Substitute House Bill No. 52, entitled:

"AN ACT Relating to revising provisions relating to the human rights commission."

This bill makes various technical and procedural changes to the operation of the Human Rights Commission.

However, a portion of Section 4 requires the governor in making appointments to guarantee that the membership of the commission is representative of the various geographical areas of the state. This language is not typical of clauses for other Boards and Commissions and is vague. Language which expressly states the number of representatives from each side of mountains is typical and preferable where the legislature desires to mandate a geographic mix.

I am committed to work for geographical representation on Boards and Commissions and overall feel I have done so.

With the exception of a portion of Section 4, Substitute House Bill No. 52 is approved.

Respectfully submitted,
Booth Gardner, Governor

For Veto Message on SUBSTITUTE HOUSE BILL NO. 61, see page 2267.

For Veto Message on HOUSE BILL NO. 99, see page 1966.

May 21, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to one portion of a section, Engrossed House Bill No. 116, entitled:

"AN ACT Relating to public employees."

Section 3, in part, requires that the same standardized performance evaluation procedure applies to both classified and exempt positions. I feel that agency directors should have flexibility in establishing performance evaluation forms and procedures for their exempt employees. If a position meets the criteria for exemption, the supervisor of that sensitive position should have the flexibility to evaluate the employee's performance with the most appropriate process and form. I am also in favor of maintaining a clear distinction between classified and exempt positions. Section 3, in part, is therefore vetoed.

With the exception of the part of Section 3 which I have vetoed, Engrossed House Bill No. 116 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 20, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to one section Substitute House Bill No. 150, entitled:

"AN ACT Relating to special districts;"

I am vetoing Section 44 in order to eliminate a conflict with Section 87. Section 44 would amend RCW 85.08.290; Section 87 would repeal the same. The procedures set forth in Section 44 are not needed, it refers back to Sections 1 through 19 which do contain the formation procedures.

With the exception of Section 44, which I have vetoed, the remainder of Substitute House Bill No. 150 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 20, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to a portion of Section 4, Substitute House Bill No. 187, entitled:

"AN ACT Relating to state-authorized improvements to state highways by counties and service districts;"

Language in Section 4 prohibits the Department of Transportation (DOT) from eliminating, delaying, or reducing the scale of a project that would otherwise be a part of the six-year highway plan in order to coerce a county or service district to participate in funding. Although I support the legislature's intent with this language in Section 4, I am concerned that it could place DOT in the difficult position of proving a lack of malice whenever the department eliminated, delayed or reduced the scale of a project for good cause. This would disrupt the systematic planning process and might invite litigation over routine decisions of the agency. For these reasons I have vetoed a portion of Section 4.

With the exception of a portion of Section 4, Substitute House Bill No. 187 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 21, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 7 and 9, Substitute House Bill No. 242, entitled:

"AN ACT Relating to rights of crime victims, survivors of crime victims, and witnesses of crime."

This bill, among other things, contains changes in the Crime Victims Compensation Act. Sections 7 and 9 relate to the restitution provisions of the current law and require that they apply to offenses committed before the effective date of this legislation. The Legislature intended to refer only to those crimes committed after the sentencing guidelines took effect; the language in Sections 7 and 9 could affect offenders sentenced many years ago. I believe this is inappropriate and am, therefore, vetoing Sections 7 and 9.

With the exception of Sections 7 and 9, which I have vetoed, Substitute House Bill No. 242 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 16, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to one section Substitute House Bill No. 262, entitled:

"AN ACT Relating to obsolete provisions in Title 28A RCW;"

Substitute House Bill No. 262 was introduced at the request of the Superintendent of Public Instruction to modify or repeal certain obsolete provisions of Title 28A RCW, the education code.

Due to a drafting oversight, the Section 6 modification is an updating of existing State Board of Education member election law rather than a change to reflect current practice. Current law provides that elections be held annually. In practice, these elections are held biennially. The State Board intended that this section be modified to authorize the practice of biennial elections. The State Board has requested a veto of this section, with the understanding that they will request mandatory legislation in 1986 to bring Board member election practice in line with statutory requirements.

With the exception of Section 6, which I have vetoed, the remainder of Substitute House Bill No. 262 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 16, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to one portion Substitute House Bill No. 270, entitled:

"AN ACT Relating to acupuncture;"

Section 5(2)(a) of this bill would require applicants for licensure as an acupuncturist to complete two years of college training in the general sciences and humanities before undertaking acupuncture training. While general education is certainly desirable, we must be careful not to impose any requirements on applicants that are not specifically related to their ability to practice competently. This two-year education requirement does not relate to competence, and neither does the requirement that it be completed before occupational training commences.

With the exception of Section 5(2)(a), Substitute House Bill No. 270 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 20, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to Section 105 and Section 202(2), Substitute House Bill No. 314, entitled:

"AN ACT Relating to state agencies;"

This legislation is the second supplemental appropriations bill. It reduces appropriations over twelve million dollars and authorizes transfers to the General Fund in excess of seven million dollars.

Section 105 reduces the Department of Personnel's general fund appropriation by \$45,000. These monies were part of the appropriation made in 1984 to allow the Department to conduct a comparable worth study and are necessary to complete the study. Thus, the reduction in Section 105 is inappropriate.

It should be noted that the Department has placed into reserve status \$45,000 from two other General Fund-State appropriations made under Chapter 15, Laws of 1983, 1st Extraordinary Session and Chapter 162, Laws of 1984. These monies will revert to the General Fund-State at the end of this biennium and will help to reduce any possible shortfall.

Section 202(2) requires that the Department of Social and Health Services adopt rules no later than June 1, 1985, relating to criteria for eligibility for the general assistance-medical program. This section would necessitate the adoption of such rules on an emergency basis without public hearing.

While the Department is prepared to propose rules by June 1, 1985, it is my opinion that there is no emergency requiring immediate adoption. Rather, the

Department should be permitted to hold appropriate public hearings and train staff on the implementation of such new rules before their effective date.

With the exceptions of Section 105 and Section 202(2), which I have vetoed, Substitute House Bill No. 314 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 16, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to one section Engrossed House Bill No. 327, entitled:

"AN ACT Relating to motor vehicles."

Section 1 of this bill would prohibit the use of optical strobe light devices on motor vehicles other than emergency or law enforcement vehicles.

Section 2 would provide that the owners of pre-1968 motor vehicles would retain their pre-1968 license plates if they consider their vehicles to be collector's items.

Current state law provides that a motor vehicle over thirty years old is a collector's item. The vehicle must be restored and in good working condition. The owner of a collector's item can keep the original plates if the plates are of the same year as the year the subject vehicle was manufactured.

Current law also mandates that all pre-1968 motor vehicle license plates must be replaced starting in January 1985 unless the vehicle can be classified as a collector's item. The purpose for this law is to aid law enforcement officials and to promote highway safety.

Section 2 would negate the current mandate for the replacement of all pre-1968 vehicle plates. The only basis for the determination that a vehicle owner would be exempt from current provisions is the owner's opinion that the vehicle is a collector's item. The Department of Licensing would not have the authority to evaluate the owner's claim or to establish rules for the determination of collector's items that are less than thirty years old.

The Department of Licensing estimates that there are over 500,000 motor vehicles in the pre-1968 category. Very few of these vehicles would be classified as collector's items under the current law. Indeed, the potential for abuse of the proposed law could be significant. With less persons complying with the intent of the current law, both the law enforcement and safety aspects of the law would be reduced.

Pre-1968 vehicle owners have been purchasing replacement plates since January 1985. The old plates have been destroyed, and the Department of Licensing has no authority to refund replacement plate fees. Thus, if enacted, Section 2 would create unequal protection for the motoring public.

For these reasons I have vetoed Section 2.

With the exception of Section 2, Engrossed House Bill No. 327 is approved.

Respectfully submitted,
Booth Gardner, Governor

For Veto Message on SUBSTITUTE HOUSE BILL NO. 386, see page 951.

May 16, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to subsection 5 of Section 3, Substitute House Bill No. 396, entitled:

"AN ACT Relating to making state eligibility requirements for grant assistance programs consistent with federal law;"

Subsection 5 of Section 3 would establish a state procedure for computer matching of Internal Revenue forms of all people applying for assistance in order to verify their income and resources. This procedure would be implemented by

December 31, 1985. However, the federal government must be a partner in this endeavor, and the federal regulations upon which the procedures will be based have not been finalized. Therefore, since this program must be in place by federal requirement on October 1, 1986, the state should not implement a program at an earlier date that may need substantial revision to bring it into conformance with federal law.

With the exception of subsection 5 of Section 3, Substitute House Bill No. 396 is approved.

Respectfully submitted,
Booth Gardner, Governor

April 25, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to one provision, Second Substitute House Bill No. 428, entitled:

"AN ACT Relating to real estate licenses."

This bill requires that sales persons and brokers complete a prescribed number of hours of instruction in order to obtain, renew or reinstate their real estate licenses. In addition, in Section 3 of the bill, the Department of Licensing would be required to mail a warning notice of impending cancellation of a license if the department does not receive the renewal fee from a license holder within eleven months after the license expiration date.

I have vetoed Section 3 of the bill because it is more correctly the license holder's responsibility, and not the department's, to complete a timely renewal of the license. There are already sufficient reminders: renewal notices are mailed to the last known address of the licensee sixty days before the due date; real estate brokers are charged by law to employ only currently licensed persons; real estate auditors check the current status of licensees during audits; each licensee's renewal date is fixed on his or her birthday; and, reminders are published quarterly in the Real Estate News.

With the exception of Section 3, Second Substitute House Bill No. 428 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 21, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to two sections, Engrossed Substitute House Bill No. 435, entitled:

"AN ACT Relating to county, municipal and political subdivision employees."

The last portion of Section 2 after the word "taxes" is vetoed. This language makes no sense and appears to be a drafting error which only confuses the meaning of this section.

Section 7(1) provides that employees would continue to receive all other benefits given active employees. This language could include such things as uniform allowances, shift differential, shooting pay, sick and vacation leave accruals, and other compensation normally given only to working employees. The section attempted to parallel the LEOFF I program, hence my veto.

The balance of the bill is approved. It provides a needed benefit to a group of employees generally acknowledged by the public as subject to unusual duty related injuries. The cost appears not to be substantial.

I do not support the piecemeal or total readoption of the LEOFF I system for LEOFF II employees. This bill standardizes a practice similar to one voluntarily adopted by a number of counties and cities.

With the exceptions of Section 2 in part and Section 7(1), the remainder of Engrossed Substitute House Bill No. 435 is approved.

Respectfully submitted,
Booth Gardner, Governor

For Veto Message on SUBSTITUTE HOUSE BILL NO. 493, see page 2268.

May 21, 1985

To the Honorable,
House of Representatives of the
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to two sections, Engrossed Substitute House Bill No. 550 entitled:

"AN ACT Relating to the theft of cable television services."

Section 1(3) and Section 4(4) are not approved because they include presumptions of intent. Such statutory presumptions run counter to general law and should be reserved for use only in situations where significant public harm is involved.

With the exception of Section 1(3) and Section 4(4), Engrossed Substitute House Bill No. 550 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 21, 1985

To the Honorable,
House of Representatives of the
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to several sections, Substitute House Bill No. 625, entitled:

"AN ACT Relating to the Department of Commerce and Economic Development."

The Department of Commerce and Economic Development is scheduled to be terminated on June 30, 1985, pursuant to RCW 43.131.257 of the Washington Sunset Act of 1977, as amended.

Substitute House Bill 625 would reauthorize the Department to continue after June 30, 1985. The Department's name would be changed to the Department of Trade and Economic Development.

The bill would also create two new advisory groups and a new international trade and investment information system.

I am delighted that the Department is being reauthorized. The encouragement of state economic growth and job creation are major public policy goals of both the executive and legislative branches of state government. Competition with other states to attract new, job creating investments is at a high level. The efficient and wise use of our resources to accomplish our economic goals requires that we maintain a focal point in state government for economic development-related activities. This Act would not only allow the Department to continue, but it would also provide its management with the necessary flexibility to respond to changing circumstances in the state's economic development environment.

Although I agree with the primary purpose of this Act, several sections require veto.

I believe that strong private sector involvement in state government economic development activities is good public policy. The authority and the responsibility for appointing advisory groups is provided to the Director of the Department of Trade and Economic Development in Section 16 of this Act. I concur with this provision because I believe that the Director is in the best position to determine when advisory groups used to be formed, as well as to provide adequate budget and other resources required to support their work.

Accordingly, I have vetoed Sections 79 through 81, which would create the Forest Products Market Development Task Force. This proposed new statutory body does not have an appropriation, and its functions could be implemented by the Department without a new statutory body.

I do concur with the need for the state to develop coordinated strategies to enhance its competitive export trade position in the forest products industry, which is the primary purpose of Sections 79-81 of Substitute House Bill No. 625. However, I believe this purpose could be addressed by the Department of Trade and Economic Development in concert with others through the interagency "coordination" and "trade development" provisions, Sections 4 and 6 respectively of Substitute House Bill 625, without the creation of a new statutory board as specified in Sections 79-81. Alternatively, the Department of Natural Resources, within its existing responsibilities and authorities, could appropriately initiate such an advisory committee. Further, the University of Washington's Center for International Trade in Forest Products, which the legislature has now made a permanent part of the College of Forest Resources, is charged with the responsibility for drawing upon public and private sector resources to expand the State's export of forest products.

Similarly, Sections 84-94 would create an advisory group to be known as the Tourism Partnership Commission, which does not have an appropriation. The intent of Sections 84-94 can be accomplished under Section 16 of Substitute House Bill 625 which authorizes the Director of the Department of Trade and Economic Development to appoint advisory groups as needed, and, therefore, a new statutory body without an appropriation is not warranted at this time.

In addition to the vetoes of Section 79-81 and 84-94, I have also vetoed several sections of this Act for technical reasons.

I have vetoed Sections 7 and 8 because they duplicate international trade policy statements and objectives contained in other sections of the Act.

I have vetoed Section 59 because it is a triple amendment to RCW 43.160.030 pertaining to membership on the Community Economic Revitalization Board (CERB). Sections 2 and 3 of Substitute House Bill No. 863 and Sections 1 and 2 of Substitute House Bill No. 461, both which also passed the legislature this session, also amend RCW 43.160.030. Sections 2 and 3 of Substitute House Bill 863 have also been vetoed by separate action.

I have also vetoed Sections 82 and 83 which would establish an international trade and investment information system within the Department of Trade and Economic Development. Similar but broader responsibilities are provided to the Department by Sections 5, 6 and 12 of Substitute House Bill No. 625.

With the exception of Sections 7, 8, 59 and 79-94, Substitute House Bill No. 625 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 21, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 1 through 8, Engrossed Second Substitute House Bill No. 627, entitled:

"AN ACT Relating to economic development."

Sections 1 through 8 of this bill would establish a Mental Sports Competition and Research Commission. While the intent of these sections is laudable and I heartily endorse competition in chess, bridge and other intellectual games, I feel that it is more appropriate for communities and school districts to support and promote these activities at the local level, or through state associations.

With the exception of Sections 1 through 8, which I have vetoed, Engrossed Second Substitute House Bill No. 627 is approved.

Respectfully submitted,
Booth Gardner,
Governor

For Veto Message on HOUSE BILL NO. 723, see page 2269.

May 10, 1985

To the Honorable,
House of Representatives
State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 13, Second Substitute House Bill No. 738, entitled:

"AN ACT Relating to community economic development."

I strongly support the "community revitalization team" approach contained in this bill for a coordinated effort by state agencies to assist the leaders of distressed communities in planning and implementing programs to achieve economic stabilization and recovery.

Section 13 of the bill stipulates that this legislation "shall be null and void" if funding is not specifically provided for it in the omnibus appropriations act for the fiscal year beginning July 1, 1985. While the omnibus appropriations act for the 1985-87 biennium has not yet been enacted, funding for Second Substitute House Bill No. 738 was specifically provided for in the Senate and House budget proposals. Accordingly, I have vetoed Section 13.

The remaining sections of Second Substitute House Bill No. 738 are approved.

Respectfully submitted,
Booth Gardner, Governor

May 21, 1985

To the Honorable,
House of Representatives
State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to one section, Engrossed House Bill No. 758 entitled:

"AN ACT Related to public utilities."

This bill would provide that a utility customer is presumed liable for the costs and damages incurred by a utility if there is evidence of meter tampering or circumvention to avoid payment for utility services. Utilities would be able to recover triple damage in any civil action sought under this provision.

Section 1(3) creates a rebuttable presumption of a violation. Such statutory presumptions run counter to general law and should be reserved for use only where significant public harm is involved.

With the exception of Section 1(3), Engrossed House Bill No. 758 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 10, 1985

To the Honorable,
House of Representatives
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to one section Engrossed Substitute House Bill No. 760, entitled:

"AN ACT Relating to youth employment."

Section 8 of the bill repeats the text of the existing statute on the expiration date of the Washington Conservation Corps with no changes. Since Section 8 contains no amendatory language it is an unnecessary part of the bill.

With the exception of Section 8 which I have vetoed, the remainder of Engrossed Substitute House Bill No. 760 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 16, 1985

To the Honorable,
House of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 7, Substitute House Bill No. 781, entitled:

"AN ACT Relating to higher education."

The bill establishes the Washington Distinguished Professorship Trust Fund. This fund would provide state challenge grants of \$250,000 each to match an equal

amount in private donations raised by the four-year institutions to create endowments for distinguished scholars.

Section 7 would make the entire act null and void if the Legislature does not provide specific funding for the distinguished professorship program by July 1, 1987. The bill requires the Legislature to appropriate a sum to the trust fund for the purpose of making the state challenge grants. Obviously, such grants cannot be made or promised until such funds are appropriated by the Legislature. Moreover, since state funds from the trust fund cannot be disbursed until the requisite private donations are deposited, Section 7 is unnecessary. Further, I believe the program is of sufficient merit to survive until state funds are made available, for these reasons, I have vetoed Section 7.

With the exception of Section 7, which is vetoed, Substitute House Bill No. 781 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 20, 1985

To the Honorable,
House of Representatives of the
State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to one section Substitute House Bill No. 843, entitled:

"AN ACT Relating to livestock;"

Section 25 of this bill amends a notice that was also amended in Section 8 of Senate Bill No. 3800. The latter is preferable because it is part of a statewide standardization of notice provisions.

With the exception of Section 25, which is vetoed, the remainder of Substitute House Bill No. 843 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 10, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to one section, House Bill No. 853, entitled:

"AN ACT Relating to the issuance of title certificates of ownership and the protection of security interests in vessels and watercraft."

Section 12 of the bill directs that Sections 1, 2, and 5 through 11 must be added to Chapter 82.02 RCW, general provisions relating to excise taxes. This directive is not correct. Those sections should be added to Chapter 88.02 RCW, the chapter relating to watercraft registration.

With the exception of Section 12, House Bill No. 853 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 21, 1985

To the Honorable,
House of Representatives of the
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to four sections, Engrossed Substitute House Bill No. 863, entitled:

"AN ACT Relating to transportation improvements necessitated by planned economic development."

I fully support the purpose of Engrossed Substitute House Bill No. 863. It allocates funds through existing Department of Transportation bond authority to allow CERB (Community Economic Revitalization Board) to fund improvements to the state highway system in connection with economic development projects. The bill also establishes a procedure for coordinated review and approval of these highway

system improvements between CERB and the State Transportation Commission. Also, in the closing hours of the legislative session, an amendment was added to Engrossed Substitute House Bill No. 863 which increased the membership of CERB.

Engrossed Substitute House Bill No. 461, an act relating to economic development, is a bill that was the subject of much deliberation and which also passed the legislature this session. Among its provisions, Engrossed Substitute House Bill No. 461 also amends the CERB statute, Chapter 43.160 RCW, by clarifying evaluation standards for CERB projects, and enlarging the CERB Board.

I agree with the purpose of both bills. However, they contain provisions that would result in four double amendments to the CERB statute.

Sections 2 and 3 of Engrossed Substitute House Bill No. 863 add additional members to CERB. Sections 1 and 2 of Engrossed Substitute House Bill No. 461 also add members to CERB. I have vetoed Sections 2 and 3 of Engrossed Substitute House Bill No. 863 because I believe the membership provisions of Engrossed Substitute House Bill 461 is a more definitive statement of legislative intent because the bill resulted from more extensive discussion and negotiation during the session.

Section 4 of Engrossed Substitute House Bill No. 863 adds a new section to Chapter 43.160 RCW. Section 4 of Engrossed Substitute House Bill No. 461 duplicates the same language. Therefore, I have vetoed Section 4 of Engrossed Substitute House Bill No. 863 in order to avoid the confusion of duplicate sections being added to Chapter 43.160 RCW.

Section 12 of Engrossed Substitute House Bill No. 863 adds an emergency clause to the act and makes Section 3 effective July 1, 1985. The emergency clause is not necessary and the referral to Section 3 would make it a double amendment. Therefore, I have vetoed Section 12 of Engrossed Substitute House Bill No. 863 in order to avoid confusion.

With the exception of Sections 2, 3, 4 and 12, Engrossed Substitute House Bill No. 863 is approved.

Respectfully submitted,
Booth Gardner, Governor

May 21, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to one section, House Bill No. 999 entitled:

"AN ACT Relating to educational clinics. . . ."

House Bill No. 999 establishes a new system for the allocation of state funds in support of educational clinics, and directs a study by the Superintendent of Public Instruction concerning the funding and program criteria for educational clinics and public school drop-out prevention programs.

Section 5 was added as a Senate floor amendment. The intent of the section was to preclude the potential disruptiveness that might result from drop-out students returning to their former high schools. The amendment, though, would allow such students to return for attendance in vocational educational programs. The intent of this amendment has merit, although it unfortunately raises two significant legal questions: equal protection for all students; and denying the constitutional right to a basic education. The Supreme Court ruled that there is an absolute right of the state to provide a basic education, unless prevented by the student. The Section 5 provision might be held unconstitutional because it limits the state's responsibility to provide an equal opportunity for basic education for all students.

The equal protection issue arises because only drop-outs who have attended educational clinics and obtained a GED would be prohibited from returning to the common school system. There is no statutory prohibition against a drop-out returning to the common school system.

With the exception of Section 5, which I have vetoed, the remainder of House Bill No. 999 is approved.

Respectfully submitted,
Booth Gardner, Governor

April 23, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to one provision, Substitute House Bill No. 1191, entitled:

"AN ACT Relating to incorporation of cities and towns; and adding new sections to Chapter 35.21 RCW."

The creation of a mandatory credit in section 2 could obligate county government to continue to provide services beyond the sixty day phase in period provided in section 1 without any compensation. The county could be required for a longer term to provide services even though the revenue (tax base) to pay for those services would be transferred to the city.

Counties and cities have in the past been able to work out cooperative inter-local agreements under RCW 39.34 to insure the continuation of essential public services. Section 1 which remains, insures a free start up period for newly created cities. Additional terms for services should be subject to mutual agreement without mandatory credits.

With the exception of section 2, Substitute House Bill No. 1191 is approved.

Respectfully submitted,
Booth Gardner, Governor

April 25, 1985

To the Honorable,
House of Representatives
State of Washington
Ladies and Gentlemen:

I am returning herewith without my approval as to one section, Engrossed Substitute House Bill No. 1234, entitled:

"AN ACT Relating to agricultural marketing."

This bill designates the Department of Agriculture as the agency of state government for the administration and implementation of state domestic and foreign agricultural market development activities.

Section 4 of the bill would create an agricultural market development advisory committee. Members of the committee would be appointed by the Governor and advise the director of the Department of Agriculture on the development and administration of agricultural marketing programs to be conducted by the department.

I believe that the idea of having strong private sector involvement in state government agricultural marketing activities is good public policy. Business background and experience would strengthen program implementation and help to ensure successful operations. However, I also believe that it would be more efficient for the director of the Department of Agriculture to organize such advisory committees and appoint the members directly. The Director already has the authority to appoint advisory committees, when necessary, and can proceed as intended by this legislation.

With the exception of Section 4, Engrossed Substitute House Bill No. 1234 is approved.

Respectfully submitted,
Booth Gardner,
Governor

HISTORY OF HOUSE BILLS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1.	25	110,320				
2.	25	110	131			
2. (Sub)			131	198		
3.	25	137,194, 489	741			
3. (2nd Sub)			741	742		Ch. 372
4.	25	110	140			
4. (Sub)			140	199		Ch. 145
5.	26					
6.	26					
7.	26					
8.	26					
9.	26					
10.	26	469	687	687		
11.	26					
12.	26	320	447	447	32	Ch. 76
13.	26					
14.	26	194	311			
14. (Sub)			311	325		Ch. 174
15.	26	292	409			
15. (Sub)			409	409		Ch. 80
16.	26	282	311			
16. (Sub)			311	326		1281 Ch. 15
17.	27					
18.	31					
19.	31					
20.	31	88	98	113		

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
21.	31	88	98	114, 1109	1109	1382 Ch. 36
22.	31	156	521	557		
23.	40	334	426			
23. (Sub)			426, 427-428 604-609	516, 670, 1570	521,555, 556, 1569	Ch. 330
24.	40	489	804			
24. (Sub)			804	804		
25.	40	309	529	529		
26.	40	156	285			
26. (Sub)			285	303		
27.	40	111	140	199		Ch. 106
28.	40	111	140			
28. (Sub)			140	199, 1335	1334	Ch. 175
29.	40					
30.	40					
31.	41	156	342	431		Ch. 147
32.	41	282	312			
32. (Sub)			312, 342-348	414		
33.	41					
34.	41	88	98	114		Ch. 119
35.	41					
36.	41	335	447			
36. (Sub)			447	447, 1570	1570	Ch. 260
37.	41	88	98	115		
38.	48					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
39.	48	418	688			
39. (Sub)			688	688, 1616	1609	Ch. 264
40.	48					
41.	48	309	718			
41. (Sub)			718-724	746		
42.	48	418				
43.	48	292	409	409		
44.	48	156	285			
44. (Sub)			285	303		
45.	49					
46.	49	111	140			
46. (Sub)			140	236, 1967	1967	Ch. 401
47.	49					
48.	49	283	342			
48. (Sub)			342	430		Ch. 150
49.	49	111,127				
50.	49	97	129		66	
50. (Sub)			129	139		Ch. 100
51.	49	335	449	516	117	
52.	49	127	244			
52. (Sub)			244	298, 1336	1336	PV Ch. 185
53.	49	127	244			
53. (Sub)			244	299		Ch. 110
54.	50	97	129-131	198		Ch. 275
55.	50	97	112	138		
56.	50	335				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
57.	50	293				
58.	50	335	449	450, 1616	1616	Ch. 265
59.	50					
60.	53					
61.	53	489	773		117	
61. (Sub)			773	802, 1618	1617	2267 Vetoed
62.	53	194	329		66	
62. (Sub)			329	414, 1573	1571	Ch. 236
63.	53				464,487	
64.	53					
65.	54					
66.	54	437	530	530, 1576	1575	Ch. 465
67.	54					
68.	54	309	410		66	
68. (Sub)			410	410, 1575	1573	Ch. 402
69.	54	240	342			
69. (Sub)			342	430, 1577	1576	Ch. 436
70.	54	470				
71.	54					
72.	54					
73.	54	127	197	238		Ch. 165
74.	55					
75.	55	194	285		348	
76.	55					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
77.	55	127	197	239		Ch. 176
78.	55	137	286	303		
79.	55					
80.	55	128	197	239		Ch. 177
81.	55	293	449			
81. (Sub)			449	516		
82.	55					
83.	55					
84.	55	402	688			
84. (Sub)			688	688		Ch. 277
85.	56					
86.	56	128	286			
86. (Sub)			286	313, 1337	1337	Ch. 178
87.	56					
88.	56					
89.	56	402, 418,490				
90.	56					
91.	56	137	298			
91. (Sub)			298	316, 1755	1755	Ch. 393
92.	56	157	244	299		Ch. 77
93.	56	352	463		117	
93. (Sub)			463	463		
94.	56	157	286			
94. (Sub)			286	313		Ch. 124
95.	56					
96.	57					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
97.	57					
98.	57	402	463			
98. (Sub)			463	527		
99.	57	157	244	300		1966 PV Ch. 148
100.	57					
101.	60	320	534			
101. (Sub)			534	559, 1764	1756	Ch. 473
102.	60	437	586	586		
103.	60	293	689			
103. (Sub)			689	689		
104.	60					
105.	60	293,309				
106.	60					
107.	61	89	99	116	1764, 1887	Ch. 327
108.	61	157	286			
108. (Sub)			286	316		
109.	61	128	197	239		
110.	61	335	804	804		
111.	61	128,138				
112.	61	418	652			
112. (Sub)			652	762		
113.	61					
114.	61	194	410			
114. (Sub)			410	410		
115.	62					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
116.	62	419	574-581	609, 2173	1968, 2021, 2173	PV Ch. 461
117.	62					
118.	62					
119.	62	158,194				
120.	62					
121.	62					
122.	62	309			446	
123.	62	158,470			244	
124.	62	158	244		89	
124. (Sub)			244	300		Ch. 217
125.	63					
126.	63					
127.	63	419	464			
127. (Sub)			464	557		Ch. 155
128.	63					
129.	63					
130.	63					
131.	63	336	603			
131. (Sub)			603	604	1498-1501, 1868, 2110	
132.	64	241	330	431		Ch. 179
133.	64	470	679			
133. (Sub)			679	680		Ch. 142
134.	64	336	783	783	89	
135.	64					
136.	64	336, 403,490				
137.	64	138	286			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
137. (Sub)			286	314		
138.	65	419,490	563			
138. (2nd Sub)			563	582		
139.	65	138	312	326, 1578	1577	Ch. 246
140.	65					
141.	65	241,283, 490	672			
141. (2nd Sub)			672	682, 1889	1888	Ch. 403
142.	65	158	297	314		Ch. 82
143.	65					
144.	65	138				
145.	65	138				
146.	65					
147.	69					
148.	69					
149.	70	283	312	327	1109, 1287	Ch. 83
150.	70	283	464			
150. (Sub)			464	464, 1786	1765	PV Ch. 396
151.	70	195	245	301		
152.	70	195	298	315		Ch. 180
153.	70	241	398	431, 1793	89, 1787	Ch. 276
154.	70					
155.	71	111	140		89	
155. (Sub)			140	237, 1337	1337	Ch. 156
156.	71	336	411	411		Ch. 157

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
157.	71				117	
158.	71	283	312	327		Ch. 211
159.	71					
160.	71					
161.	71					
162.	71					
163.	71	437	689			
163. (Sub)			689	689		Ch. 101
164.	71					
165.	72					
166.	72	293	465			
166. (Sub)			465	558, 1338	1338	Ch. 152
167.	72					
168.	72	241	399	432		Ch. 266
169.	72	158	245	301		Ch. 168
170.	72	337	446			
170. (Sub)			446	582		
171.	72					
172.	72				89	
173.	73	310	466	528		
174.	73	454.491	673			
174. (2nd Sub)			673	673, 2039	2038	Ch. 399
175.	73	112	140	238		Ch. 118
176.	73					
177.	73	283	399			
177. (Sub)			399	432, 1339	1338	Ch. 181

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amendments	3rd Rdg. Final Passage	Other Action	Action by Gov.
178.	73	128,195	784		434	
178. (Sub)			784	784. 1578	1578	Ch. 442
179.	73	403	770			
179. (Sub)			770	770. 1794	1793	Ch. 243
180.	73					
181.	74	128	197	240,287		
182.	74					
183.	74	470	679	679	89	Ch. 104
184.	74					
185.	74					
186.	74					
187.	74	491	690			
187. (Sub)			690	690. 1640	1640	PV Ch. 400
188.	74	419	530			
188. (Sub)			530	530		Ch. 78
189.	74	403	482			
189. (Sub)			482	482		Ch. 112
190.	74	454	690			
190. (Sub)			690	690. 2142	1502,1753. 1987,2140	Ch. 340
191.	75	159	400	433		
192.	75	419	522			
192. (Sub)			522-523, 534,543- 545,549- 554	596	597. 634	
193.	75					
194.	75	294	483			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
194. (Sub)			483	483		Ch. 153
195.	75					
196.	75	337				
197.	75	454	691			
197. (Sub)			691	691		
198.	75					
199.	75	129	243			
199. (Sub)			243	287, 1585	1579	Ch. 280
200.	75					
201.	76					
202.	76				89	
203.	76	470	759			
203. (Sub)			759	802, 1641	1640	Ch. 429
204.	76	455	784			
204. (Sub)			784	785		Ch. 279
205.	76	320, 403.491	691			
205. (Sub)			691	691		
206.	76					
207.	76					
208.	76					
209.	76					
210.	77					
211.	77	310				
212.	81	241				
213.	81	310	411	411		Ch. 81
214.	81	294	483			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
214. (Sub)			483-485	528, 1585	1585	Ch. 267
215.	81					
216.	81				89	
217.	82					
218.	82	491				
219.	82					
220.	82	195	590			
220. (Sub)			590	590		Ch. 114
221.	82					
222.	82	420	531	532, 1642	1641	Ch. 189
223.	82	491	656			
223. (Sub)			656	656		Ch. 123
224.	82					
225.	83	284	595			
226.	83					
227.	83	491	789			
227. (Sub)			789	789	1825, 2052	
228.	83	294	412	433, 1642	1642	Ch. 452
229.	83	337				
230.	83	310				
231.	83	195				
232.	83	420	532		117	
232. (Sub)			532	559		Ch. 453
233.	83					
234.	84					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
235.	84					
236.	84					
237.	84					
238.	84					
239.	84					
240.	84					
241.	84				89	
242.	84	492	560			
242. (Sub)			560	561, 2099	1827-1842, 1887, 2046, 2086	PV Ch. 443
243.	84	242	312			
243. (Sub)			312	328		
244.	85	337	602	602		
245.	85					
246.	85	310	412			
246. (Sub)			412	434		
247.	85					
248.	85					
249.	85					
250.	85	352	486	486		Ch. 154
251.	85	492	600	600		Ch. 129
252.	85	337				
253.	86	492	769			
253. (Sub)			769	769		Ch. 105
254.	86	403	773			
254. (Sub)			773	774, 1876	1874	Ch. 262
255.	86					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amendments	3rd Rdg. Final Passage	Other Action	Action by Gov.
256.	86					
257.	86					
258.	86					
259.	86					
260.	86					
261.	86	195	400	448		Ch. 136
262.	86	320	486			
262. (Sub)			486	487, 1587	1587	PV Ch. 341
263.	87					
264.	87					
265.	87					
266.	87	455	774	774		
267.	90					
268.	90	321	601	640, 1405	1405	Ch. 151
269.	90					
270.	90	437,471	692			
270. (Sub)			692	692, 1624	1618	PV Ch. 326
271.	91	196	298	315		Ch. 149
272.	91	321	561			
272. (Sub)			561	567	1842, 1990	Ch. 404
273.	91				416	
274.	91	242	312			
274. (Sub)			312	414		
275.	91					
276.	91					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
277.	91					
278.	91	242			312	
279.	91	321	412			
279. (Sub)			412	412. 1340	1340	Ch. 166
280.	91	403				
281.	92	338	487	488		Ch. 167
282.	92					
283.	92					
284.	92					
285.	92					
286.	92	471				
287.	92					
288.	92					
289.	93					
290.	93	471				
291.	93	437				
292.	93					
293.	93	196	298	316		Ch. 137
294.	93	242. 311, 471				
295.	93					
296.	93					
297.	94	455	692			
297. (Sub)			692	692. 1625	1624	Ch. 247
298.	94					
299.	94					
300.	94					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
301.	94					
302.	94					
303.	94	242	313			
303. (Sub)			313	328. 1341	1340	Ch. 161
304.	94				132	
305.	94					
306.	94					
307.	95					
308.	95					
309.	95	196.284				
310.	95	294	413	413		Ch. 86
311.	95					
312.	95	196	313	328		1281 Ch. 16
313.	95	338				
314.	95	1435	1474		1380	
314. (Sub)			1474- 1478	1478. 2165	2148	PV Ch. 405
315.	100	455	751			
316.	100					
317.	100	420	655			
317. (Sub)			655	655		
318.	100	321	425	425		Ch. 406
319.	100					
320.	101					
321.	101	321	602			
321. (Sub)			602	602		Ch. 120
322.	101					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
323.	101	338	600			
323. (Sub)			600	658, 1626	1625	Ch. 244
324.	101					
325.	101					
326.	101					
327.	101	294	760, 763	764, 1980	1502,1750, 1753,1891, 1980	PV Ch. 331
328.	102					
329.	102	492				
330.	102					
331.	102	196	400	448		Ch. 218
332.	102					
333.	102					
334.	102					
335.	102	352				
336.	102	322				
337.	102					
338.	103	1281				
339.	103	493	785			
339. (Sub)			785	786		
340.	103	295	532	565,572	572	
341.	103					
342.	103	493				
343.	103	404			132	
344.	103					
345.	103					
346.	103					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
347.	103					
348.	103	311,404, 494	775			
348. (2nd Sub)			775	776	1646-1665, 1869	
349.	104					
350.	104					
351.	104	494	589	589		
352.	104					
353.	104					
354.	104					
355.	104					
356.	104	420,494	693			
356. (2nd Sub)			693	693		Ch. 245
357.	104	322	657	667,748, 1796	667,727, 1794	Ch. 334
358.	104	455	759			
358. (Sub)			759	759, 1897	1869, 1896	Ch. 336
359.	105					
360.	105					
361.	105				132	
362.	105					
363.	105				246	
364.	105					
365.	105					
366.	105	322,404				
367.	105					
368.	106					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
369.	106					
370.	106					
371.	106					
372.	106	438				
373.	106					
374.	107					
375.	107	438	589			
375. (Sub)			589	614	1796	
376.	107	438	586			
376. (Sub)			586	587	1797	
377.	107					
378.	107	438	588			
378. (Sub)			588	614		
379.	107	471	713			
379. (Sub)			713	713, 1798	1797	Ch. 397
380.	107	352	693			
380. (Sub)			693	693, 1799	1798	Ch. 454
381.	107					
382.	107					
383.	107					
384.	108					
385.	108					
386.	108	129	159			
386. (Sub)			159-161	200	823-837	951 PV Ch. 14
387.	108					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
388.	108					
389.	118	295	488			
389. (Sub)			488	488		Ch. 97
390.	118	322	786	786		
391.	118	294	425			
391. (Sub)			425	426	1405,1877, 1895	Ch. 342
392.	118	322	694	694		
393.	119	471	684			
393. (Sub)			684	743		
394.	119					
395.	119					
396.	119	494	790			
396. (Sub)			790	791, 1800	1799	PV Ch. 335
397.	119	472	789			
397. (Sub)			789	790		
398.	119	295	535	535		Ch. 79
399.	119	296	426	426		Ch. 109
400.	119					
401.	119					
402.	119	296	428	428		Ch. 75
403.	119	456	535		332	
403. (Sub)			535	535		Ch. 98
404.	120					
405.	120	323	694	694		
406.	120	494	659	659		
407.	120					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
408.	120				200	
409.	120	159	245	301, 1110	1110	1382 Ch. 37
410.	120					
411.	120					
412.	120					
413.	121					
414.	121					
415.	121				306	
416.	121					
417.	121					
418.	121					
419.	121	421	695	695		
420.	121	456				
421.	121					
422.	121					
423.	122					
424.	122					
425.	122					
426.	122					
427.	122					
428.	122	196,323	488		284	
428. (2nd Sub)			488	489		PV Ch. 162
429.	122					
430.	122					
431.	122					
432.	122					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
433.	123	472	651			
433. (Sub)			651	760		
434.	123	352	536	536		Ch. 111
435.	123	456	600			
435. (Sub)			600	643,681, 1588	644,680, 1587	PV Ch. 462
436.	123					
437.	123					
438.	123					
439.	123					
440.	123					
441.	123					
442.	124					
443.	124					
444.	124	438	587			
444. (Sub)			587	587		Ch. 102
445.	124					
446.	124	495				
447.	124					
448.	124					
449.	124					
450.	124					
451.	124					
452.	125	296	536			
452. (Sub)			536	536		
453.	125					
454.	125					
455.	125					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
456.	125	439	537			
456. (Sub)			537	537		
457.	125					
458.	125	439	588			
458. (Sub)			588	589		
459.	125	296	429			
459. (Sub)			429	429		Ch. 127
460.	125	456	537			
460. (Sub)			537	537		Ch. 121
461.	125	296	626			
461. (Sub)			626	627, 2108	1537-1543, 1750,1753, 2047, 2100	Ch. 446
462.	126					
463.	126					
464.	126	284	313	329		
465.	126					
466.	126	338	542			
466. (Sub)			542	542, 1589	1588	Ch. 248
467.	133					
468.	133	456				
469.	133	439	695			
469. (Sub)			695	695		Ch. 131
470.	133	439,472	749			
470. (Sub)			749	750		
471.	133	338,404				
472.	133					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
473.	134					
474.	134					
475.	134					
476.	134					
477.	134					
478.	134					
479.	134	404	545	545		Ch. 182
480.	134	472	792	792	1665	
481.	134	339	695			
481. (Sub)			695	696		Ch. 116
482.	134	353	696			
482. (Sub)			696	696		Ch. 117
483.	135					
484.	135	472			687	
485.	135					
486.	135	473	776			
486. (Sub)			776	778		
487.	135					
488.	135					
489.	135	421	631			
489. (Sub)			631	631		
490.	135	311	413			
490. (Sub)			413	413, 911	910	1281 Ch. 17
491.	135					
492.	135	339	562	583, 1407	1406	Ch. 183
493.	136	495	661			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
493. (Sub)			661	667, 761	668	2268 Vetoed
494.	136	439	651			
494. (Sub)			651	651		
495.	136	457	545			
495. (Sub)			545	584		
496.	136					
497.	136					
498.	144					
499.	144					
500.	144	404,495	715			
500. (Sub)			715	743		841 Ch. 5
501.	144					
502.	144					
503.	144					
504.	144					
505.	144					
506.	144	457	742			
506. (Sub)			742	743	1382	
507.	144	297	445	445		
508.	145					
509.	145					
510.	145					
511.	145					
512.	145	495	560			
512. (Sub)			560	560, 1627	1626	Ch. 394
513.	145					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
514.	145					
515.	145					
516.	146					
517.	146					
518.	146					
519.	146					
520.	146	323	521			
520. (Sub)			521	521		Ch. 74
521.	146					
522.	146					
523.	146					
524.	146	495	716			
524. (Sub)			716, 724-727			
525.	147					
526.	147					
527.	147					
528.	147					
529.	147					
530.	147					
531.	147					
532.	147					
533.	147					
534.	147					
535.	148					
536.	148					
537.	148					
538.	148					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
539.	148					
540.	148					
541.	148					
542.	148	457	545	584		
543.	148	323	513			
543. (Sub)			513	513, 1590	1589	Ch. 281
544.	148	496				
545.	149	421	696			
545. (Sub)			696	697		
546.	149	421	647			
546. (Sub)			647	647, 1893	1349, 1892	Ch. 261
547.	149	404	514			
547. (Sub)			514	514		
548.	149					
549.	149	440				
550.	149	496	653			
550. (Sub)			653	655, 1628	1627	PV Ch. 430
551.	149	440				
552.	149					
553.	149	457				
554.	149					
555.	150					
556.	150					
557.	150					
558.	150					
559.	150	457				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
560.	150					
561.	150					
562.	150					
563.	150	405				
564.	151					
565.	151	458	596			
565. (Sub)			596	596		Ch. 84
566.	151	440	697			
566. (Sub)			697	697		
567.	151					
568.	151					
569.	151					
570.	152					
571.	152					
572.	152					
573.	152	496			687	
574.	152					
575.	152	405	546	745		Ch. 204
576.	152	353	805	805		Ch. 219
577.	152	496	650			
577. (Sub)			650	650, 1629	1629	Ch. 263
578.	152					
579.	152					
580.	153					
581.	153					
582.	153				289	
583.	153					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
584.	153					
585.	154					
586.	154					
587.	154	405,440, 496	673			
587. (2nd Sub)			673	674		
588.	154					
589.	163	497				
590.	163					
591.	163					
592.	163					
593.	163	405	786	786, 1967	1503,1750, 1967	Ch. 407
594.	164	473	697			
594. (Sub)			697	697		
595.	164	458	782			
595. (Sub)			782	783		
596.	164	458	601			
596. (Sub)			601	601		Ch. 115
597.	164					
598.	164					
599.	164					
600.	164	473	813	813		
601.	164	353	445	446, 1112	1110	1382 Ch. 38
602.	164	405	603			
602. (Sub)			603	603		Ch. 99
603.	164					
604.	164					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
605.	164					
606.	165	421	734			
606. (Sub)			734	734, 1637	1629	Ch. 398
607.	165	497				
608.	165	473				
609.	165					
610.	165	323	764	765		Ch. 213
611.	165				434	
612.	165	406	698			
612. (Sub)			698	698		
613.	165					
614.	165					
615.	165				246	
616.	166					
617.	166					
618.	166					
619.	166					
620.	166	458				
621.	166					
622.	166	473	547			
622. (Sub)			547	547, 1801	1800	Ch. 268
623.	166					
624.	166					
625.	167	658	1005			
625. (Sub)			1005	1006, 1998	1543-1562, 1877, 1998	PV Ch. 466

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626.	167					
627.	167	297,311, 497	624			
627. (2nd Sub)			624	624, 1999	1506,1750, 1753,1998	PV Ch. 467
628.	167					
629.	167	406	514-515, 517-518	558, 1591	306, 1591	Ch. 282
630.	167					
631.	168	474,571				
632.	168					
633.	168					
634.	168					
635.	168					
636.	168					
637.	168				289	
638.	168					
639.	168					
640.	168					
641.	168					
642.	169					
643.	169	474	698			
643. (Sub)			698	698		Ch. 138
644.	169					
645.	169					
646.	169					
647.	169					
648.	169					
649.	169	474				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
650.	169					
651.	169					
652.	169	406				
653.	170					
654.	170					
655.	170					
656.	170					
657.	170	440	588	588		Ch. 103
658.	170					
659.	170					
660.	170	422	805			
660. (Sub)			805	805, 2170	1876.2020, 2170	Ch. 333
661.	170					
662.	171					
663.	171					
664.	171					
665.	171					
666.	171					
667.	171					
668.	171					
669.	171					
670.	171	474	699	699		Ch. 107
671.	171					
672.	172					
673.	172					
674.	172					
675.	172	497	563	563		Ch. 139

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
676.	172					
677.	172	406	518	518		
678.	172					
679.	172					
680.	172	458	731			
680. (Sub)			731			
681.	172					
682.	173					
683.	173					
684.	173					
685.	173					
686.	173					
687.	173					
688.	173					
689.	173					
690.	173	353,406				
691.	173	474				
692.	173					
693.	173					
694.	174	459,497				
695.	174	459				
696.	174					
697.	174					
698.	174					
699.	174					
700.	174	498	806			
700. (Sub)			806			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
701.	174	422	792,800	801		
702.	174					
703.	174					
704.	174					
705.	175					
706.	175					
707.	175					
708.	175					
709.	175					
710.	175					
711.	175					
712.	175	475	699			
712. (Sub)			699	699		
713.	175					
714.	175					
715.	176					
716.	176					
717.	176	422	547			
717. (Sub)			547	547		Ch. 206
718.	176	498	699	700, 2008, 2140	1509,1877, 1988,2007, 2139,2140	Ch. 395
719.	176				289	
720.	176	339	548	548		Ch. 140
721.	176					
722.	176					
723.	176	459	700	700, 2111	1843-1845, 2110	2269 Vetoed
724.	176					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
725.	177					
726.	177					
727.	177					
728.	177					
729.	177					
730.	177					
731.	177	422	548			
731. (Sub)			548	548		Ch. 113
732.	177	459	700			
732. (Sub)			700	701		
733.	177					
734.	177					
735.	177					
736.	177					
737.	177					
738.	178	460,498	623			
738. (2nd Sub)			623	641		PV Ch. 229
739.	178					
740.	178					
741.	178	354,406, 498				
742.	178					
743.	178					
744.	178	499	701			
744. (Sub)			701	701		
745.	178				306	
746.	178	422	564			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
746. (Sub)			564	564		Ch. 108
747.	179	475	701	702		
748.	179					
749.	179					
750.	179					
751.	179					
752.	179					
753.	179	499	768	769		
754.	179					
755.	179					
756.	179					
757.	179	499				
758.	180	423	787	787		PV Ch. 427
759.	180					
760.	180	499	646			
760. (Sub)			646	646, 1802	1801	PV Ch. 230
761.	180					
762.	180					
763.	180					
764.	180	354				
765.	180	475				
766.	180					
767.	180	499	766			
767. (Sub)			766	767, 1858	1845- 1857	Ch. 455
768.	181					
769.	181					

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770.	181					
771.	181					
772.	181					
773.	181					
774.	181					
775.	181					
776.	181					
777.	181					
778.	182					
779.	182					
780.	182					
781.	182	500	729			
781. (Sub)			729	729, 1592	1591	PV Ch. 343
782.	182					
783.	182					
784.	182					
785.	182	475	772			
785. (Sub)			772	772		
786.	182					
787.	183	423	549	549		Ch. 191
788.	183					
789.	183					
790.	183					
791.	183					
792.	183					
793.	183					
794.	183					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
795.	183					
796.	183	500	814			
796. (Sub)			814	815		
797.	184					
798.	184	460				
799.	184	475	561			
799. (Sub)			561	566, 1894	1407,1893, 1990	Ch. 344
800.	184					
801.	184					
802.	184	423	622			
802. (Sub)			622	622, 1342	1342	Ch. 125
803.	184					
804.	184	475	652			
804. (Sub)			652	653, 2001	1562-1565, 1753,2000	Ch. 345
805.	184	476	561			
805. (Sub)			561	566, 2050	1510, 1750,1753, 2008,2048	Ch. 419
806.	184					
807.	185					
808.	185	476	702	702, 1802	1802	Ch. 220
809.	185					
810.	185					
811.	185				289,856	
812.	185				289,332	
813.	185					

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814.	185	500	733			
814. (Sub)			733	734, 1803	1474, 1802	Ch. 417
815.	185	500	735		289	
815. (Sub)			735	736, 1593	1592	Ch. 249
816.	185					
817.	185					
818.	185					
819.	186					
820.	186	500	730			
820. (Sub)			730	802		
821.	186					
822.	186					
823.	186					
824.	186					
825.	186					
826.	186					
827.	186				401	
828.	187					
829.	187					
830.	187	500	650	671		Ch. 85
831.	187	476	659			
831. (Sub)			659	660, 1343	1342	Ch. 130
832.	187	423	549	549, 2048	1511, 1750.1754, 1988.2047	Ch. 274
833.	187				256	
834.	187					

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835.	187					
836.	187	476	793		246	
836. (Sub)			793	793		
837.	187	324	621			
837. (Sub)			621	621		Ch. 122
838.	188					
839.	188	460	732			
839. (Sub)			732	733		Ch. 126
840.	188	441			289	
841.	188	501				
842.	188					
843.	188	501	702			
843. (Sub)			702	702, 2000	1511-1515, PV 1878,1999	Ch. 415
844.	188					
845.	188					
846.	188	501	781			
846. (Sub)			781	782	1869	Ch. 444
847.	188					
848.	188	501	703			
848. (Sub)			703	703, 1873, 2037	1515,1750, 1869,1988, 2034	Ch. 346
849.	189	424, 441,501	675			
849. (2nd Sub)			675	675, 2043	2040	Ch. 420
850.	189	339	554			
850. (Sub)			554	554		1281 Ch. 18

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851.	189					
852.	189	502	562			
852. (Sub)			562,610	610		
853.	189	476	772	772		PV Ch. 258
854.	189					
855.	189	460	623			
855. (Sub)			623	624		Ch. 164
856.	189	460	573	573		
857.	189					
858.	190					
859.	190					
860.	190					
861.	190					
862.	190					
863.	190	407	627			
863. (Sub)			627-631	631, 2178	1597-1602, 2171-2173 2247,2255	PV Ch. 433
864.	190	339,407				
865.	190	477	739			
865. (Sub)			739	740,1594	1593	Ch. 410
866.	190					
867.	190					
868.	190					
869.	191					
870.	191	477				
871.	191					
872.	191					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
873.	191					
874.	191					
875.	191					
876.	191					
877.	191	441	703			
877. (Sub)			703	703,1806	1804	Ch. 421
878.	191					
879.	192	477,502	770		489	
879. (2nd Sub)			770	771		
880.	192					
881.	192					
882.	192					
883.	192					
884.	192					
885.	192					
886.	192					
887.	192					
888.	192					
889.	193					
890.	193	477	652			
890. (Sub)			652	652, 1974	1407-1412, 1969	Ch. 412
891.	193	441	590			
891. (Sub)			590	590, 1595	1595	Ch. 416
892.	193					
893.	193					
894.	193	502	787			

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894. (Sub)			787	787		
895.	193					
896.	193					
897.	193					
898.	193					
899.	193					
900.	201,246					
901.	201,246					
902.	201,247					
903.	202,247					
904.	202,247					
905.	202,247					
906.	202,247					
907.	202,247					
908.	202,247					
909.	202,247					
910.	202,247					
911.	202,247					
912.	202,247					
913.	202,247					
914.	202,248	477	704	704, 1345	1343	Ch. 184
915.	202,248					
916.	202,248					
917.	202,248					
918.	203,248					
919.	203,248					
920.	203,248					

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921.	203,248					
922.	203,248					
923.	203,248					
924.	203,249					
925.	203,249					
926.	203,249	324				
927.	203,249	502				
928.	203,249					
929.	204,249					
930.	204,249	441,503	573			
930. (2nd Sub)			573	615		
931.	204,249					
932.	204,250	503	562			
932. (Sub)			562	562, 1596	1595	Ch. 259
933.	204,250					
934.	204,250					
935.	204,250					
936.	204,250	478	712			
936. (Sub)			712	744		
937.	204,250					
938.	204,250					
939.	204,250					
940.	204,250					
941.	204,250	503				
942.	204,250					
943.	204,250	478	625	642	625	Ch. 269
944.	204,251					

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945.	204,251					
946.	204,251					
947.	204,251					
948.	204,251					
949.	205,251	461	704	704		Ch. 169
950.	205,251					
951.	205,251					
952.	205,251					
953.	205,252					
954.	205,252					
955.	205,252					
956.	205,252	503	705			
956. (Sub)			705	705, 2247	1858-1860, 1887,2108, 2179,2244	Ch. 332
957.	206,252	441	591			
957. (Sub)			591	644, 1638	1637	Ch. 328
958.	206,252	407	518		307	
958. (Sub)			518	518		Ch. 163
959.	206,252					
960.	206,252					
961.	206,252					
962.	206,252					
963.	206,252				289,332	
964.	206,252				289	
965.	206,253					
966.	206,253					
967.	206,253					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
968.	206,253					
969.	206,253					
970.	206,253					
971.	207,253					
972.	207,253					
973.	207,253	478,542				
974.	207,254	340,407, 503	741			
974. (Sub)			741	741, 1643	1643	Ch. 456
975.	207,254	442,504	737			
975. (2nd Sub)			737	737, 1603	1603	Ch. 448
976.	207,254					
977.	207,254	461				
978.	207,254					
979.	207,254					
980.	207,254					
981.	207,254					
982.	207,254					
983.	207,254					
984.	207,254					
985.	207,255	424,542				
986.	208,255					
987.	208,255				485	
988.	208,255					
989.	208,255					
990.	208,255					
991.	208,255					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend-ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
992.	208,256					
993.	208,256					
994.	208,256					
995.	208,256					
996.	209,256					
997.	209,256					
998.	209,256	504				
999.	209,256	794	1808	794, 1807		PV Ch. 434
1000.	209,256	442	705	705		
1001.	209,256	442	795	795	1516,1750, 1754	Ch. 132
1002.	209,256	442	706	706		
1003.	209,257	442	706			
1003. (Sub)			706	706, 1809	1808	Ch. 414
1004.	209,257	443	707	707		Ch. 133
1005.	209,257					
1006.	209,257	443	800	800		Ch. 134
1007.	209,257					
1008.	209,257					
1009.	209,257	443	707	707		Ch. 135
1010.	209,257	354	519	519	1517,1536	
1011.	210,257					
1012.	210,257	461	708			
1012. (Sub)			708	708		
1013.	210,258	461	708			
1013. (Sub)			708	708		
1014.	210,258	461				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1015.	210.258					
1016.	210.258					
1017.	210.258					
1018.	210.258					
1019.	210.258					
1020.	210.258					
1021.	210.258	407	593	594		Ch. 158
1022.	210.258					
1023.	210.258					
1024.	211.259					
1025.	211.259					
1026.	211.259					
1027.	211.259					
1028.	211.259					
1029.	211.259					
1030.	211.259					
1031.	211.259					
1032.	211.259	504			687	
1033.	211.260					
1034.	211.260					
1035.	211.260				332	
1036.	211.260	504				
1037.	211.260	424	519			
1037. (Sub)			519	520		
1038.	212.260					
1039.	212.260					
1040.	212.260					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1041.	212,260					
1042.	212,260					
1043.	212,260					
1044.	212,261	504	767			
1044. (Sub)			767	768		Ch. 160
1045.	212,261					
1046.	212,261	462	657			
1046. (Sub)			657	657, 1604	1603	Ch. 283
1047.	212,261					
1048.	212,261					
1049.	212,261					
1050.	212,261					
1051.	213,261	462				
1052.	213,262					
1053.	213,262					
1054.	213,262					
1055.	213,262					
1056.	213,262	443,505	676			
1056. (2nd Sub)			676	676, 2045	2043	Ch. 422
1057.	213,262					
1058.	213,262					
1059.	213,262	505			289	
1060.	213,262	505	685			
1060. (Sub)			685	685, 1606	1604	Ch. 413
1061.	213,262	324	620			

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1061. (Sub)			620	620, 1646	1643	Ch. 231
1062.	214,263	443				
1063.	214,263	324	621			
1063. (Sub)			621	622, 1114	1112	1382 Ch. 39
1064.	214,263					
1065.	214,263	444,505	678			
1065. (2nd Sub)			678	678, 2046	2045	Ch. 423
1066.	214,263					
1067.	214,263					
1068.	214,263	444,505	733			
1068. (2nd Sub)			733	733		
1069.	214,263					
1070.	214,263					
1071.	214,264					
1072.	214,264					
1073.	214,264					
1074.	215,264	324	520			
1074. (Sub)			520	520		
1075.	215,264	462				
1076.	215,264					
1077.	215,264	506	714			
1077. (Sub)			714	745	1810-1819	
1078.	215,264	354,407, 506	676			
1078. (2nd Sub)			676	683,747, 1821	683,746, 1820	Ch. 418

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1079.	215,264	325,407, 506	632			
1079. (Sub)			632-634	634, 2005	1566,1878, 2005	Ch. 232
1080.	215,265	424	660			
1080. (Sub)			660	660		Ch. 221
1081.	215,265	1522			856	
1082.	215,265	841	1278			
1082. (Sub)			1278	1283, 1886	1885	Ch. 337
1083.	215,265					
1084.	215,265	858	1278			
1084. (Sub)			1278	1278		Ch. 339
1085.	216,265	841	1279			
1085. (Sub)			1279	1279, 1874	1873	Ch. 338
1086.	216,265					
1087.	216,265					
1088.	216,266					
1089.	216,266	842	1280			
1089. (Sub)			1280	1280, 1995	1993	Ch. 347
1090.	216,266					
1091.	216,266					
1092.	216,266	479				
1093.	216,266					
1094.	216,266	424	591	613		Ch. 212
1095.	216,266					
1096.	216,266					
1097.	217,267					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1098.	217,267					
1099.	217,267					
1100.	217,267					
1101.	217,267					
1102.	217,267	506	709			
1102. (Sub)			709	709		
1103.	217,267					
1104.	217,267					
1105.	217,267					
1106.	217,267	479	601			
1106. (Sub)			601	645		
1107.	217,267	479	713			
1107. (Sub)			713	748, 2001	1566,1878, 2001	Ch. 424
1108.	217,268					
1109.	217,268					
1110.	217,268					
1111.	217,268					
1112.	218,268					
1113.	218,268					
1114.	218,268	479	796			
1114. (Sub)			796-798	798, 1348	1345	Ch. 144
1115.	218,268					
1116.	218,268	444	592		289	
1116. (Sub)			592	593, 1822	1822	Ch. 425
1117.	218,268					
1118.	218,268					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1119.	218,269					
1120.	218,269					
1121.	218,269					
1122.	218,269	507	709			
1122. (Sub)			709	709		
1123.	218,269					
1124.	218,269					
1125.	218,269					
1126.	218,269					
1127.	219,269					
1128.	219,269					
1129.	219,269	507	767			
1129. (Sub)			767	767		Ch. 128
1130.	219,270					
1131.	219,270	507			401	
1132.	219,270					
1133.	219,270					
1134.	219,270	507	564			
1134. (Sub)			564	564		
1135.	219,270					
1136.	219,270					
1137.	219,270					
1138.	219,270					
1139.	219,270					
1140.	220,271					
1141.	220,271					
1142.	220,271					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1143.	220.271	479	710			
1143. (Sub)			710	710		
1144.	220.271					
1145.	220.271				349	
1146.	220.271					
1147.	220.271					
1148.	220.271					
1149.	220.272					
1150.	220.272					
1151.	220.272					
1152.	221.272					
1153.	221.272	480	710			
1153. (Sub)			710	710		Ch. 205
1154.	221.272					
1155.	221.272					
1156.	221.272					
1157.	221.272	480				
1158.	221.272					
1159.	221.272					
1160.	221.273					
1161.	221.273					
1162.	221.273					
1163.	221.273					
1164.	221.273					
1165.	221.273	507			687	
1166.	221.273					
1167.	222.273					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1168.	222,273					
1169.	222,273	507	631			
1169. (Sub)			631	645, 1823	1822	Ch. 329
1170.	222,274	480	738			
1170. (Sub)			738	739, 1608	1607	Ch. 409
1171.	222,274					
1172.	222,274	508	730			
1172. (Sub)			730	730		
1173.	222,274					
1174.	222,274	508				
1175.	222,274					
1176.	222,274				307	
1177.	222,274	425	740			
1177. (Sub)			740	740		
1178.	222,274					
1179.	222,274					
1180.	222,274					
1181.	223,275					
1182.	223,275	480	806			
1182. (Sub)			806-810	810	1665	
1183.	223,275	408				
1184.	223,275					
1185.	223,275					
1186.	223,275					
1187.	223,275					
1188.	223,275					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1189.	223.275	481,542				
1190.	223.276	508	711			
1190. (Sub)			711	711, 1638	1638	Ch. 408
1191.	223.276	481	773			
1191. (Sub)			773	773		PV Ch. 143
1192.	223.276					
1193.	223.276					
1194.	224.276					
1195.	224.276	408	565			
1195. (Sub)			565	565		Ch. 411
1196.	224.276					
1197.	224.276					
1198.	224.276	340	428	429		
1199.	224.276					
1200.	224.276					
1201.	224.277					
1202.	224					
1203.	224					
1204.	224					
1205.	224	1430				
1206.	224					
1207.	224	444,481	649			
1207. (Sub)			649	671, 1823	1567, 1823	Ch. 437
1208.	224					
1209.	224					
1210.	224					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1211.	224					
1212.	225					
1213.	225					
1214.	225					
1215.	225					
1216.	225					
1217.	225					
1218.	225					
1219.	225					
1220.	225					
1221.	225					
1222.	225					
1223.	225					
1224.	225					
1225.	225					
1226.	225					
1227.	225					
1228.	225					
1229.	225					
1230.	225					
1231.	225					
1232.	225	408,508	711			
1232. (Sub)			711	711		Ch. 141
1233.	225					
1234.	226	408,481	717			
1234. (Sub)			717	718		PV Ch. 159
1235.	226	408				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1236.	226					
1237.	226					
1238.	226					
1239.	226					
1240.	226					
1241.	226					
1242.	226					
1243.	226					
1244.	226					
1245.	226				1491,1865	
1246.	226				1962	
1247.	226					
1248.	226					
1249.	226					
1250.	226					
1251.	226					
1252.	226					
1253.	226					
1254.	226					
1255.	226					
1256.	227		2281- 2284	2284	2281	
1257.	227					
1258.	227					
1259.	227					
1260.	227					
1261.	227					
1262.	227					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1263.	227					
1264.	227					
1265.	227					
1266.	227					
1267.	227					
1268.	227					
1269.	227	444,508	766			
1269. (Sub)			766	766, 1639	1638	Ch. 348
1270.	227					
1271.	227					
1272.	227					
1273.	227					
1274.	227					
1275.	227					
1276.	227					
1277.	227					
1278.	228					
1279.	228	509			467	
1280.	228					
1281.	228					
1282.	228					
1283.	228					
1284.	228					
1285.	228					
1286.	228					
1287.	228					
1288.	228					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1289.	228					
1290.	228					
1291.	228					
1292.	228					
1293.	228					
1294.	228					
1295.	228					
1296.	228					
1297.	228					
1298.	228					
1299.	229					
1300.	229					
1301.	229	408				
1302.	229					
1303.	229					
1304.	229					
1305.	229					
1306.	229					
1307.	229					
1308.	229					
1309.	229					
1310.	229					
1311.	229					
1312.	229					
1313.	229					
1314.	229					
1315.	229					

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1316.	229					
1317.	229					
1318.	229					
1319.	229					
1320.	229					
1321.	230					
1322.	230					
1323.	230					
1324.	230					
1325.	230					
1326.	2269		2288- 2290	2290	2270	Ch. 2 E1
1327.	2269		2270	2270	2270	Ch. 3 E1
1328.	2270		2270	2271	2270	Ch. 4 E1
1329.	2291					
1330.	2291					

HISTORY OF HOUSE JOINT MEMORIALS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1.	50	77	98	98		
2.	96		284	285		
3.	108					
4.	109					
5.	109					
6.	109					
7.	126					
8.	126					
9.	136					
10.	136					
11.	154					
12.	154	159,325	594	613,661	614,661	
13.	230					
14.	230					
15.	230	481	713			
15. (Sub)			713			
16.	230	509	712			
16. (Sub)			712	712		
17.	230	481	801	801		
18.	230					
19.	231					
20.	231					
21.	231					
22.	231	462	595	595		
23.	231				289	
24.	231	444	752		289	
24. (Sub)			752	803		

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
25.	231	482	652			
26.	231	462			289	
27.	231					
28.	231					

HISTORY OF HOUSE JOINT RESOLUTIONS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1.	27					
2.	27					
3.	27					
4.	77					
5.	77					
6.	87	197	604			
6. (Sub)			604,648	672		
7.	109					
8.	109					
9.	109					
10.	109					
11.	109					
12.	109		285	302		
13.	109					
14.	126					
15.	126					
16.	126					
17.	136					
18.	137	408				
19.	137					
20.	154					
21.	154					
22.	231	297	400	449		
23.	232	340	646	683, 2179	289,1824, 1890,1964, 2046,2178	
24.	232					
25.	232	425	520		246	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
25. (Sub)			520. 534.594	619		
26.	232	509	714			
26. (Sub)			714			
27.	232					
28.	232					
29.	232					
30.	232	509	620			
30. (Sub)			620	657		
31.	232					
32.	232					
33.	233					
34.	233					
35.	233					
36.	233					
37.	233					
38.	233					
39.	233					
40.	233					
41.	233					
42.	233	325	647	648		
43.	233					
44.	233					
45.	234					
46.	234					
47.	234					
48.	234					
49.	234					

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
1.	27		27	27		
2.	110					
3.	110		198	240		
4.	126		142	142		
5.	155					
6.	234					
7.	234	463	2003	2004		
8.	234					
9.	234					
10.	234					
11.	417					
12.	1435					
13.	2262		2262	2262		
14.	2267		2267	2267		
15.	2294		2294	2294		

HISTORY OF HOUSE FLOOR RESOLUTIONS

NUMBER AND SUBJECT	Introduced	Other Action	Adopted
1 Temporary House rules/1985	4		16
2 Dean R. Foster commendation	23		24
3 House organized/notify Senate	25		25
4 Dr. Martin Luther King, Jr.	32		33
5 Rep. van Dyke reprimand	51		51
6 Ferndale High School band	66		66
7 Puget Sound/select committee	58		59
8 Permanent House rules/1985	66	66-68	68
9 Photographer/selection committee	78		78
10 Rep. van Dyke expulsion	78	78-80	
11 Forest animal/damage control	201		201
12 UW School of Nursing	141		142
13 Louis Sohns recognition	245		246
14 Ivar Haglund/keep 'clam'	246		246
15 Boy Scouts/recognition	331		332
16 Health care facilities/violence	305	306	306
17 Jeanie Shaw Wheeler/Shelton	288		289
18 League of Women Voters' Week	305		305
19 Grays Harbor/mine sweep base	317		317
20 Susan B. Anthony recognition	304		305
21 National Guard/employer support	318		318
22 Matt Dryke/skeet champion	415		415
23 Lakes High School swim team	415		416
24 George Washington honored	349		349
25 Francis Pearson recognition	416		416
27 Oregon/Washington dialogue	427		427
28 Schornos immigration status	533		533
29 Steilacoom HS boys' BB team	816		816
30 Castle Rock HS wrestling team	585		586
31 Girl Scout Week	527		527
32 Mercer Island HS boys' BB Team	585		585
34 Child care services	615	617	618
35 Kamiakin HS girls' BB Team	1864		1864
37 Gordon W. Schultz recognition	618		619
39 WA residents/OR employed/rec fees	1431		1432
40 Cle Elum HS women's BB team	904		904
41 Helen Davis recognition	903		903
42 General Motors/encourage business	853		853
43 YMCA Youth Legislature	1468		1468

NUMBER AND SUBJECT	Introduced	Other Action	Adopted
45 Warren Magnuson appreciation	1302		1303
46 Eldon Robinson honored	1283		1283
47 Arbor Day/April 10	1282		1282
48 Seattle Mariners/best wishes	1261		1262
49 Frances Perkins recognition	1282		1283
50 IBEW/NECA and employees	1404		1404
51 Washington Scholars' program	1321		1322
53 National Rifle Association	1468		1469
56 House of Rep/interim business	2259		2261
58 Sherry Riels/Miss Washington-USA	1489		1489
59 Sons of Norway honored	1432		1432
60 1985 Hi-Q competition/congrats	1490		1491
62 Washington State song book	1867		1867
63 Sam Smith appreciation	1457		1457
64 Bearded Collie Club	1864		1865
65 Farming game/Rohrbacher	1866		1867
66 Flying farmers/Victor Franz	2022		2022
67 Woody Guthrie recognition	1865		1866
71 School visits by legislators	2053		2053
72 Capital HS knowledge bowl team	2006		2006
73 Bicycling safety	2165		2166
74 LBC study/personnel systems	2007		2007
75 Police Officers Eggers and Glass	2139		2139
77 FI&I Cmte study/insurance	2169		2169
79 Lions Club/Joseph L. Wroblewski	2280		2280
80 Sine die/notify Senate	2261		2261
83 House organized/notify Senate	2266		2266
84 John L. O'Brien commendation	2272		2273
85 Olympic HS jazz ensemble	2271		2272
86 Sine die/notify Senate	2294		2294
87 'Doc' Adams/condolences	2280		2280
88 Check cashing costs/services	2286		2287
89 Vibert Jeffers recognition	2286		2286

HISTORY OF SENATE BILLS

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
3001. (Sub)	155	754	1234	1235	1298	Ch. 87
3005. (Sub)	838					
3007. (Sub)	436	858	1263	1263	1353	PV Ch. 353
3008.	436	1011	1324	1324		Ch. 222
3011.	453					
3012. (Sub)	155	861	1006	1006, 1995	1519,1750, 1754,1969, 1995,2021	Ch. 288
3015. (Sub)	280	952	1244	1244		Ch. 70
3018.	280					
3020.	510					
3021.	636					
3024. (Sub)	539					
3027. (Sub)	636	1118	1458	1458	1569	Ch. 309
3028.	291	754	900	901	1287	Ch. 64
3029. (Sub)	838	1119	1276	1277	1519,1750, 1975,2003, 2023,2166, 2191	
3030.	308					
3035. (Sub)	662	1120	1296	1296	1382	Ch. 234
3038. (2nd Sub)	1609					
3040.	77	112	817	817		Ch. 6
3041.	77	112	818	818		Ch. 7
3042.	280					
3043.	280					
3044.	280					
3046.	539					
3047. (Sub)	568	842	901	901		Ch. 21

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3048. (Sub)	280					
3056. (Sub)	686	1121				
3059. (Sub)	280	1122	1455	1455		Ch. 270
3065.	50	89	99	116		Ch. 3
3066. (Sub)	686	1011	1448- 1450	1450, 2143	1961,1991, 2020,2050, 2143,2174	Ch. 468
3067.	597	1017	1264	1264	1404	PV Ch. 457
3068. (Sub)	281	610	948	948		Ch. 22
3069. (Sub)	510	952	1296	1418	1748	PV Ch. 431
3070.	281	755	948-950	950		Ch. 44
3072.	87	354	818	818		Ch. 30
3073.	87	392	819	819		Ch. 23
3074.	87	340	819	819		Ch. 8
3075.	88	340	820	820		Ch. 9
3076.	96	340	820	820		Ch. 24
3077.	96	394	821	821		Ch. 10
3078.	96	342	821	821		Ch. 11
3079.	96	394	854	855		Ch. 31
3081.	319	953	1246	1246		Ch. 48
3085.	281	1026	1473	1473	1748	Ch. 304
3087. (Sub)	568	863	1235	1235		Ch. 73
3088. (Sub)	319					
3089. (Sub)	351					
3090. (Sub)	468	863	1235	1236		Vetoed
3091.	511	1122	1325	1325		Ch. 237
3092.	127					

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3093.	417					
3094. (Sub)	469	1026	1325	1325		Ch. 193
3095.	281					
3096.	453	755	901	902		Ch. 45
3098.	155	325				
3099. (Sub)	525	1026	1489	1490	1748	Ch. 354
3103.	281	1122	1325	1326		Ch. 194
3104.	281	1122	1264	1264		Ch. 68
3110. (Sub)	636					
3111.	155					
3112. (Sub)	752	1036				
3116. (Sub)	319	1122	1490	1490	1748	Ch. 355
3120.	811	1123	1299	1300	1975,2174	Ch. 351
3121.	281	611	902	902		Ch. 20
3122. (Sub)	281	611	1326	1326		Ch. 242
3125. (Sub)	662	1124	1300	1419	1749	Ch. 228
3127.	291	1036	1301	1301		Ch. 195
3129.	351	755	1236	1236		Ch. 63
3131. (Sub)	155	611	822	822		Ch. 12
3132.	539					
3133.	291					
3134.	668, 2113	1125	1265, 2116	1265, 2117	1567,1882, 1993,2112, 2115	Ch. 356
3140.	669	953				
3143.	333	864	1236	1236		Ch. 88
3144.	155	788	902	902		Ch. 19
3145. (Sub)	291	1125	1326	1326		Ch. 311

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3146. (Sub)	525	913	1262	1263, 2003	1519,1879, 2003,2021	Ch. 350
3147.	453					
3148.	636	913	1237	1237		Ch. 52
3154. (Sub)	568					
3157. (Sub)	779					
3160. (Sub)	598					
3161. (Sub)	568	1037				
3162. (Sub)	568	864	1237	1237		Ch. 47
3165. (Sub)	568	864, 1897	2009	2010	1989	Ch. 357
3166. (Sub)	469					
3167.	453	914	1238	1238, 2025	1413,1755, 1896,2024, 2051	Ch. 358
3170. (Sub)	281	842	1253	1253	1298	Ch. 93
3172.	155					
3173.	155	842	1495	1496, 1968	1968	Ch. 289
3175. (Sub)	838	954	1246	1246		Ch. 51
3176.	291	864	1007	1007, 1882	1520, 1882	Ch. 287
3178.	155					
3179. (Sub)	568	842, 1040	1327	1419	1749	Ch. 292
3180. (Sub)	469	843	1004	1004	1298	Ch. 94
3182. (Sub)	402					
3184. (Sub)	598	914	1247	1323, 2038	1751,1993, 2037,2099	PV Ch. 463
3188. (2nd Sub)	838					
3189.	417	755	904-906	1005	1964	Ch. 271

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3198. (Sub)	333	864	1008	1008		Ch. 34
3200. (2nd Sub)	686	1040				
3201. (Sub)	569	864	1008	1008	1287	Ch. 65
3202.	281	1125	1451	1452	1883, 1894	Ch. 318
3204.	155	1125	1266	1266		Ch. 60
3205.	598	1125	1327	1327		Ch. 210
3206.	436					
3207. (Sub)	569	954	1258	1259, 1982	1520,1748, 1755,1892, 1980,1991	Ch. 286
3211.	636					
3214.	291	865	1009	1009	1298	Ch. 92
3215.	281					
3220. (Sub)	453	845	1436	1436, 1883	1883	Ch. 300
3221. (Sub)	637					
3225.	156	865	1301	1420	1748	Ch. 301
3228. (Sub)	333	915				
3230.	351	954	1470- 1472	1472, 2192	2177, 2191,2192	Ch. 352
3233.	291	1126	1301	1301	1520,1879	
3234.	779	1044, 1282				
3235. (Sub)	669	919, 1126	1354 1370-1373	1373, 2033	1879,1992, 2030,2099	Ch. 349
3236.	291	962	1251-1253	1494		Ch. 310
3238. (2nd Sub)	525					
3240. (Sub)	333	865	1009	1009		Ch. 35
3243. (Sub)	334					
3249. (Sub)	291	866	1238	1238	1749	Vetoed

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3251. (Sub)	686					
3252. (Sub)	569	1131	1266			
3254. (Sub)	334	866	1010	1010. 1987	1519,1750. 1754,1962. 1982,2006	Ch. 303
3255. (Sub)	838					
3259.	669					
3261. (Sub)	752	1045	1322	1420. 2136	1975,2024. 2136	PV Ch. 360
3262. (Sub)	569	1132	1327	1328	1748	Ch. 284
3266. (Sub)	569					
3267.	351	962	1365	1365	1748. 2051	Ch. 302
3270.	281	482	822	822		Ch. 13
3273.	417	1133	1268- 1270	1284	523	Ch. 89
3276. (Sub)	539	965				
3278.	669	966				
3279. (Sub)	598	1137	1266	1284	1383	Ch. 441
3282.	752	967	1461	1461		Vetoed
3283. (Sub)	752	1140	1461	1462	1749	Ch. 449
3286.	156	1143				
3287.	453	870				
3294. (Sub)	669					
3298.	526	967	1328	1328		Ch. 196
3302. (Sub)	569	1143	1266	1285	1383	Ch. 223
3305. (Sub)	752	1049	1437	1438	1748	Ch. 450
3306. (Sub)	662					
3307. (Sub)	838	1050	1290-1292	1421	1748	Ch. 359
3309. (Sub)	469	755	907-910	910	1298	Ch. 91

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3310. (Sub)	569	1051	1366	1368, 2190	1751,2112, 2179	
3312.	569	846	946	946		Ch. 33
3314.	511	1058	1440	1440	1749	Ch. 438
3317. (Sub)	752	1143				
3319.	637	1145	1267	1267		Ch. 69
3320. (Sub)	511				852	
3322.	291	1059	1267	1267		Ch. 61
3325.	308	967	1368	1368	1749	Ch. 363
3326.	308	968	1440	1441		Ch. 306
3331. (Sub)	308					
3332. (Sub)	453	1145	1268	1268	1383	Ch. 278
3333. (Sub)	569	1059	1303	1421	1887	PV Ch. 472
3337.	334	968	1369	1369		Ch. 197
3339.	526					
3340. (Sub)	637					
3342. (Sub)	352	846,1068	1304	1305	1383	Ch. 146
3345. (Sub)	779					
3346. (Sub)	779	1072	1492	1492	1861	Ch. 365
3347. (Sub)	838					
3350. (Sub)	669	1145	1270	1270		Ch. 58
3352.	598					
3354. (Sub)	526	1072	1369	1422		PV Ch. 368
3355.	838					
3356. (Sub)	779	1073	1370	1370	1861	Ch. 369
3357.	669	1146	1448	1448,1884	1884	Ch. 362
3361. (Sub)	282	968	1118	1118	1287	Ch. 56

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3363.	334	1073	1271	1271		Ch. 53
3367. (Sub)	663	1146	1292	1293. 2026	1751, 1896.2025	PV Ch. 367
3368.	282	611	853	853		Ch. 28
3369. (Sub)	598					
3373.	511	1154	1271	1271	1383	Ch. 215
3374.	511	1155	1328	1328		Ch. 240
3376. (Sub)	334	981	1293	1293. 2084	1351,1991. 2057,2138	PV Ch. 370
3378. (Sub)	539	1073	1272	1285		
3379. (Sub)	637					
3384. (Sub)	838	1075	1373	1374. 2147	1565,1567, 1754,1895, 2051,2111. 2144,2174	PV Ch. 458
3386. (Sub)	539	1077	1329	1329	1749	Ch. 366
3387. (Sub)	469	924	1329	1329		Ch. 250
3388. (Sub)	570	990	1374	1374,1885	1885	Ch. 251
3390. (Sub)	811	1155	1375- 1380	1380. 2023	1879,1896. 2022,2052	Ch. 361
3392. (Sub)	469					
3393.	334	1078	1330	1330		Ch. 186
3397.	526					
3398. (Sub)	526	758	1239	1239		Ch. 72
3400.	436	1078	1305	1306. 2056	1881,1992. 2054,2138	PV Ch. 459
3401.	526	870	1239	1239	1404	Ch. 173
3405.	637					
3406.	156	871	1114	1114		Ch. 43
3407. (Sub)	292	871	1115	1115		Ch. 40
3408.	282	871	1115	1115		Ch. 41

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3409.	282	871	1116	1116		Ch. 42
3412.	570					
3413. (Sub)	838	1164			852	
3414. (Sub)	570	1165				
3415.	309	990	1245	1245	1404	Ch. 224
3416. (Sub)	598					
3418.	779	1079				
3419. (Sub)	839					
3420.	526	1080	1330	1330	1862	Ch. 319
3426.	539	1080	1331	1331	2143	Ch. 314
3427.	526	640	854	1496		Ch. 364
3431. (Sub)	539	816				
3434.	752					
3436.	752	1080	1331	1331		Ch. 252
3438. (Sub)	417	846	1116	1116	1413,1862	Ch. 308
3439. (Sub)	669	924				
3442. (Sub)	570	924,1166	1387	1387	1749	Ch. 312
3444.	686	1167,1282				
3445.	839	1167	1447	1447	1862	Ch. 253
3448. (Sub)	811	1167	1306	1306	1881	
3450. (Sub)	839	1167	1277	1277	1383	Ch. 428
3452. (Sub)	598					
3456.	511	871	1332	1332	1118, 1862	Ch. 371
3458. (Sub)	526					
3459. (Sub)	469					
3460.	511					
3467.	469	1080	1332	1332		Ch. 187

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3468. (Sub)	637	991	1318-1320	1320	1862	Ch. 293
3469. (Sub)	663	993				
3478. (Sub)	779					
3486.	539	1081	1333	1333		Ch. 172
3494.	570	1081	1333	1333		Ch. 170
3498. (Sub)	570	924	1240	1240	1880	
3500. (Sub)	637	1167	1388	1389, 2086	1880,1993 2085,2138	Ch. 376
3510. (Sub)	669	927				
3514. (Sub)	811					
3516. (Sub)	779	1171	1273	1273, 2027	1567,1750, 1754,1992, 2026,2100	Ch. 379
3517. (Sub)	839				852	
3518. (Sub)	669	929				
3520. (Sub)	839					
3525. (Sub)	292					
3527.	453					
3534.	752					
3535.	779					
3536. (Sub)	453	930	1240	1240	706,1299	Ch. 95
3538.	570	1171	1273	1273		Ch. 46
3540. (Sub)	511	1081	1334	1334	799,1862	Ch. 320
3541. (Sub)	839	1172	1423- 1429	1429	2177, 2248	
3547.	343	930	1117	1117	1288	Ch. 49
3551.	292	445	856	911		Ch. 32
3553. (Sub)	511	931	1257	1258	1404	Ch. 377
3555.	570	993,1282			799	

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3556. (Sub)	637	1081				
3558. (Sub)	663					
3568. (Sub)	598					
3569.	812	1175	1307	1307	904	PV Ch. 188
3570.	539				581	
3571. (Sub)	753					
3572.	282	398	854	854	1288	Ch. 57
3574. (Sub)	670					
3576.	511	788	946	946		Ch. 27
3580. (Sub)	511	993	1389	1389		Ch. 290
3587. (Sub)	598					
3590. (Sub)	753					
3592.	526					
3593.	540	848, 1175	1307	1307		Ch. 255
3594. (Sub)	526	873	1241	1241		Ch. 66
3595. (Sub)	598					
3596.	540	848	1253- 1256	1256	581, 1404	Ch. 201
3598. (Sub)	599	1175	1296	1297		Ch. 90
3601.	663	1082	1450	1450		Ch. 380
3602. (Sub)	540	1176	1353	1353		Ch. 239
3612.	453	941, 1176	1308	1422	1569	PV Ch. 374
3619. (Sub)	812					
3621. (Sub)	670	943				
3624.	512	1176	1274	1286		Ch. 96
3625.	540	1176	1492	1492		Ch. 313
3627.	839	1177	1309	1309	1383	Ch. 285

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3630. (Sub)	599	1082	1416	1418, 2194	1880,1989, 2174,2193	Ch. 381
3654. (Sub)	1489	1898	1957- 1961	1961	2192	Ch. 373
3656. (Sub)	1281, 2174	1666	1709- 1745,2194- 2243	1745, 1746, 2243	1745, 2174,2176, 2255,2256	
3656. (2nd Sub)	2271		2273- 2278	2278	2271	PV Ch. 6 E1
3678. (Sub)	2115		2166- 2168	2168	2115	PV Ch. 190
3679. (Sub)	2248		2249-2255, 2256-2257	2257	2248	
3684. (Sub)	599	873, 1083	1391	1434, 1892	1892	PV Ch. 375
3696. (Sub)	570	1083				
3712. (Sub)	2051					
3717. (Sub)	637	1178	1309- 1314	1422	1882, 2099	
3723. (Sub)	780	1188	1353	1353		Ch. 272
3740. (Sub)	637	993				
3756. (Sub)	637					
3762.	686	1188	1391	1393	1862	Ch. 233
3764. (2nd Sub)	1609				2244	
3765.	570	994	1320	1321	727,1862	Ch. 445
3768.	638					
3775. (Sub)	780					
3776. (Sub)	540	876	1243	1243	1749	Ch. 317
3778. (Sub)	453	997				
3781. (Sub)	320	408	512	512		Ch. 4
3782.	812	1189	1274	1274		Ch. 62
3786. (Sub)	599	1189	1393	1434	1862	Ch. 382

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3792. (Sub)	570	1189	1354	1354	1862	Ch. 305
3794.	753	1091	1355	1355		Ch. 200
3797. (Sub)	663	1091	1462-1464	1464	1888	Ch. 378
3798. (Sub)	437	1193	1441-1443	1443	1443,1455	
3799. (Sub)	663	1099	2113	2114	2176	PV Ch. 383
3800.	780	1197	1355	1355		PV Ch. 469
3804.	686	1099	1452-1454	1455		Ch. 321
3808. (Sub)	663					
3812.	638	998	1436	1436, 1979	1751,1891, 1976,1991	Ch. 316
3814. (Sub)	540					
3818.	638	1100	1356	1356		Ch. 192
3822. (Sub)	638					
3826.	638	944	1244	1244		Ch. 71
3827. (3rd Sub)	1966		2010-2014	2052	2258	
3828. (2nd Sub)	663	848,1197	1394	1395	1444	PV Ch. 451
3829.	839	1198	1395	1395	1862	Ch. 322
3830.	670	1200	1459	1460		Ch. 254
3837. (Sub)	663					
3846.	599	1200	1356	1356		Ch. 214
3851.	540	1100	1357	1357	1863	Ch. 323
3852.	540	1200	1395	1396	1863	Ch. 294
3854.	540	944	1357	1357	1749	Ch. 273
3856. (Sub)	664	1201	1466	1467	1863	PV Ch. 470
3877. (Sub)	664	1207	1479	1498	1479,1962	
3882. (Sub)	686	1100	1358	1358	1749	Ch. 295

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3897. (Sub)	664	1100	1293	1294	1353	Ch. 238
3898. (Sub)	839	1000	1358	1358	1863	Ch. 296
3904. (Sub)	599	1207	1359	1359	1863	Ch. 297
3906.	638	1208	1359	1359	1894	Ch. 235
3907.	571					
3910.	638					
3911. (Sub)	780	1208	1360	1360	1863	Ch. 386
3920. (Sub)	1299	1479	1536, 1565	1565	1486, 1863	PV Ch. 460
3927. (Sub)	1990	2014	2115	2115	2019,2174	
3942.	2285		2285	2285		Ch. 1 E1
3951. (Sub)	780	1209	1360	1360	1750	Ch. 241
3981. (Sub)	812	1209	1361	1361		Vetoed
3989. (Sub)	664	877	1241	1241		Ch. 54
4041. (Sub)	571	1209	1464	1465	1863	Ch. 256
4059. (Sub)	753	1210	1361	1361		Ch. 257
4100. (Sub)	812					
4105. (Sub)	812	1210	1362	1362		Ch. 207
4107. (Sub)	753	1101	1362	1363	799,1863	Ch. 447
4109. (Sub)	780					
4110.	780	1210	1363	1363		Ch. 225
4113.	540					
4114. (Sub)	839	1210	1396	1397	856,1444	Ch. 171
4115.	638	1001	1437	1497	1437	Ch. 439
4118. (Sub)	599	945				
4119. (Sub)	780					
4121.	512	788	947	947		Ch. 26
4122.	512	788	947	947		Ch. 25

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4127.	540	1002	1274	1274	1118,1383	Ch. 226
4128. (Sub)	541	945	1256	1257	1520,1881	
4129.	571	945	1247	1247	1520,1748	Ch. 298
4136. (2nd Sub)	664					
4138. (Sub)	541	640	1249	1249		Ch. 55
4140.	599	1102	1364	1364	1863	Ch. 384
4141. (Sub)	753					
4142.	780	1211	1294- 1296	1432, 2030	1752,1992, 2028,2111	Ch. 385
4143.	812	1223	1275	1275		Ch. 59
4146.	1609	2019	2116	2116,2170	2116	Ch. 307
4152.	664	1223	1275	1275	1404	Ch. 198
4153.	670					
4155.	512	1223	1397	1401	1863	Ch. 389
4168.	664					
4169.	541	852	948	948		Ch. 29
4185.	541	877	1364	1364	1750	Ch. 390
4189. (Sub)	1755	1887	2004	2004		Ch. 315
4190. (Sub)	571	1224	1385	1386		Ch. 209
4195. (Sub)	638					
4196. (Sub)	638, 2279	817, 1224	1521, 2287	1521, 2135, 2288	1754,2111, 2128-2134, 2262	Ch. 5 E1
4206.	753	1224	1276	1286	1864	Ch. 324
4208. (Sub)	812					
4209. (Sub)	753	1225	1413	1413, 1976	1881, 1976	Ch. 387
4211. (Sub)	638	899				
4212.	541	900				

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4213. (Sub)	639					
4216.	664	1225	1386	1386		Ch. 202
4227.	599	1002	1245	1245	1383	Ch. 216
4228. (Sub)	839	1225	1522- 1534	1534	1991	PV Ch. 471
4229. (Sub)	571	945	1249	1249		Ch. 50
4231. (Sub)	664	1103	1458	1459, 2127	1885, 1962,2020, 2124,2138	Ch. 464
4234.	541					
4236.	664	1103	1386	1387		Ch. 199
4241. (Sub)	812	1229	1414	1415	904,1752, 2002,2117- 2124,2135	
4255. (Sub)	665	900				
4259.	753	1229	1390	1390		Ch. 203
4262.	665					
4263. (Sub)	571	1003	1473	1473	1895	Ch. 440
4266.	541	817	1117	1117	1288	Ch. 67
4267. (Sub)	665	1104	1451	1451	1864	PV Ch. 432
4278.	665	1104	1462	1462		Ch. 391
4281. (Sub)	541					
4286.	639					
4288.	753	1104	1494	1494		Ch. 299
4291.	571					
4294. (Sub)	571	1104	1390	1390		Ch. 227
4302.	665	1105	1444- 1446	1447, 1478	1456, 1888	Ch. 426
4305. (Sub)	686					
4308. (Sub)	754	1105	1289	1433	1893	

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
4314. (Sub)	541	1106	1391	1391		Ch. 208
4315. (Sub)	754					
4320. (Sub)	754					
4358. (Sub)	780	1106	1402	1402		Ch. 325
4361. (Sub)	754	1106	1415	1416	1888	Ch. 291
4386. (Sub)	541	1230	1402	1402	1864	Ch. 392
4399. (Sub)	780	1230	1316	1316	1864	PV Ch. 388
4424. (Sub)	541	1003	1242	1242. 1997	1521,1750, 1754,1989, 1996	PV Ch. 435

HISTORY OF SENATE JOINT MEMORIALS IN THE HOUSE

NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
101.	292					
102.	282	1108	1317	1317	1569	
104. (Sub)	599	1004	1289	1433		
105.	512					
106.	512					
107.	571	900	1250	1250		
108.	292	817	1250	1250		
109.	665	1232	1493	1493	1864	
110.	670	1232				
111.	687	1233	1403	1403		
112.	687					
113.	639					
117. (Sub)	781					
119.	639	1108	1493	1493		
121. (Sub)	542	900	1251	1251		
122.	781					
127.	665	1233	1317	1317		
128.	454		454	454		

SENATE JOINT RESOLUTIONS

103. (Sub)	639	945	1242	1243, 2002	1750, 2002.2112	
124. (Sub)	512					

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NO.	Intro. & 1st Rdg.	Committee Report	2nd Rdg. Amend- ments	3rd Rdg. Final Passage	Other Action	Action by Gov.
101.	41		41	42		
102.	27		27	27		
103.	77					
105.	50		50,57	57		
106. w.	665	1108				
107.	110,113	131				
109.	282		298	317		
114.	781	1233	2004	2005	2169	
115.	542	1108				
120.	2259		2259	2259		
121.	2269		2269	2269		
122.	2293		2293	2293		

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- Parental consent required if under 18: HB 164
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- Teenage pregnancies, public service announcements to discourage: HB 1174, SHB 1174
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- Antiharassment act: HB 911, *SSB 3012, CH 288
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- Community and rural improvement act: HB 1188
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- Criminal profiteering act: *SHB 767, CH 455
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- Washington clean indoor air act: *SHB 62, CH 236
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- Legislation which increases revenue or expends funds, passage requirements:
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- Legislative oversight committee on priority budgeting: HB 868
- Long-term state budget planning: HB 789
- Medical aid fund appropriation condition: HB 801
- Municipal biennial budgets authorized: *SHB 28, CH 175
- Nomenclature in accounts and funds, generally accepted accounting principles:
HB 560, *SB 3572, CH 57
- Operating budget, 1985-87 biennial operating appropriations: *2SSB 3656, CH 6
E1
- Retirement, cost of living adjustment, funding required: SHB 378
- Retirement, full-funding required: HB 305, HJR 27
- Revenue shortfall procedures: HB 426, HJR 16
- Risk management office, protect and manage revenues and assets: *SB 3569, CH
188
- Savings bond act, nontax revenue source: HB 531
- State debt limited: HB 604
- Supplemental budget, adopting: *SHB 314, CH 405
- Supplemental budget, governor's request: *SHB 386, CH 14
- Supplemental transportation budget: *SHB 490, CH 17
- Transportation budget, 1985-87: *SSB 3920, CH 460
- Unanticipated receipts, budget approval process modified: HB 5
- Water pollution control facilities, general fund and bonds: 3SSB 3827

BUILDINGS

- Blind persons, business enterprise program: *SHB 389, CH 97
- Building code council account established: *SSB 3261, CH 360
- Building permits to contain county assessor parcel number: *SB 3202, CH 318
- Construction, goods and services used are tax exempt: HB 821
- Energy audits required before sale of residential property: SHB 342
- Energy audits required, housing finance commission assistance: HB 341
- Energy efficient standards, state building code: HB 441
- Grocery stores and banks must have public restrooms: HB 51
- Investment projects, sales tax deferral: HB 415
- Life-cycle cost analysis for public buildings: HB 6, SB 3018
- Parking and business improvement areas: *SHB 1129, CH 128
- Performance-based contracts, energy equipment and services: *HB 949, CH 169
- Tax deferral for construction or renovation of buildings: HB 1066

BULLION

- Gold and precious metals taxed, investment transaction: HB 950, *SSB 4228, CH
471

BUS SERVICE

- Passenger charter carriers, redefined, regulated: HB 438
- Private school bus maintenance, joint purchasing agency: HB 569
- School buses, private students may ride public school buses: HB 568
- School buses, state reimbursement for major repairs: HB 432

BUSINESS LICENSE CENTER

- Board of review duties to include technical assistance: SSB 3413
- Common business identifier: SHB 446
- One-stop master license program expanded: HB 982
- Study of business license center required: HB 876

BUSINESSES (See also ECONOMIC RECOVERY)

- Advertisements listing, actual address: HB 737
- Attempt to monopolize defined: HB 1142
- B & O tax deferral for new businesses operating at a loss: HB 1025
- Certification of registration required, penalties: *SHB 1003, CH 414
- Charitable solicitations via telephone, study: *SHB 460, CH 121
- Child care facilities, small business, revolving loan fund: HB 664
- Community revitalization team for distressed areas: *2SHB 738, CH 229

BUSINESSES—cont.

- Consumer credit reporting agencies, fair reporting required: HB 972
- Day care, employer-sponsored, pilot program and clearinghouse: HB 742
- Dietetic services registration act, diet plans, etc.: HB 416
- Economic development target areas, investment tax deferral: HB 1079
- Economic stabilization task force: HB 620
- Economic stabilization task force, respond to business operations reduction: SSB 3837
- Employee exchange program, government, nongovernment: SHB 2
- Employee-ownership assistance program: *SHB 577, CH 263
- Factory equipment brought into state, use tax exempt: HB 989
- High-technology coordinating board, training: *SSB 3630, CH 381
- Industrial incentive zones: SHB 1032
- International trade and investment information program: HB 739, SB 4212
- International trade assistance center: HB 1061, SSB 4213
- Investment projects, tax deferral, currently not in state: HB 1326
- Job creation and economic development via development loan fund committee: *SHB 855, CH 164
- Motor vehicle dealers or manufacturers, staggered licensing: *HB 399, CH 109
- Nonresidential commercial construction and tenant improvements, sales tax deferral: HB 1024
- Parking and business improvement areas, maintenance and security for common areas: *SHB 1129, CH 128
- Partnership for innovation act: HB 1070
- Regulatory fairness act, enforcing: SSB 3414
- Shoplifting, civil penalty payment does not affect criminal proceedings: HB 994
- Shopping cart theft, misdemeanor: HB 516, *SSB 3786, CH 382
- Single heads of households, higher education opportunities: SB 3444
- Siting of business within state, facilitate: SB 3412, *HB 830, CH 85
- Small business administration, asking congress to retain: HJM 12, SJM 113
- Small business advocate created: SHB 1062, *SSB 3027, CH 309
- Small business and development center, emphasize high unemployment areas: SB 4291
- Small business economic impact statement: HB 940
- Small business office created, trade and economic development: *SHB 625, CH 466
- Tax deferral for construction or renovation of buildings: HB 1066
- Tax deferral, investment projects: *HB 1326, CH 2 E1
- Technology exchange established: *HB 943, CH 269
- Telephone solicitation, WUTC study: *SHB 460, CH 121
- Transient merchants regulated: HB 916
- Vocational education advisory council, local committees: HB 584

CABLE TELEVISION

- Theft: *SHB 550, CH 430

CANADA

- Forest products import restrictions: HJM 14, *SJM 102
- U.S.-Canada salmon treaty, ratification urged: SJM 101

CANCER

- Video display terminals, occupational safeguards required: SHB 468

CAPITAL BUDGET

- Adopted: *SSB 3654, CH 373

CAREER EXECUTIVE PROGRAM

- Extended to 1989: *HB 175, CH 118

CARNIVALS

- Amusement rides, inspections required: *SHB 254, CH 262

CAR-POOLING

- Ride-sharing vehicles, tax exemption extended: HB 1052, SB 4234

CEMETERIES

Cities, counties prohibited, sales of monuments and markers: HB 276
 Commissioner oath filed with county auditor: HB 630, SSB 3310
 Storage and disposal of human remains, dignity prescribed: *SHB 68, CH 402

CENTENNIAL COMMISSION

Bonds to finance celebration: HB 954
 Centennial commission, provisions modified: *SHB 622, CH 268
 Centennial fund created: *SSB 4361, CH 291
 Centennial partnership commission created, advisory: SSB 4100
 Citizen councilor steering committee established: HB 1091
 South Lake Union Naval Reserve base, transfer ownership: *SHJM 16, SSJM 117

CENTRAL AMERICA

Foley amendment to armed forces in El Salvador and Nicaragua: HJM 23
 Sanctuary movement, federal government asked to legalize and support: SHJM
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CENTRAL WASHINGTON STATE UNIVERSITY

Board of regents for the regional universities and Evergreen: HB 171
 Board of regents increased: HB 201
 Community college development districts, repealed: *HB 331, CH 218
 Fees reset: SSB 3712
 Salary increases for administrators, limited by state operating appropriation act:
 SSB 3056
 Trustee membership increased: SB 3133, *HB 293, CH 137

CHECKS

Bad checks, consider economic hardship: HB 325
 Bad checks, damage recovery: HB 325, SSB 3416
 Check cashing fees, report to legislature: HB 701
 Fee for cashing government checks, state treasurer not deposit: HB 1171
 Government checks, banks, no fee or deposit required: SSB 3029

CHILD ABUSE and CHILD SUPPORT (See CHILDREN)**CHILDREN (See also DAY CARE; MENTAL HEALTH)**

Adoption, consent revocation process: *SHB 877, CH 421
 Adoption, identity disclosure authorized: SHB 112
 Adoption registry established: HB 450
 Alcohol, import and sale, appeal to minors banned: HB 1019
 Alcohol, licensees may sue minors for damages: HB 959
 Bill of rights for children victims or witnesses: *SHB 512, CH 394
 Child abuse, child's statement, videotaping: HB 745
 Child abuse, community programs by schools on parenting and abuse: *SHB 799,
 CH 344
 Child abuse, day care employees, screen employees: SHB 1134
 Child abuse, dependency cases, criminal information system: *SB 3596, CH 201
 Child abuse, dependency petition, basic rights: *HB 492, CH 183
 Child abuse, offenders restrained from home access: *SSB 3240, CH 35
 Child abuse or neglect, statement admissible: HB 445, SSB 3452
 Child abuse reporting laws strengthened: *SHB 932, CH 259
 Child abuse, training: *HB 805, CH 419
 Child care advocacy office established: HB 665
 Child care assistance programs, study: HB 667
 Child care facilities of small businesses, revolving loan fund: HB 664
 Child care, interim study, state role: HFR 34
 Child protective services, duties, etc., modified: HB 1147
 Child support enforcement by DSHS, revisions: *HB 153, CH 276
 Child support, health care coverage: *SHB 746, CH 108
 Child support, joint legislative committee, repealed: *SB 3852, CH 294
 College tuition and fee exemption, LEOFF, age dropped to 17: HB 1072
 Conservation corps, funding for economically distressed areas: *SHB 760, CH 230
 Crime victims' compensation, testimony technically inadmissible: HB 937

CHILDREN—cont.

- Custody decrees, modification: HB 912
- Custody disputes, mediation: SSB 3252
- Custody, joint custody, legal, physical, defined: SSB 3251
- Day care center information available to parents: 2SSB 3038
- Day care, DSHS, evaluate for developmental quality: HB 885
- Day care, employer-sponsored, pilot program: HB 742
- Day care, fingerprinting of children: HB 769
- Day care information available, toll-free telephone number: HB 332
- Day care, local child care resource and referral centers, study: SHB 998
- Day care, study state employment policies: HB 666
- Dependency proceedings, children's statements admissible: *SHB 272, CH 404
- Dependency, termination, parent-child relationship: *SSB 4059, CH 257
- Family nonsupport, refusal to provide prenatal care: HB 844
- Fishing license not required if under age 15: *SSB 4231, CH 464
- Fishing opportunities of juveniles: *SB 3314, CH 438
- Grandparent visitation rights: HB 257
- Incest, definition provided: *SB 3363, CH 53
- Insurance coverage, mental versus developmental disability handicap: HB 39, SSB 3541
- Juvenile court jurisdiction over involuntary civil commitment removed: *SSB 3099, CH 354
- Juvenile court, plea agreements regulated: HB 1136
- Juvenile disposition standards commission: HB 1161
- Juvenile diversion agreements, only 3 allowed: HB 711
- Juvenile offenders, disposition standards revised: *SSB 3087, CH 73
- Juvenile residential facilities, population, release revised: HB 109, *SB 3176, CH 287
- Juvenile sexual offenders who were victims, pilot program: HB 465
- Juveniles, contempt finding: HB 710
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- Juveniles, may not be confined in adult jails or holding facilities, conditions: HB 513, *SSB 4229, CH 50
- Juveniles, residential placement, counseling costs: HB 944
- Juveniles, under age 18, death sentence not allowed: HB 1149
- Liquor premises, security, officers over 18: *SB 3851, CH 323
- Medical or educational records of child, provided by other parent on request: HB 912
- Mental health program, community services, children included: HB 642
- Missing children clearinghouse established: SSB 3276, *SHB 242, CH 443
- Missing children information center: HB 783, HB 1071
- ORV certification program for persons under 16: HB 973
- Preschool, disadvantaged, attendance provided for: HB 370
- Preschool, disadvantaged, program modeled on headstart: HB 886
- Preschool age, intervention, academic failure, pilot program: HB 491
- Preschool, state education and assistance program for at-risk children: *2SHB 1078, CH 418
- Runaways, persons sheltering, notice required: SSB 3243
- Seat belts for children, failure to use, evidence, mitigate damages: HB 1020
- Seat belts, passengers under 16, required: SHB 1182
- Sexual abuse prevention education required: HB 952
- Sexual abuse prevention programs in schools, K-12: HB 1118
- Sexual abuse, prosecution: HB 387
- Sexual offenses, criminal proceeding, tape statement: SHB 852, SSB 3452
- Sexual offenses involving child under 8, sentencing changed: HB 628
- Street kids pilot project multiservice centers: 2SHB 930
- Support, wage assignment procedure: HB 988
- Teenage pregnancies, public service announcements: SHB 1174
- Victims, bill of rights, advocate provided: *SHB 512, CH 394
- Youth development and conservation corps, clean up Sound, protect shellfish: 2SHB 1068

CHILDREN—cont.

Youth employment exchange, funding for distressed areas: *SHB 760, CH 230

CHIROPRACTIC

Uniform disciplinary act modified: SHB 131

CHRISTMAS TREES

Sale at retail, exemption: HB 1030

Seeds and seedlings used in production, sales tax exempt: HB 617

CHURCHES (See RELIGION)**CIGARETTES**

Cash discount defined: HB 806, SSB 3571

Additional tax on sales: HB 600

Additional tax, proceeds in revenue reserve account: HB 598

Additional tax, 50% to Puget Sound clean up, 50% for schools: HB 502

Federal tax, providing for replacement of expiring portion: HB 167

Smoking prohibited in public places: *SHB 62, CH 236

Tax on cigarettes to fund basic health care: SSB 3320

Tax on tobacco products increased: SHB 941

CITIES (See also LAND USE PLANNING)

Alcoholism, excess liquor store funds, defray costs: HB 829

Annexation, boundary review board may decrease area: HB 605

Annexation by code cities of unincorporated federal areas: *SHB 253, CH 105

Annexation of city by fire protection district: *SB 3625, CH 313

Automobiles, confidential plates, accountability: HB 18, SB 3030

B & O tax, 90 days to get petition signatures: HB 942

Bonds, short-term, anticipation of general obligations, not anticipation of taxes:
*SB 3826, CH 71

Budget and accounting, appropriate from emergency or designated funds: HB
411

Budget and accounting, estimated revenues: HB 411

Budgets, biennial budgets authorized: *SHB 28, CH 175

Businesses, siting: SB 3412, *HB 830, CH 85

Cemetery monuments and markers, city cannot sell: HB 276

City managers, PERS optional: SHB 765

Community development corporation authorized: HB 113

Consolidation, uniform provisions established: *SHB 543, CH 281 (1981)

Contract awarding, consider potential tax revenue: *SSB 3398, CH 72

Contracts, street improvements, cooperation, city, town, or county allowed: HB
978

Councilmanic offices, reduction authorized: *HB 27, CH 106

Criminal justice assistance account: 2SSB 3764

Dangerous wastes, nonregulated, local government plan: SHB 212

Debt limit raised: HB 25

Differential electric utility rates, encourage conservation: HB 340

Economic development programs with nonprofit corporations, public purpose:
HB 802, SHB 802, *SB 3214, CH 92

Electric generation, by-product of water systems, municipalities: *SHB 846, CH
444

Electrical installations, enforcement, disputes: HB 412

Energy code, revised state energy code: *SHB 1114, CH 144

Energy code to be in effect in all cities, counties: HB 948

Excise taxes, reporting date modified: HB 780

Factory siting in environmentally nonsensitive areas: HB 524

Fire enforcement responsibilities, air navigation facilities: *HB 139, CH 246

Flood plain management, DOE rules: *SHB 380, CH 454

Guns, state preemption of regulation: HB 823, *SSB 3450, CH 428

Health care grant assistance program, low-income persons: HB 1200

Historic properties, tax classification: *SSB 3283, CH 449

HUD designed manufactured housing, preempting local option: HB 526

Incorporation petitions for 1st class cities revised: HB 285

CITIES—cont.

- Incorporation proceedings, elections, separate process: HB 308
- Industrial insurance medical aid fund, interest: HB 477
- Institutional impact account: SB 3233
- Insurance, self-funding, employees' time and health benefits: HB 84
- Japanese-Americans, WWII, employee losses: SSB 3369
- King, Martin Luther, state holiday observing birth: *HB 222, CH 189
- Lake management districts: *SHB 606, CH 398
- Library districts, annexation, liability: *SSB 4386, CH 392
- Licenses, reporting date modified: HB 780
- Liens, electric service, prohibited on tenant-occupied premises: HB 304
- Liquor revolving fund, no disbursement if liquor prohibited: HB 38
- Local governance study commission created: *SSB 4399, CH 388
- Motor vehicle fund distribution for arterials and streets: HB 148
- Mt. St. Helens, reimbursement of costs: *SB 3593, CH 255
- Municipal courts, no repeal of certain motor vehicle offenses: SSB 3740
- New city, essential service provisions: *SHB 1191, CH 143
- New city, essential services, county may contract: *SHB 956, CH 332
- Official misconduct, forfeitures: HB 898
- Park and recreation service area authority modified: *SB 3445, CH 253
- Park district formation by cities: *SHB 891, CH 416
- Parking and business improvement areas, maintenance and security: *SHB 1129, CH 128
- Performance-based contracts, energy equipment, services: *HB 949, CH 169
- Police power ordinances, adopted unless expressly prohibited: SHB 26
- Precinct boundary adjustments: HB 630, SSB 3310
- Presidents day: *HB 222, CH 189
- Public agency, municipal/quasi-municipal corporations, special purpose districts: HB 556, *SB 3312, CH 33
- Public health director appointment modified: *SHB 94, CH 124
- Public improvements, taxing districts authorized: *HJR 23
- Public works competitive bidding: *HB 576, CH 219
- Puget Sound, shellfish protection areas: HB 818
- Referendums, descriptive statement: HB 633
- Risk management office, contract with municipalities for coverage: *SB 3569, CH 188
- Road system center line, boundary, maintenance: *SHB 203, CH 429
- Sewer system connection charge: SHB 24, *SB 3765, CH 445
- Six-year program, UAB to reject if not in compliance: HB 590
- STOP-DWI programs establishment funded: HB 929
- Storage of dangerous materials, local tax on privilege: HB 1175
- Storm water management participation by WSDOT authorized: HB 874
- Street vacation, compensation, appraised value: *SB 3830, CH 254
- Tax increment financing: *HJR 23
- Taxation of motor vehicle and special fuels, modified: SB 3535
- Taxes, local, monthly distribution: HB 245
- Tortious conduct, claims, present to legislature: HB 893
- Unincorporated areas within cities, make part of city: HB 442
- Unpaid public contracts, interest: HB 1164
- Utility, municipal-owned, alternation provided for: SB 3768
- Water quality, fees and fines, enhance quality: HB 816
- Water system authority modified: *SB 3765, CH 445
- Zoos and aquariums, park and recreation service area authority: *SB 3445, CH 253

CIVIL ACTIONS AND PROCEDURES (See also ATTORNEYS)

- Adoption, consent revocation: *SHB 877, CH 421
- Adoption, identity disclosure authorized: HB 112, SHB 112
- Adoption registry established: HB 450
- Agents of state, provided attorney general defense: HB 124
- Alcohol, licensees may sue minors for damages: HB 959
- Alcohol related injuries, liability of seller: HB 828

CIVIL ACTIONS AND PROCEDURES—cont.

- Attorney fees, minimum increased: *SB 3374, CH 240
- Blood donations, liability modified: *SB 3804, CH 321
- Cities, tortious conduct claims: HB 893
- Claims of state, improvements, real property: HB 573, SHB 573
- Concealed weapon, permit refusal, civil suit, attorney fees: *SSB 3450, CH 428
- Construction-lien action, fees to prevailing party: HB 646
- Deadman statute repealed: HB 85
- Dogs, injury to animals, recovery limit removed: SSB 3024, *SHB 843, CH 41
- Fees to prevailing parties required: HB 1124
- Good samaritan immunity modified: *SHB 242, CH 443
- Health care provider negligence, informed consent: HB 13
- Health care providers, testifying, certain exempt: HB 857
- Industrial insurance claimants may review files: SHB 712
- Joint tort feasons, contribution among modified: HB 476
- Judgments, interest awards, date tabulation begins: HB 676
- Land, passive conditions, injuries caused by: HB 858
- Legal notices, uniformity in publication: *SB 3800, CH 469
- Lie detector use to screen employees, damages, fees: *SB 4302, CH 426
- Liquid spills, processing plant, highways, clean up costs: HB 991
- Mine rescue, immunity: *SB 3400, CH 459
- Moral nuisances: HB 748, *SB 3906, CH 235
- Natural death act, procedure: HB 206, SSB 3228
- Personal injuries, damage payment procedures: HB 968
- Personal injury, evidence, damage agreements: HB 966
- Personal injury, evidence regarding sources of compensation: HB 967
- Personal injury suit waives privileged communications: HB 965
- Physician and psychologist immunity, violent behavior of mental patient: HB 904
- Privileged communications, hospitals and health care providers covered: HB 674
- Privileged communications, RNs and patients: HB 933, *SSB 4107, CH 447
- Public works prevailing wage violations: *SHB 16, CH 15
- Radioactive wastes, nuclear incidents, tort liability: *HB 54, CH 275
- Real estate contracts, forfeiture provisions: *SB 3091, CH 237
- Refrigeration infractions: HB 60
- Regulatory fairness act, enforcing: SSB 3414
- Seat belt use, failure to use, evidence to mitigate damages: HB 1020
1020
- Self-defense, reasonable, civil immunity: HB 1097
- SEPA, plaintiff to post a bond: HB 540
- Shoplifting, civil penalty payment does not affect criminal proceedings: HB 994
- Transfusions, legal immunity: HB 1165
- Uniform disciplinary act, complaints, immunity: SHB 131
- Utility services, theft, civil liability: *HB 758, CH 427
- Water rights, attorney fees to prevailing party: HB 22, HB 135
- Water rights, spouses or family groups, one defendant: SB 3021
- Wrongful birth, causes of action prohibited: HB 1121
- Wrongful death: HB 965, HB 966, HB 967, HB 968
- Wrongful death, stepchildren, plaintiffs: *HB 675, CH 139

CIVIL RIGHTS

- Bicentennial of the U.S. Constitution, commission established: HCR 6
- Guns, teaching, use, civil disorders, prohibit: SHB 81
- Judicial review, government actions, 1st amendment: HB 483
- Restoration to convict, conditions: HB 1150
- Roadblocks, licensing or alcohol/drug influence: HB 1016
- Search and seizure law, adopt federal: HJR 11
- Telephone, interception of employee communications, unlawful unless conditions met: SSB 4109

CLARK COLLEGE

- Joint center for education duties and institutions expanded: *SHB 1190, CH 408

CLARK COUNTY

Superior court judicial positions, additional created, mandatory arbitration program: **COAL**

Leases, royalty per ton, modifications: *SB 3400, CH 459

CODE REVISER

Coordinating council, combine legislative service agencies: HB 786

Flesch test: HB 1160

Hearing impaired persons at, rights: HB 421, SSB 3740, *SB 4155, CH 389

LIS transferred to legislative systems committee: SSB 4141

Obsolete references, common schools: *SHB 262, CH 341

Obsolete statutory references, clean-up bill: *SB 3041, CH 7

Obsolete statutory references, community development: *SB 3040, CH 6

ORV trail development, hearing requirements: SHB 973

Regulatory fairness act, enforcing: SSB 3414

Session laws, money appropriated for publication: HB 1010

Statutes and rules to be written in plain language: HB 1160

Statutes superseded by court rules, repeal: *SB 3104, CH 68

Statutory construction, limitations on public disclosure: HB 813

COLLECTION AGENCIES

Revenue department, contract to collect taxes, out-of-state sources: *SHB 1003, CH 414

COLLECTIVE BARGAINING

Community colleges: HB 283 Comparable worth implementation: HB 1163

Educational employees: HB 361

Elections by public employees, vote based on those voting: HB 1162

Fire dispatchers covered by uniformed personnel procedures: HB 47

Higher education authorized: SHB 32

Hospital districts, labor disputes: HB 522

Life support technicians, uniformed personnel procedures: *SHB 48, CH 150

Public employees, collective bargaining redefined: HB 505

Public transportation employees, political contributions via payroll deductions: *HB 575, CH 204

State patrol authorized: HB 656

Successor employers to recognize existing agreements: HB 762

Teacher evaluation beyond minimum standards: SHB 849

COLLEGES AND UNIVERSITIES (See also RETIREMENT AND PENSIONS)

Admission standards established by CPSE: HB 170, SHB 170

Advisory members on board of regents or trustees: HB 609

Affirmative action program to be maintained: *SSB 3346, CH 365

Alcohol promotion prohibited on campus: *SB 3230, CH 352

Apprentices, building and construction, exempt, personnel law: HB 827

Arts, humanities social sciences, research funds provided: HB 995

Board of regents for higher education formed: HB 259

Capital projects, general obligation bonds: 2SSB 3679, *HB 1328, CH 4 E1

Collective bargaining authorized: SHB 32

Competitive bidding threshold increased, research related: *SHB 391, CH 342

Conflict of interest restrictions: HB 324

Consortium for community and rural improvement: HB 1188

Construction, bids, dollar threshold increased: *SHB 166, CH 152

Construction, state tax levied: HB 226

Distinguished professorship program and trust fund created: *SHB 781, CH 343

Entrance requirements, course work: HB 580

Evaluate quality of higher education: HB 921

Federal college savings plan, asking congress, support tax break: HJM 4, *SJM 110

Fees reset: SSB 3712

Financial aid, ceiling eliminated: HB 290, SB 3132

Financial aid, commission to manage aid programs: HB 579

Financial aid, needy students, no less than national average: HB 538

COLLEGES AND UNIVERSITIES—cont.

- Financial assistance pilot program: HB 585
 Foreign students, tuition and fee waivers, conditions: SB 3278
 Full-time undergraduate student defined for tuition rate: HB 289
 Funding adjustment based on enrollment decline limited: HB 656
 General tuition surcharge fees: HB 919
 Higher education board created, CPSE terminated: HB 851
 Higher education board created, plan and coordinate: HB 579
 Higher education coordinating commission created: HB 218
 Internship program, students, state employees: *SHB 178, CH 442
 Joint center for education, WSU, Clark College, Lower Columbia College, TESC, duties and institutions expanded: *SHB 1190, CH 408
 Joint center for higher education, WSU and EWSU programs in Spokane: HB 494, SHB 494, *SSB 3376, CH 370
 Land for construction, purchase from DNR: HB 572, *SB 3794, CH 200
 LEOFF, tuition and fee exemption for children, age: HB 1072
 Life-cycle cost analysis for public buildings: HB 6, SB 3018
 Majors, many eliminated: *HB 331, CH 218
 Maritime technology program: HB 424, HB 979, SSB 3558
 Mental sports competition and research commission: SB 3405
 Minority participation, graduate programs, federal action: HJM 5, *SJM 111
 Nursing school, UW, number 1 status acclaimed: *HFR 12
 Open public meeting requirements, employee compensation: HB 258
 Part time state employees, multiple jobs, insurance: HB 895
 Personnel board, consolidate with state personnel board: HB 125
 Productivity board, higher education: *SHB 220, CH 114
 Residency requirements, burden of proof revised: HB 298
 Salaries to be set in open public meetings: HB 103
 Salary increases for administrators, limited: SSB 3056
 Salary surveys, comprehensive, annual: HB 121, *SSB 3180, CH 94
 Services and activities fees, expenditure: HB 614
 Single heads of households, higher education opportunities: SB 3444
 Small works roster, establishment optional: *SHB 166, CH 152
 Smoke detectors in college dormitories: HB 719
 Teacher certification, board of education, study: 2SHB 587, *2SHB 849, CH 420
 Teacher certification, graduate-level professional teacher preparation program: HB 174
 Termination of employment for unsatisfactory work: *HB 116, CH 461
 Tuition and fee exemption, military: HB 106, *SB 3357, CH 362
 Tuition and fee increase: HB 292
 Tuition and fee tax exemption expanded to private colleges: *HB 1009, CH 135
 Tuition and fees, clarifications: HB 616, *SB 4185, CH 390
 Tuition and fees, installment payments: HB 286, *SB 3134, CH 356
 Tuition and fees, major revisions: SHB 566
 Tuition and fees to be adjusted annually, phase-in change: HB 291, SB 4153
 Tuition schedule, credits modified: HB 287, SB 3140
 Tuition supplement program repealed: *HB 331, CH 218

COLUMBIA RIVER

- Bonneville dam, locking facility, funds: *SJM 119
 Columbia River Gorge, Skamania County waterfalls, preserve: HB 907
 Salmon angling license, Oregon reciprocity: *SHB 14, CH 174

COLVILLE RESERVATION

- Criminal jurisdiction, retrocession over certain land: HB 495, SHB 495

COMMERCE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF (See also ECONOMIC RECOVERY)

- Capital projects office, promote commerce, international markets: HB 883
 Centennial commission program, destination tourism: *SSB 4361, CH 291
 Centennial partnership commission created, advisory: SSB 4100
 Child care advocacy office established: HB 665

COMMERCE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF—cont.

- Community revitalization team for distressed areas: HB 738, SHB 738, *2SHB 738, CH 229
- Employee--ownership assistance program: HB 577
- Equine economic development program: HB 1109
- Export assistance center, contract authority extended: HB 1043
- High-technology coordinating board: *SSB 3630, CH 381
- International trade and development, advisory council: HB 501
- International trade office, name changed to office of foreign trade: SSB 3392
- International trade policy, promote long-term: HB 567
- Market development role for state products defined: *SHB 1234, CH 159
- Public works assistance program of CERB: SSB 3696, *SHB 461, CH 446
- Small business economic impact statement: HB 940
- Small business office created: *SHB 625, CH 466
- Small business ombudsman created: HB 1062
- Technology exchange established: *HB 943, CH 269
- Termination repealed: HB 626

COMMISSIONS

- Agricultural finance commission established: SSB 3378
- Agricultural irrigation commission, formation authorized: SB 3286
- Bicentennial of the U.S. Constitution, commission established: HCR 6
- Centennial partnership commission created, advisory: SSB 4100
- Escrow commission duties enlarged: *SHB 190, CH 340
- Fisheries commission established: HB 663
- Game commission deleted from game department structure: HB 373
- Higher education coordinating commission created: HB 218
- Higher education financial aid commission to manage aid programs: HB 579
- Home schools, church schools, temporary commission to study: HB 597
- Humanities, commission for, appropriation: HB 776
- Local governance study commission created: *SSB 4399, CH 388
- Mental sports competition and research commission: SB 3405
- Oversight committee on priority budgeting: HB 868
- Public pension commission membership changed: HB 1128
- Seismic safety commission created: SHB 493
- Stadium, convention, art, etc., facilities, municipalities may establish a commission: HB 918
- Vocational education commission fire duties to new fire board: *SSB 3856, CH 470

COMMITTEES (See also GUBERNATORIAL APPOINTMENTS; LEGISLATURE)

- Acupuncture advisory committee created: *SSB 4358, CH 326
- Agency redesign and reorganization, committee created: HB 1140
- Agricultural market development advisory committee created: SHB 1234
- Boating advisory committee established: HB 273
- Career ladder committee: HB 586, HB 884
- Child support, joint legislative committee, repealed: *SB 3852, CH 294
- Community development block grant funds: *SHB 855, CH 164
- Economic development, committee created: SSB 4211, *2SHB 627, CH 467
- Educational excellence, advisory committee: HB 174, *SSB 3235, CH 349
- Emergency expenditures, joint committee to allocate funds: HJR 1
- Excess school levies, select committee to study established: SHB 549
- Ferry advisory committees authority enhanced: SB 3215
- Ground water management advisory committee: *SHB 232, CH 453
- Industrial insurance, joint select committee established: HCR 9, *SCR 114
- Interim committee appointments pp. 290,1666,2292-2293
- Memorial service, committee appointments p. 143
- Oral history advisory committee created: SHB 563
- Physical therapy assistants advisory committee: HB 395
- Preschool advisory committee created in SPI: SHB 372
- Preschool advisory committee to assist DCD with preschool program: *2SHB 1078, CH 418
- Private activity bond ceiling allocation committee: SHB 489

COMMITTEES—cont.

Public retirement, joint interim committee, continue: HCR 3
 Puget Sound, select committee on clean up and management: *HFR 7
 Records committee, include OFM representative: SHB 612, *SB 3818, CH 192
 Recreation advisory committee, DNR, outdoor needs: SHB 973
 School funding system and excess levies, study: HB 549, HB 1141
 Science and technology, joint committee extended: SCR 103
 Securities advisory committee membership modified: SSB 3048
 Standing committee appointments pp. 28-29,290
 Telecommunications regulation, joint committee: HCR 7, *SCR 101
 Washington-Oregon joint committee created: HCR 11

COMMON CARRIERS

Cabooses required on freight trains: HB 247
 Consumers' utility board established: HB 558
 Federal heavy vehicle use tax: *HB 398, CH 79
 Fleet registration, IRP plan: *SB 3601, CH 380
 Haulers, agricultural, defined, WUTC jurisdiction: HB 437
 Licensing reciprocity, commercial motor vehicles: *SB 3401, CH 173
 Motor freight carriers, trucking deregulated: HB 1139
 Parcel/package delivery, WUTC jurisdiction: HB 436
 Passenger charter carriers, redefined, regulated: HB 438
 Placards required, combination vehicles: HB 990
 Private carriers, standards established: *SHB 660, CH 333
 Public transportation authority, safety jurisdiction: HB 961
 Railroads, first aid certificate holder on each crew: HB 216
 Tractor-trailer combinations, length requirements modified: HB 74, *SB 3120, CH 351
 Truck tractors, freight compartments allowed: SHB 137
 Truckstops, special excise tax, convention center: HB 1192

COMMUNITY COLLEGES

Affirmative action program maintained: *SSB 3346, CH 365
 Alcohol promotion prohibited on campus: *SB 3230, CH 352
 Apprentices, building and construction trade, exempt: HB 827
 Board of regents for higher education formed: HB 259
 Capital projects, general obligation bonds: 2SSB 3679, *HB 1328, CH 4 E1
 Collective bargaining authorized: SHB 32, HB 283
 Common school trust land exchange: *HB 169, CH 168
 Community college development districts, repealed: *HB 331, CH 218
 Community college trust land account established: HB 896
 Conflict of interest restrictions: HB 324
 Consortium for community and rural improvement: HB 1188
 Construction, state tax levied: HB 226
 Contractual arrangements, school districts, community colleges, voc-tech institutes, ESDs, private providers: HB 371
 Council on postsecondary education, duties transferred: HB 579
 Federal college savings plan, asking congress to support tax break: HJM 4, *SJM 110
 Fees reset: SSB 3712
 Full-time undergraduate student defined for tuition rate: HB 289
 High school completion programs, state residency waived: *SB 4152, CH 198
 Higher education board created, CPSE terminated: HB 851
 Higher education coordinating board created, CPSE terminated: *SSB 3376, CH 370
 Higher education coordinating commission created: HB 218
 Higher education, quality education: HB 921
 Internship program, students and state employees: HB 178, *SHB 178, CH 442
 Land exchange, DNR and community colleges: *HB 169, CH 168
 Land for construction, purchase from DNR: HB 572, *SB 3794, CH 200
 Life-cycle cost analysis for public buildings: HB 6, SB 3018
 Literacy, adult literacy program: HB 363, SSB 3517

COMMUNITY COLLEGES—cont.

- Management employee, repeal, increases, evaluations: *HB 116, CH 461
- Mental sports competition, research commission: SB 3405
- Military, funding for colleges with large populations: HB 1034
- Open public meeting requirements for employee compensation: HB 258
- Part time state employees, multiple jobs, insurance: HB 895
- Part-time faculty, salary standards: HB 935
- Presidents, trustees to set compensation and duties: HB 140
- Productivity board, higher education representation: SHB 220
- Residency requirements, burden of proof revised: HB 298
- Retraining and reeducation, high unemployment areas: *SHB 1207, CH 437
- Salaries to be set in open public meetings: HB 103
- Salary increases for administrators, limited: SSB 3056
- Salary surveys, comprehensive: HB 121, *SSB 3180, CH 94
- Treasurers, biennial advance, amount increased: *HB 152, CH 180
- Tuition and fee exemption, military: HB 106, *SB 3357, CH 362
- Tuition and fee increase: HB 217
- Tuition and fee waivers, ceiling increased from 3 to 4%: HB 288
- Tuition and fees adjusted annually, phase-in change: HB 291, SB 4153
- Tuition and fees, clarifications: HB 616, *SB 4185, CH 390
- Tuition rate, full-time undergraduate student defined: HB 289
- visor: *HB 116, CH 461
- Vocational education programs transferred to: HB 579
- Vocational training, emergency pilot program, areas of high unemployment: *SHB 1207, CH 437

COMMUNITY DEVELOPMENT DEPARTMENT

- Bonds, local government bond information published by DCD: *SHB 831, CH 130
- Businesses, siting: SB 3412, *HB 830, CH 85
- Community development corporation authorized: HB 113
- Community revitalization team, distressed areas: *2SHB 738, CH 229
- Early childhood education, office established in SPI: HB 372, SHB 372, SSB 3518
- Employee--ownership assistance program: *SHB 577, CH 263
- Feasibility study, financing and development alternatives: SSB 3798
- Job creation and economic development via development loan fund committee: *SHB 855, CH 164
- Local development matching fund program: HB 875
- Local governance study commission created: *SSB 4399, CH 388
- Obsolete statutory references, clean-up bill: *SB 3040, CH 6
- Preschool advisory committee to assist preschool program: *2SHB 1078, CH 418

COMMUNITY ECONOMIC REVITALIZATION BOARD

- Community development block grant funds: *SHB 855, CH 164
- Economic development account, motor vehicle fund created: *SHB 863, CH 433
- Public works assistance program: SSB 3696, *SHB 461, CH 446

COMMUNITY PROPERTY

- Future earning potential of each spouse: HB 912
- Marriage dissolutions, does not include future wages: HB 733
- Military retirement benefits: HB 761, SB 3211

COMPARABLE WORTH

- Higher education personnel board to implement: HB 689
- Office of employee relations to implement, collective bargaining: HB 1163
- Repealing: HB 1126

COMPETITIVE BIDDING

- Cities, bidding requirements revised: *HB 576, CH 219
- Competitive sealed proposals: SHB 393
- County road administration requirements revised: *SSB 3356, CH 369
- Highway maintenance by contract or state force: HB 645
- Performance-based contracts, energy equipment, services: *HB 949, CH 169
- Personal service contracts, open competition: HB 316

COMPETITIVE BIDDING—cont.

- Public purchases by colleges and universities, threshold increased for research purposes: *SHB 391, CH 342
- Public works by special state financing, competitive bidding: SSB 3696, SSB 3798, *SHB 461, CH 446
- School bidding procedures modified: *SB 4206, CH 324
- School construction, dollar limit raised: HB 388

COMPUTERS

- Compatibility among state systems by DPA: HB 562
- Missing children data filed into computer, 12 hours of notice: SSB 3276, *SHB 242, CH 443
- Schools, provide employment and post-high school opportunities: HB 369
- Video display terminals, occupational safeguards, study: SHB 468
- Video display terminals, study potential health and safety effects: HFR 44

CONCURRENT RESOLUTIONS

- Bicentennial of the U.S. Constitution, commission established: HCR 6
- Bills returned to house of origin special session: *SCR 122
- Bills to be returned to their house of origin: *SCR 120
- Bills to retain number and status: *SCR 121
- Conferences committees, open to the public: HCR 10
- Cut-off dates: *SCR 105
- Deceased legislators, joint session for memorial service: *HCR 4
- Governor notified that the legislature is organized: *SCR 102
- High level and defense nuclear waste, transportation liability: *SCR 109
- High school, competitive entry residential, joint study: HCR 5
- Industrial insurance, joint select committee: HCR 9, *SCR 114
- International, trade, tourism, joint select committee: SCR 115
- Joint rules of the house and senate adopted: *SCR 107
- Joint session for inaugurating Governor-elect Gardner: *HCR 1
- Joint session for state of the state: *HCR 1
- Needs assessment and planning guide for common school construction and maintenance: HCR 2
- Nuclear waste policy act of 1982, priority to causes of action: SCR 106
- Public retirement, joint interim committee, continue: HCR 3
- Science and technology, joint committee extended: SCR 103
- Shipbuilding and ship repair industries, requesting assistance: HCR 8
- Sine die, committee formed to notify governor: *HCR 13, *HCR 15 E1
- Special session, committee to notify governor legislature is ready to begin: *HCR 14
- Telecommunications regulation, joint committee: *HCR 7, *SCR 101
- Washington-Oregon joint committee created: HCR 11
- Wildlife management, joint select committee established: HCR 12

CONDOMINIUMS

- Associations, powers restricted to management of property: HB 535
- Home owner association assessments, homesteads subject to judgment: HB 962

CONFLICT OF INTEREST

- State officers and employees, restrictions: HB 324

CONSERVATION

- B&O tax deduction, sales of returnable containers: HB 1099
- Columbia river gorge, Skamania county waterfalls, preserve: HB 907
- Conservation commission, matching grant program: HB 471, SSB 3379
- Differential electric utility rates, encourage conservation: HB 340
- Energy development and financing, Northwest interstate compact: SHB 744
- Environmental education task force: HB 980
- Nursing home retrofitting, reimbursement rate adjustments: HB 185, SHB 197
- Oil, recycling, above-ground tanks authorized: HB 37
- Performance-based contracts, energy equipment and services: *HB 949, CH 169
- Recycling favored in solid waste: HB 70
- Recycling used oil, above-ground tanks authorized: HB 37

CONSERVATION—cont.

- Resource conservation potential, study: HB 970
- Ride-sharing vehicles, tax exemption extended: HB 1052, SB 4234
- Solid waste management fund, user fees: SHB 486
- Solid waste reduction study, joint committee on science and technology: SHB 70
- Tire recycling program established: *SHB 804, CH 345
- Water heater temperatures, apartments with central systems exempt: SB 3206, *HB 34, CH 119
- West Hylebos wetlands conservation area: HB 143
- Youth conservation corps, established: HB 760
- Youth development and conservation corps to clean up Sound and protect shellfish: 2SHB 1068

CONSERVATION CORPS

- Funding for economically distressed areas: *SHB 760, CH 230
- Nonprofit corporations, specific services, reimbursement: SSB 3568
- Youth conservation corps, established: HB 760
- Youth development and conservation corps, nonprofit private agencies authorized: HB 910
- Youth development and conservation corps to clean up sound and protect shellfish: 2SHB 1068

CONSTITUTIONAL AMENDMENTS

- Agricultural commodity assessments, trade promotion and promotional hostings: SSJR 124, *HJR 42
- Appropriations, expenditure limitation, ratio of population growth to income: HJR 32
- Appropriations, limitation, not to exceed 98% of estimated general fund: SHJR 26
- Attorney generals ballot title statement: *SB 3436, CH 252
- Attorney generals description statement: HB 633
- Bail eliminated for retrial of violent crime: HJR 9
- Ballot titles, 75 words, appeal process: HB 671
- Bond elections for capital purposes, vote and turnout: HJR 28
- Corporate income tax: HJR 34, HJR 40
- Counties, new, petition procedure: SHJR 25
- Current use valuation of all real property authorized: HJR 4
- Current use valuation of single-family residences: HJR 2
- Emergency expenditures, joint committee to allocate funds: HJR 1
- Fiscal responsibility of state government: HJR 16
- Food and prescription drugs, sales tax prohibited: HJR 45
- Health care, access is a right: HJR 3
- Home rule charters, procedures for adoption established: SSJR 103
- House of representatives terms: HJR 13, HJR 21, HJR 44
- Income tax, single rate corporate and personal: HJR 37
- Industrial insurance trust funds, investment authorized: *HJR 12
- Initiative and referendum signers, geographical distribution required: HJR 15
- Investment of permanent land funds authorized: HJR 17
- Lawyers regulated by the legislature: HJR 36
- Legislation to increase revenue or expend funds: HJR 33
- Lending of public moneys or credit, prohibitions revised: HJR 5
- Limitation on state expenditure, cannot exceed personal income growth: HJR 48
- Personal income tax: HJR 35
- Privacy, essential to well-being of a free society: HJR 41
- Public improvements, taxing districts authorized: *HJR 23
- Recall grounds, false political advertisements: HB 523
- Recall grounds, false statements by candidates: HJR 20
- Reorganization of state government: SHJR 6, HJR 7
- Retirement, full-funding required: HJR 27
- Retirement increases, full-funding by appropriation required: HJR 19
- Retirement, unfunded liability, 29 year amortization: SHJR 30
- School levies, majority vote, if less than 40% must be 60% of last election: HJR 38
- School levies, may levy an additional tax for up to 4 years: HJR 39

CONSTITUTIONAL AMENDMENTS—cont.

School levies, simple majority provided for: HJR 14, HJR 31
 School levies, 40% validation requirement modified, 3/5ths vote only: *HJR 22
 Search and seizure law, adopt federal: HJR 11
 Senate terms: HJR 13, HJR 21
 State employment limited: HJR 43
 Superintendent of public instruction, appointment: HJR 10, HJR 24
 Tax exemptions, each to be in a separate bill: HJR 29
 Taxing districts, excess levies, capital purposes: HJR 8
 Unicameral legislature established: HJR 47
 Violent crime, retrial, bail eliminated: HJR 9
 Washington D.C. voting rights ratified: HJR 18

CONSUMER PROTECTION

Antitrust and unfair and deceptive business practices: *SHB 46, CH 401
 Attempt to monopolize defined: HB 1142
 Boat design pirating, penalty, attorney fees: SB 3910
 Consumer credit reporting agencies, fair reporting required: HB 972
 Consumers' utility board established: HB 558
 Deceptive sales practices, defining actions: HB 724
 Dietetic services registration act, diet plans, etc.: HB 416
 Flour and bread requirements modified: *SB 4122, CH 25
 Formaldehyde, public disclosure required: SHB 343
 Health clubs regulated: HB 451, SSB 3161
 Motor vehicle fuel franchises, restrictions: HB 329, SB 3418
 Organic food products, standards established: *SHB 297, CH 247

CONTAINERS

B&O tax deduction, sales of returnable containers: HB 1099

CONTRACTORS (See also GENERAL ADMINISTRATION; PUBLIC WORKS)

Affirmative action plan, state funds: SSB 3345
 Building construction, goods, services, tax exempt: HB 821
 Competitive sealed proposals: SHB 393
 Construction-lien action, fees to prevailing party: HB 646
 Farm labor contractors, regulated: *SHB 199, CH 280
 Fraud prevention division created: HB 83
 Highway maintenance by contract or state force: HB 645
 Industrial insurance, employer classification: HB 650
 Nursing home retrofitting: HB 185, SHB 197
 Personal service contract guidelines: SHB 317
 Personal service contracts, open competition: HB 316
 Public works contract disputes, judicial review: HB 934
 Public works contractors, apprenticeship programs: HB 996
 Public works, overtime hours modified: HB 503
 Sales representations, contracts and commissions regulated: SSB 3255
 Small works roster, establishment by colleges: *SHB 166, CH 152
 Small works roster, revised yearly: *HB 250, CH 154
 Unpaid public contracts, interest: HB 1164

CONVENTION AND TRADE CENTER—KING COUNTY

Board members, compensation and travel expenses: HB 772, *SB 3762, CH 233
 Truckstops, special excise tax for convention center: HB 1192

COOPERATIVES

Agricultural cooperative commission act: HB 794
 Employee-ownership assistance program: *SHB 577, CH 263

CORONERS

Autopsies, post mortem reports: SHB 44, *SSB 3220, CH 300
 Self-defense, law enforcement inquests: SSB 3090

CORPORATIONS

Agricultural finance commission established: SSB 3378
 Alcoholism treatment programs, B&O tax exempt: HB 682

CORPORATIONS—cont.

- Business, shares, procedure: *SSB 3580, CH 290
- Community development corporation authorized: HB 113
- Corporate income tax: HJR 34
- Corporate income tax, personal income tax not allowed: HJR 40
- Development finance authority established: HB 855
- Developmental disabilities, state-wide protection: SHB 820
- Economic development programs, nonprofit corporations: SHB 802, *SB 3214, CH 92
- Employee-ownership assistance program: *SHB 577, CH 263
- Health care professionals, nonprofit nonstock corporations authorized: HB 35, *SSB 3069, CH 431
- Income tax, single rate corporate and personal: HJR 37
- Income tax, 20% of all taxable income: HB 923, HB 1108
- Insurance holding corporations, modified: *SB 3427, CH 364
- Lending of public moneys or credit, prohibitions revised: HJR 5
- Mental sports competition and research commission established: SB 3405
- One-stop master license program expanded: HB 982
- Public agency, municipal and quasi-municipal corporations, special purpose districts: HB 556, *SB 3312, CH 33
- Tax deduction for investments, corporations may not: HB 809
- Tax on intangible personal property: HB 599
- Transactions, ratification, liability: *SSB 3580, CH 290
- Unemployment insurance for officers: HB 917
- Western library network to be formed: HB 154, *SSB 3047, CH 21

CORRECTIONS (See JAILS; PROBATION AND PAROLE)**CORRECTIONS STANDARDS BOARD**

- Internal references corrected, replace jail commission: SSB 4128
- Juveniles, not confined, adult jails, holding facilities: HB 513, *SSB 4229, CH 50
- Sentenced felon jail forecast: *SB 3596, CH 201

COUNCIL FOR POSTSECONDARY EDUCATION

- Abolished, transferred to state board of regents for higher education: HB 259
- Admission standards established by CPSE: SHB 170
- Financial aid duties and programs to the higher education commission: HB 579
- Higher education board created, CPSE terminated: HB 851
- Higher education coordinating board created: *SSB 3376, CH 370
- Higher education coordinating commission created: HB 218
- Incentive plan, performance and achievement: HB 921
- Vocational education programs transferred to community college board: HB 579
- Washington state and employers' higher education opportunities program: SB 3444

COUNCILS

- Advisory council on international trade and development: HB 501
- Aquaculture advisory council created: SHB 309, *SB 3067, CH 457
- Athletic health care and training council: SSB 3317
- Developmental disabilities planning council established: HB 820
- Educational employees collective bargaining, joint labor-management council: HB 361
- Game advisory council created, replaces in part commission responsibility: HB 373
- International trade and development, advisory council: HB 501
- Legislative coordinating council: HB 786
- Right-to-know advisory council: *SHB 1170, CH 409

COUNSELORS

- Records disclosure, persons in possible danger by patient: HB 374
- Registration and certification of mental health professionals: SHB 470
- Schools, counseling and guidance plan: HB 1036
- Sexual assault, crime victims compensation: *SHB 242, CH 443, 2SSB 3200
- Vocational rehabilitation requirements: HB 1084

COUNTIES (See also LAND USE PLANNING; STATE AND PUBLIC EMPLOYEES)

- AA, sheriffs exempt from civil service: HB 385, *SHB 203, CH 429
 Ad hoc community councils, petition process provided: HB 976
 Alcoholism, excess liquor funds and fees: HB 829
 Annexation, boundary review board may decrease area: HB 605
 Annexation, code cities of unincorporated federal areas: *SHB 253, CH 105
 Aquifers, sole-source, protection program: HB 414
 Automobiles, confidential plates: HB 18, SB 3030
 Birth, death certificates; duplicates, copies: HB 648
 Board of commissions, clerk may designate: HB 862
 Boat registration fee modified, excise tax repealed: HB 273
 Bonds, short-term obligations: *SB 3826, CH 71
 Businesses, siting: SB 3412, *HB 830, CH 85
 Cemetery monuments and markers, city cannot sell: HB 276
 Community development block grant funds: *SHB 855, CH 164
 Community development corporation authorized: HB 113
 Contract awarding, consider potential tax revenue: *SSB 3398, CH 72
 County seat removal: *SHB 4, CH 145
 Criminal justice assistance account: 2SSB 3764
 Dangerous wastes, nonregulated, local plan: SHB 212
 Day labor construction, \$10,000 limit: HB 644
 Debt limit raised: HB 25
 Distressed counties, CERB: *SHB 461, CH 446
 Economic development authorized: HB 1047
 Economic development programs with nonprofit corporations: SHB 802, *SB 3214, CH 92
 Electrical installations, enforcement, disputes: HB 412
 Energy code, revised state energy code: *SHB 1114, CH 144
 Energy code to be in effect in all cities, counties: HB 948
 Factory siting in environmentally nonsensitive areas: HB 524
 Family court, joint operations by counties authorized: SSB 3252
 Ferry advisory committees authority enhanced: SB 3215
 Flood plain management, DOE to adopt rules: *SHB 380, CH 454
 Gambling tax, authorized rate modified: *SB 3486, CH 172
 Guns, state preemption of regulation: HB 823, *SSB 3450, CH 428
 Health care grant assistance programs for low-income person: HB 1200
 Health departments, review, Puget Sound: HB 1035
 Hearings, notice requirements, zoning and planning: HB 430
 Highways, state-owned, county improvements: *SHB 187, CH 400
 Historic properties, tax classification: *SSB 3283, CH 449
 Home rule charters, procedures for adoption established: SSJR 103
 Household hazardous substances, county guidelines: SHB 136
 Incorporation, new cities, services: *SHB 1191, CH 143
 Incorporation of new cities, service provisions via contract: *SHB 956, CH 332
 Incorporation proceedings, elections: HB 308
 Incorporations, county review: HB 1101
 Indigent soldier's relief fund, hall rental: *SHB 177, CH 181
 Indigent soldiers' relief fund renamed veterans' assistance fund: SSB 3005
 Industrial insurance medical aid fund, interest: HB 477
 Institutional impact account, reimbursement: SB 3233
 Insurance, self-funding, employees' time and health benefits: HB 84
 Juvenile offenders, supervised parole authorized: *SSB 4059, CH 257
 Lake management districts: *SHB 606, CH 398
 License fee setting, modified: SHB 559, *SSB 3309, CH 91
 Liquor revolving fund, no disbursement if liquor prohibited: HB 38
 Local governance study commission created: *SSB 4399, CH 388
 Mental health treatment procedures, juveniles: *SSB 3099, CH 354
 Motor vehicle fund distribution for arterials and streets: HB 148
 Mt. St. Helens, reimbursement of costs: *SB 3593, CH 255
 New, petition procedure: SHJR 25

COUNTIES—cont.

- Nonresidents, state-employed, repealed: *HB 132, CH 179
- Noxious weed control fund created: SB 3234
- Official misconduct, forfeitures: HB 898
- Park and recreation service area authority: *SB 3445, CH 253
- Park district annexation, extra-county territory: *SHB 891, CH 416
- Performance-based contracts, energy equipment and services: *HB 949, CH 169
- Police power ordinances, adopted unless prohibited: SHB 26
- Precinct boundary adjustments, city annex of county territory: HB 630, SSB 3310
- Presidents day, Lincoln, Washington, M.L. King's birthday to be celebrated on:
*HB 222, CH 189
- Public agency includes municipal and quasi-municipal corporations, and special purpose districts: HB 556, *SB 3312, CH 33
- Public health director appointment modified: *SHB 94, CH 124
- Public improvements, taxing districts authorized: *HJR 23
- Puget Sound, shellfish protection areas: HB 818
- Referendums to counties or municipalities, descriptive statement: HB 633
- Risk management office may contract for coverage with municipalities: *SB 3569, CH 188
- Road improvement districts, special assessment: *SSB 3356, CH 369
- Road service areas may receive urban arterial funds: HB 826
- Roads, forest reserve fund distribution: *SSB 3145, CH 311
- Shellfish protection districts, formation: *SHB 814, CH 417
- Sheriff, minimum job qualifications: HB 45
- Six-year program, UAB to reject in noncompliance: HB 590
- Special purpose districts, creation: *SHB 150, CH 396
- Stadium restaurant facilities, special seating, tax proceeds: *SSB 3723, CH 272
- Storage of dangerous materials, local tax on privilege: HB 1175
- Storm water management participation by WSDOT authorized: HB 874
- Street improvement contracts: HB 978
- Street kids pilot project: 2SHB 930
- Taxes, local, monthly distribution: HB 245
- Unpaid public contracts, interest: HB 1164
- Water quality, fees and fines, enhance water quality: HB 816
- Zoos and aquariums, park and recreation service area authority: *SB 3445, CH 253

COUNTY ASSESSOR

- Building permits to contain county assessor parcel number: *SB 3202, CH 318
- Current use assessments for owner-occupied single-family residences: HB 9, HJR 2
- Current use valuation of all real property authorized: HJR 4
- Distrain papers, when they may be prepared: *HB 149, CH 83

COUNTY AUDITOR (See also ELECTIONS)

- Ballots returned undeliverable are subject to inquiry: HB 736
- Election administration duties: HB 630, SSB 3310
- Fee schedule revised: *SB 3070, CH 44
- Marriage licenses, procedures revised: *HB 142, CH 82
- Precinct boundary adjustments, city annex: HB 630, SSB 3310
- Voter registration records, custody and access: HB 419
- Voter registration validity inquiry: HB 736

COUNTY TREASURER

- Assessment collection for political subdivisions, fee modified: HB 784
- Conveyance tax collection by county treasurer: HB 1008
- Distrain papers, when they may be prepared: *HB 149, CH 83
- Fiscal agent for certain local government units: *SHB 565, CH 84

COURT OF APPEALS

- Appellate procedure revised: SB 3095
- Indigent criminal defendants, appellant counsel, study: SSB 3740
- Judge pro tem, who may be appointed: SSB 3740

COURT OF APPEALS—cont.

Legal notices, uniformity in publication: *SB 3800, CH 469
 Salary increase: SHB 231

COURTS (See also CIVIL ACTIONS AND PROCEDURES; CRIMES; JUDGES)

Adoption, consent revocation: *SHB 877, CH 421
 Adoption, petitions requesting identity disclosure: SHB 112
 Adoption registry established: HB 450
 Alcoholism treatment, court referral: 2SHB 879
 Alternative system for citizen dispute resolution: HB 1137
 Appellate counsel to indigent criminal defendants, study: SSB 3740
 Appellate procedure revised: SB 3095
 Arbitration, award procedures: *HB 58, CH 265
 Bad checks, damage recovery, court costs, interest, remedies: HB 325
 Bail bond provisions revised, when surety is released: SSB 4305
 Bail eliminated for retrial of violent crime: HJR 9
 Child abuse, offenders restrained from home access: *SSB 3240, CH 35
 Child abuse or neglect, child's statement, videotaping: HB 745
 Child abuse or neglect, statement admissible: HB 445, SSB 3452
 Child custody disputes, mediation: SSB 3252
 Child custody, jurisdiction: SSB 3251
 Child support, wage assignment procedure: HB 988
 Child's statement, admissible: *SHB 272, CH 404
 Child's statements, sexual offenses, admissible: SHB 852, SSB 3452
 Civil rights restoration, when: HB 1150
 Commissioners, judicial qualifications commission: SB 3092
 Conviction redefined: 2SHB 348
 Convictions, felony, may not question constitutionality of other superior courts: HB 333
 Costs, convicted defendant's: HB 922, *SB 4155, CH 389
 Covenants, judgments, personal injury or wrongful death: HB 966
 Custody decrees, modification: HB 912
 Damage payment procedures, personal injury or wrongful death: HB 968
 Deadman statute repealed: HB 85
 Dependency proceeding, jurisdiction modified: HB 1147
 Drug violations, forfeiture, real property, buildings: HB 384
 Family court, joint operations by counties authorized: SSB 3252
 Filing fees, distribution and remittance: HB 755, SSB 3740
 Filing fees, public safety and education: HB 1028
 First amendment, review of government actions affecting: HB 483
 Fiscal responsibility and operational control: HB 611
 Good-time work release: *SB 4129, CH 298
 Harassment, no-harassment orders: HB 911, *SSB 3012, CH 288
 Indian lands, Colville, retrocession of criminal jurisdiction: SHB 495
 Insanity defense, plea of guilty but mentally ill: HB 1138
 Institutional impact account, reimbursement: SB 3233
 Interference with official proceedings: *HB 107, CH 327
 Interpreters for hearing impaired: HB 421, SSB 3740, *SB 4155, CH 389
 Intimidating a former juror, witnesses, felony: *HB 107, CH 327
 Judgment debtors, plaintiffs, cost recovery: *SB 3373, CH 215
 Judgments, interest awards, date tabulation begins: HB 676
 Jurors, nonsmoking areas: HB 533
 Juvenile court jurisdiction over involuntary civil commitment removed: *SSB 3099, CH 354
 Juvenile court, plea agreements regulated: HB 1136
 Juvenile disposition standards commission: HB 1161
 Juveniles, custody by law, danger to well-being: HB 710
 Mandatory arbitration, dollar limit raised: HB 475
 Mandatory arbitration program, superior court judge positions: *SSB 3165, CH 357
 Mediation office established: HB 695, SHB 695
 Mentally ill, plea of guilty but mentally ill: HB 1138
 Regulatory fairness act, enforcing: SSB 3414

COURTS—cont.

- Salary increase: HB 231, SHB 231
- SEPA, plaintiff to post a bond: HB 540
- Sexual abuse of children, offenders restrained from home access: HB 822, *SSB 3240, CH 35
- Sexual assault, rape crisis centers: HB 931
- Sexual contact, dependency proceedings, child's statement admissible: *SHB 272, CH 404
- Small business economic impact statements: HB 940
- Statutes superseded by court rules, repeal: *SB 3104, CH 68
- Superior court judicial positions, additional created: HB 105, *SSB 3165, CH 357
- Unfair employment practices: *SHB 52, CH 185
- Victims, children, bill of rights, advocate provided: *SHB 512, CH 394
- Victims, juvenile dispositional orders of restitution: *SSB 4059, CH 257
- Violent crime, retrial, bail eliminated: HJR 9
- Witnesses, children, bill of rights, advocate provided: HB 512, *SHB 512, CH 394
- Work—release: *SB 4129, CH 298
- Wrongful death: HB 966, HB 968
- Yakima water adjudication, certification period reopened: *SSB 4424, CH 435

CREDIT

- Fair consumer credit reporting act: HB 972
- Sexual orientation, may not discriminate based on: HB 474
- Unclaimed utility credits or deposits are abandoned: SHB 700

CREDIT CARDS

- Interest rate on unpaid balance, limited: HB 472
- Interest rates, banks may charge competitive rates: SB 4113
- Lender credit cards regulated: HB 702
- Variable interest rates, adjustments: *SB 3415, CH 224

CREDIT UNIONS

- Board may authorize director absences: HB 104
- Credit cards, interest rate on unpaid balance, limit: HB 472
- Discrimination prohibited: HB 903

CREMATIONS

- Procedures established, penalties provided: *SHB 68, CH 402

CRIME VICTIMS' COMPENSATION

- Benefit applications, statute of limitations: 2SHB 138, 2SSB 3200
- Children whose testimony is inadmissible technically, compensation allowed: HB 937
- Death penalty, mistaken execution: HB 1152
- Eligibility modified: 2SSB 3200, HB 233, *SHB 242, CH 443
- 2SSB 3200
- Juvenile perpetrators, restitution orders: *SSB 4059, CH 257
- Sexual abuse, child victims, medical costs: HB 512
- Sexual assault program: *SSB 3198, CH 34
- Work—release earnings, victim compensation and restitution: *SB 4129, CH 298

CRIMES (See also MOTOR VEHICLES)

- Abortion, parental consent if under 18: HB 164
- Age, malicious harassment: HB 473
- Animal mutilation cases, response teams for investigation: HB 186
- Antiharassment act: HB 911, *SSB 3012, CH 288
- Appellate counsel to indigent criminal defendants, study: SSB 3740
- Aquaculture lands or structures, trespass prohibited: *SB 3173, CH 289
- Arrest for public indecency without warrant on probable cause: HB 1098
- Arson in the 1st degree, health care facilities: HB 209
- Assault definition provided: HB 797
- Assaulting a sports official, class C felony: HB 307
- Attempting to elude police officer, on and off highways: HB 215
- Attorney general investigation authority extended: HB 747

CRIMES—cont.

- Bad checks, damage recovery, costs: HB 325, SSB 3416
- Bail bond provisions revised, when surety is released: SSB 4305
- Bail eliminated for retrial of violent crime: HJR 9
- Bail, factors to consider: SHB 452
- Barricade situations, telecommunications intercepted: *SHB 36, CH 260
- Bill of rights for children victims or witnesses: *SHB 512, CH 394
- Boat operation prohibited while under the influence: HB 214, *SHB 214, CH 267
- Cable television services, theft: *HB 550, CH 430
- Checks, unlawful issuance, penalty increased to \$500: HB 726
- Child abuse, day care employees, screen employees: SHB 1134
- Child abuse, dependency cases, criminal information system: *SB 3596, CH 201
- Child abuse, dependency petition, basic rights: *HB 492, CH 183
- Child abuse, offenders restrained from home access: *SSB 3240, CH 35
- Child abuse or neglect, child's statement, videotaping: HB 745
- Child abuse or neglect, statement admissible: HB 445, SSB 3452
- Child abuse reporting laws strengthened: *SHB 932, CH 259
- Child's statement, sexual contact admissible in dependency proceedings: *SHB 272, CH 404
- Child's statements, admissible if being a witness would have emotional trauma: SHB 852, SSB 3452
- Civil disorders, teaching: SHB 81
- Civil rights restoration, when: HB 1150
- Compromise of misdemeanors: HB 722
- Controlled substances act revised: SHB 732
- Conviction redefined: 2SHB 348
- Convictions, felony, superior courts may not question constitutionality of others: HB 333
- Criminal profiteering: *SHB 767, CH 455, HB 878
- Custodial interference revised to include residential care: SSB 3251
- Death penalty not allowed if under 18 at time of offense: HB 1149
- Disorderly conduct, expanded: SSB 3154
- Drug violations, forfeiture, property including buildings: HB 384
- Drugs, theft or robbery, class B felony: SSB 3595
- Fences, wilful damages, misdemeanor: SSB 3024
- Fingerprinting for children in day care facilities: HB 769
- Formaldehyde, public disclosure of products required: SHB 343
- Fraudulent transfer act: HB 453
- Good-time, work release, sentence reduced: *SB 4129, CH 298
- Harassment mental patients, records release: *SSB 4105, CH 207
- Health clubs, protection for purchasers of services: SSB 3161
- Health clubs regulated: HB 451
- Incest, definition provided: *SB 3363, CH 53
- Indian lands, Colville, retrocession of jurisdiction: SHB 495
- Insanity defense, plea of guilty but mentally ill: HB 1138
- Institutional impact account, reimbursement criteria: SB 3233
- Interference with official proceedings, class B felony, modified: *HB 107, CH 327
- Intoxication, enrollment, rehabilitation program required: HB 383
- Juvenile disposition standards commission: HB 1161
- Juvenile diversion agreements, third time's the charm: HB 711
- Juvenile offenders disposition standards revised: *SSB 3087, CH 73
- Juvenile offenders, supervised parole: *SSB 4059, CH 257
- Juvenile sexual offenders who were victims, pilot program: HB 465
- Juveniles, contempt, failure to comply with order: HB 710
- Juveniles, not confined in adult jails or holding facilities, conditions: HB 513, *SSB 4229, CH 50 .
- Misdemeanor offenses, sentencing guidelines commission recommendations: SHB 595
- Mistreatment, class C felony, gross misdemeanor: HB 803
- Motor vehicle operation without financial responsibility, penalties: HB 67, SHB 227, SSB 3306

CRIMES—cont.

Patrol officers, enforce traffic and criminal laws: *SHB 127, CH 155
 Pornography, promoting, fine modified: HB 748, *SB 3906, CH 235
 Probable cause, police may stop motorists, conditions: HB 347
 Racketeering: HB 1181
 Refrigeration infractions, fail to respond is a misdemeanor: HB 60
 Rewards, recovery of stolen property: HB 159
 Runaways, persons sheltering, notice required: SSB 3243
 Scene of an emergency, duties, immunity: SSB 3088, *SHB 242, CH 443
 Search and seizure law, adopt federal: HJR 11
 Self-defense, law enforcement inquests: SSB 3090
 Self-defense, reasonable, civil immunity: HB 1097
 Sexual abuse of children, prosecution: HB 387
 Sexual abuse prevention education: HB 952
 Sexual assault program: HB 181, *SSB 3198, CH 34
 Sexual assault, rape crisis centers: HB 931
 Sexual offenses involving child under 8, sentencing changed: HB 628
 Shoplifting, civil penalty payment, criminal proceedings: HB 994
 Shopping cart theft, misdemeanor: HB 516, *SSB 3786, CH 382
 Ski areas, fraudulent use, penalties: *HB 251, CH 129
 Statute of limitations modified: *SB 3393, CH 186
 Street kids pilot project, multiservice centers: 2SHB 930
 Theft, partners and partnership included in definition: SB 3093
 Utility services, theft, civil liability: *HB 758, CH 427
 Victim defined: HB 848, *SHB 848, CH 346
 Victims, children, bill of rights: *SHB 512, CH 394
 Victims, juvenile dispositional orders of restitution: *SSB 4059, CH 257
 Victims of sexual assault act revised: *SSB 3198, CH 34
 Violent crime, retrial, bail eliminated: HJR 9

CRIMINAL JUSTICE ASSISTANCE ADVISORY COMMITTEE

Target offenses, domestic violence, serious traffic offenses: 2SSB 3764

CRIMINAL JUSTICE TRAINING COMMISSION

Management assessment, pilot scale project: HB 1

CULTURAL FACILITIES

Local improvement districts, museum, cultural or arts facilities authorized: *SHB 379, CH 397

DATA PROCESSING AUTHORITY

Compatibility among state systems by DPA: HB 562

DAY CARE

Child care advocacy office established: HB 665
 Child care facilities of small businesses, loan fund: HB 664
 DSHS division of children and family services, report: 2SSB 3038
 Early childhood education, office established: SHB 372, SSB 3518
 Employer-sponsored child care, pilot program: HB 742
 Fingerprinting for children in day care facilities: HB 769
 Immunization program, compliance: SHB 93, *SB 3547, CH 49
 Information, day care centers, toll-free telephone number: HB 332
 Local child care resource and referral centers: SHB 998
 Monitor and evaluate for developmental quality: HB 885
 Preschool, disadvantaged, program: HB 886
 Preschool program: *2SHB 1078, CH 418
 Screen employees for abuse, DSHS: SHB 1134
 State buildings, fees, costs, liability, funding: HB 359
 State employment policies to accommodate employee child care, study: HB 666
 State role, interim study to determine appropriate role: HFR 34
 Study adequacy of existing child care assistance programs: HB 667

DEAF

Deaf-blind service center established: HB 467

DEAF—cont.

- Interpreters, judicial or administrative proceedings: HB 421, SSB 3740, *SB 4155, CH 389
- Reimbursement of DSHS costs by recipients: *2SHB 356, CH 245
- Service dogs, protection for persons using dogs: *SSB 3598, CH 90
- Superintendent, appointment criteria modified: SB 3098
- Superintendent of school, qualifications modified: HB 29, *SSB 3797, CH 378

DEATH

- Natural death act, procedure: HB 206, SSB 3228

DEATH PENALTY

- Crime victims compensation, for persons mistakenly executed: HB 1152
- Juveniles, under age 18 at time of offense, death sentence not allowed: HB 1149

DEBTS

- Collection agencies retained, taxes, out-of-state sources: *SHB 1003, CH 414
- Consumer credit reporting agencies, fair reporting required: HB 972
- Federal debt, Congress asked to eliminate: HJM 11
- Fraudulent transfer act: HB 453
- Judgment debtors, plaintiffs, cost recovery: *SB 3373, CH 215
- Library districts, annexation of city/town: *SSB 4386, CH 392
- Public corporations created, federal programs: *SHB 956, CH 332
- Public debts, given to a collection agency: HB 677
- State debt limited: HB 604

DEFERRED COMPENSATION COMMITTEE

- Appropriation implementation, bond procedures: *SB 4236, CH 199

DENTISTS

- Copayment requirements, dentists may not waive: *SB 4216, CH 202
- Dental hygienists, board procedures modified: HB 320
- Dentistry, regulating independent, licensure: HB 795
- Privileged communications, hospitals and health care providers covered: HB 674
- State board of dental health examiners created: HB 834
- Uniform disciplinary act modified: SHB 131
- UW dentist faculty, full-time, licensing: *HB 434, CH 111

DIETITIANS

- Dietetic services registration act, diet plans, etc.: HB 416

DIKING DISTRICTS

- Powers specified: HB 557
- Special purpose districts, creation: *SHB 150, CH 396

DISCRIMINATION (See also HUMAN RIGHTS COMMISSION)

- Affirmative action plan, banks: SSB 3345
- Affirmative action program by all state agencies: *SSB 3346, CH 365
- Age discrimination: *SHB 52, CH 185
- Age, sex, malicious harassment: HB 473
- Comparable worth repealed: HB 1126
- Farm labor contractors, regulated: *SHB 199, CH 280
- Industrial insurance, discrimination against claimant: *SHB 1089, CH 347
- Insurance, gender-based discrimination eliminated: HB 882
- Interpreters for hearing impaired persons, procedures, rights: *SB 4155, CH 389
- Japanese-Americans, WWII relocation, financial assistance: HJM 9, *SSJM 104
- Mastectomy, lumpectomy, may not refuse insurance: *SSB 3989, CH 54
- Medicaid, nursing home patients, no discrimination: SHB 196, SHB 246, *SSB 3262, CH 284
- Official misconduct, discrimination prohibited: HB 619
- Service dogs, protection for persons using dogs: *SSB 3598, CH 90
- Sex discrimination prohibited in public resorts, accommodations, amusement, etc.: *SB 4259, CH 203
- Sexual orientation, employment, housing, credit, insurance, etc.: HB 474

DISPLACED HOMEMAKERS

Community college board given program, versus CFPSE: HB 579

DOGS

Damages to farm animals, recovery limit modified: SSB 3024, *SHB 843, CH 415
 Service dogs, protection for persons using dogs: *SSB 3598, CH 90
 Tax modified: HB 559, *SSB 3309, CH 91

DOMESTIC VIOLENCE

Assault, perpetrator, 18, probable cause: *SSB 3254, CH 303
 Community mental health program, in-home emergency: HB 642
 Criminal justice assistance account, target offenses: 2SSB 3764

DRAINAGE DISTRICTS

Powers specified: HB 557
 Special purpose districts, creation: *SHB 150, CH 396

DRUGS

Boat operation prohibited while under the influence: *SHB 214, CH 267
 Controlled substances act revised: SHB 732
 Drivers' licenses not issued to addicts or abusers: *SHB 163, CH 101
 Drug apparatus sales and use tax exempt: HB 235
 Forfeiture due to violations, all real property including buildings: HB 384
 Pharmacy license needed at any business that dispenses drugs: HB 647
 Sales tax prohibited on food and prescription drugs: HJR 45
 Special detention facilities, fees, sliding scale: *SB 4129, CH 298
 Theft or robbery of a controlled substance, class B felony: SSB 3595
 Treatment program for DWI deferred prosecution clarified: *SB 3230, CH 352
 Vitamins, dietary supplements, health food products, sales tax exempt: HB 734

DRUNK DRIVING

Administrative revocation authority, alcohol violations modified: SSB 3089, *HB 593, CH 407
 Alcohol treatment program, must satisfactorily progress: 2SHB 879
 BAC, allowed up to 2 hours after arrest: HB 454
 Chemical breath analysis, preliminary authorized: HB 456, SHB 456
 Criminal justice assistance account, 1/40 of 1% motor vehicle tax: 2SSB 3764
 Deferred prosecution clarified: *SB 3230, CH 352
 Deferred prosecution not available: HB 30
 Deferred prosecution, return confiscated license: HB 10
 Drivers' licenses not issued to alcoholics, drug abusers: *SHB 163, CH 101
 DWI conviction and driving with invalid license: *SB 3267, CH 302
 Road blocks to check proper licensing or alcohol/drug influence: HB 1016
 STOP-DWI programs, establishment funded: HB 929
 Vehicular assault and homicide laws, apply on and off highways: HB 215
 Warning signs required, off-premises consumption: HB 1017

DUCKS

Migratory waterfowl stamp to hunt waterfowl required: *SHB 179, CH 243

EARTHQUAKES

School safety: HB 532, SSB 3448
 Seismic safety commission created: SHB 493

EASTERN WASHINGTON STATE UNIVERSITY

Board of regents for the regional universities and Evergreen: HB 171
 Board of regents increased: HB 201
 Community college development districts, repealed: *HB 331, CH 218
 Fees reset: SSB 3712
 Joint center for higher education, WSU and EWSU programs in Spokane: SHB 494, *SSB 3376, CH 370
 Salary increases for administrators: SSB 3056
 Trustee membership increased: *HB 293, CH 137, SB 3133

ECOLOGY, DEPARTMENT OF

Acid rain, DOE monitoring, critical levels established: *SHB 974, CH 456

ECOLOGY, DEPARTMENT OF—cont.

- Air pollution control devices, tampering, penalties: HB 335
- Air pollution penalty appeals to PCHB: HB 908
- Burning of grass, \$1/acre, research, smoke management: SHB 1122
- Conservation corps, nonprofit corporations, reimbursement of absorbable costs: SSB 3568
- Dangerous wastes traded, waste exchange study: HB 770
- Dredge spoils, contaminated, disposal of, regulations: HB 964
- Environmental health programs of DSHS to DOE: SSB 4308
- Forest practices appeals board abolished: HB 1069
- Forest practices interagency assistance team created: HB 284
- Groundwater management advisory committee: *SHB 232, CH 453
- Hazardous household substances, central telephone number: SHB 136
- Hazardous materials storage in underground containers: HB 679
- Hazardous substance information and education office: *SHB 865, CH 410
- Hazardous substances, illegal, improper release, study: SSB 4255
- Hydraulic projects, review by shorelines hearing board: HB 817
- Hydraulic projects, study committee formed: *SHB 223, CH 123
- Lake Osoyoos, joint venture with BC: *SB 3576, CH 27
- Litter bag, state production of: HB 553
- Minimum flow, technically and biologically sound definition: SHB 757
- Nisqually river system, management program: *SHB 323, CH 244
- PCB's, DOE to regulate wastes from transformers, capacitors: *SSB 3201, CH 65
- Puget Sound, industrial wastewater, pretreatment, review and revise: HB 814, *SHB 815, CH 249
- Puget Sound institute established: SHB 506
- Puget Sound, study water and sediment, recommend to PSWQA: HB 655
- Puget Sound water quality enforcement actions, report: SHB 796
- Radiation, control, DOE to seek funds: *2SHB 3, CH 372
- SEPA appeals made to pollution control hearings board: HB 909
- SEPA, plaintiff to post a bond: HB 540
- Shellfish, recreational and commercial areas: 2SHB 1068
- Shoreline management master program: HB 963
- Shoreline permit review, certification phase abolished: HB 819
- Tire recycling: HB 804, *SHB 804, CH 345
- Toxic information and education office: HB 865
- Water flow or level changes, notice requirements: *SB 3298, CH 196
- Water pollution control activity, DOE report: *SB 3812, CH 316
- Water pollution control facilities, financial assistance: SHB 1081, 3SSB 3827
- Water protection assistance account: HB 811
- Water rights, permit granting: HB 22, HB 135
- Water supply projects, bonds authorized: HB 1196, 2SSB 4136
- Wetlands, acquire, Puget Sound water quality protection: SHB 840
- Wood stove regulation, performance standards: HB 905

ECONOMIC RECOVERY (See also EXPORTING AND IMPORTING)

- Agricultural water supply projects, recreation and wildlife, bonds: HB 1196, 2SSB 4136
- B & O tax deferral for new businesses operating at a loss: HB 1025
- Business siting, facilitate: SB 3412, *HB 830, CH 85
- Capital projects office to promote commerce in international markets: HB 883
- Community and rural improvement act: HB 1188
- Community development block grant funds: *SHB 855, CH 164
- Community development corporation authorized: HB 113
- Economic development board established: *2SHB 627, CH 467
- Economic development, counties, public/private corporations: HB 1047
- Economically depressed areas, centennial partnership projects: SSB 4100
- Factory equipment brought into state use tax exempt: HB 989
- Factory siting in environmentally nonsensitive areas: HB 524
- Grants and loans for economic development: *SHB 461, CH 446
- Higher education, financial assistance, economic recovery-type careers: HB 585
- High-technology coordinating board: *SSB 3630, CH 381

ECONOMIC RECOVERY—cont.

- IMPACT center, high-quality research, education and nondegree training in international trade: *SHB 1063, CH 39
- Industrial development bonds, agricultural activities: SSB 3378
- Industrial finance authority created, industrial development: HB 195
- Industrial incentive zones: SHB 1032
- International trade and development, advisory council: HB 501
- International trade and economic development center at UW: HB 945
- International trade and investment information program: HB 739, SB 4212
- International trade assistance center: HB 1061, SSB 4213
- Investment projects, new manufacturing buildings or major improvements, sales tax deferral: HB 415
- Investment projects, sales tax deferral for job creation in distressed areas: *SHB 1079, CH 232
- Investment projects, tax deferral for persons currently not in state: HB 1326
- Parking and business improvement areas: *SHB 1129, CH 128
- Seed capital defined: *HB 943, CH 269
- Shipbuilding and ship repair industries: HCR 8
- Small business and development center: SB 4291
- Vocational education advisory council, local committees: HB 584
- Vocational training, emergency pilot program: *SHB 1207, CH 437

EDUCATION

- Alternative schools, educational school definition: HB 417
- Educational service districts, employer's retirement contribution, method revised: HB 352
- Environmental education task force: HB 980
- Guns, teaching, use for civil disorders, prohibit: SHB 81
- Hazardous substance information and education office: *SHB 865, CH 410
- Health care education program by certain agencies: HB 1075
- High-technology coordinating board: *SSB 3630, CH 381
- Intern certificates, one year period, mentor teachers: HB 884
- Literacy, adult literacy program: HB 363, SSB 3517
- Mental sports competition and research commission established: SB 3405
- Street kids pilot project, multiservice centers: 2SHB 930
- Teachers, competency exam for certification: HB 1042, HB 1064
- Toxic information and education office: HB 865
- Water quality, fees and fines, enhance water quality: HB 816
- Wetlands, acquire, protect Puget Sound water quality: SHB 840

EDUCATION, STATE BOARD OF (See also SCHOOLS AND SCHOOL DISTRICTS; SUPERINTENDENT OF PUBLIC INSTRUCTION; individual colleges and universities)

- Achievement test, standardized, core competency test: HB 369
- Administrators' academy planned: HB 260, SSB 4118
- Alternative plans for effective programs: *SSB 3235, CH 349
- Career ladder, state-wide for certificated classroom teachers: HB 586, HB 884
- Early childhood education enhanced: HB 372
- Educational clinic defined, includes alternative schools: HB 417
- Excess levy limitation, expenses, schools to report: HB 578, HB 583
- Governor to appoint: HB 365
- High school graduation requirements revised: HB 1184, *SB 4140, CH 384
- Japanese, Spanish instruction, grades one through six: SHB 366, *SSB 3516, CH 379
- Kindergarten-3, combine in a block: SHB 372, SSB 3518
- Membership, all members vote: HB 311, SB 3111
- Needs assessment and planning guide for common school construction and maintenance: HCR 2
- Superintendent of public instruction, appointment: HJR 10, HJR 24
- Task force on new technologies, educational process: HB 371
- Teacher certification, board of education study: 2SHB 587, *2SHB 849, CH 420
- Teacher certification, graduate-level professional teacher preparation program: HB 174

EDUCATION, STATE BOARD OF—cont.

Teachers, training in recognizing potential child abuse victim: *SHB 805, CH 419
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EDUCATIONAL CLINICS

Biennial budget request to include educational clinics: *HB 999, CH 434

ELDERLY (See also NURSING HOMES)

Absentee voters, ongoing authorized: *SB 3854, CH 273

Abuse or neglect, report: SHB 932, 2SSB 3238

Accessory apartments permitted by municipalities: HB 900

Fishing license, over 70, study fee: *SSB 4231, CH 464

Fishing license, half price to persons over 70: 2SHB 89

Fishing licenses, free for 65 years or older: HB 97

Fishing licenses, 50% fee reduction: HB 266

Fishing opportunities of juveniles, handicapped, senior citizens: *SB 3314, CH 438

Meals, elderly, low-income, or handicapped, tax exempt: *HB 183, CH 104

Medicaid, nursing home patients, no discrimination: SHB 196, SHB 246, *SSB 3262,
CH 284

Park campsites, senior citizen pass: HB 704

Respite care demonstration projects, continue: SHB 111

Self-medication techniques, allowed in boarding homes: *SSB 3904, CH 297

Voting and registration facilitated: *SHB 1153, CH 205

WSDOT authorized to receive federal funds: HB 79, *SB 3121, CH 20

ELECTIONS

Absentee ballot distribution procedure: HB 630, SSB 3310

Absentee voters, ongoing authorized: *SB 3854, CH 273

Absentee voting for late registration: SHB 631

Ad hoc community councils, petition process provided: HB 976

Aquifer protection areas, county may create: *SHB 1116, CH 425

Aquifers, sole-source, protection program: HB 414

Ballot marking procedures: SHB 545, SSB 3310

Ballot titles, 75 words, appeal process, etc.: HB 671

Ballots, primary and sample, order of candidates: SSB 3459

Ballots returned undeliverable are subject to inquiry: HB 736

Ballots, write-in candidates, procedure: SHB 108

Bond elections for capital purposes: HJR 28

Bonds, municipal corporations, revisions: HB 629

Campaign contribution, ceilings and percentages imposed: HB 457

Campaign contribution limitation: SHB 192, *SSB 3307, CH 359

Candidates who have been public employees, files open: HB 1120

Cities, filing date revised: HB 632

Civil rights restoration to convict, when: HB 1150

Constitutional amendments, AG's statement: HB 633, *SB 3436, CH 252

Contributions prohibited if required report not filed: HB 984

Contributors over \$5,000 to file a public disclosure report: HB 715

Costs, prorated share to be borne by state: HB 49, SHB 631, SB 3287

Federal office vacancies, procedure: HB 636, *SB 3096, CH 45

Federal reserve system, constitutionality challenged: SB 3555

Fund-raising activities, not during session: HB 381

Gift giving restricted: SHB 229

Handicapped persons, voting and registration facilitated: *SHB 1153, CH 205

Incorporation, municipal, separate election for offices: HB 308

Initiative and referendum signers, geographical distribution: HJR 15

Initiative measures, voluntary review by AG regarding legality: HB 613

Initiatives, referendums, ballot title to appear in ads: HB 536

Injunction against certification if election authorized: HB 699

Official election materials, alteration and use prohibited: SHB 114

Park district, election laws of the state govern: *SHB 891, CH 416

Party preference, optional registration: HB 173

Political advertising, name of party as on the ballot: SB 3534

Political committees, financing, one per candidate: SHB 313, *SSB 3367, CH 367

ELECTIONS—cont.

Precinct boundary adjustments: HB 630, SSB 3310
 Precinct size restricted: HB 1011
 Presidential preference primary: SHB 433
 Primaries, candidate wins without general if 60% majority: HB 947
 Primaries, when not held: HB 788
 Property tax levies, temporary increase authorized: HB 740
 Public disclosure, beginning, end of campaign: SHB 313
 Recall grounds, false political advertisements: HB 523
 Recall grounds, false statements by candidates: HJR 20
 Recall of public officials, procedures: HB 1125
 Sample ballots to include all known candidates: HB 180
 Signs, temporary placement along highway: HB 234, SSB 3500
 Superintendent of public instruction, appointment: HJR 10
 Superintendent of public instruction, governor to appoint: HJR 24
 Van Dyke, reprimand: *HFR 5
 Violations, fines increased: HB 224
 Voter registration challenge: HB 635, HB 1178
 Voter registration, place of birth information required: HB 7
 Voter registration records, custody and access: HB 419
 Voter registration validity, county auditor inquiry: HB 736

ELECTRICIANS

Inspectors, 2 classes provided for: HB 1053
 Landscape sprinkler specialty electrician regulated: SHB 649

ELECTRICITY

Agricultural irrigation commission, formation authorized: SB 3286
 BPA, withdraw proposal to modify repayment schedule: SJM 108
 Construction costs investment funds: HB 1194
 Consumers' utility board established: HB 558
 Counties, regulation enforcement: HB 412
 Differential electric utility rates, encourage conservation: HB 340
 Energy code to be in effect in all cities, counties: HB 948
 Energy facilities, decommissioned, procedure: SHB 339
 Joint operating agencies, bidding, contracting: SB 4262
 Joint operating agencies, contracting authority modified: HB 146
 Joint operating agencies, formation procedures: SHB 144
 Joint operating agencies, power and authority modified: HB 145
 Joint operating agencies, thermal power plant construction projects, certain prohibited: HB 345
 Joint operating agencies, travel reimbursement, employees: HB 346
 Liens on premises occupied by tenants prohibited: HB 304
 Northwest interstate compact, energy development, financing: SHB 744
 Nuclear, thermal, electric generating facilities, joint development authority repealed: HB 714
 Nursing home retrofitting: HB 185, SHB 197
 PCB's, DOE to regulate wastes *SSB 3201, CH 65
 Proposed sites, present and future forecasted need: HB 1194
 Specialty electrician category: HB 1110
 State building code, energy efficient standards: HB 441
 Theft of utility services, civil liability: *HB 758, CH 427
 Utility rate relief for low-income: HB 344
 Utility rate relief for low-income veterans, blind, or disabled: SSB 3221
 Water systems owned by municipalities, electric generation: *SHB 846, CH 444

EMBALMERS AND FUNERAL DIRECTORS

Funeral director's licensure: HB 993
 Uniform disciplinary act modified: SHB 131

EMERGENCIES

Energy emergencies, governor's power extended: HB 336, *SSB 3438, CH 308
 Interception or recording of private communications for emergencies: HB 1058

EMERGENCY SERVICES

- Incorporation of new cities, essential service provisions: *SHB 1191, CH 143
- Incorporation of new cities, essential service provisions by county via contract:
 - *SHB 956, CH 332
- Levies authorized, taxing districts, difference in county tax: *SHB 1269, CH 348
- Life support technicians, uniformed personnel collective bargaining procedures:
 - *SHB 48, CH 150
- Mine rescue plan, 2 mine rescue teams: SSB 4208
- Scene of an emergency, duties, immunity: SSB 3088, *SHB 242, CH 443

EMPLOYMENT AGENCIES

- Marital status, employment agencies may not discriminate based on: HB 52

EMPLOYMENT SECURITY, DEPARTMENT OF (See also UNEMPLOYMENT COMPENSATION)

- Community revitalization team for distressed areas: *2SHB 738, CH 229
- Conservation corps, funding for distressed areas: *SHB 760, CH 230
- Conservation corps, nonprofit corporations: SSB 3568
- Employees, political activity restriction removed: HB 115, HB 551, *SB 3624, CH 96
- Employment security department, L&I combined: HB 871
- Group health insurance, eligibility lapses, continuation: SB 3355
- Health care coverage, unemployed, pilot project: SHB 652
- Internship program, students, state employees: *SHB 178, CH 442
- Job placement services relating to vocational rehabilitation: *SHB 1084, CH 339
- Job service program labor exchange, report to legislature: SSB 4196
- Labor exchange, job service resources and employment assistance: SHB 1183, SSB 4196
- Political activity restriction removed: HB 115, HB 551, *SB 3624, CH 96
- Shared work compensation program, revised: HB 511, *SB 3406, CH 43
- Unemployment, effect on health, report: SHB 652
- Youth development and conservation corps: HB 910
- Youth development and conservation corps to clean up Sound and protect shellfish: 2SHB 1068

EMPLOYMENT (See WORK)**ENERGY**

- Agricultural irrigation commission, formation authorized: SB 3286
- BPA, withdraw proposal to modify repayment schedule: *SJM 108
- Cogeneration certification application procedure: SSB 3112
- Consumers' utility board established: HB 558
- Decommissioning of major energy facilities, procedures: SHB 339
- Differential electric utility rates, encourage conservation: HB 340
- Emergencies, governor's power extended: HB 336, *SSB 3438, CH 308
- Energy audits required, housing finance commission assistance: HB 341
- Energy code, advisory council to revise: HB 948
- Energy code, revised state energy code: *SHB 1114, CH 144
- Joint operating agencies, bidding, contracting: SB 4262
- Joint operating agencies, contracting authority modified: HB 146
- Joint operating agencies, formation procedures: SHB 144
- Joint operating agencies, power and authority modified: HB 145
- Joint operating agencies, thermal power plant construction projects: HB 345
- Joint operating agencies, travel reimbursement: HB 346
- Northwest interstate compact on energy development and financing: SHB 744
- Nuclear, thermal, electric generating facilities, joint development authority repealed: HB 714
- Nursing home retrofitting: HB 185
- Performance-based contracts, energy equipment, services authorized: *HB 949, CH 169
- Radon detectors: SHB 894
- Residential property, energy audit required before sale: SHB 342
- State building code, energy efficient standards: HB 441
- Water heater temperatures: *HB 34, CH 119, SB 3206

ENERGY—cont.

Wood stove regulation, performance standards: HB 905

ENERGY FACILITY SITE EVALUATION COUNCIL

Chief executive officer of EFSEC, chairman: HB 1014, *SB 4266, CH 67

Decommissioning of major energy facilities: SHB 339

Proposed plants must meet regional power plan criteria: HB 1194

ENTERTAINERS

Unemployment compensation, employment defined: HB 162

Unemployment insurance, employer, employee defined: *SSB 3162, CH 47

ENVIRONMENT (See also AIR POLLUTION; CONSERVATION; ECOLOGY,

DEPARTMENT OF; LAND USE PLANNING; POLLUTION; WATER)

B&O tax deduction, sales of returnable containers: HB 1099

Businesses, siting of, facilitate: SB 3412, *HB 830, CH 85

Environmental education task force: HB 980

Forest practices appeals board abolished: HB 1069

Manufacturing, land use planning, siting: SHB 524

Matching grant program for conservation districts: HB 471, SSB 3379

Nisqually river system, management program: *SHB 323, CH 244

SEPA, plaintiff to post a bond: HB 540

Youth conservation corps, established: HB 760

Youth development and conservation corps, clean up Sound, protect shellfish:
2SHB 1068

EQUIPMENT, COMMISSION ON

Assistance vans may stop on limited access highway: *HB 271, CH 149

Membership, designees authorized to serve: *HB 73, CH 165

Motor vehicle, lighting devices: HB 328

Motor vehicle sunscreens, approval process: *SB 3085, CH 304

Optical strobe light devices, use restricted: *HB 327, CH 331

Placards required, combination vehicles: HB 990

Seat belt standards: HB 713

Seat belts, commission on equipment report, mandatory law: SHB 1182

Street rod equipment: SHB 870

ESCROW AGENTS

Escrow commission duties enlarged: *SHB 190, CH 340

ESTATES

Award in lieu of homestead, modified: *SB 3103, CH 194

Escheat property, director of revenue to administer estate: *HB 1004, CH 133

Statutory will act: HB 592

EXPLOSIVES

Avalanche control activities exempted, explosives law: *HB 787, CH 191

EXPORTING AND IMPORTING

Advisory council on international trade and development: HB 501

Agriculture commodity commission: *SB 4121, CH 26, *HJR 42

Alcohol, import and sale, appeal to minors banned: HB 1019

Canadian forest products, import restrictions: HJM 14, *SJM 102

Capital projects office, promote commerce, international markets: HB 883

Economic development, legislative committee created: SSB 4211, *2SHB 627, CH
467

Export assistance center, contract authority extended: HB 1043

Forest products, center for international trade: SSB 3814, *SHB 837, CH 122

Forest products market development task force: HB 792, SB 3907

Higher education, financial assistance, economic recovery-type careers: HB 585

IMPACT center, function, marketing, international marketing: *SHB 1063, CH 39

International trade and economic development center at UW: HB 945

International trade and investment information program: HB 739, SB 4212

International trade assistance center: SSB 4213, *SHB 1061, CH 231

International trade office, name change: SSB 3392

International trade policy, promote long-term: HB 567

EXPORTING AND IMPORTING—cont.

International, trade, tourism, and investment: SCR 115

Market development role: *SHB 1234, CH 159

Organic food products, standards established: *SHB 297, CH 247

State's role in market development defined, agriculture distinguished: *SHB 1234, CH 159

Trade and economic development, duties enlarged: HB 564, *SHB 625, CH 466

FACTORIES

Land use planning that encourages suitable siting: SHB 524

FAMILY LAW (See COMMUNITY PROPERTY; DOMESTIC VIOLENCE)**FARMING (See AGRICULTURE)****FEDERAL**

Air emission of boats: HJM 21, *SJM 127

Balanced federal budget via constitutional convention: HJM 28

Bicentennial of the U.S. Constitution, commission established: HCR 6

Bonneville dam, locking facility, funds: SJM 119

BPA, withdraw proposal to modify repayment schedule: SJM 108

Cigarette tax, providing for replacement of expiring portion: HB 167

Congressional terms, limit to 12 years: HJM 6

Constitutional convention, procedure change requested: SJM 105

Constitutional convention, federal, budget: SJM 106

Constitutions, U.S. and State, anniversary: *SSB 4361, CH 291

Customs, headquarters for west coast ports: HJM 20, *SJM 128

Defense spending, reduced social programs opposed: HFR 26

Farm banks, amend federal law to assist: *SSJM 121

Federal college savings plan, tax break requested: HJM 4, *SJM 110

Federal debt, Congress asked to eliminate: HJM 11

Federal office vacancies, procedure: *SB 3096, CH 45

Federal reserve system, constitutionality challenged: SB 3555

Financial institutions, requesting uniform regulatory system: HJM 22

Fireworks, federal prohibition of transportation: HJM 27

Fireworks, state jurisdiction to regulate federal enclaves: SJM 122

Foley amendment to armed forces in El Salvador and Nicaragua: HJM 23

Hanford, exposure to radiation, DSHS study: *SSB 3799, CH 383

Hazardous waste sites, federal funds: *SJM 107

Heavy vehicle use tax, state vehicle registration: *HB 398, CH 79

High level and defense nuclear waste, transportation liability: *SCR 109

Interstate highway construction funds, asking release: *HJM 1

Japanese-Americans, WWII relocation: HJM 9, *SSJM 104

Minority participation, graduate programs: HJM 5, *SJM 111

Mt. St. Helens, sediment retention: *SB 4146, CH 307

New state, requesting congress to establish: HJM 13

Nuclear weapons, test ban treaty, stop testing: HJM 26

Orthodox Christians, protect: *HJM 2

Presidential preference primary: HB 433, SHB 433

Radiation violations, DSHS authority, federal areas: *2SHB 3, CH 372

Radio broadcasts, allow in commercial establishments: HJM 7

Ratifying U.S. constitutional amendment, voting rights: HJR 18

Roosevelt Lake, BPA, public announcements before lowering: HJM 18

Salmon treaty, ratify: SJM 101

Sanctuary movement, legalize and support: SHJM 24

School system, non-English speaking students, financial assistance: HJM 3, SJM 112

Small business administration, asking Congress to retain: HJM 12, SJM 113

Smoking, federal buildings, prohibit except designated areas: HJM 10

Social security, benefit computation disparity, eliminate: HJM 8

South Lake Union Naval Reserve Base, transfer ownership: *SHJM 16, SSJM 117

Speed limit, requesting national limit of 65 mph: HJM 19

Speed limits, uniformity of state and national: HB 899

FEDERAL—cont.

- Steelhead, designated a national game fish: HJM 25
- Steelhead trout, exclusively a gamefish: HJM 15, SHJM 15
- Treaty fish management, requesting federal funds: HJM 17
- Voting rights for Washington D.C., ratifying: HJR 18
- Weapons acquisition, cost-benefit analysis: HFR 38
- Work incentive demonstration program: HB 1135
- WSDOT authorized to receive federal funds: HB 79, *SB 3121, CH 20

FEDERAL RESERVE SYSTEM

- Challenge constitutionality referendum: SB 3555

FERRIES

- Advisory committees, authority enhanced: SB 3215
- Expenditures from the revenue fund need an appropriation: HB 1198
- Parking fees in state ferry facilities authorized: HB 78
- Passenger-only, performance requirements eliminated: *HB 77, CH 176

FINANCIAL INSTITUTIONS (See also BANKS)

- Adjustable variable interest rates authorized: *SB 3415, CH 224
- Check cashing fee for government checks: HB 1171
- Check cashing fees, report to legislature: HB 701
- Check cashing, government checks, no fee or deposit: SSB 3029
- Community reinvestment act: *SHB 1169, CH 329
- Consumer credit reporting agencies, fair reporting required: HB 972
- Credit cards, interest rate on unpaid balance, limit: HB 472
- Credit cards, interest rates competitive with other states: SB 4113
- Department created: HB 707
- Discrimination prohibited, housing finance commission, FHA loan tax payments: HB 903
- Due on sale clause: SHB 936
- Employees may not engage in insurance activity: HB 774
- Lenders and loan brokers act: HB 705
- Motor vehicle transfer, time period modified when transferee: HB 198
- Open-end loan requirements: SB 3331, *SHB 520, CH 74
- Public assistance eligibility verification: HB 1027
- Real estate loans regulated: HB 706
- Sexual orientation, may not discriminate based on: HB 474
- State funds, hold or invest, affirmative action plan: SSB 3345
- Tax on intangible personal property: HB 599
- Uniform system to regulate, ask feds to establish: HJM 22

FIRE PROTECTION

- Air navigation facilities, responsibility: *HB 139, CH 246
- Annexation of city by district: *SB 3625, CH 313
- Civil service, chiefs excluded: HB 766
- Collective bargaining, fire dispatchers: HB 47
- Collective bargaining, life support technicians: *SHB 48, CH 150
- Commissioner compensation modified: *SHB 23, CH 330
- Disability leave supplement, temporary total disability: *SHB 435, CH 462
- Fire service training account, revolving fund: *SSB 3442, CH 312
- Hazardous waste handlers to provide notice and reports: SHB 1177
- Industrial insurance, law enforcement and fire fighters: HB 548
- Interception or recording of private communications: HB 1058
- Liquor premises, security and officers, 18: *SB 3851, CH 323
- Port districts may enter into interlocal agreements: HB 1067
- Retirement, contributions not required, no service credit: SSB 3717
- Retirement, disability benefits, disability ceased, procedure, appeal: *HB 657, CH 103
- Retirement, disability benefits, revisions: *SHB 444, CH 102
- Scone of an emergency, duties, immunity: SSB 3088, *SHB 242, CH 443
- Smoke detectors in college dormitories: HB 719
- State fire protection board created: *SSB 3856, CH 470

FIRE PROTECTION—cont.

- Tax exemption, sales and use, fire fighting equipment: HB 541
- Tuition and fee exemption for children, age dropped to 17: HB 1072

FIRE PROTECTION DISTRICTS

- Commissioner compensation may be waived: *SHB 23, CH 330
- Property tax levies, townships not formed: *SHB 189, CH 112
- Short-term obligations, municipal corporations: *SHB 956, CH 332

FIREARMS (See GUNS)**FIREWORKS**

- Classification revised: HB 1146, SSB 4195
- State jurisdiction to regulate: SJM 122
- Transportation, destined for states that prohibit, federal prohibition: HJM 27

FISH (See FISHERIES, DEPARTMENT OF)**FISHERIES, DEPARTMENT OF**

- Agricultural water supply facilities, bonds authorized: HB 985
- Anadromous fish jurisdiction to fisheries department: HB 906
- Aquaculture advisory council created: SHB 309, *SB 3067, CH 457
- Aquaculture, impact of projects, review: SHB 608
- Aquaculture lands or structures, trespass prohibited: *SB 3173, CH 289
- Aquatic farming, market development role: *SHB 1234, CH 159
- Aquatic resources, Puget Sound, standards and guidelines: HB 655
- B & O tax, fresh food fish and shellfish: HB 750
- Columbia River Gorge, Skamania County waterfalls, preserve: HB 907
- Comprehensive annual report to legislature: *SSB 3170, CH 93
- Conservation corps, nonprofit corporations, reimbursement: SSB 3568
- Fish farming exempted from excise taxation: *HB 99, CH 148
- Fisheries commission established: HB 663
- Fishing, bait or lure prohibitions: SHB 841, *SB 3314, CH 438
- Fishing licenses free to veterans: HB 300
- Flood plain management, DOE to adopt rules: *SHB 380, CH 454
- Food fish, enhanced food fish tax: *SHB 1060, CH 413
- Food fish violations, rewards for information: HB 191
- Food fish, voluntary license suspension: SHB 243
- Forest practices board, members with specific expertise: HB 284
- Hood Canal, shellfish protection areas: HB 818
- Housing for certain employees: HB 117, *SSB 3184, CH 463
- Hydraulic projects, review by shorelines hearing board: HB 817
- Hydraulic projects, study committee formed: *SHB 223, CH 123
- Landed defined for tax purposes: HB 750
- Long-term strategic plan to be developed: HB 239
- Mt. St. Helens surplus land, fish and wildlife habitat: *SB 4146, CH 307
- Mussels included in shellfish definition: HB 110, *SSB 3175, CH 51
- Natural fish runs, salmon and steelhead runs: *SSB 4314, CH 208
- Olympia oyster, dike cultivation production: SHB 309, SHB 607
- Oyster reserve lands, lease on a long-term basis: *SSB 4041, CH 256
- Patrol officers, enforce traffic and criminal laws: *SHB 127, CH 155
- Prison work programs, food fish, shellfish, and game rearing: *SSB 3207, CH 286
- Puget Sound institute established: SHB 506
- Salmon advisory council, report on facility funding and capacity: *SSB 3384, CH 458
- Salmon angling license, Oregon reciprocity: HB 14, *SHB 14, CH 174
- Salmon, gill nets, monofilament, restrictions removed: *HB 31, CH 147
- Salmon, sale of inedible, revisions: *SB 3368, CH 28
- Salmon treaty, ratify: SJM 101
- Salmon troll license: *HB 670, CH 107
- Salmon, water-dependent fish and wildlife, protection: SHB 757
- Shellfish, "commercial quantities" added to definitions: HB 110, *SSB 3175, CH 51
- Shellfish protection districts: *SHB 814, CH 417
- Shellfish protection in Puget Sound: HB 655

FISHERIES, DEPARTMENT OF—cont.

- Treaty fish management, requesting federal funds: HJM 17
- U.S.—Canada salmon treaty, ratification urged: SJM 101
- Veterans, free fishing licenses: HB 300
- Water supply projects, bonds authorized: HB 1196, 2SSB 4136
- Wholesale fish dealers, damages, fines, bonds: *SHB 466, CH 248
- Wildlife management, joint select committee established: HCR 12
- Youth development and conservation corps, clean up, protect Sound: 2SHB 1068

FLOOD CONTROL DISTRICTS

- Connection charges, metropolitan municipal corporation: HB 1049, SB 4168
- Ecology department to adopt flood plain management rules: *SHB 380, CH 454
- Lake Osoyoos, joint venture with British Columbia: *SB 3576, CH 27
- Powers specified: HB 557
- Special purpose districts, creation, elections: *SHB 150, CH 396
- Storm water management participation by WSDOT authorized: HB 874

FLOOR RESOLUTIONS OF THE HOUSE

- Academic decathlon touted: HFR 36
- Animal damage control, save the program: *HFR 11
- Anthony, Susan B.: *HFR 20
- Arbor day, April 10, 1985: *HFR 47
- Bearded collie club, held in Olympia: *HFR 64
- Bicycling, support safe bicycling during 1985 season: *HFR 73
- Boy scouts: *HFR 15
- Castle Rock wrestling team: *HFR 30
- Central area youth association honored: HFR 61
- Child care, interim study, appropriate state role: *HFR 34
- Cle Elum womens basketball team: *HFR 40
- Computers, video display terminals, study: HFR 44
- Comwitz monarchs basketball team, special Olympics class B championship: HFR 76
- Defense spending that reduces social programs opposed: HFR 26
- Dependency proceedings, responsibilities recognized: HFR 57
- Doc Adams, sympathy extended to family: *HFR 87
- Dryke, Matt applauded for his prowess in skeet shooting: *HFR 22
- Executive rules committee formed, interim: *HFR 56
- Farming game creators, George and Ann Rohrbacker, commended: *HFR 65
- Ferndale band recognized: *HFR 6
- Financial institutions, services examined: *HFR 88
- Foster, Dean recognized: *HFR 2
- Fritjof lodge of the Sons of Norway honored: *HFR 59
- Girl scouts recognized: *HFR 31
- Guthrie, Woody, songwriter, honored: *HFR 67
- Haglund, Ivar: *HFR 14
- Health care bombings: *HFR 16
- Hi-Q program recognized: *HFR 60
- Hispanic community honored: HFR 55
- Home schools, church schools, study of issue encouraged: HFR 54
- IBEW and NECA, employees and management working together: *HFR 50
- Insurance, affordability and availability, study: HFR 90
- Insurance commissioner consumer complaint: *HFR 77
- International flying farmers, warm welcome: *HFR 66
- Jamboree boy scout troops traveling to Virginia endorsed: HFR 78
- Kamiakin high school, girls' basketball, class AAA champs: *HFR 35
- King, Martin Luther honored: *HFR 4
- Knowledge bowl, congratulations extended: *HFR 72
- Lakes high school AAA swim champs: *HFR 23
- League of women voters: *HFR 18
- Lions Club President, Joseph L. Wroblewski, honored: *HFR 79
- Louie Louie day, and state rock and roll song for a day: HFR 52
- Magnuson, birthday celebrated: *HFR 45

FLOOR RESOLUTIONS OF THE HOUSE—cont.

- Mariners, best wishes extended: *HFR 48
 Medical malpractice insurance examined: *HFR 81
 Mercer Island high school basketball team: *HFR 32
 Military weapons, spending, cost-benefit analysis: HFR 38
 Mine sweeper: *HFR 19
 Murals to be unveiled: HFR 69
 Notify senate that house is organized: *HFR 3
 NRA, annual convention, welcomed: *HFR 53
 Nursing school, UW, number 1 status acclaimed: *HFR 12
 O'Brien, John L., honored for his many contributions: *HFR 84
 Officer Dale Egger and Richard Glass mourned: *HFR 75
 Olympia high school jazz ensemble: *HFR 85
 Olympia traffic ticket policy seen as excessively punitive: HFR 70
 Oregon, dialogue between legislatures: *HFR 27
 Oregon recreational opportunities, equitable for Washington residents paying Oregon income tax: *HFR 39
 Pages recognized as diligent and faithful workers: HFR 68
 Pearson, Francis, brilliant career noted: *HFR 25
 Perkins, Frances, dedication and contributions honored, April 10th birthday noted: *HFR 49
 Personnel systems, study dual system and possible combining: *HFR 74
 Photographer for the 49th session photo: *HFR 9
 Port development, congress urged to adopt legislation: HFR 33
 Riels, Sherry, Miss Washington U.S.A.: *HFR 58
 Robinson, Eldon, honored, 31 years, precinct committee person: *HFR 46
 "Roll on Columbia, Roll on," state folk song of 1985: *HFR 67
 Rule adoption, permanent: *HFR 8
 Rule adoption schedule for 49th legislature: *HFR 1
 Saturn corporation automobile manufacturing plant: *HFR 42
 Schools, legislators, visit, teach in, interim: *HFR 71
 Schorno, Willfried and Ilona, Congress petitioned to aid immigration problems: *HFR 28
 Schultz, Gordon, contributions to journalism profession recognized: *HFR 37
 Select committee, clean-up & management, Puget Sound: *HFR 7
 Sine die, committee of 3 to notify senate of house readiness: *HFR 80
 Sine die, special session, notify senate: *HFR 86
 Smith, Sam, honored for his outstanding public service: *HFR 63,
 Sohns, Louis and Elaine Eberle Tompkins: *HFR 13
 Special session, notify senate that house is ready to begin: *HFR 83
 Staff members work, diligence, and dedication noted: HFR 82
 State song book urged: *HFR 62
 Steilacoom high school state class A champs: *HFR 29
 Total force concept, guard and reserve, employer support: *HFR 21
 Van Dyke expulsion: HFR 10
 Van Dyke reprimand: *HFR 5
 Vibert Jeffers honored for his photographic contributions: *HFR 89
 Washington, George honored: *HFR 24
 Washington my home recognized: *HFR 41
 Washington scholars program: *HFR 51
 Wheeler, Jeanie Shaw: *HFR 17
 YMCA, youth legislature, facilities offered: *HFR 43

FOOD

- Flour and bread requirements modified: *SB 4122, CH 25
 Health food products exempt from sales tax: HB 734
 Kosher foods, sale regulated: SSB 3525, *SHB 459, CH 127
 Liquid spills of food, highways, clean up costs: HB 991
 Meals furnished to elderly, low-income, or handicapped, tax exempt: *HB 183,
 CH 104
 Organic food products, standards established: *SHB 297, CH 247
 Sales tax prohibited on food and prescription drugs: HJR 45

FOOD—cont.

- Salmon, sale of inedible, revisions: *SB 3368, CH 28
- Vitamins, dietary supplements, health food, exempt: HB 734

FOOD BANKS

- Tax exemption for meals served to elderly, low-income, or handicapped: *HB 183, CH 104

FOREST PRODUCTS

- Canadian forest products, import restrictions: HJM 14, *SJM 102
- Christmas tree seeds and seedlings, sales tax exempt: HB 617
- Counter-cyclical development fund, timber-dependent counties: HB 1033
- Diffuse Knapweed, pilot program for controlling: SHB 278
- Farm labor contractors, agricultural employees, regulated: *SHB 199, CH 280
- Forest practices interagency assistance team created: HB 284
- Forest products market development task force: HB 792, SB 3907
- Formaldehyde, public disclosure of products required: SHB 343
- International trade center, forest products: SSB 3814, *SHB 837, CH 122
- Open space classification, transfer, compensating tax, delay: SSB 4315
- Self-insurance of forest industry associations: HB 338
- State land, timber and other materials, deposit reduced: SHB 484
- Sustainable harvest, deficit: HB 508

FORMALDEHYDE

- Product disclosure required: SHB 343

FUNDS

- Aquaculture disease control account created: *SB 3067, CH 457
- Automobile and truck tire recycling account: HB 804
- Basic health plan trust account, hospital assessments: SSB 3320
- Basic health plan trust account, tax on physicians: SSB 3320
- Building code council account established: *SSB 3261, CH 360
- Centennial fund created: *SSB 4361, CH 291
- Child care facilities, small businesses, revolving loan fund: HB 664
- Coastal conservancy fund, protect, acquire natural areas: HB 840
- Community college trust land account established: HB 896
- Counter-cyclical development fund, timber-dependent counties: HB 1033
- County road administration board, fund authority modified: *SHB 321, CH 120
- County road funds, use limited to road purposes: HB 203
- Criminal justice assistance account: 2SSB 3764
- Dedicated funds or accounts, periodic evaluation: HB 161
- Deferred compensation committee: *SB 4236, CH 199
- Distinguished professorship program, trust fund: *SHB 781, CH 343
- Economic development account, motor vehicle fund: *SHB 863, CH 433
- Emergency expenditures, agency to control: HJR 1
- Export assistance center, financially independent: HB 1043
- Fire service training account: *SSB 3442, CH 312
- Fiscal emergency account: HB 426, HJR 16
- Game fund, concealed weapon permit fee: *SSB 3450, CH 428
- Hazardous household substances account created: SHB 136
- Hazardous substances, study: SSB 4255
- Health professions account: SHB 131
- Higher education emergency capital projects account: HB 919
- Highway construction stabilization account: *HB 720, CH 140
- Indigent soldier's relief fund, hall rental: *SHB 177, CH 181
- Indigent soldiers' relief fund renamed: SSB 3005
- Industrial insurance fund established: HB 987, HB 1050
- Industrial insurance trust funds, investment authorized: HJR 12
- Industrial mortgage insurance fund created: HB 195
- Institutional impact account, reimbursement criteria: SB 3233
- Job skills program, reappropriating unexpended money: HB 353
- Liquor revolving fund, disbursement modified: HB 38
- Lottery account created: SHB 98, *SSB 3684, CH 375

FUNDS—cont.

Medical aid fund, industrial coverage: *SSB 3354, CH 368
 Mobile home trust fund: HB 1111
 Motor vehicle fund distribution for arterials and streets: HB 148
 Nomenclature in accounts and funds, accounting principles: HB 560, *SB 3572, CH 57
 Noxious weed control fund: SB 3234, SHB 1189
 ORV account renamed ORV and nonhighway vehicle account: SHB 973
 Park land trust revolving fund, acquire island land: *SHB 958, CH 163
 Pension unfunded liability account: HB 1197
 Public safety and education account, court filing fees, \$15: HB 1028
 Public works assistance account: SSB 3696, SSB 3798, *SSB 4228, CH 471
 Radioactive waste account for emergency response services: HB 618
 Refrigeration and air conditioning services certificate fund: HB 60
 Retirement, full-funding required: HB 305, HJR 27
 Revenue reserve account, additional tax on cigarettes: HB 598
 Risk management office, protect, manage revenues, assets: *SB 3569, CH 188
 Rural telephone service fund: HB 443
 Smoke management account created: SHB 1122
 Solid waste management fund, user fees: SHB 486
 State employees' insurance reserve account, established: HB 1074
 State employment commission service fund: HB 913
 State employment labor relations service fund: HB 1163
 State patrol highway account, allocate portion of motor vehicle excise tax to: HB 864
 State savings bond redemption fund: HB 531
 STOP-DWI programs, establishment funded: HB 929
 Tourism development partnership capital fund, custody of commerce and economic development department: SSB 4100
 Transportation budget, 1985-87: *SSB 3920, CH 460
 Unanticipated receipts, budget approval process modified: HB 5
 Unemployment programs special account, administrative contingency fund: SHB 1183, SSB 4196
 Vessel local excise tax account created: SSB 3157
 Water protection assistance account: HB 811
 Western library network enterprise fund: HB 154, *SSB 3047, CH 21
 WSDOT authorized to receive federal funds: HB 79, *SB 3121, CH 20

FUNERALS

Cemetery monuments and markers, city cannot sell: HB 276
 Director licensure: HB 993
 Prearrangement funeral services, records and statements: SHB 691
 Storage and disposal of human remains: *SHB 68, CH 402

FURS

Sale at auctions, restricting: HB 464

GAMBLING

Bingo, 3 occasions per week limit removed: HB 322
 Charitable or nonprofit organization, political action committee exception: HB 418
 Coin-operated music, wagering allowed: SHB 101, *HB 310, CH 86
 Consolidating the gambling commission, lottery commission, liquor control board: HB 873
 County tax, area limited: *SB 3486, CH 172
 Employees, private benefit, prohibited: HB 521, SSB 3590
 Gambling revolving fund abolished: HB 98
 Grocery stores, chance drawings: HB 219, *SHB 101, CH 473
 Horse racing, licensee revisions: HB 1045, *SSB 3342, CH 146
 Lotteries, valuable consideration sections deleted: SHB 101, HB 219
 Punchboards and pulltabs: HB 418, *SSB 3066, CH 468
 Raffle tickets, allowable price increased: *HB 402, CH 75
 Turkey shoots authorized: *SB 3494, CH 170

GAME, DEPARTMENT OF

- Advisory council established, responsibility: HB 373
- Anadromous fish jurisdiction to fisheries department: HB 906
- Animal damage control, save the program: HFR 11
- Aquaculture disease, agriculture director duties: SHB 309, *SB 3067, CH 457
- Archery stamp abolished: SB 3172, *SSB 4231, CH 464
- Beaver is a protected species: HB 902
- Concealed weapon permit: *SSB 3450, CH 428
- Conservation corps, nonprofit corporations: SSB 3568
- Conservation licenses, requirements modified: SHB 274, SB 3172
- Developmental disability, free fishing licenses: HB 266, HB 420, *SSB 4231, CH 464
- Diffuse Knapweed, pilot program for controlling: HB 278, SHB 278
- Disabled, fishing license: *HB 479, CH 182
- Fishing, bait or lure prohibitions: SHB 841, *SB 3314, CH 438
- Fishing licenses, free for 65 years or older: HB 97
- Fishing licenses, free if use 2 crutches: SB 3259
- Fishing licenses free to veterans: HB 300
- Forest practices board, members with specific expertise: HB 284
- Fur sales at auctions, restricting the sale: HB 464
- Game fund, personalized license plates, street rods: HB 870, SHB 870
- Game fund, sales tax of 1/10 of 1%: HB 615
- Housing for certain employees: HB 117, *SSB 3184, CH 463
- Hunting and fishing license increased: 2SHB 89, *SSB 4231, CH 464
- Hydraulic project applications: HB 817
- Hydraulic projects, study committee formed: *SHB 223, CH 123
- Illegally killed wildlife, reimbursement revised: SB 3397
- Long-term strategic plan to be developed: HB 240
- Migratory waterfowl stamp: *SHB 179, CH 243
- Mt. St. Helens surplus land, fish and wildlife habitat: *SB 4146, CH 307
- ORV account allocation increased to 5%: HB 973
- Personalized license plate money, game fund: SHB 870
- Prison work programs, food fish, shellfish, and game rearing: *SSB 3207, CH 286
- Protected species listed, moose, beaver, fisher, caribou: HB 902
- Salmon, aquaculture status: *SB 3067, CH 457
- Salmon fishery resources, long-term enhancement: *SSB 3384, CH 458
- Shellfish, recreational and commercial areas, improve and protect: 2SHB 1068
- Special hunts may be authorized to reduce damage by game: 2SHB 294
- Stamps, fees increased: *SSB 4231, CH 464
- Steelhead data and management program: HB 1051, SHB 89
- Steelhead, designated a national game fish: HJM 25
- Steelhead, natural fish runs reinstated: *SSB 4314, CH 208
- Steelhead trout, exclusively a gamefish: SHJM 15
- Veterans, free fishing licenses: HB 300
- Water-dependent fish and wildlife, protection and enhancement: SHB 757
- Wildlife agents empowered to enforce traffic and criminal laws: *SHB 127, CH 155
- Wildlife, damage: 2SHB 294, *SSB 3116, CH 355
- Wildlife management, joint select committee established: HCR 12

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- Amount garnishee permitted to hold modified: HB 390

GASOLINE

- Air pollution control devices, tampering, penalties: HB 335
- Alcohol in gasoline, tax exemptions: *SB 3456, CH 371
- B & O tax exemption, fuel consumed on high seas: *SSB 4228, CH 471
- City taxation of motor vehicle and special fuels modified: SB 3535
- Franchises for retail sale of fuel, restrictions: HB 329, SB 3418
- Purchasing preference by state repealed: HB 392
- Ride-sharing vehicles, tax exemption extended: HB 1052, SB 4234
- Service stations, refueling, disabled drivers: HB 301, *SSB 3027, CH 309
- Storage in underground containers, file with DOE: HB 679
- Theft of utility services, civil liability: *HB 758, CH 427

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Truckstops, special excise tax for convention center: HB 1192

GENERAL ADMINISTRATION (See also BANKS)

- Affirmative action plan, banks, state funds: SSB 3345
- Competitive bidding threshold increased: *SHB 391, CH 342
- Competitive sealed proposals: SHB 393
- Day care in state buildings, feasibility: HB 359
- Financial institutions department created: HB 707
- Fraud prevention division created, government procurement: HB 83
- Historic properties preference, state agencies: SB 3282
- Housing for certain employees: HB 117, *SSB 3184, CH 463
- Institutional industries, state purchase required: SHB 594
- LBC to conduct a biennial review of state internal services: HB 255
- Life-cycle cost analysis for public buildings: HB 6, SB 3018
- Personal service contract guidelines: SHB 317
- Personal service contracts, open competition: HB 316
- Risk management office, authority modified: *SB 3569, CH 188

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Sales and use tax exemption: HB 950, *SSB 4228, CH 471

GOVERNOR

- Address, Joint Session, Governor Spellman pp. 36-38
- Affirmative action program to be maintained: *SSB 3346, CH 365
- Award of excellence, achievement, hazardous, solid waste management: HB 681
- Campaign violations, fines increased: HB 224
- Civil service exemptions of executive branch: *SHB 1080, CH 221
- Developmental disabilities, state-wide protection: SHB 820
- Employee relations office, collective bargaining authority: HB 1163
- Energy emergencies: HB 336, *SSB 3438, CH 308
- Governor notified that the legislature is organized: *SCR 102
- Gubernatorial appointments, not confirmed, 30 days, confirmation: HB 1133
- Hanford, high-level disposal site, priority: SCR 106
- Inaugural address, Joint Session, Governor Gardner pp. 44-47
- Inauguration of Governor-elect Gardner, joint session: *HCR 1
- Internship program for students and state employees: *SHB 178, CH 442
- Messages, Governor Spellman, pardons, commutations, etc pp. 30-31
- Preschool program run by DCD, report to legislature: *2SHB 1078, CH 418
- Proclamation, calling 1985 Special Session p. 2266
- Quality circles: HB 1187
- Reorganization of state government: HJR 7
- Revenue shortfall procedures: HB 426, HJR 16
- Salary increase: HB 221, HB 231, SSB 3266
- School funding, governor to study and report to legislature: HB 763
- Special session, notify governor: *HCR 14
- State board of education, appointment power: HB 365
- State of the state messages: *HCR 1
- Superintendent of public instruction, governor to appoint: HJR 24
- Veto messages:
 - Substitute House Bill No. 61 p. 2267
 - Substitute House Bill No. 493 p. 2268
 - House Bill No. 723 p. 2269
- Western library network to be formed: HB 154, *SSB 3047, CH 21

GRANDPARENTS

Child visitation rights: HB 257

GROCERY STORES

- Promotional contests: HB 219, *SHB 101, CH 473
- Public restrooms required: HB 51
- Shoplifting, civil penalty payment does not affect criminal proceedings: HB 994
- Shopping cart theft is a misdemeanor: HB 516, *SSB 3786, CH 382

GUBERNATORIAL APPOINTMENTS

- Adams, Jean H., trustees, Walla Walla community college district no. 20: SGA 50
 Allado, Queenie, member, state parks and recreation commission: SGA 119
 Allison, Janet, member, commission on vocational education: SGA 151
 Anderson, John C., director, department of commerce and economic development: SGA 5
 Anderson, Julie Vraves, member, gambling commission: SGA 123
 Aragon, Theresa Anna, director, department of licensing: SGA 4
 Bail, Kathryn S., member, prison terms and paroles board: SGA 106
 Banks, Cherry McGee, trustee, Shoreline community college district no. 7: SGA 34
 Barnes, Ramon L., trustee, Fort Steilacoom community college district no. 11: SGA 81
 Barnholt, Edward "NED" W., member, Washington high-technology coordinating board: SGA 126
 Beatty, Andrea W., director, department of ecology: SGA 7
 Beauchamp, Henry, member, corrections standards board: SGA 134
 Beeman, Douglas W., member, state board of pharmacy: SGA 128
 Berkey, Jean, trustee, Everett community college district no. 5: SGA 29
 Beschel, Jean L., member, board of trustees, Eastern Washington University: SGA 18
 Binns, Robert P., trustee, Lower Columbia community college district no. 13: SGA 75
 Blankenship, Lee, public printer: SGA 63
 Brock, Marilu M., trustee, Highline community college district no. 9: SGA 37
 Brooks, James, member, oil and gas conservation committee: SGA 142
 Brundage, Cherste N., trustee, Wenatchee community college district no. 15: SGA 44
 Burton, Phillip L., trustee, Seattle community college district no. 6: SGA 32
 Choe, Martha, member, board of trustees, Western Washington University: SGA 20
 Coan, Michael D., member, council for postsecondary education: SGA 12
 Coates, Major Gen. George, adjutant general of the military department: SGA 64
 Cohn, David, member, board of regents, University of Washington: SGA 13
 Cole, Craig, member, board of trustees, Western Washington University: SGA 19
 Cooley, Jean M., trustee, Everett community college district no. 5: SGA 30
 Crowe, Leslie A., member, commission on vocational education: SGA 150
 Crowe, Robert "Mac", member, board of regents, Washington State University: SGA 57
 Crutchfield, Robert D., member, juvenile disposition standards board: SGA 149
 Davis, Richard A., director, department of labor and industries: SGA 10
 Dinan, James, trustee, Peninsula community college district no. 1: SGA 22
 Dixon, Dick, member, state parks and recreation commission: SGA 118
 Duffie, Cornelius R., member, WPPSS executive board: SGA 137
 Dufford, Philip W., member, pollution control hearings board: SGA 80
 Dzedzic, Paul, director, department of services for the blind: SGA 61
 Edmondson, Betty L., trustee, Yakima community college district no. 16: SGA 45
 Ericson, Larry V., member, corrections standards board: SGA 133
 Eschels, Curtis, chairman, energy facility site evaluation council: SGA 68
 Faulk, Mary G., director, Washington state lottery: SGA 9
 Fennerty, Frank E., member, industrial insurance appeals board: SGA 82
 Finn, Janet, trustee, Skagit community college district no. 4: SGA 28
 Fisher, Randy, director, department of veterans affairs: SGA 59
 Floyd, L. C. Mike, trustee, Walla Walla community college district no. 20: SGA 51
 Ford, Donald M., member, oil and gas conservation committee: SGA 141
 Foster, Dale, trustee, Spokane community college district no. 17: SGA 76
 Fowler, Hugh, director, department of emergency management: SGA 66
 Gallivan, Georgia-Mae, trustee, Clark community college district no. 14: SGA 42
 Galloway, Aleen M., trustee, Columbia Basin community college district no. 19: SGA 78
 Gerstle, May, member, board for community college education district no. 1: SGA 71

GUBERNATORIAL APPOINTMENTS—cont.

- Golde, Marcy J., member, state parks and recreation commission: SGA 117
 Graham, Patrick J., member, state gambling commission: SGA 120
 Grant, William A., trustee, Walla Walla community college district no. 20: SGA 52
 Harris, Joan, trustee, Yakima community college district no. 16: SGA 46
 Hawkins, Jack A., trustee, Green River community college district no. 10: SGA 38
 Hayes, Margaret, trustee, Edmonds community college district no. 23: SGA 56
 Herrrell, W. Keith, trustee, Grays Harbor community college education district no. 2: SGA 24
 Hill, Steve, member, hospital commission: SGA 87
 Hilyer, Rhonda, trustee, Seattle community college district no. 6: SGA 73
 Hirci, Paul, trustee, Big Bend community college district no. 18: SGA 48
 Hite, Patricia G., trustee, Whatcom community college district no. 21: SGA 54
 Hollister, Robert L., Jr., director, department of retirement systems: SGA 105
 Honda, Joseph M., member, state board of pharmacy: SGA 129
 Huey, Charles, chairman, human rights commission: SGA 103
 Hunt, Joseph E., member, hospital commission: SGA 83
 Jackson, Joe W., trustee, Eastern Washington University: SGA 70
 James, Carol B., trustee, Bellevue community college district no. 8: SGA 35
 Jones, Joe C., member, state interagency for outdoor recreation: SGA 132
 Jones, Ronald S., member, state gambling commission: SGA 121
 Keefe, Thomas P., member, state gambling commission: SGA 122
 Kenney, Jill M., member, juvenile disposition standards commission: SGA 145
 Kenney, Phyllis M., member, corrections standards board: SGA 135
 Kenney, Phyllis M., member, prison terms and paroles board: SGA 102
 Kilmer, Marietta J., trustee, Peninsula community college district no. 1: SGA 23
 Klayman, Judith A., member, hospital commission: SGA 84
 Larner, Frank H., trustee, Grays Harbor community college education district no. 2: SGA 25
 Luders, Ed, member, state parks and recreation commission: SGA 116
 Lyons, Arland, trustee, Centralia community college district no. 12: SGA 39
 Maleng, Norm, member, sentencing guidelines commission: SGA 91
 Marsden, Jeanne, member, state interagency committee for outdoor recreation: SGA 131
 Martinez, Simon, member, oil and gas conservation committee: SGA 143
 Massart, James E., trustee, Shoreline community college district no. 7: SGA 33
 Masten, George D., member, state investment board: SGA 100
 Mayo, Ronald D., member, WPPSS executive board: SGA 138
 McCaffree, Mary Ellen, member, hospital commission: SGA 85
 McEachran, David S., member, corrections standards board: SGA 136
 McMillan, Dee, trustee, Spokane community college district no. 17: SGA 47
 McWilliams, Edwin J., member, board of regents, Washington State University: SGA 15
 Mena, Paul C., member, prison terms and paroles board: SGA 107
 Metz, Elizabeth N., trustee, Highline community college district no. 9: SGA 36
 Michener, Charles, trustee, Columbia Basin community college district no. 19: SGA 79
 Minor, James E., member, Washington high-technology coordinating board: SGA 127
 Molstad, W. Kelley, trustee, Skagit community college district no. 4: SGA 27
 Morgan, Harry E., Jr., member, higher education facilities authority: SGA 97
 Nelson, Sharon A., member, utilities and transportation commission: SGA 67
 Odabashian, Richard D., member, transportation commission: SGA 89
 Oreskovich, Rosalyn, member, juvenile disposition standards commission: SGA 144
 Ormsby, Michael, member, board of trustees, Eastern Washington University: SGA 17
 Page, Richard, member, board of trustees, The Evergreen State College: SGA 21
 Panlher, Robert D., member, state investment board: SGA 98
 Pasquarella, Lee, trustee, Seattle community college district no. 6: SGA 31
 Pearson, Belinda K., regent, Washington State University: SGA 69

GUBERNATORIAL APPOINTMENTS—cont.

- Pekelis, Judge Rosselle, member, sentencing guidelines commission: SGA 92
 Pettibone, C. Allen, director, department of agriculture: SGA 11
 Powers, Carolyn, trustee, Olympic community college district no. 3: SGA 26
 Powers, Robert K., member, higher education facilities authority: SGA 152
 Powers, Robert K., member, higher education facilities authority: SGA 94
 Proctor, Constance L., member, public disclosure commission: SGA 101
 Rahm, Karen, secretary, department of social and health services: SGA 60
 Reed, Amos, secretary, department of corrections: SGA 62
 Reed, Asa, trustee, Lower Columbia community college district no. 13: SGA 40
 Rice, Janet L., member, sentencing guidelines commission: SGA 90
 Rogers, Jack H., member, state investment board: SGA 99
 Roper, Judge James, member, juvenile disposition standards board: SGA 146
 Rutledge, Donalee, member, Washington high-technology coordinating board:
 SGA 124
 Sandstrom, Ann, member, judicial qualifications commission: SGA 88
 Schaefer, Robert M., member, Washington high-technology coordinating board:
 SGA 125
 Schram, Donna D., member, sentencing guidelines commission: SGA 93
 Schwary, R. L. "Dick", trustee, Clark community college district no. 14: SGA 41
 Seidel, Henry R., trustee, Bellevue community college district no. 8: SGA 74
 Shaw, W. David, trustee, Columbia Basin community college district no. 19: SGA
 49
 Shinpoch, A. N. "Bud", director, department of revenue: SGA 3
 Skadan, Janet, member, board of regents, University of Washington: SGA 14
 Small, T. W. Jr., trustee, Wenatchee community college district no. 15: SGA 43
 Smiley, Jon D., member, hospital commission: SGA 86
 Smith, Marlene, member, juvenile disposition standards board: SGA 147
 Smith, Terry L., trustee, Tacoma community college district no. 22: SGA 55
 Snyder, Dr. Max M., member, board for community college education district no.
 5: SGA 72
 Steinborn, Sydney, member, WPPSS executive board: SGA 139
 Sullivan, S. J., Reverend William J., member, higher education facilities authority:
 SGA 95
 Sun, Evelyn Y., executive director, EXPO '88 worlds fair commission: SGA 104
 Taylor, Stan, member, juvenile disposition standards board: SGA 148
 Tellvik, George B., chief, Washington state patrol: SGA 6
 Teutsch, Delores E., member, higher education facilities authority: SGA 96
 Thomas, Jacob, state historic preservation officer: SGA 58
 Thompson, Richard J., director, department of community development: SGA 2
 Turner, Isiah Jr., director, department of employment security: SGA 1
 Vanderkolk, Barbara A., member, state board of pharmacy: SGA 130
 Virant, Richard A., director, department of general administration: SGA 8
 Watson, Richard, director, Washington state energy office: SGA 65
 White, Hiram H., member, oil and gas conservation committee: SGA 140
 Wilkes, Bruce, member, board of trustees, Central Washington University: SGA 16
 Wiseman, Judy, trustee, Whatcom community college district no. 21: SGA 53
 Yamamoto, Harry, trustee, Big Bend community college district no. 18: SGA 77

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- Anti-harassment act: HB 911, *SSB 3012, CH 288
 Concealed weapon permit, fee: *SSB 3450, CH 428
 Teaching, etc., use for civil disorders, prohibit: SHB 81

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- Absentee voters, ongoing authorized: *SB 3854, CH 273
 Advocacy, state-wide protection, agency established: SHB 820
 B & O tax credit for amounts paid to sheltered workshops: HB 860
 B & O tax credit, wages, severely handicapped persons: HB 861
 Criminal mistreatment defined and penalties established: HB 803
 Deaf-blind service center established: HB 467
 Developmental disability redefined: HB 825, SHB 39

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Disabled parking permits, temporary, issued by doctors: HB 1095
 Disabled parking privileges for blind or partially blind: HB 530
 Disabled parking privileges for blind persons: HB 236
 Drivers, refueling services required: HB 301, *SSB 3027, CH 309
 Employees of DSHS, screen against child abuse: HB 1134, SHB 1134
 Fishing license, disabled parking card: *HB 479, CH 182
 Fishing license, free: HB 266, HB 420, *SSB 4231, CH 464
 Fishing licenses, free if use 2 crutches: SB 3259
 Fishing opportunities: *SB 3314, CH 438
 Habilitative services, record, clearly defined: HB 779
 Insurance coverage, children, past age of majority: HB 39, SSB 3541
 Interpreters, hearing impaired: *SB 4155, CH 389
 Meals, elderly, low-income, handicapped, tax exempt: *HB 183, CH 104
 Medicaid, nursing home patients, discrimination: SHB 196, SHB 246, *SSB 3262, CH 284
 Minimum wage, handicap provision: HB 431
 Prison labor performance, waive: HB 410
 Respite care demonstration projects, continue: HB 111, SHB 111
 Service dogs, protection: *SSB 3598, CH 90
 Utility rate relief: HB 344, SSB 3221
 Voting and registration facilitated: *SHB 1153, CH 205
 Wheelchair conveyances, impaired use of lower extremities: HB 571
 WSDOT authorized to receive federal funds: HB 79, *SB 3121, CH 20

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 Mental patients, records release to law and harassee: *SSB 4105, CH 207

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 Agricultural workers, hazardous chemicals, information and training: *SHB 1170, CH 409
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 Avalanche control, exempted, explosives law: *HB 787, CH 191
 Award of excellence, hazardous or solid waste management: HB 681
 Dangerous wastes, nonregulated, local government plan: SHB 212
 Dangerous wastes traded between users, waste exchange study: HB 770
 Decommissioning of major energy facilities, procedures: SHB 339
 Dredge spoils, contaminated, disposal of, regulations: HB 964
 Emergency response services, radioactive waste account: HB 618
 Formaldehyde, public disclosure: SHB 343
 Hanford as high-level disposal site, priority: SCR 106
 Hanford, long-term storage of high-level wastes, study: SSB 3808
 Hanford, potential dump site: *SSB 3468, CH 293
 Hanford, users, permit system: *SSB 3799, CH 383
 Hazardous household substances, central telephone number: SHB 136
 Hazardous materials storage, underground containers: HB 679
 Hazardous substance information and education office: *SHB 865, CH 410
 Hazardous substances, illegal, study: SSB 4255
 High-level radioactive wastes, nuclear incidents, tort liability: *HB 54, CH 275
 High-level waste, nuclear waste board authority includes: HB 56
 Joint operating agencies, bidding, contracting: SB 4262
 Joint operating agencies, contracting authority modified: HB 146
 Joint operating agencies, formation procedures: SHB 144
 Joint operating agencies, power and authority modified: HB 145
 Joint operating agencies, thermal power plant construction projects: HB 345
 Joint operating agencies, travel reimbursement: HB 346
 Leaking of food products that are a roadway hazard: SSB 4281
 Liquid spills of food, by-products on highways, costs: HB 991
 Local tax on privilege of storing dangerous materials: HB 1175
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- Nuclear waste policy act of 1982, priority: SCR 106
- Nuclear weapons, negotiate test ban treaty: HJM 26
- PCB's, DOE to regulate wastes: *SSB 3201, CH 65
- Public access to records of hazardous waste handlers: HB 1177
- Puget Sound, industrial pretreatment: SHB 680
- Puget Sound water quality enforcement actions: SHB 796
- Radiation, control sources of ionizing radiation: *2SHB 3, CH 372
- Radiation control power of DSHS: *SSB 3799, CH 383
- Radioactive waste disposers, disposing means all preliminary site plans etc.: HB 618, HB 723
- Radon detectors: SHB 894
- Right-to-know advisory council: *SHB 1170, CH 409
- Transportation liability, defense and high level waste: *SCR 109
- Waste sites, federal funds requested for clean up: SJM 107
- Water pollution control financial assistance: SHB 1081
- Water pollution control statutes, rules: *SB 3812, CH 316

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- Acupuncture certification procedures: *SHB 270, CH 326
- Acupuncture, physician assistants, qualifications modified: *SB 3829, CH 322
- Adult dependents, abuse or neglect: SHB 932, 2SSB 3238
- AIDS liability modified: *SB 3804, CH 321
- Alcohol warning signs at retail outlets: HB 1017
- Arson in the 1st degree, health care facilities: HB 209
- Basic health care, access is a right: HJR 3
- Basic health plan board established: SSB 3320
- Certificate of need program: SSB 3478
- Child abuse, report: SHB 932, 2SSB 3238
- Child support, health care coverage: *SHB 746, CH 108
- Community health center grant assistance program for low-income persons: HB 1200
- Computers, video display terminals, study: HFR 44
- Confidentiality, hospital district about provider status: *SHB 279, CH 166
- Contraceptives exempted from sales and use: HB 971
- Contract disapproval authority of insurance commissioner expanded: *SHB 1046, CH 283
- Cost control of health care services: HB 1077
- Criminal mistreatment defined and penalties established: HB 803
- Dietetic services registration act, diet plans, etc.: HB 416
- Drug apparatus sales and use tax exempt: HB 235
- Education program by state agencies: HB 1075
- Family nonsupport, refusal to provide prenatal care: HB 844
- Fetal pain, notice when medication available: HB 696
- Flour and bread requirements modified: *SB 4122, CH 25
- Group health insurance, lapses, continuation procedure: SB 3355
- Health care assistants, authorized in nursing homes: SHB 196, *SSB 3262, CH 284
- Health care facilities or practitioners, fee: *SHB 482, CH 117
- Health care facility, not to include hospice or home health care agency: HB 1029
- Health care professionals, nonprofit: HB 35, *SSB 3069, CH 431
- Health care purchasing reform act, state costs: HB 801, SHB 1077
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- Health care services: SSB 3541
- Health professions account, fees, fines: SHB 131
- Home health agencies, LBC to study: SHB 397
- Hospices not included in definition of health care facility: HB 1029
- Industrial insurance, health care cost: *SSB 3354, CH 368
- Informed consent, abortion, specific information required: HB 824
- Insurance payment direct to provider: SHB 836
- Insurance, state employees, retired or disabled: SHB 61

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- Medicaid, nursing home patients, discrimination: SHB 196, SHB 246, *SSB 3262, CH 284
- Natural death act, procedure: HB 206, SSB 3228
- Negligence, informed consent, side effects: HB 13
- Nursing home insurance policies, sale regulated: HB 1168
- Part time state employees, multiple jobs, insurance: HB 895
- Privileged communications, hospitals and health care providers: HB 674
- Privileged communications, RNs and patients: HB 933, *SSB 4107, CH 447
- Providers testifying against each other, certain exempt: HB 857
- Radiation control power of DSHS: *SSB 3799, CH 383
- Radon detectors: SHB 894
- Respiratory care board created: HB 208
- Respite care demonstration projects, continue: SHB 111
- Scene of an emergency, duties, immunity: SSB 3088, *SHB 242, CH 443
- Scoliosis screening: *SB 4227, CH 216
- Teenage pregnancies, public service announcements to discourage: SHB 1174
- Transfusions, legal immunity: HB 1165
- Unemployed, pilot project: HB 652, SHB 652
- Uniform disciplinary act modified: SHB 131
- Video display terminals, occupational safeguards: SHB 468
- Video display terminals, study: HFR 44
- Vitamins, dietary supplements, health food products, sales tax exempt: HB 734
- Worker and community right-to-know: *SHB 1170, CH 409

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- Health clubs regulated: HB 451
- Purchasers of services, protection provided: SSB 3161

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- Contract disapproval authority of insurance commissioner expanded: *SHB 1046, CH 283
- Panel medicine plan, revisions: *SSB 3540, CH 320
- Services allowed, certain limitations removed: SSB 3541

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- Powers modified: *HB 610, CH 213

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- Council membership increased, powers restricted: HB 518
- Exempt from sales and use tax: HB 478
- Uniform disciplinary act modified: SHB 131

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- Abolished and transferred to employee relations office: HB 1163
- Abolished, state employment commission replaces: HB 913
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- Apprentices, building and constructing trade, exempt: HB 827
- Comparable worth, implement: HB 689
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- Consolidate with state personnel: HB 125
- Employee exchange program, government, nongovernment: SHB 2
- Internship program for students and state employees: *SHB 178, CH 442
- Termination, unsatisfactory work: *HB 116, CH 461
- UW print craft employees exempt from higher education law: *HB 168, CH 266

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- Archaeological material, disposition: *SB 3028, CH 64
- Centennial program includes archaeological program: *SSB 4361, CH 291
- Local improvement districts, museum, cultural or arts facilities authorized: *SHB 379, CH 397
- Maintenance and preservation of historic properties procedures: *SSB 3283, CH 449

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- Oral history advisory committee created: SHB 563
- Preference to historic properties for use by state agencies: SB 3282
- Thomas Burke memorial museum, termination repealed: HB 926, *SB 4169, CH 29

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- King, Martin Luther, state holiday observing birth: *HB 222, CH 189
- Presidents day, Lincoln and Washington's birthday celebrated on: *HB 222, CH 189

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- Health care facility, definition does not include hospice or home health care agency: HB 1029

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- Award in lieu of homestead: *SB 3103, CH 194
- Condominium or home owner association assessments: HB 962
- Liens, homesteads, declaration before judgment, repeal: HB 1305
- Priority over judgment lien: HB 725

HOOD CANAL

- Shellfish protection areas, Puget Sound pollution control: HB 818
- Shellfish protection districts: *SHB 814, CH 417
- Shoreline of state-wide significance: HB 687
- Toll bridge phase-out procedure: SHB 252

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- Breeding and marketing program: *SHB 731, CH 113
- Equine economic development program: HB 1109
- Horse racing, licensee revisions: HB 1045, *SSB 3342, CH 146
- Simulcast races, provisions: HB 1045, *SSB 3342, CH 146

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- Arson in the 1st degree, health care facilities: HB 209
- Assessments, annual charge, deposit: SSB 3320
- Certificate of need, acquisition of major medical equipment: SHB 397
- Certificate of need, may not exclude insurance coverage: HB 537
- Certificate of need program, capital expenditures: SSB 3478
- Community health center grant assistance program for low-income persons: HB 1200
- Confidentiality, hospital district about provider status: *SHB 279, CH 166
- Districts, commissioner compensation modified: *SHB 23, CH 330
- Districts, debt limit raised: HB 25
- Free hospitals, excise tax exemption: HB 8
- Health care facilities or practitioners, fee to health professions account: *SHB 482, CH 117
- Health care facility, definition: HB 1029
- Hospital districts, collective bargaining labor dispute: HB 522
- Insurance payment direct to provider: SHB 836
- Mental health records, disclosure: HB 374
- Natural death act, procedure: HB 206, SSB 3228
- Nursing assistants, definition modified: SHB 196, *SSB 3262, CH 284
- Privileged communications, hospitals, health care providers: HB 674
- Respiratory care practitioners, licensing: HB 208

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- Telecommunications may be intercepted: *SHB 36, CH 260

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- Discrimination based on sex prohibited: *SB 4259, CH 203
- Parking and business improvement areas, maintenance and security: *SHB 1129, CH 128
- Sexual orientation, may not discriminate based on: HB 474
- Special excise tax, conditions of use: *SSB 3723, CH 272
- Truckstops, subject to special excise tax for convention center: HB 1192

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- Costs of confinement, state pays from 41st day: HB 1115
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- Juveniles, may not be confined in adult jails or holding facilities, conditions: HB 513, *SSB 4229, CH 50
- Labor, physically disabled: HB 410
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- Honored and paid tribute to: *HFR 4
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- Industrial insurance, benefits: HB 1086, HB 1090
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- Industrial insurance, disability reduced by unemployment benefit amount: HB 686
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- Industrial insurance, experience rating system: *SHB 1082, CH 337
- Industrial insurance, revisions: *SHB 1089, CH 347
- Industrial insurance for amateur athletes: HB 892
- Industrial insurance, forest industry, self-insurance: HB 338
- Industrial insurance fund established: HB 987, HB 1050
- Industrial insurance, cost containment: *SSB 3354, CH 368, SSB 3354
- Industrial insurance, joint select committee established: HCR 9, *SCR 114
- Industrial insurance, jurisdiction: HB 1088
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- Minimum wage, residential housing salesperson exempt: HB 527
- Occupational disease, retirement, total disability: HB 129
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- Collective bargaining, life support technicians: *SHB 48, CH 150
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- Maximum hours of labor, regulations modified: SHB 1092
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- Shoreline management master program: HB 963
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- Development permits, rights vest to develop: HB 349
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- Hearings, notice requirements for zoning and planning actions: HB 430
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- Plat approval without a public hearing, conditions: SSB 3419
- Plats, DNR engineering standards: *SHB 602, CH 99
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- Puget Sound, comprehensive plan: *SHB 839, CH 126
- Puget Sound, nonpoint source pollution: HB 680
- Puget Sound water quality authority: HB 655
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- Shoreline management master program, priority review: HB 963
- Short subdivisions, counties may increase number of lots: HB 350
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 Alcohol impact on program, money to defray: HB 829
 Animal mutilation cases, response teams for investigation: HB 186
 Automobile accident reporting threshold increased to \$500: HB 539
 Autopsies, post mortem reports: SHB 44, *SSB 3220, CH 300
 Boat operation, arrest authority: *SHB 214, CH 267
 Chaplains, volunteer: *SSB 3302, CH 223
 Civil service, AA counties exempt: HB 385, *SHB 203, CH 429
 Civil service, police chiefs excluded: HB 766
 Collective bargaining, fire dispatchers: HB 47
 Collective bargaining, life support technicians: *SHB 48, CH 150
 College tuition and fee exemption for children: HB 1072
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 Hostages, telecommunications may be intercepted: *SHB 36, CH 260
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 Industrial insurance, disability, salary percentage: HB 548
 Institutional impact account, reimbursement: SB 3233
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 Juveniles, custody by law, placement: HB 710, SSB 4059
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 Law library funds, civil action filing fees, modifications: SSB 3740
 Library districts, annexation: *SSB 4386, CH 392
 Municipal corporations: HB 408
 Public library funding, eligibility and allocation: HB 408
 Western library network to be formed: HB 154, *SSB 3047, CH 21

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- Aircraft tax overpayment refund, revisions: *SHB 1003, CH 414
 Boat registration fees established: HB 273
 Examinations, temporary board members appointed: *SHB 481, CH 116
 Financial institutions department created: HB 707
 Physicians' disciplinary board separated from department: HB 1166

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- Directly or indirectly to require an employee, unlawful: HB 1151, *SB 4302, CH 426

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- Advertising directed at minors: HB 1019
 Banquet permits, provisions modified: HB 498
 Beer and wine, sale between 2 a.m. and 6 a.m. permitted: HB 685
 Breweries, licenses for tours: *SB 4127, CH 226
 Businesses, financial interest redefined: HB 499, *SB 3325, CH 363
 Check cashing of government checks without charge: HB 1171
 Commercial stimulant, gambling is incidental: HB 418
 Consolidating gambling commission, lottery commission, liquor control board: HB 873
 Entrapment by board employees, vendor reinstatement: HB 683
 Kegs, tracing by identification tags: HB 11
 Law enforcement, fire fighters, and security authorized on premises: *SB 3851, CH 323
 Liability, seller, injuries caused by intoxicated person: HB 828
 Liquor revolving fund, disbursement modified: HB 38
 Liquor user license: HB 829
 Minors, licensees may sue for damages due to violations: HB 959
 Promotion on college campus prohibited: *SB 3230, CH 352
 Sales for off-premises consumption, warning signs required: HB 1017
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- Wholesalers, price modification prohibited: *SB 4127, CH 226
- Wine, sale at auto racetracks authorized: HB 529

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- Adult literacy program: HB 363, SSB 3517
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- Model litter control act, resource conservation stressed: HB 970
- Production of a litter bag: HB 553
- Returnable containers, B&O tax deduction for sales: HB 1099

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- Cattle assessments, payment at feedlot delivery modified: SB 3043
- Diffuse Knapweed, pilot program for controlling: HB 278, SHB 278
- Fences, wilful damages, misdemeanor: SSB 3024
- Horse racing: HB 692, HB 1045, *SSB 3342, CH 146
- Meat processors, B & O rate phased down: *SSB 4228, CH 471
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- Discrimination prohibited, housing finance commission or FHA loan tax payments: HB 903
- Due on sale clause: SHB 936
- Energy audits required prior to housing finance commission assistance: HB 341
- Farm banks, amend federal law to assist: SSJM 121
- Industrial finance authority created, industrial development: HB 195
- Industrial loan companies, rates: SSB 3331, *SHB 520, CH 74
- Lending and brokering loans, regulated: HB 705
- Public facilities, grants and loans, economic development: *SHB 461, CH 446
- Real estate loans regulated: HB 706
- Telephone service, low-interest loans to rural residents for: HB 443

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- Gift giving restricted: SHB 229
- Registration, campaign contributions: HB 59
- Reports of activities, PDC may request information: SHB 313

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- Authority revised, parking, cultural, or arts facilities, and transportation: *SHB 379, CH 397
- Bonds, short-term obligations: *SB 3826, CH 71
- Short-term obligations for municipal corporations: *SHB 956, CH 332

LOTTERY

- Abolished: HB 165
- Consolidating gambling commission, lottery commission, liquor control board: HB 873
- Employees, private benefit due to public employment prohibited: HB 521, SSB 3590
- Lottery administrative account created, OFM allotment of expenses: SHB 98, *SSB 3684, CH 375
- Odds of winning to be in advertising: HB 1031

LOWER COLUMBIA COLLEGE

- Joint center for education: *SHB 1190, CH 408

MANUFACTURERS

- Environmentally nonsensitive areas, factory siting: HB 524
- Formaldehyde, public disclosure required: SHB 343
- Tax deferral, sales and use, investment projects: HB 1326

MARKET DEVELOPMENT

Agriculture commodity commissions, expenditures, development, trade promotion, promotional hosting: *SB 4121, CH 26
 Aquaculture duties of agriculture department: *SB 3067, CH 457
 Aquatic farming is agricultural commodity: *SHB 1234, CH 159
 Centennial partnership projects, tourism, state marketing facilities: SSB 4100
 Forest products market development task force: HB 792, SB 3907
 Horse breeding: *SHB 731, CH 113
 IMPACT center, primary function: *SHB 1063, CH 39
 Research and development tax rate modified: HB 1023

MARKETING COMMISSIONS (See AGRICULTURE)**MARRIAGE**

License documents, maintain like real property instruments: *SB 3070, CH 44
 License procedure modified: *HB 142, CH 82

MASTER LICENSE SYSTEM

Common business identifier: SHB 446
 Comprehensive plan, study coordination, funding: SSB 3413
 One-stop master license program expanded: HB 982

MEAT PROCESSORS

B & O rate phased down: *SSB 4228, CH 471

MEDICAL ASSISTANCE (See also PUBLIC ASSISTANCE)

Health care, two managed health care programs: HB 801
 Limited casualty program services expanded: *SHB 500, CH 5
 Medicaid, nursing home patients, no discrimination: SHB 196, SHB 246, *SSB 3262, CH 284
 Reimbursement by recipients of department costs: *2SHB 356, CH 245

MEDICAL DISCIPLINARY BOARD

Uniform disciplinary act modified: SHB 131

MEDICAL EXAMINERS

Board separated from department of licensing: HB 1166
 Uniform disciplinary act modified: SHB 131

MEDICS

Collective bargaining, life support technicians covered by uniformed personnel procedures: *SHB 48, CH 150

MENTAL HEALTH

Advocacy, state-wide protection, advocacy agency established: SHB 820
 Community mental health services revised: HB 642
 DSHS to recommend evaluation, treatment, changes: HB 693
 Harassment patients, records release: *SSB 4105, CH 207
 Immunity, physicians and psychologists: HB 904
 Insanity defense, plea of guilty but mentally ill: HB 1138
 Institutions, assault on employee, disability leave: HB 485
 Insurance coverage, past age of majority: HB 39, SSB 3541
 Juvenile sexual offenders who were victims, pilot program: HB 465
 Juveniles, alternative residential placement: HB 944
 Juveniles, appropriate care and treatment provided: *SSB 3099, CH 354
 Juveniles, custody by law: HB 710
 Model insanity defense and post-trial disposition act: HB 591
 Northern State Hospital, reuse study: *SSB 3951, CH 241
 Records disclosure, persons in possible danger by patient: HB 374
 Registration and certification of mental health professionals: SHB 470
 Reimbursement of DSHS costs by recipients: *2SHB 356, CH 245

METROPOLITAN COUNCILS

Member compensation modified: *SHB 23, CH 330

MIDWIFERY

Uniform disciplinary act modified: SHB 131

MILITARY (See also VETERANS)

Armories, state-owned, use, cleaning deposit: *SSB 3882, CH 295
College tuition and fee exemption: HB 106, *SB 3357, CH 362
Community property covers military retirement benefits: HB 761
Community property settlements, modifications authorized: SB 3211
Defense spending that reduces social program spending opposed: HFR 26
Foley amendment to armed forces in El Salvador and Nicaragua: HJM 23
Historic installation, tax exempt: HB 983
Indigent soldiers' relief fund renamed veterans' assistance fund: SSB 3005
National guard, educational assistance program continued: SB 3570
National guard, group life, level rate for all members: SSB 3249
Nuclear weapons, negotiate test ban treaty and stop testing: HJM 26
South Lake Union Naval Reserve base, transfer ownership: SSJM 117, *SHJM 16
Teachers, credit for military service: HB 756
Teachers, pension payments while teaching defense schools: HB 351
Total force concept, guard and reserve: *HFR 21
Weapons acquisition, cost-benefit analysis: HFR 38

MINERALS

Leases, coal, royalty per ton: *SB 3400, CH 459
Mt. St. Helens, sale or transfer of dredge: *SSB 3131, CH 12
Rescue, state mine rescue plan, civil immunity: SSB 4208, *SB 3400, CH 459
State land, timber and other materials, deposit reduced: SHB 484
Surface mining permits and fees modified: HB 1096

MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE OF

Highway maintenance by contract or state force: HB 645
Women-owned and controlled businesses: HB 688, HB 1048

MOBILE HOMES

Assessment, necessary information: *HB 718, CH 395
Mobile home mediation office created: HB 1111
Movement, special movement permit: *SSB 3068, CH 22
Rent or lease, taxation revised: HB 525
Repossession, provisions to require removal from mobile home park revised:
*SHB 188, CH 78

MODEL LITTER CONTROL ACT

Resource conservation potential, study: HB 970

MODEL TRAFFIC ORDINANCE

Updated: *SB 3144, CH 19

MOTELS (See HOTELS)**MOTOR VEHICLES** (See also DRUNK DRIVING)

Abandoned vehicles, removal and disposal: *SSB 3553, CH 377
Accident prevention course, lower insurance rates: SSB 3458
Accident reporting threshold increased: HB 539
Accident reports, only if at fault, \$500 threshold: SHB 1037
Accidents, driver's record to show only if at fault: HB 793
Air pollution control devices on autos, tampering, penalties: HB 335
Airbags required in all cars: HB 866
Alcohol warning signs at retail outlets: HB 1017
Assistance vans may stop on limited access highway: *HB 271, CH 149
Automotive policy board obsolete references removed: HB 18, SB 3030
Automotive repair shops regulated: HB 241
Blue lens in the stop light, older vehicles authorized: HB 210
Child safety seats for under 2 years: HB 1182
City taxation of motor vehicle and special fuels modified: SB 3535
Commercial vehicle, definition revised: *SB 3401, CH 173
Criminal justice assistance account: 2SSB 3764
Dealers or manufacturers, staggered licensing: *HB 399, CH 109
Deferred prosecution not available: HB 30
Disabled drivers, refueling services: HB 301, *SSB 3027, CH 309

MOTOR VEHICLES—cont.

- Disabled parking privileges extended to blind persons: HB 236
- Disabled parking privileges for blind or partially blind: HB 530
- Driver's licenses, financial responsibility: 2SHB 879
- Driver's license, reinstatement fee: *HB 158, CH 211
- Driver's license, resuspend or rerevoke if financial responsibility lapses: *HB 156, CH 157
- Driver's license, suspension: *SB 3267, CH 302
- Driver's license, valid license condition for vehicle license: *SHB 1107, CH 424
- Drivers' licenses, confiscated, deferred prosecution: HB 10
- Drivers' licenses not issued to alcoholics, addicts/abusers: *SHB 163, CH 101
- Drivers' permit, juvenile agricultural, photograph: *SB 3942, CH 1 E1
- Driving without a license, penalties standardized: HB 200
- Duty to obey officer, applies off highways also: HB 215
- Excise tax, motor vehicle, exemption for low-income seniors: HB 842
- Federal heavy vehicle use tax for state vehicle: *HB 398, CH 79
- Financial institution is transferee of ownership, time period modified: HB 198
- Financial responsibility, accidents: HB 157
- Financial responsibility, license plate confiscated if none: HB 82
- Financial responsibility, proof license condition, penalties: HB 67, SHB 227, SSB 3306
- Fisheries patrol officers, traffic and criminal laws: *SHB 127, CH 155
- Fleet registration, IRP plan: *SB 3601, CH 380
- Freeway traffic flow, passing lane created: HB 507
- Fuel containing alcohol, tax exemptions: *SB 3456, CH 371
- Fuel, retail sale, franchises, restricted: HB 329, SB 3418
- Game fund, personalized license plates, street rods: SHB 870
- Highway construction stabilization account: *HB 720, CH 140
- Identicators, available to "nondrivers": *HB 1094, CH 212
- Impoundment, redemption, unlicensed driver: *SB 4278, CH 391
- Indian tribal governments exempt from vehicle license fees: SSB 3347
- Instruction permit provisions modified: *SSB 3035, CH 234
- Insurance, reasonable minimum standards established: SHB 41
- Leaking of food products that are a roadway hazard: HB 991, SSB 4281
- Licenses, nonresidents, requirements modified: *SSB 3007, CH 353
- Lighting devices, commission on equipment duties: HB 328
- Liquor user license: HB 829
- Load requirements modified: HB 74, *SB 3120, CH 351
- Manufacturers cannot do retail sales: HB 754
- Metal studded tires prohibited: HB 75
- Mobile home, travel trailer, camper, used, taxation: HB 525
- Mobile homes, special movement permit: *SSB 3068, CH 22
- Model traffic ordinance updated: *SB 3144, CH 19
- Motor vehicle excise tax, to state patrol highway account: HB 864
- Motor vehicle fund distribution for arterials and streets: HB 148
- Municipal courts, cities may not repeal motor vehicle offenses: SSB 3740
- Negligent driving deleted from traffic infraction exceptions: HB 658
- Noxious weed control funding, special assessment: SB 3234
- Off-road vehicles are nonhighway vehicles: SHB 973
- Oil, recycling, above-ground tanks authorized: HB 37
- Optical strobe light devices, use restricted: *HB 327, CH 331
- Parcel/package delivery, WUTC jurisdiction: HB 436
- Probable cause, police may stop motorists, conditions: HB 347
- Racetracks, sale of wine at authorized: HB 529
- Registration period modified, new purchases: HB 938
- Repair and maintenance, log book required: HB 634
- Ride-sharing vehicles, tax exemption extended: HB 1052, SB 4234
- Road blocks, licensing or alcohol/drug influence: HB 1016
- Seat belt standards by commission on equipment: HB 713
- Seat belt use, failure, evidence to mitigate damages: HB 1020
- Seat belts, mandatory: SHB 1182

MOTOR VEHICLES—cont.

- Speed limit, requesting national limit of 65 mph: HJM 19
- Speed limits, uniformity of state and national: HB 899
- Sunscreen windows, approval process: *SB 3085, CH 304
- Tire recycling: *SHB 804, CH 345
- Tow truck operators, registration required: *SSB 3553, CH 377
- Tractor-trailer combinations, length requirements: HB 74, *SB 3120, CH 351
- Transportation budget, 1985-87: *SSB 3920, CH 460
- Truck tractors, freight compartments allowed: SHB 137
- Underinsured motor vehicle coverage: *SHB 957, CH 328
- Wheelchair conveyances, impaired use of lower extremities: HB 571

MOTORCYCLES

- Dealer franchises regulated: HB 295, *SSB 3333, CH 472
- Instruction permits, renewal and fee modification: *SB 3942, CH 1 E1
- Safety education course prerequisite: *SSB 3035, CH 234

MT. ST. HELENS

- Reimbursement of costs to local governments: *SB 3593, CH 255
- Sale or transfer of dredge: *SSB 3131, CH 12
- Sediment retention, immediate need: *SB 4146, CH 307
- Surplus land, fish and wildlife habitat: *SB 4146, CH 307

MUNICIPAL CORPORATIONS

- Public agency includes municipal and quasi-municipal corporations, and special purpose districts: HB 556, *SB 3312, CH 33
- Short-term obligations for municipal corporations, 3 year limitation removed: *SHB 956, CH 332

MUSEUMS

- Local improvement districts, museum, cultural or arts facilities authorized: *SHB 379, CH 397
- Thomas Burke memorial museum, termination repealed: HB 926, *SB 4169, CH 29

MUSICIANS

- Unemployment compensation, employment defined: HB 162
- Unemployment insurance, employer and employee defined: *SSB 3162, CH 47

NATIVE AMERICANS

- Archaeological material, disposition procedures revised: *SB 3028, CH 64
- Criminal jurisdiction, retrocession over Colville land: SHB 495
- Fireworks, federal prohibition of transportation: HJM 27
- Quinault tribal highway: HB 72, *SSB 3125, CH 228
- Salmon, steelhead, aquaculture status: *SB 3067, CH 457
- State jurisdiction to regulate fireworks: SJM 122
- Steelhead, commercial sale prohibited: HJM 25
- Steelhead trout, gamefish, not commercially harvestable: HJM 15, SHJM 15
- Treaty fish management, requesting federal funds: HJM 17
- Tribal governments exempt from vehicle license fees: SSB 3347

NATURAL RESOURCES, DEPARTMENT OF (See also TAXES - TIMBER)

- Air pollution penalty appeals to PCHB: HB 908
- Aquaculture advisory council created: *SB 3067, CH 457
- Aquaculture lands or structures, trespass prohibited: *SB 3173, CH 289
- Canadian forest products, import restrictions: HJM 14, *SJM 102
- Commissioner, certain duties transferred: *SB 3337, CH 197
- Community college trust land account established: HB 896
- Comprehensive annual report to legislature: *SSB 3170, CH 93
- Conservation corps, nonprofit corporations: SSB 3568
- Diffuse Knapweed, pilot program for controlling: SHB 278
- Forest practices appeals board abolished: Forest practices interagency assistance team created: HB 284
- Forest products market development task force: HB 792, SB 3907
- Forest reserve fund distribution: *SSB 3145, CH 311
- Funds may be invested: HJR 17

NATURAL RESOURCES, DEPARTMENT OF—cont.

- Housing for certain employees: HB 117, *SSB 3184, CH 463
- Hydraulic projects, authority transferred to ecology department: HB 223
- Hydraulic projects, review by shorelines hearing board: HB 817
- Land exchange, DNR and community colleges: *HB 169, CH 168
- Land exchange, public recreation is condition: HB 17
- Land for schools, colleges, purchase certain DNR land for construction: HB 572, *SB 3794, CH 200
- Long-term strategic plan to be developed: HB 238
- Mt. St. Helens, sale or transfer of dredge: *SSB 3131, CH 12
- Mt. St. Helens surplus land for fish and wildlife habitat: *SB 4146, CH 307
- Open space classification: SSB 4315
- Park system additions from trust land: *SHB 958, CH 163
- Prison work programs, food fish, shellfish, game rearing: *SSB 3207, CH 286
- Puget Sound institute established: SHB 506
- Recreation advisory committee, outdoor needs: SHB 973
- Resource management land bank, development management: HB 401
- Salary increase, commissioner of public lands: HB 221, HB 231, SSB 3266
- School district levies, maintenance and operation: HB 20
- State land, timber and other materials, deposit reduced: SHB 484
- Surface mining permits and fees modified: HB 1096
- Timber, sustainable harvest: HB 508

NATUROPATHIC MEDICINE

- Updating definitions: *SHB 469, CH 131

NISQUALLY RIVER

- Management program required: *SHB 323, CH 244

NONRESIDENTS

- County tax on nonresidents employed in state repealed: *HB 132, CH 179
- Sales tax exemption modified: HB 528
- Use tax, motor vehicle and trailer licensing, modified: *SSB 3007, CH 353
- Use tax, value of article redefined for business: *SB 3008, CH 222

NOTARIES

- Major revisions to notary law: HB 172, *SHB 155, CH 156
- Stamp procedures modified: *SB 3070, CH 44

NUCLEAR WASTE BOARD (See also HAZARDOUS MATERIALS)

- Federal money to pass directly to the board: HB 544
- Hanford, long-term storage of high-level wastes, study: SSB 3808
- Hanford, potential dump site, board to evaluate research: *SSB 3468, CH 293
- High-level, low level waste authority: HB 56

NURSES

- Child abuse, report: SHB 932, 2SSB 3238
- Natural death act, procedure: HB 206, SSB 3228
- Nursing school, UW, number 1 status acclaimed: *HFR 12
- Privileged communications: HB 674, HB 933, *SSB 4107, CH 447
- Scene of an emergency, duties, immunity: SSB 3088, *SHB 242, CH 443
- Uniform disciplinary act modified: SHB 131

NURSING HOMES

- Adult dependents, abuse or neglect, report: SHB 932, 2SSB 3238
- Arson in the 1st degree, health care facilities: HB 209
- Cost reimbursement, medical care recipients charges: HB 1119
- Criminal mistreatment defined and penalties established: HB 803
- Discrimination against medicaid recipients prohibited: SHB 196, SHB 246, *SSB 3262, CH 284
- Energy retrofitting, reimbursement rate adjustments: HB 185, SHB 197
- Insurance policies, sale of regulated: HB 1168
- Licensing provisions: SHB 196, *SSB 3262, CH 284
- Natural death act: HB 206, SSB 3228
- Quality of care standards: HB 65

NURSING HOMES—cont.

- Reimbursement procedures revised: HB 319, *SSB 3390, CH 361
- Reimbursement rates, disputed costs, rates set retroactively: HB 64
- Respite care demonstration projects, continue: SHB 111
- Self-medication techniques, boarding homes: *SSB 3904, CH 297
- Uniform disciplinary act modified: SHB 131

OCCUPATIONAL THERAPISTS

- Occupational therapy redefined, clarified, specificity removed: *SSB 3898, CH 296
- Uniform disciplinary act modified: SHB 131

OCEAN BEACHES

- Metal detectors, permits, use on state beaches: SB 4286
- Shoreline management master program, priority review: HB 963

OFFICE OF FINANCIAL MANAGEMENT

- Capital project proposals, submit to review committee: SSB 4320
- Criminal justice assistance account: 2SSB 3764
- Dedicated funds or accounts, periodic evaluation: HB 161
- Fiscal responsibility of state government: HB 426, HJR 16
- Health care education program by certain agencies: HB 1075
- Health care purchasing unit created: SHB 1077
- Internal auditing, administrative control, executive agencies: HB 928
- Life-cycle cost analysis for public buildings: HB 6, SB 3018
- Lottery administrative account created: SHB 98, *SSB 3684, CH 375
- Mediation office established: SHB 695
- Personal service contract guidelines: HB 317, SHB 317
- Personal service contracts, open competition: HB 316
- Priority budget process, OFM to give guidance to agencies: HB 868
- Records committee to include OFM representative: SHB 612, *SB 3818, CH 192
- Sentenced felon jail forecast: *SB 3596, CH 201
- Unanticipated receipts, budget approval process modified: HB 5
- Vocational rehabilitation activities, performance audits: *SHB 1084, CH 339

OIL AND GAS

- Consumers' utility board established: HB 558
- Leases for development, prospecting, production, modified: *SB 3400, CH 459
143
- Purchasing preference by state repealed: HB 392
- Recycling used oil, above-ground tanks authorized: HB 37
- Ride-sharing vehicles, tax exemption extended: HB 1052, SB 4234
- Surface mining permits and fees modified: HB 1096
- Theft of utility services, civil liability: *HB 758, CH 427
- Tire recycling: *SHB 804, CH 345
- Utility rate relief: HB 344, SSB 3221

OPEN PUBLIC MEETINGS

- Compensation of employees, PUDs, utilities, schools, higher education, school consortia: HB 258
- Conferences committees, open to the public: HCR 10
- Court challenge to procedures: *SB 3319, CH 69
- Executive sessions, conditions revised: *SSB 3386, CH 366
- Public employee salary and compensation setting: HB 103

OPEN SPACE

- Forest land classification, transfer to open space, delay compensating tax: SSB 4315
- Public benefit system for approving classification: *SHB 91, CH 393
- Transfers to nonprofit organizations, exempt from tax recapture: *SB 3420, CH 319

OPTOMETRY

- Uniform disciplinary act modified: SHB 131

OREGON

- Legislature, dialogue between Washington and Oregon legislatures: *HFR 27

OREGON—cont.

Salmon angling licenses, reciprocity: *SHB 14, CH 174
 Salmon, monofilament gillnet webbing: *HB 31, CH 147
 Washington-Oregon joint committee created: HCR 11

PARKS AND RECREATION

Agricultural water supply facilities, bonds authorized: HB 985
 Boat registration fee modified, excise tax repealed: HB 273
 Columbia river gorge, Skamania county waterfalls, preserve: HB 907
 Conservation corps, nonprofit corporations, reimbursement of absorbable costs:
 SSB 3568
 Day-use fee, for parks with high use: HB 703
 Disabled, pass, decal, or special license plate: *HB 479, CH 182
 Housing for certain employees: HB 117, *SSB 3184, CH 463
 Incorporation of new cities: HB 1191
 Metal detectors, permits, use on state beaches: SB 4286
 Outdoor recreation account to receive ORV permit fees: HB 973
 Park district annexation: *SHB 891, CH 416
 Park land trust revolving fund, acquire island land: *SHB 958, CH 163
 Port districts, fund public park and recreation facilities: HB 924
 Recreational water contact facilities, slides, regulated: HB 669, SSB 3498
 Senior citizen's pass for campsites: HB 704
 Service areas, zoo and aquarium authority: *SB 3445, CH 253
 Ski areas, fraudulent use, penalties: *HB 251, CH 129
 West Hylebos wetlands conservation area: HB 143

PARTNERSHIPS

Theft, partners and partnership included in definition: SB 3093
 Trust act of 1984, partnership provisions modified: *SB 3074, CH 8

PERSONNEL, DEPARTMENT OF

Abolished, state employment commission replaces: HB 913
 Affirmative action program to be maintained: *SSB 3346, CH 365
 Career executive program extended to 1989: *HB 175, CH 118
 Child abuse, rules to investigate: SHB 1134
 Comparable worth, implement: HB 689
 Comparable worth repealed: HB 1126
 Consolidate with higher education personnel board: HB 125
 Day care, study state employment policies: HB 666
 Employee exchange program, government, nongovernment: SHB 2
 Employee suggestion program: *SHB 220, CH 114
 Internship program for students, state employees: *SHB 178, CH 442
 Lay off, reemployment, repeal based on merit: *HB 116, CH 461
 Payroll deductions for political committees of employees: HB 122, *SB 3189, CH
 271
 Performance evaluation: *HB 116, CH 461
 Personnel files, employees may inspect: *SHB 358, CH 336
 Personnel files, record disclosure for research, procedure: *HB 357, CH 334
 Productivity board, higher education representation: HB 220, *SHB 220, CH 114
 Salary schedules, responsibility given to office of employee relations: HB 1163
 Teacher salaries, mandating a comparative survey: HB 727

PHARMACIES

License needed at any business that dispenses drugs: HB 647
 Sales tax prohibited on food and prescription drugs: HJR 45
 Theft or robbery of a controlled substance, class B felony: SSB 3595

PHYSICAL THERAPY

Access to services eased: HB 394
 Assistants, advisory committee created: HB 395
 Uniform disciplinary act modified: SHB 131

PHYSICIANS

Actions against other providers, testifying procedure: HB 857

PHYSICIANS—cont.

- Adult dependents, child abuse or neglect, report: SHB 932, 2SSB 3238
- Basic health plan trust account, tax on physicians: SSB 3320
- Confidentiality, meetings, hospital district: *SHB 279, CH 166
- Disabled parking permits, temporary, issued by doctors: HB 1095
- Disciplinary board separated from department of licensing: HB 1166
- Fetal pain, patient, notice when medication available: HB 696
- Informed consent for abortion, information: HB 824
- Informed consent to include side effects: HB 13
- Insurance payment direct, health care services: SHB 836
- Licensing, postgraduate medical training: *SB 3829, CH 322
- Medical supplies and equipment, sales and use tax exempted: HB 400
- Mental health patient, violent behavior, provider immunity: HB 904
- Mental health records, disclosure: HB 374
- Natural death act, procedure: HB 206, SSB 3228
- Negligence, informed consent, side effects: HB 13
- Privileged communications: HB 674, HB 965 Scene of an emergency, duties, immunity: SSB 3088, *SHB 242, CH 443
- Side effects, consent form to include disclosure: HB 13
- Surgeons' assistants, licensing: HB 561
- Tax exemption, sales and use, medical supplies and equipment: HB 400
- Uniform disciplinary act modified: SHB 131
- Wrongful death action waives privileged communications: HB 965
- Wrongful life, causes of action prohibited: HB 1121

PHYSICIANS' ASSISTANTS

- Acupuncture qualifications modified: *SB 3829, CH 322
- Uniform disciplinary act modified: SHB 131

PIERCE COUNTY

- Land exchange with DNR, public recreation: HB 17
- Nisqually river system, management program: *SHB 323, CH 244
- Superior court judicial positions, additional: HB 105, *SSB 3165, CH 357

PLUMBERS

- Training certificate for construction work contractors: *HB 66, CH 465

PODIATRY

- Uniform disciplinary act modified: SHB 131

POLICE (See LAW ENFORCEMENT)**POLLUTION CONTROL HEARINGS BOARD**

- Air pollution penalty appeals to PCHB: HB 908
- Forest practices appeals board abolished, PCHB absorbs: HB 1069
- Radiation, radionuclides, air quality and emission standards: *2SHB 3, CH 372
- SEPA appeals made to PCHB: HB 909
- Yakima water adjudication, certification period reopened: *SSB 4424, CH 435

POLLUTION (See also AIR POLLUTION)

- Acid rain, DOE monitoring: *SHB 974, CH 456
- Connection charges, collected, metropolitan municipal corporation: HB 1049, SB 4168
- Ground water protection, sewer district authority: *SHB 403, CH 98
- Hazardous substance information and education office: *SHB 865, CH 410
- Hazardous waste sites, federal funds requested: *SJM 107
- Litter bag, state production of: HB 553
- Noise pollution, assistance: SSB 3756, *SHB 596, CH 115
- Puget Sound, health department review: HB 1035
- Puget Sound, industrial wastewater: HB 814, *SHB 815, CH 249
- Puget Sound, select committee on clean up and management: HB 653, *HFR 7
- Puget Sound, shellfish protection areas: HB 818
- Puget Sound water quality enhancement, sales tax: HB 463
- Radiation violations, DSHS authority: *2SHB 3, CH 372
- Tire recycling: *SHB 804, CH 345

POLLUTION—cont.

- Water pollution control facilities: 3SSB 3827
- Water pollution control financial assistance, property tax: SHB 1081
- Water pollution control statutes: *SB 3812, CH 316

PORNOGRAPHY

- Moral nuisances, lewd matter, penalty: HB 748, *SB 3906, CH 235

PORT DISTRICTS

- Commissioner compensation modified: *SHB 23, CH 330
- Commissioner vacancies, filling time increased: HB 630, *SSB 3001, CH 87
- Customs, west coast ports: HJM 20, *SJM 128
- Economic development programs, nonprofit corporations: *SHB 802, CH 125
- Fire protection, interlocal agreements for: HB 1067
- Insurance, health and accident coverage clarified: *HB 213, CH 81
- Interlocal agreements by port districts for fire protection: HB 1067
- Park and recreation facilities, port district funds: HB 924
- Puget Sound port council created: HB 678
- Restructuring by public election: HB 729
- Short-term obligations, municipal corporations: *SHB 956, CH 332
- Water quality, 10% of property tax receipts: HB 812

PRISON TERMS AND PAROLES, BOARD OF (See also PROBATION AND PAROLE; SENTENCING)

- Assessment on probation, parole, work-release, facilitate prison jobs: HB 594
- Civil rights restoration, when: HB 1150
- Confinement, state facility, county to reimburse state: 2HB 348
- Costs of confinement, state pays from 41st day: HB 1115
- Indeterminate terms, reset, new guidelines: HB 204
- Juvenile diversion agreements, only 3 allowed: HB 711
- Juvenile offenders disposition standards revised: *SSB 3087, CH 73
- Juvenile offenders, supervised parole: *SSB 4059, CH 257
- Juveniles, not confined in adult jails: HB 513, *SSB 4229, CH 50
- Juveniles, 3 court order failures, 30 days confinement: HB 710
- Labor, physically disabled, exempt from labor requirement: HB 410
- Reduction of membership provisions modified: *SHB 204, CH 279
- Sentence setting revised: *SHB 242, CH 443
- Special detention facilities, fees: *SB 4129, CH 298
- Work release, good-time, sentence reduced: *SB 4129, CH 298

PRIVATE CARRIERS

- Standards to be established by state patrol: *SHB 660, CH 333

PRIVATE ENTERPRISE (See also BUSINESSES)

- B & O tax deferral for new businesses operating at a loss: HB 1025
- Day care, employer-sponsored, pilot program: HB 742
- Dietetic services registration act, diet plans, etc.: HB 416
- Economic development target areas, investment sales tax deferral: HB 1079
- Economic stabilization task force: HB 620, SSB 3837
- Employee exchange program, government, nongovernment: SHB 2
- High-technology coordinating board: *SSB 3630, CH 381
- Industrial incentive zones: SHB 1032
- Partnership for innovation act: HB 1070
- Shopping cart theft, misdemeanor: HB 516, *SSB 3786, CH 382
- Single heads of households, higher education opportunities: SB 3444
- Small business advocate created: SHB 1062
- Technology exchange established: *HB 943, CH 269
- Telephone solicitation, WUTC study: *SHB 460, CH 121
- Transient merchants regulated: HB 916
- Vocational education advisory council, local committees: HB 584

PRIVATE SCHOOLS

- Athletic health care and training council: SSB 3317
- Bus maintenance, joint purchasing agency authority: HB 569

PRIVATE SCHOOLS—cont.

Church and home schools, temporary commission, study: HB 597
 Contractual arrangements, school districts, community colleges: HB 371
 Early childhood education, monitor private programs: HB 372
 Educational clinic defined, includes alternative schools: HB 417
 Home schooling requirements established: SHB 211, *SSB 3279, CH 441
 Immunization program: SHB 93, *SB 3547, CH 49
 Preschool advisory committee to assist DCD: *2SHB 1078, CH 418
 Preschool, disadvantaged, attendance provided for: HB 370
 Preschool, disadvantaged, modeled on headstart: HB 886
 School buses, private students: HB 568
 School year, not less than 180 days: SB 3178, *HB 312, CH 16
 Sexual abuse prevention education required: HB 952
 State board of education membership, voting member: HB 311, SB 3111

PROBATE

Award in lieu of homestead, statutory references modified: *SB 3103, CH 194

PROBATION AND PAROLE (See also SENTENCING)

Sentence setting revised: *SHB 242, CH 443
 Special adult supervision programs repealed: HB 269, *SB 3148, CH 52

PROSECUTORS

Autopsy reports, family viewing: SHB 44
 Bail bond provisions revised, when surety is released: SSB 4305
 Child abuse and dependent adults, reports: SHB 932, 2SSB 3238
 Defenses, defendant must establish by a preponderance of the evidence: HB 797
 Deferred prosecution, drunk driving: HB 10, *SB 3230, CH 352
 Deferred prosecution not available for driving offenses: HB 30
 Deferred prosecution, sign statement advising rights: 2SHB 879
 Drug violations, forfeiture of all real property: HB 384
 Juvenile court, plea agreements regulated: HB 1136
 Juvenile mental health proceedings, duties: *SSB 3099, CH 354
 Sexual abuse of children, prosecution: HB 387
 Special adult supervision programs repealed: HB 269, *SB 3148, CH 52

PROSTITUTION

Moral nuisances, lewd matter, lewdness, penalty: HB 748, *SB 3906, CH 235
 Street kids pilot project, multiservice centers: 2SHB 930

PSYCHOLOGISTS

Mental health patient, violent behavior, provider immunity: HB 904
 Records disclosure, persons in possible danger by patient: HB 374
 Uniform disciplinary act modified: SHB 131

PUBLIC ASSISTANCE (See also MEDICAL ASSISTANCE)

AFDC recipients, community work and training program, statewide: HB 951
 Alcohol impact on program, money to defray: HB 829
 Appellate counsel, indigent criminal defendants: SSB 3740
 Basic health plan, managed systems for low-income persons: SSB 3320
 Check cashing fee for government checks: HB 1171
 Community health center grant assistance, low-income persons: HB 1200
 Day care, study adequacy of existing assistance programs: HB 667
 Eligibility verification through financial institutions: HB 1027
 Food stamps, community work and training program: HB 1054
 General assistance, eligibility: HB 751, *SHB 396, CH 335
 Housing authority powers: SHB 798, *SSB 3911, CH 386
 Low-income housing, current use assessment: HB 1167
 Low-income housing, property tax exemption: HB 662
 Low-income seniors, motor vehicle excise tax exemption: HB 842
 Meals, elderly, low-income, handicapped, tax exempt: *HB 183, CH 104
 Medicaid, nursing home patients, no discrimination: SHB 196, SHB 246, *SSB 3262,
 CH 284
 Preschool, disadvantaged, attendance provided for: HB 370

PUBLIC ASSISTANCE—cont.

Preschool, state education and assistance program: *2SHB 1078, CH 418
 Reimbursement by recipients of department costs: *2SHB 356, CH 245
 Rent, landlords may receive tenants assistance: HB 275
 Respite care demonstration projects, continue: SHB 111
 Reward for fraud information: HB 382
 Single mother's pilot project: HB 1199
 SSI, retroactive reimbursement of interim assistance: *SHB 50, CH 100
 Utility rate relief for low-income: HB 344, SSB 3221
 Work incentive demonstration program: HB 1135

PUBLIC DISCLOSURE (See also ELECTIONS)

Adoption, petitions requesting identity disclosure authorized: SHB 112
 Adoption registry established: HB 450
 Applications for public employment exempt: HB 764
 Campaign contribution, ceilings and percentages imposed: HB 457
 Campaign contribution limitation: SHB 192, *SSB 3307, CH 359
 Campaign violations, fines increased: HB 224
 Candidates who have been public employees, files open: HB 1120
 Conferences committees, open to the public: HCR 10
 Confidentiality, hospital district: *SHB 279, CH 166
 Contributions over \$10,000, disclosure: HB 800
 Contributions prohibited if required report not filed: HB 984
 Contributions, reporting, periodic revisions: SHB 313, *SSB 3367, CH 367
 Contributors over \$5,000 to file a public disclosure report: HB 715
 Executive conflict of interest act: HB 969
 Executive sessions, conditions revised: *SSB 3386, CH 366
 Fund-raising activities, not during session: HB 381
 Fund-raising events during session, specific district: HB 192
 Gift giving restricted: SHB 229
 Hazardous waste handlers, public access to records: HB 1177
 Industrial insurance claimants may review files: SHB 712
 Injunction against certification if election authorized: HB 699
 Insurance applications disclosure prohibited: HB 735
 Legislators, compensable business during session, disclose: SHB 230
 Limitations on disclosure to be construed narrowly: HB 813
 Lobbyist registration, note those not making campaign contributions: HB 59
 Mental health records, disclosure to persons in possible danger by patient: HB 374
 Mental health records of juveniles, confidential: *SSB 3099, CH 354
 Personnel files, employees may inspect: *SHB 358, CH 336
 Personnel files, record disclosure for research: *HB 357, CH 334
 Political action committee, gambling, charitable or nonprofit organization rules: HB 418
 Political committees, financial representation: SB 3434
 Privacy, essential to well-being of a free society: HJR 41
 Public records, copying fee to be established: SB 3011
 Records committee to include OFM representative: SHB 612, *SB 3818, CH 192
 Taxpayer information, exempt, public inspection, copying: HB 1007
 Taxpayer records, privacy: *SHB 1003, CH 414
 Van Dyke, reprimand: *HFR 5

PUBLIC EMPLOYMENT RELATIONS COMMISSION

Extending duties of commission: HB 661
 Higher education, collective bargaining authorized: SHB 32
 Hospital districts, collective bargaining labor dispute: HB 522
 Labor matters, responsibility specified: HB 1163
 Union shop elections, conditions: HB 1162

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Legislation impacting pensions, actuarial analysis: HB 1128

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 Benefit areas, general manager to be appointed: HB 1130
 Benefit authorities, public members on governing bodies: HB 184
 Federal funds, WSDOT authorized to receive: HB 79, *SB 3121, CH 20
 Local improvement districts authorized: *SHB 379, CH 397
 Passenger charter carriers, redefined, regulated: HB 438
 Political contributions via payroll deductions: *HB 575, CH 204
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Construction costs investment funds, charged to ratepayers: HB 1194
 Consumers' utility board established: HB 558
 Creation, public vote required: *SB 3765, CH 445
 Credit owed is not deemed abandoned, conditions: SHB 700
 Decommissioning of major energy facilities: SHB 339
 Deposits, provisions provided: SHB 1102
 Differential electric utility rates, encourage conservation: HB 340
 Districts, commissioner compensation modified: *SHB 23, CH 330
 Districts, 5 commissioner, revised: SHB 1279
 Electric generation, by product of water systems: *SHB 846, CH 444
 Electric service liens on tenant-occupied premises prohibited: HB 304
 Expenditures, WUTC shall regulate: HB 439
 Joint operating agencies, bidding, contracting: SB 4262
 Joint operating agencies, contracting authority modified: HB 146
 Joint operating agencies, formation procedures: SHB 144 Joint operating agencies, power and authority modified: HB 145
 Joint operating agencies, thermal power plant construction projects, certain prohibited: HB 345
 Joint operating agencies, travel reimbursement: HB 346
 Land use planning and zoning, not PUDs: *SSB 3536, CH 95
 Low-income veterans, blind, disabled, rate relief: SSB 3221
 Municipal systems, alternation provided for: SB 3768
 Nuclear, thermal, electric generating facilities, joint development authority repealed: HB 714
 Open public meeting requirements for employee compensation: HB 258
 Rate relief, low-income: HB 344
 Security for utility bills, rental deposits used as security: HB 753
 Short-term obligations, municipal corporations: *SHB 956, CH 332
 Tax to fund local public works projects: *SSB 4228, CH 471
 Theft of utility services, civil liability: *HB 758, CH 427
 Water company redefined for WUTC jurisdiction: *SHB 303, CH 161
 Water systems, municipalities, electric generation a by product: *SHB 846, CH 444

PUBLIC WORKS

Cities, bidding requirements revised: *HB 576, CH 219
 Contract disputes, judicial review: HB 934
 Contractors and subcontractors, apprenticeship programs: HB 996
 County road administration requirements revised: *SSB 3356, CH 369
 Fraud prevention division created: HB 83
 Incorporation of new cities, essential service, 60 days: *SHB 1191, CH 143
 Incorporation of new cities, essential service provisions by county via contract: *SHB 956, CH 332
 Minimum wage, other benefits, public works contractors: HB 996
 Overtime hours modified, contractors: HB 503
 Prevailing wage complaint and investigation procedure: *SHB 16, CH 15
 Prevailing wage, those not paid have a priority lien: *SHB 15, CH 80
 Public works assistance account: SSB 3696, SSB 3798, *SSB 4228, CH 471
 Public works assistance program: SSB 3696, *SHB 461, CH 446
 Public works board created: *SHB 461, CH 446
 School bidding procedures modified: *SB 4206, CH 324

PUGET SOUND

Clean up and management, select committee: *HFR 7
 Comprehensive land use plans, discharge of pollutants: *SHB 839, CH 126
 Enforcement actions on water quality, report: SHB 796
 Hazardous waste sites, federal funds requested, clean up: *SJM 107
 Hood canal and tributaries, shorelines of state-wide significance: HB 687
 Industrial wastewater, pretreatment, review and revise: HB 814, *SHB 815, CH 249
 Outfalls and discharges into water, review: HB 1035
 Port council, Puget Sound port council created: HB 678
 Puget Sound institute established: SHB 506
 Puget Sound water quality authority created: HB 655, 2SHB 741, *2SSB 3828, CH 451
 Sales tax, percentage for Puget Sound water quality enhancement: HB 463
 Select committee on management, eliminate duplicate jurisdiction: HB 653
 Shellfish protection areas defined, includes Hood Canal: HB 818
 Shellfish protection districts: *SHB 814, CH 417
 Tax on cigarettes to fund clean up: HB 502
 Water pollution control facilities, financial assistance: 3SSB 3827
 Water pollution control financial assistance: SHB 1081
 Water quality policy: SHB 680
 Wetlands, acquire or protect those that protect Puget Sound water quality: SHB 840
 Youth development and conservation corps to clean up Sound and protect shellfish: 2SHB 1068

RADIO

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 Communication services, limited state regulation: *HB 281, CH 167
 FM, television reception improvement district may transmit: *HB 12, CH 76
 Teenage pregnancies, public service announcements to discourage: SHB 1174

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Extraterritorial authority: *SB 3467, CH 187

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Abandoned rights of way WSDOT may buy and sell for specified purposes: *SSB 4267, CH 432
 Caboose required on freight trains: HB 247
 Consumers' utility board established: HB 558
 First aid certificate holder required on each crew: HB 216
 Public utility and transportation corridors, clarified: HB 791

RAPE CRISIS CENTERS

Biennial state-wide plan versus one-time plan: HB 181, *SSB 3198, CH 34
 Privileged communications, employee or volunteer information: HB 931

REAL ESTATE BROKERS AND SALESMEN

Due on sale clause: SHB 936
 Examination requirements, eligibility, course work required: *2SHB 428, CH 162
 Licensure, understanding of alternative brokerage concepts: HB 277
 Minimum wage, residential housing salesperson exempt: HB 527
 Real estate fund accounts kept by brokers: HB 1176
 Salesperson's license, 30 hour course prior to obtaining: HB 429, *2SHB 428, CH 162

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Accessory apartments permitted by municipalities: HB 900
 Aquaculture lands or structures, trespass prohibited: *SB 3173, CH 289
 Building permits, county assessor parcel number: *SB 3202, CH 318
 Claims of state, improvements upon real property, time period: SHB 573
 Condominium or home owner association assessments: HB 962
 Condominiums, association powers restricted to management of property: HB 535
 Conveyance tax collection by county treasurer: HB 1008
 Current use assessments for owner-occupied single-family residences: HB 9, HJR 2

REAL PROPERTY—cont.

- Current use valuation of all real property authorized: HJR 4
- Deeds of trust, foreclosure procedure: *SSB 3094, CH 193
- Development permits, rights vest to develop: HB 349
- Due on sale clause: SHB 936
- Energy audits required before sale of residential property: SHB 342
- Energy audits required prior to HFC assistance: HB 341
- Escheat property, director of revenue to administer: *HB 1004, CH 133
- Escrow commission references deleted: HB 190
- Joint tenancy provisions, trust act of 1984 reenacted: *SB 3077, CH 10
- Judgment liens, modifications: HB 939
- Leasehold excise tax, credit computation modified: SSB 3574
- Leasehold excise tax, improvements, taxed at full, true and fair value: HB 480
- Leasehold excise tax, 1%: HB 534
- Leasehold excise tax, contract rent: HB 684
- Lien, domestic violence judgment, costs or fees: *SSB 3254, CH 303
- Loans, banks may not discriminate: HB 903
- Loans for real estate regulated: HB 706
- Low-income housing, property tax exemption: HB 662
- Mortgages, first, tax deduction for interest repealed: HB 810
- Open space, public benefit system: *SHB 91, CH 393
- Open space, transfers to nonprofit organizations: *SB 3420, CH 319
- Plat approval without a public hearing, conditions: SSB 3419
- Real estate contracts, forfeiture provisions: *SB 3091, CH 237
- Sexual orientation, may not discriminate based on: HB 474
- Short subdivisions, counties may increase number of lots: HB 350
- Subdivision, exempt if one lot, owner 55 and occupies: HB 19
- Timeshare regulation modified and extended: *SB 3167, CH 358

RECIPROCITY

- Labor and industries, claim collection, other states: *SB 3081, CH 48
- Motor vehicle, licensing reciprocity revised: *SB 3401, CH 173
- Motor vehicles, IRP plan: *SB 3601, CH 380
- Salmon angling licenses, Oregon boundary: *SHB 14, CH 174

RECYCLING

- Beverage or food containers, record-keeping process inapplicable: *SSB 3015, CH 70
- B&O tax deduction, sales of returnable containers: HB 1099
- Model litter control act, resource conservation stressed: HB 970
- Oil, above-ground tanks authorized: HB 37
- Solid waste management fund, user fees: SHB 486
- Solid waste reduction study, science and technology: SHB 70
- Tire recycling: *SHB 804, CH 345

REFERENDUM

- Ads, ballot title to appear in ads: HB 536
- Federal reserve system, constitutionality challenged: SB 3555

REFRIGERATION

- Refrigeration and air conditioning services certificate fund: HB 60

RELIGION

- Church property, 5 acre exemption limit removed: HB 1159
- Orthodox Christians, protect: *HJM 2
- Scoliosis screening, except for religious beliefs or redundancy: *SB 4227, CH 216

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- Public assistance, landlord may be assigned: HB 275

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- Investment projects, new manufacturing buildings or major improvements, sales tax deferral: HB 415
- Research and development, tax rate modified: HB 1023

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Tax deferral, sales and use, investment projects of persons currently not in state:
HB 1326

RESTAURANTS

Discrimination based on sex prohibited: *SB 4259, CH 203

RESTROOMS

Grocery stores and banks must have public restrooms: HB 51

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Sales representations, contracts and commissions regulated: SSB 3255

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Actuarial fiscal notes for retirement legislation: SHB 376

Amortization of unfunded liability: SHB 375, SHJR 30

Beneficiary provisions modified: HB 777

City managers, PERS optional: SHB 765

Contribution rates, not state employees: HB 552

Contribution rates, aggregate actuarial cost method: HB 588, HB 641

Cost of living retirement adjustments: SHB 378

Direct billing of employers for PERS payments: *HB 643, CH 138

Disability retirement maximum limit eliminated: HB 128

Educational service districts, employers' retirement contributions, method revised: HB 352

Employee contribution percentage modified: HB 519

Excess compensation, provisions repealed: HB 624

Full-funding required: HB 305, HJR 27

Higher education, retirement plan options, teachers' or PERS: HB 102

Increases, full-funding by appropriation required: HJR 19

Judges, PERS transfer, mandatory, optional: SHB 458

Legislation impacting pensions, actuarial analysis: HB 1128

LEOFF, contributions not required for months not granted service credit: SSB 3717

LEOFF, disability benefits, disability ceased, procedure, appeal: *HB 657, CH 103

LEOFF, disability benefits, revisions, clarifications: *SHB 444, CH 102

Occupational disease, retirement, total disability: HB 129

Pension unfunded liability account: HB 1197

PERS, contributions not required for months not granted service credit: SSB 3717

PERS, direct billing of employers: *HB 643, CH 138

PERS, reestablishment by former members authorized: SHB 690

Public retirement, joint interim committee, continue: HCR 3
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Restoration, contributions, reentering employees: HB 130, SSB 3182

State patrol, retirement credit for cadets: HB 355

Tax deferral benefits modified: *SB 3270, CH 13

Teachers, credit for military service: HB 756

Teachers may receive pension payments while teaching, department of defense schools: HB 351

Unfunded liability of PERS, amortization, 40 years: HB 377

REVENUE, DEPARTMENT OF

Collection agencies, collect taxes, out of state sources: *SHB 1003, CH 414

Escheat property, director of revenue to administer estate: *HB 1004, CH 133

Household hazardous substances, disposal regulated: SHB 136

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One-stop master license program expanded: HB 982

Risk management office, protect and manage revenues and assets: *SB 3569, CH
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Civil disorders, teaching, etc., use of guns, prohibit: SHB 81

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- Acid rain, DOE to continue monitoring: *SHB 974, CH 456
- Conservation commission, matching grant program: HB 471, SSB 3379
- Flood plain management, DOE to adopt rules: *SHB 380, CH 454
- Hood canal and tributaries are shorelines of state-wide significance: HB 687
- Matching grant program for conservation districts: HB 471, SSB 3379
- Mt. St. Helens, sale or transfer of dredge: *SSB 3131, CH 12
- Nisqually river system, management program: *SHB 323, CH 244
- Shoreline management master program: HB 963
- Yakima water adjudication, certification period: *SSB 4424, CH 435

ROAD IMPROVEMENT DISTRICTS

- Formation, resolution process: *SSB 3356, CH 369

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- Ad hoc community councils, petition process provided: HB 976
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- Advertising information panels, limits: *SSB 3500, CH 376
- Assistance vans may stop on limited access highway: *HB 271, CH 149
- Avalanche control activities exempted from explosives law: *HB 787, CH 191
- Bicycle safety program: HB 771
- City street vacation, compensation: *SB 3830, CH 254
- allowed: HB 978
- Counties, improvements to state highways: *SHB 187, CH 400
- County road administration board, fund authority: *SHB 321, CH 120
- County road improvement districts, special assessment: *SSB 3356, CH 369
- County road property tax diversion for law enforcement: *SHB 203, CH 429
- County road service areas may receive urban arterial funds: HB 826
- County road vacating process: HB 330, *SSB 3356, CH 369
- Economic development account of the motor vehicle fund created: *SHB 863, CH 433
- Forest reserve fund distribution: *SSB 3145, CH 311
- Freeway traffic flow, passing lane created: HB 507
- High level and defense nuclear waste, transportation liability: *SCR 109
- Highway construction stabilization account: *HB 720, CH 140
- Highway information panels: *SHB 133, CH 142
- Highway maintenance by contract or state force: HB 645
- Hood canal bridge toll phase-out procedure: SHB 252
- Incorporation of new cities, essential service provisions by county via contract: *SHB 956, CH 332
- Interstate highway construction funds, asking congress to release: *HJM 1
- I-90 northbound spur, feasibility study for Spokane area: HB 1132
- Leaking of food products that are a roadway hazard: HB 991, SSB 4281
- Mobile homes, special movement permit: *SSB 3068, CH 22
- Model traffic ordinance updated: *SB 3144, CH 19
- Motor vehicle fund distribution for arterials and streets: HB 148
- Noxious weed control funding: SB 3234
- Quinault tribal highway: HB 72, *SSB 3125, CH 228
- Radioactive materials, transportation study provided for: HB 55
- Six-year program, UAB to reject in noncompliance: HB 590
- Speed limit, requesting national limit of 65 mph: HJM 19
- State highway routes, updated: *HB 80, CH 177
- Street improvement contracts, cooperation authorized with city, town, or county: HB 978
- Tires, metal studded tires prohibited: HB 75

RURAL IMPROVEMENTS

- Consortium for community and rural improvement: HB 1188

SAFETY

- Airbags required in all cars: HB 866
- Alcohol warning signs at retail outlets, driving while drinking, fetal alcohol syndrome, medication: HB 1017

SAFETY—cont.

- Asbestos, workers regulated: *SSB 4209, CH 387
- Bicycle safety program: HB 771
- Computers, video display terminals, study, health and safety effects: HFR 44
- Dietetic services registration act, diet plans, etc.: HB 416
- Fingerprinting for children in day care facilities: HB 769
- Flour and bread requirements modified: *SB 4122, CH 25
- Formaldehyde, public disclosure required: SHB 343
- Grocery stores and banks must have public restrooms: HB 51
- Household hazardous substances, disposal regulated: SHB 136
- Limited access facilities, assistance vans may stop: *HB 271, CH 149
- Liquid spills, processing plant by-products, clean up costs: HB 991
- Motor vehicle, lighting devices: HB 328
- Motorcycle safety education course required: *SSB 3035, CH 234
- Municipal, public, transportation authorities, safety jurisdiction of WUTC covers: HB 961
- Radiation control power of DSHS: *SSB 3799, CH 383
- Radon detectors: SHB 894
- Railroads, first aid certificate holder on each crew: HB 216
- Seat belt use, failure to use, evidence to mitigate damages: HB 1020
- Seat belts, operator and all front seat passengers: HB 713
- Seat belts, belt or safety seat required: SHB 1182
- Seismic safety commission created: SHB 493
- Smoke detectors in college dormitories: HB 719
- Speed limit, requesting national limit of 65 mph: HJM 19
- Video display terminals, occupational safeguards required: SHB 468
- Water heater temperatures, apartments with central systems exempt: SB 3206, *HB 34, CH 119
- Worker and community right-to-know, communication of workplace hazards: *SHB 1170, CH 409

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- Advertised price may include sales tax: *HB 601, CH 38
- Alcohol, import and sale of brands which appeal to minors banned: HB 1019
- B&O tax deduction, sales of returnable containers: HB 1099
- Building construction, goods and services used are tax exempt: HB 821
- Charitable solicitations via telephone restricted: HB 460
- Charitable solicitations via telephone, WUTC to study and report to legislature: *SHB 460, CH 121
- Christmas trees: HB 1030
- Commissions by sales representatives regulated: SSB 3255
- Conveyance tax collection by county treasurer: HB 1008
- Deceptive sales practices, defining actions: HB 724
- Direct seller's representatives, tax exemption modified: HB 1002
- Due on sale clause: SHB 936
- Energy audits required, residential property: SHB 342
- Fur sales at auctions, restricting the sale: HB 464
- Hay containing weed seeds, sale is illegal: SSB 4119
- Health clubs, protection for purchasers of services: SSB 3161
- Health clubs regulated: HB 451
- Installment sale or lease, sales tax at beginning: HB 447
- Mail order sales, list actual address in advertising: HB 737
- Motor vehicle fuel franchises, restricted: HB 329, SB 3418
- Nursing home insurance policies, sale regulated: HB 1168
- Organic food products, standards established: *SHB 297, CH 247
- Selling price redefined, may include tax: HB 497
- Sexual orientation, may not discriminate based on: HB 474
- Steelhead, commercial sale prohibited: HJM 25
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- Fishing licenses, free to veterans: HB 300
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- Licenses, angling, Oregon reciprocity: *SHB 14, CH 174
- Natural fish runs, reinstate certain: *SSB 4314, CH 208
- Sale of inedible salmon, revisions: *SB 3368, CH 28
- Salmon fishery resources, long-term enhancement plan: *SSB 3384, CH 458
- Salmon treaty, ratify: SJM 101
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- Troll license allows fishing in all districts: *HB 670, CH 107
- Veterans, free fishing licenses: HB 300
- Water-dependent fish and wildlife, protection, enhancement: SHB 757

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- Credit cards, interest rate on unpaid balance, limit: HB 472
- Prohibited transactions to directors, officers: HB 514, *SSB 3602, CH 239

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- Bank holding companies: HB 249, *SSB 3361, CH 56
- Business trust may be established: HB 259, *SSB 3361, CH 56
- Credit cards, interest rate on unpaid balance, limit: HB 472

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- Achievement test, standardized state-wide high school core competency test: HB 369
- Achievement tests, tenth grade: HB 887, *2SHB 141, CH 403
- Administrators' academy planned: HB 260, SSB 4118
- Administrators, criteria, remedy deficiencies: HB 407
- Admission standards for college, inform students: SHB 170
- Alcohol impact on program, money to defray: HB 829 349
- Alternative schools included in educational school definition: HB 417
- Assessment of readiness to attend school, SPI: SHB 372
- Assessment prior to kindergarten: HB 1104, HB 1105
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- Attendance required from age 6 until age 18: HB 901
- B & O tax credit for teachers' summer employment: HB 1180
- Basic education, additional tax to fund programs: HB 1093
- Basic education allocation formulas: HB 334, HB 1100, HB 1144, SSB 3778
- Basic education, fully funded, programs: 2SHB 694
- Basic education funds, personnel to FTE ratio: HB 1103
- Bidding procedures modified: *SB 4206, CH 324
- Bids, district board may make further calls: HB 1040
- Board member compensation, \$2,000 per month, 30,000 students: HB 296
- Board members, compensation may be waived by member: *SHB 23, CH 330
- Bonds for school plant facilities: *HB 1327, CH 3 E1
- Bus maintenance, private school: HB 569
- Buses, private students may ride public buses: HB 568
- Buses, state reimbursement for major repairs: HB 432
- Career ladder pilot project: SSB 3621
- Career ladder, teachers: HB 586, HB 884
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- Child abuse, reporting: SHB 932, 2SSB 3238
- Child abuse, teacher training, potential victims: *SHB 805, CH 419
- Church schools, temporary commission to study: HB 597
- Cigarette tax to help fund schools: HB 502
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 Lieutenant, patrol sergeant, exams every 2 years: *SSB 3781, CH 4
 Missing children clearinghouse established: SSB 3276, *SHB 242, CH 443
 Missing children information center: HB 783, HB 1071
 Motor vehicles, may stop for probable cause, conditions: HB 347
 Optical strobe light devices, use restricted: *HB 327, CH 331
 Privacy, essential to well-being of a free society: HJR 41
 Private carriers, standards: *SHB 660, CH 333
 Retirement credit for cadets: HB 355
 Retirement, transfer to PERS provided for: SHB 690
 Road blocks, licensing or alcohol/drug influence: HB 1016
 Self-defense, law enforcement inquests, reimbursement: SSB 3090
 State patrol highway account, motor vehicle excise tax: HB 864
 Transportation budget, 1985-87: *SSB 3920, CH 460

STATE SEAL

Expanded use authorized: HB 151

STATE TREASURER

Affirmative action plan by banks who hold or invest state funds: SSB 3345
 Government checks, policies set: HB 1171
 Investment board, assistant state treasurer, member: *SB 3127, CH 195
 Salary increase: HB 221, HB 231, SSB 3266

STATUTE LAW COMMITTEE (See CODE REVISER)**STATUTE OF LIMITATIONS**

Claims of state, improvements, real property: SHB 573
 Crime victims' compensation benefits: 2SHB 138, 2SSB 3200, *SHB 242, CH 443
 Crimes, modified: *SB 3393, CH 186
 Industrial insurance, revisions: SHB 280
 Trust act of 1984, statute of limitations reenacted: *SB 3078, CH 11

STEELHEAD

Anadromous fish jurisdiction to fisheries department: HB 906
 Aquaculture status: *SB 3067, CH 457
 Gamefish exclusively, no commercial harvest: SHJM 15
 National game fish designation: HJM 25
 Natural fish runs, Tilton, upper Cowlitz: *SSB 4314, CH 208
 Salmon fishery resources, long-term regional enhancement: *SSB 3384, CH 458
 Steelhead data and management program: HB 1051, SHB 89
 Steelhead permit: 2SHB 89, *SSB 4231, CH 464

STEELHEAD—cont.

- Treaty fish management, requesting federal funds: HJM 17
- Water-dependent fish and wildlife, protection/enhancement: SHB 757

SUPERINTENDENT OF PUBLIC INSTRUCTION

- Achievement tests, tenth grade: HB 369, *2SHB 141, CH 403
- Administrative hearings office, contract: *SB 4110, CH 225
- Administrators' academy planned: HB 260, SSB 4118
- Admission standards for college, inform students: SHB 170
- Advisory committee on research and development: HB 174, *SSB 3235, CH 349
- Appointment of superintendent by governor: HJR 24
- Appointment of the superintendent provided for: HJR 10
- Assessment prior to kindergarten: HB 1104, HB 1105
- Beginning teachers' assistance program: HB 264, *2SHB 174, CH 399
- Buses, state reimbursement for major repairs: HB 432
- Career ladder pilot project: SSB 3621
- Certificated personnel, pilot program: SHB 372
- Child abuse, children to resist and report: *SHB 805, CH 419
- Clearinghouse for educational information: SB 3352
- Common school construction, need assessment: HCR 2
- Coupons, courses, other high schools, pilot program: HB 371, SSB 3514
- Early childhood education: HB 372, SHB 1078, SSB 3518
- Early childhood education office established: HB 886
- Earthquake safety in school buildings: HB 532, SSB 3448
- Educational clinics, fund allocation: *HB 999, CH 434
- Educational service districts, employers' retirement contribution, method revised: HB 352
- Environmental education task force: HB 980
- Evaluation instruments, training, teacher personnel: HB 884
- Excess levy limitation, expenses: HB 578, HB 583
- Forest reserve fund distribution: *SSB 3145, CH 311
- Grants, pilot programs, Japanese and Spanish instruction: SHB 366, SSB 3516
- High-risk student program: SSB 3294
- Honors award program established: HB 182, *SB 3782, CH 62
- Immunization program information and procedures: *SB 3547, CH 49
- In-service training program, SPI report: *2SHB 1065, CH 423
- Joint operation of districts, report: *SSB 3350, CH 58
- Literacy, state advisory literacy coalition: HB 363, SSB 3517
- Missing children clearinghouse established: SSB 3276, *SHB 242, CH 443
- Missing children information center: HB 783, HB 1071
- Motorcycle safety education course required: *SSB 3035, CH 234
- Preschool, early intervention, pilot program: HB 491
- Principals, training programs to remedy teacher deficiencies: HB 407
- Remedial and bilingual programs: HB 360, SSB 3619
- Remediation program revised: HB 367, SSB 3510
- Salary increase: HB 221, HB 231, SSB 3266
- School district consultation, evaluation: HB 368
- School funding system, excess levies, study: HB 549, HB 1141
- School-based management, report: *2SHB 1056, CH 422
- Small districts, less than 25 FTEs, funding: 2SHB 694
- Suggestion awards for employees: SSB 3160
- Superintendent to be member of state board of education: HB 311, SB 3111
- Teacher evaluation, SPI standards: *2SHB 849, CH 420
- Teacher performance evaluation criteria: HB 1113
- Teacher personnel decisions: HB 884
- Teachers, prototype professional certification exam: 2SHB 587
- Traffic safety education to instruct on passing lane: HB 507
- Vocational education, staff/student ratio: HB 440, HB 1038, SSB 3439

SUPREME COURT

- Fiscal responsibility and operational control: HB 611
- Refrigeration infractions: HB 60

SUPREME COURT—cont.

Salary increase: SHB 231

SWIMMING POOLS

Recreational water contact facilities, slides regulated: HB 669, SSB 3498

TAX - APPEALS

Property tax exemption, tax appeals board: HB 920, HB 946

TAXES - B & O

Additional taxes, reduced: HB 306

Administrative provisions: *SHB 1003, CH 414

Alcoholism treatment programs, nonprofit, exempt: HB 682

Amusement devices, deduction, owner to landlord: HB 248

Amusement devices, tax modified: SSB 3110

Aquaculture on own land is not extractor: SHB 309

Artistic or cultural organizations: HB 147, *SSB 4228, CH 471

Cities, 90 days to get petition signatures: HB 942

Consumer modified, clearing land or moving earth: *HB 1006, CH 134

Direct seller's representatives: HB 1002

Early warnings for reduction of operations, tax break: SSB 3837

Eliminated: HB 946

Fish farming exempted from excise taxation: *HB 99, CH 148

Food fish and shellfish, fresh: HB 750

Fuel consumed, high seas, exempt: *SSB 4228, CH 471

Gold and precious metals, investment transaction: HB 950, *SSB 4228, CH 471

Handicapped, severely, tax credit for wages paid to: HB 861

Household hazardous substances, disposal regulated: SHB 136

Industrial incentive zones: SHB 1032

Interest and penalties for delinquent taxes limited: HB 1179

Investments, corporations may not deduct: HB 809

Manufacturing, credit, taxes paid other state: *SSB 3678, CH 190

Meat processors, rate changed: HB 63, HB 100

Meat processors, rate phased down: *SSB 4228, CH 471

Monthly income exemption, raised: HB 1026

Mortgages, first, tax deduction for interest repealed: HB 810

Multiple activities, tax modified: HB 1041, *SSB 3678, CH 190

New businesses operating at a loss, tax deferral: HB 1025

Physicians, additional tax, health plan trust account: SSB 3320

Public works funding: SSB 3696, SSB 3798, *SSB 4228, CH 471

Radioactive waste disposers: HB 618, HB 723

Real estate broker, reduced: HB 306

Reducing tax, to 1%: HB 992

Research and development, tax rate modified: HB 1023

Returnable containers, B&O tax deduction for sales: HB 1099

Seed capital for early development of services: HB 1070

Sheltered workshops, credit: HB 859, HB 860

Single rate business tax established: SHB 927

Small businesses, tax credit for investment in: HB 855

Teachers' summer employment, B & O tax credit: HB 1180

Threshold increased, monthly exemption modified: HB 496

Tuition fee, degree granting institution: *HB 1009, CH 135

Wholesalers, modified, chain of purchase: HB 1127

TAXES - EXCISE

Administrative provisions modified: *SHB 1003, CH 414

Boat tax, collect prorated amount based on months remaining: HB 807

Boat tax modified, tax on footage: SSB 3157

Boat tax repealed, registration fee modified: HB 273

Cigarettes, replacement of expired federal portion: HB 167

Clarifying after Bond v. Burrows: *SB 3551, CH 32

Criminal justice assistance: 2SSB 3764

Enhanced food fish tax: *SHB 1060, CH 413

TAXES - EXCISE—cont.

- Exemptions, fish farming: *HB 99, CH 148
- Hospitals, free, tax exemption: HB 8
- Hotel-motel, special tax, conditions: *SSB 3723, CH 272
- Household dangerous wastes, disposal regulated: HB 136
- Leasehold excise tax, credit computation modified: SSB 3574
- Leasehold excise tax: HB 534
- Monthly reporting required: HB 640
- Reduced, retail sale, from 6 5/10% to 6%: HB 306

TAXES - FUEL/MOTOR VEHICLE

- Alcohol in gasoline, tax exemptions: *SB 3456, CH 371
- City taxation of motor vehicle and special fuels modified: SB 3535
- Criminal justice assistance account: 2SSB 3764
- Low-income seniors, motor vehicle excise tax exemption: HB 842
- Motor vehicle excise tax, allocation: HB 864
- Municipal motor vehicle excise tax, maximum increased: HB 749
- Noxious weed funding, motor vehicle, additional tax: SHB 1189
- Ride-sharing vehicles, tax exemption extended: HB 1052, SB 4234

TAXES - GENERAL

- Aircraft tax overpayment refund, revisions: *SHB 1003, CH 414
- Aquifer protection areas: *SHB 1116, CH 425
- Cigarettes, additional tax, revenue reserve account: HB 598
- Cigarettes, additional tax, Puget Sound clean up, schools: HB 502
- Convention and trade center hotel/motel tax, truckstops: HB 1192
- County road property tax diversion, law enforcement, study: *SHB 203, CH 429
- Distraint papers, when they may be prepared: *HB 149, CH 83
- Emergency medical services: *SHB 1269, CH 348
- Exemptions, each to be in a separate bill: HJR 29
- Federal college savings plan, congress support: HJM 4, *SJM 110
- Gambling tax imposed by counties, area limit: *SB 3486, CH 172
- Higher education, state tax levied: HB 226
- Interest on refunds: HB 423
- Litter tax, ad hoc committee: HB 970
- School district levies, maintenance and operation: HB 20
- Shellfish protection districts: *SHB 814, CH 417
- Storage of dangerous materials, local tax on privilege: HB 1175
- Successor defined: HB 1005
- Taxing districts, excess levies, capital purposes: HJR 8
- Taxpayer information, exempt, public inspection, copying: HB 1007
- Tire recycling: *SHB 804, CH 345
- Tobacco products, tax increased: SHB 941

TAXES - INCOME

- Corporate income tax: HJR 34
- Corporate income tax, personal income tax not allowed: HJR 40
- Corporate income tax, 20% on all taxable income, thresholds: HB 1108
- Corporate tax, 20% of all taxable income: HB 923
- Net income tax to reduce other taxes: HB 946
- Personal income tax: HJR 35
- Personal income tax, 3% on all taxable income: HB 920
- Single rate personal and corporate tax: HJR 37

TAXES - NONRESIDENTS

- County, nonresidents employed in state repealed: *HB 132, CH 179
- Motor vehicles or trailers, use tax exemptions: *SSB 3007, CH 353
- Sales tax exemption modified: HB 528

TAXES - PERSONAL PROPERTY

- Destruction, replacement, valuation procedure: *HB 808, CH 220
- Distraint papers, when they may be prepared: *HB 149, CH 83
- Exemption, sales of personal property, outside state: HB 354
- Intangible personal property tax: HB 599

TAXES - PERSONAL PROPERTY—cont.

Mobile home, travel trailer, camper, used, taxation: HB 525
 Motor vehicles or trailers, nonresidents: *SSB 3007, CH 353
 Valuation at 100%: HB 1001

TAXES - REAL PROPERTY

Building permits, parcel number: *SB 3202, CH 318
 Church property, 5 acre exemption limit removed: HB 1159
 Conveyance tax collection by county treasurer: HB 1008
 Current use assessments, owner-occupied single-family residences: HB 9, HJR 2
 Current use valuation of all real property authorized: HJR 4
 Deferrals, need insurance on state's interest in equity: HB 1001
 Emergency medical services: *SHB 1269, CH 348
 Fire protection levies: HB 189, *SHB 189, CH 112
 Historic properties, tax classification: *SSB 3283, CH 449
 Increases, temporary voter-approved: HB 740
 Industrial incentive zones: SHB 1032
 Leasehold excise tax: SSB 3574
 Leasehold excise tax, improvements, true and fair value: HB 480
 Leasehold excise tax, 1%: HB 534
 Low-income housing, multiple-unit, current use assessment: HB 1167
 Low-income housing, property tax exemption: HB 662
 Military installations, historic, tax exempt: HB 983
 Open space, public benefit system: *SHB 91, CH 393
 Open space, transfers to nonprofit organizations: *SB 3420, CH 319
 Port districts, 10% to taxes to be used for water quality: HB 812
 Public improvements, taxing districts authorized: *HJR 23
 Reduce, 106%: HB 759
 School levy by state eliminated: HB 946
 Schools, real property tax increase relief from excess levy limitation: HB 583
 Valuation dispute, not taxed pending appeal: HB 422
 Water pollution control financial assistance: SHB 1081

TAXES - SALES AND USE

Additional tax, pension unfunded liability: HB 1197
 Advertised price may include sales tax: *HB 601, CH 38
 Advertised price, selling price redefined, may include tax: HB 497
 Aquaculture, sales of feed exempt: SHB 309
 Basic health care funded by tax on cigarettes: SSB 3320
 Building construction, goods and services tax exempt: HB 821
 Building construction or renovation, tax deferral: HB 1066
 Christmas tree seeds and seedlings, sales tax exempt: HB 617
 Christmas trees, sale at retail exemption: HB 1030
 Cigarettes, additional tax: HB 600
 Cigarettes, replacement of expired federal portion: HB 167
 Clarifying after Bond v. Burrows: *SB 3551, CH 32
 Contraceptives exempted from sales and use: HB 971
 Drug apparatus tax exempt: HB 235
 Drugs, prescription, sales tax prohibited: HJR 45
 Economic development target areas, deferral: HB 1079
 Exemption, sales of personal property outside state: HB 354
 Factory equipment brought into state use tax exempt: HB 989
 Farm machinery and equipment exempt: HB 946
 Federal heavy vehicle use tax, state vehicle registration: *HB 398, CH 79
 Fire fighting equipment, tax exempt: HB 541
 Fish farming exempted from excise taxation: *HB 99, CH 148
 Food and prescription drugs, sales tax prohibited: HJR 45
 Game fund, sales tax: HB 615
 Gold and precious metals, investment transaction: HB 950, *SSB 4228, CH 471
 Health food products exempt from sales tax: HB 734
 Hearing aids, tax exempt: HB 478
 Hospitals, free services, excise tax exemption: HB 8

TAXES - SALES AND USE—cont.

- Installment sale or lease, sales tax at beginning: HB 447
- Investment projects in distressed areas, job creation: *SHB 1079, CH 232
- Investment projects, new manufacturing, deferral: HB 415
- Investment projects, tax deferral, currently not in state: *HB 1326, CH 2 E1
- Local taxes, monthly distribution to local entities: HB 245
- Manufacturing equipment, software, etc., sales tax exempt: HB 1022
- Meals, elderly, low-income, handicapped, tax exempt: *HB 183, CH 104
- Medical supplies and equipment, sales and use tax exempted: HB 400
- Mobile homes, used, taxation revised, rent or lease: HB 525
- Motor vehicles or trailers, nonresidents exempt: *SSB 3007, CH 353
- Nonresident business in state: *SB 3008, CH 222
- Nonresident exemption modified: HB 528
- Nonresidential commercial construction, tenant improvements, deferral: HB 1024
- Public works projects funded: SSB 3798, *SSB 4228, CH 471
- Puget Sound water quality enhancement: HB 463
- Reduced, retail sale, from 6 5/10% to 6%: HB 306
- Reducing tax to 5 1/2%: HB 992
- Tax reduced to 3.8%: HB 920
- Trade in property of like kind exempt: *HB 1000, CH 132

TAXES - SCHOOL LEVIES (See SCHOOLS AND SCHOOL DISTRICTS)**TAXES - TIMBER**

- Counties, receive 25% of public timber harvested in county: HB 915
- Distribution: *HB 914, CH 184
- Forest reserve fund distribution, schools, county roads: *SSB 3145, CH 311
- Open space classification: SSB 4315
- School maintenance and operations levies: HB 20

TAXICAB OPERATORS

- Industrial insurance exemption for independents: SSB 3981

TEACHERS (See SCHOOLS AND SCHOOL DISTRICTS)**TECHNOLOGY**

- Educational process, task force on new technologies: HB 371
- High-technology coordinating boards: *SSB 3630, CH 381
- Incubator, linking, study feasibility: HB 1157
- Joint center for education: *SHB 1190, CH 408
- Joint committee on science and technology extended: SCR 103
- Maritime technology program: HB 424, HB 979, SSB 3558
- Research and development, tax rate modified: HB 1023
- Small business, private investors, financial assistance: HB 1070
- Solid waste reduction study: SHB 70
- Tax deferral for construction or renovation of buildings: HB 1066
- Technology exchange created, technology transfer: *HB 943, CH 269

TELECOMMUNICATIONS

- Automated dialing devices, restricting the use: HB 95
- Automatic dialing and announcing devices prohibited: HB 134
- Cable television services, theft: *SHB 550, CH 430
- Competitive communications company classification created: HB 207, *SSB 3305, CH 450
- Joint committee on regulation extended: HCR 7, *SCR 101
- Radio communication services, limited regulation: *HB 281, CH 167

TELEPHONES (See also TOLL-FREE TELEPHONES)

- Automated dialing devices, restricting the use: HB 95
- Automatic dialing and announcing devices prohibited: HB 134
- Basic voice grade telephone service protected: HB 1117
- Consumers' utility board established: HB 558
- Excavations, notice given prior to, farming exception: SB 3044
- Harassment, penalties modified: HB 911, *SSB 3012, CH 288
- Interception of employee communications, exceptions: SSB 4109

TELEPHONES—cont.

Interception or recording of private communications: HB 1058, *SHB 36, CH 260
 Joint committee on telecommunications regulation extended: HCR 7, *SCR 101
 Low-interest loans to rural residents for telephone service: HB 443
 Mandatory local measured telephone service, conditions: SSB 3431, *SHB 7177,
 CH 206, SSB 3431
 Privacy, essential to well-being of a free society: HJR 41
 Rural telephone service fund: HB 443
 Telecommunications companies, register with WUTC: HB 207, *SSB 3305, CH 450
 Telephone solicitation, study: *SHB 460, CH 121

TELEVISION

Cable television services, theft: *SHB 550, CH 430
 Reception improvement district may transmit FM radio: *HB 12, CH 76
 Teenage pregnancies, public service announcements to discourage: SHB 1174

THE EVERGREEN STATE COLLEGE

Board of regents for the regional universities and Evergreen: HB 171
 Board of regents increased: HB 201
 Fees reset: SSB 3712
 Joint center for education, technology: *SHB 1190, CH 408
 Nursing degrees, granting of, repealed: *HB 331, CH 218
 Salary increases for administrators: SSB 3056
 Trustee membership increased: *HB 293, CH 137, SB 3133

THURSTON COUNTY

Nisqually river system, management program required: *SHB 323, CH 244

TIMBER (See NATURAL RESOURCES, DEPARTMENT OF; TAXES - TIMBER)**TIRES**

Metal studded tires prohibited: HB 75
 Tire recycling: *SHB 804, CH 345

TOBACCO

Tax on tobacco products increased: SHB 941

TOLL-FREE TELEPHONES

Day care center information: HB 332
 Hazardous household substances, central number: SHB 136
 Missing children clearinghouse, toll-free hotline: SSB 3286, *SHB 242, CH 443
 Park campsites, senior citizen pass: HB 704
 Small business ombudsman created: HB 1062

TOURISM (See also COMMERCE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF)

Advertising, roads and highways, requirements: SHB 406, *SSB 3500, CH 376
 Centennial partnership commission created, advisory: SSB 4100
 International, trade, tourism, and investment, joint select committee: SCR 115

TOW TRUCKS

Operators, registration required: *SSB 3553, CH 377

TRADE NAMES

One-stop master license program expanded: HB 982
 Reregistration period extended: *SB 3143, CH 88

TRADE SECRETS

Trade secret claims, worker-right-to-know, modifications: *SHB 1170, CH 409

TRADE-INTERNATIONAL (See EXPORTING AND IMPORTING)**TRAFFIC SAFETY COMMISSION**

Bicycle safety program: HB 771
 Seat belt use, failure to use, evidence to mitigate damages: HB 1020
 STOP-DWI programs, establishment funded: HB 929
 Transportation budget, 1985-87: *SSB 3920, CH 460

TRAILER HOMES

Repossession, removal from mobile home park revised: *SHB 188, CH 78

TRAILERS (See MOTOR VEHICLES)**TRANSPORTATION, DEPARTMENT OF (See also FERRIES)**

Advance construction, bond authorization extended to 1989: *HB 318, CH 406

Avalanche control activities exempted from explosives law: *HB 787, CH 191

Bid proposals, request for spec copies need not be written: HB 76, *SSB 3122, CH 242

Civil service exemptions modified: *SHB 86, CH 178

Counties, improvements to state highways: *SHB 187, CH 400

County road administration board, fund authority modified: *SHB 321, CH 120

Economic development account, motor vehicle fund created: *SHB 863, CH 433

Federal funds, activities authorized: HB 79, *SB 3121, CH 20

Freeway traffic flow, passing lane created: HB 507

Highway construction stabilization account: *HB 720, CH 140

Highway information panels: *SHB 133, CH 142

Hood canal bridge toll phase-out procedure: SHB 252

International trade policy, promote long-term: HB 567

Interstate highway construction funds, ask congress release: *HJM 1

I-90 northbound spur, feasibility study, Spokane: HB 1132

Limited access facilities, assistance vans may stop: *HB 271, CH 149

Maintenance of highways by contract or state force: HB 645

Maple street bridge, WSDOT to plan end: HB 721

Mobile homes, special movement permit: *SSB 3068, CH 22

Model traffic ordinance updated: *SB 3144, CH 19

Quinault tribal highway: HB 72, *SSB 3125, CH 228

Radioactive materials, transportation study: HB 55

Railroad rights of way, abandoned: *SSB 4267, CH 432

Routes modified: *HB 80, CH 177

Route 143, 920 repealed: *HB 80, CH 177

Scenic highway system, advertising: SHB 406, *SB 3500, CH 376

Speed limit, requesting national limit of 65 mph: HJM 19

Speed limits, uniformity of state and national: HB 899

Storm water management participation authorized: HB 874

Supplemental transportation budget adopted: *SHB 490, CH 17

Tourist information panels: *SSB 3500, CH 376

Transportation budget, 1985-87: *SSB 3920, CH 460

Urban arterial board, reject 6-year programs: HB 590

Urban arterial funds, county road service areas may receive: HB 826

TREASURER (See STATE TREASURER; COUNTY TREASURER)**TRUCKS (See COMMON CARRIERS; MOTOR VEHICLES)****TRUST FUNDS**

Solid waste facilities must have reserve accounts for eventual site closure: *SHB 69, CH 436

TRUST LANDS (See NATURAL RESOURCES, DEPARTMENT of)**TRUSTS**

Award in lieu of homestead, statutory references modified: *SB 3103, CH 194

Declaratory judgment provisions reenacted: *SB 3075, CH 9

Escheat property, director of revenue to administer estate: *HB 1004, CH 133

Fiduciary, provisions reenacted: *SB 3072, CH 30

Joint tenancy provisions reenacted: *SB 3077, CH 10

Nonjudicial resolution of certain provisions, fee: *SB 3076, CH 24

Partnership provisions modified: *SB 3074, CH 8

Procedural provisions reenacted: *SB 3079, CH 31

Savings banks trust fund authority modified: HB 249, *SSB 3361, CH 56

Statute of limitations reenacted: *SB 3078, CH 11

Statutory will act: HB 592

Wills provisions reenacted: *SB 3073, CH 23

TURKEY

Orthodox Christians, protect: *HJM 2

UNCLAIMED PROPERTY

Property held by law officers is not abandoned: SHB 700

Utility credits or deposits, unclaimed are abandoned: SHB 700

UNEMPLOYMENT COMPENSATION AND UNEMPLOYMENT (See also WORK)

Benefit amount, reduce industrial insurance disability: HB 686

Benefit period extended: *SSB 4196, CH 5 E1

Benefits, requalify, wage credits: HB 517, *SB 3409, CH 42

Community development block grant funds: *SHB 855, CH 164

Corporation officers covered: HB 917

Dislocated worker, approved training and eligibility, modification: HB 510, *SSB 3407, CH 40

Distressed counties, CERB: *SHB 461, CH 446

Economic development areas, investment tax deferral: HB 1079

Economically depressed areas, centennial partnership projects, tourism, marketing: SSB 4100

Employer definition limited: HB 509, *SB 3408, CH 41

Entertainers, employer and employee defined: *SSB 3162, CH 47

Entertainers, employment defined: HB 162

Experience rating account, marginal labor force: HB 326

Experience rating account, on-the-job training: *SB 4288, CH 299

Experience rating accounts, employer contribution rate modified: *SSB 3059, CH 270

Experience rating accounts, exceptions expanded: HB 517, *SB 3409, CH 42

Health care coverage for the unemployed, pilot project: SHB 652

Health care grant assistance programs, low-income persons: HB 1200

Industrial incentive zones: SHB 1032

Labor dispute disqualification modified: HB 743

Labor exchange, job service resources and employment assistance: SHB 1183, SSB 4196

Marginal labor force attachment, benefit modifications: HB 555

Marginal labor force attachment, benefit provisions: HB 554, *SB 3627, CH 285

Marginal labor force attachment, experience rating accounts, contribution modified: *SSB 3059, CH 270

Marginal labor force attachment, provisions deleted: HB 326

One-stop master license program expanded: HB 982

Quit after notice of termination, disqualification modified: HB 33

Rate of contribution, exceptions: HB 517, *SB 3409, CH 42

Vocational training, emergency pilot program: *SHB 1207, CH 437

UNIFORM DISCIPLINARY ACT

Complaints, immunity: SHB 131

Dental hygienists: HB 320

Denturists: HB 795

Respiratory care practitioners: HB 208

UNIFORM LAWS

Fraudulent transfer act: HB 453

Model insanity defense and post-trial disposition act: HB 591

Statutory will act: HB 592

Unclaimed property act, revised: SHB 700

UNIONS (See LABOR RELATIONS)**UNIVERSITY OF WASHINGTON**

Board of regents increased: HB 201, *SB 3322, CH 61

Dentist faculty, licensing of full-time: *HB 434, CH 111

Fees reset: SSB 3712

Forest products, center for international trade: SSB 3814, *SHB 837, CH 122

Forest products market development task force: HB 792, SB 3907

UNIVERSITY OF WASHINGTON—cont.

Institute of child development research and service repealed: *HB 331, CH 218
 International trade and economic development center at UW: HB 945
 Juvenile sexual offenders who were victims, pilot program: HB 465
 Majors, many eliminated: *HB 331, CH 218
 Nursing school, UW, number 1 status acclaimed: *HFR 12
 Print craft employees exempt, higher education law: *HB 168, CH 266
 Puget Sound institute established: SHB 506
 Salary increases for administrators: SSB 3056
 Salmon and steelhead, reinstate natural fish runs: *SSB 4314, CH 208
 Single mothers pilot project: HB 1199
 Thomas Burke memorial museum, termination repealed: HB 926, *SB 4169, CH 29

U.S. CONSTITUTION

Centennial commission, celebrate anniversary: *SSB 4361, CH 291

USE TAX (See TAXES - SALES AND USE)**UTILITIES AND TRANSPORTATION COMMISSION**

Automated dialing devices, restricting the use: HB 95
 Automatic dialing and announcing devices prohibited: HB 134
 Commission membership increased by two: SB 3046
 Construction costs investment funds, charged to ratepayers: HB 1194
 Consumers' counsel office established, AG's office: HB 558
 Credit owed is not deemed abandoned, conditions: SHB 700
 Deposits, provisions provided: SHB 1102
 Differential electric utility rates, encourage conservation: HB 340
 Expenditures, public service companies, regulation: HB 439
 Haulers, primary agricultural haulers defined, WUTC jurisdiction: HB 437
 Low-income, blind, veterans, disabled, rate relief: SSB 3221
 Mandatory local measured telephone service, restricted, conditions: SSB 3431,
 *SHB 717, CH 206
 Municipal transportation authorities, safety, WUTC: HB 961
 Nuclear, thermal, electric generating facilities, joint development authority
 repealed: HB 714
 Parcel/package delivery, WUTC jurisdiction: HB 436
 Passenger charter carriers, redefined, regulated: HB 438
 Private carriers, standards, WUTC and patrol: HB 660
 Public service companies, information and education: HB 57
 Purchase of utility by city or town, bonds: *SB 3765, CH 445
 Radio communication services, limited state regulation: *HB 281, CH 167
 Rate relief, low-income, blind, veterans, disabled, rules: SSB 3221
 Telecommunication revisions, legislative review: HB 207, *SSB 3305, CH 450
 Telephone, interception of employee communications, unlawful: SSB 4109
 Telephone service, basic voice grade, protected: HB 1117
 Telephone solicitation, WUTC study: *SHB 460, CH 121
 Theft of utility services, civil liability: *HB 758, CH 427
 Water company redefined for WUTC jurisdiction: *SHB 303, CH 161

UTILITIES (See also WPPSS)

Automated dialing devices, restricting the use: HB 95
 Automatic dialing and announcing devices prohibited: HB 134
 Construction costs investment funds, charged to ratepayers: HB 1194
 Consumers' counsel office established in the AG's office: HB 558
 Consumers' utility board established: HB 558
 Credit owed is not deemed abandoned, conditions: SHB 7000
 Deposits, provisions provided: SHB 1102
 Districts, commissioner compensation modified: *SHB 23, CH 330
 Excavations, notice prior: SB 3044
 Expenditures, WUTC shall regulate: HB 439
 Information and education activities, regulating ratepayer financing: HB 57
 Land use planning and zoning, PUDs: *SSB 3536, CH 95
 Liens, electric service, prohibited on tenant-occupied premises: HB 304

UTILITIES—cont.

- Low-income veterans, blind, disabled, rate relief: SSB 3221
- Municipal systems, alteration provided for: SB 3768
- Nuclear, thermal, electric generating facilities, joint development authority repealed: HB 714
- Open public meeting requirements for employee compensation: HB 258
- Plans, PUDs authorized to adopt plans to carry out powers: HB 775
- Rate relief, low-income: HB 344
- Security for utility bills, rental deposits used as security: HB 753
- Theft of utility services, civil liability: *HB 758, CH 427
- Water company redefined for WUTC jurisdiction: *SHB 303, CH 161

VANCOUVER

- Captain George, voyage commemorated: *SHB 622, CH 268

VETERANS

- Advisory committee membership increased, gold star mothers: *SB 3129, CH 63
- Armories, state-owned, use by veterans and civic groups, cleaning deposit: *SSB 3882, CH 295
- Civil service, definition modified: HB 118, HB 176, HB 337
- Civil service preference, competitive exam only: HB 1155, HB 1156
- Fishing licenses, free authorized: HB 300
- Hall rental, funds available increased: *SHB 177, CH 181
- Health care cost control efforts to be made: SHB 1077
- Health care education program by certain agencies: HB 1075
- Indigent soldiers' relief fund renamed: SSB 3005
- Nursing assistants, definition modified: SHB 196, *SSB 3262, CH 284
- School observance, educational activities: SHB 547, *SB 3204, CH 60
- Utility rate relief for low-income: HB 344
- Utility rate relief for low-income veterans, blind, or disabled: SSB 3221

VETERINARIANS

- Aquaculture duties of state veterinarian: SHB 309, *SB 3067, CH 457
- Uniform disciplinary act modified: SHB 131

VICTIMS

- Escapees, notice of release: *SHB 848, CH 346

VOCATIONAL EDUCATION

- Advisory council, state-wide communication network: HB 584
- Community colleges given vocational education programs: HB 579
- Contractual arrangements between school districts: Fire protection duties to new state fire protection board: *SSB 3856, CH 470
- Fire service training account, revolving fund established: *SSB 3442, CH 312
- Job skills program, reappropriating unexpended money: HB 353
- Prisoners, includes institutional industries: HB 1057
- Redesignated state board for vocational education: HB 581
- Staff/student ratio: HB 440, HB 1038, SSB 3439
- Vocational technical institute system, state-level created: HB 582
- Vocational training, emergency pilot program: *SHB 1207, CH 437

VOCATIONAL REHABILITATION

- Deaf-blind service center established: HB 467
- On-the-job training, certain workers exempt, minimum wage: HB 1073
- Vocational rehabilitation office, statute repealed: *SHB 1084, CH 339

VOLUNTEERS

- Center for voluntary action reauthorized: *SHB 53, CH 110
- Mine rescue plan, 2 mine rescue teams: SSB 4208
- State volunteers, AG to provide defense, claims: *SHB 124, CH 217
- Teachers in K-3 assisted by parents/volunteers: SHB 1106

VOTING (See also ELECTIONS)

- Absentee ballot distribution procedure: SSB 3310
- Absentee voters, ongoing authorized: *SB 3854, CH 273
- Ballot marking procedures: SHB 545, SSB 3310

VOTING—cont.

Ballot titles, 75 words, appeal process, etc.: HB 671
 Ballots, primary and sample, order of candidates: SSB 3459
 Ballots, write-in candidates, procedures and restrictions: SHB 108
 Bond elections for capital purposes, vote and turnout, modifications: HJR 28
 Federal reserve system, constitutionality challenged: SB 3555
 Handicapped persons, voting and registration: *SHB 1153, CH 205
 Initiative and referendum signers, geographical distribution required: HJR 15
 Party preference, optional registration: HB 173
 Presidential preference primary: SHB 433
 Primaries, candidate wins without general if 60% majority: HB 947
 Proof of age may be required when registering: HB 542
 Recall of public officials, procedures: HB 1125
 Registration, challenge: HB 635, HB 1178
 Registration, late, absentee ballots authorized: HB 631
 Registration, proof of age may be required: HB 542
 Registration records, custody and access: HB 419
 Registration validity inquiry: HB 736
 Sample ballots to include all known candidates: HB 180
 Voter registration, place of birth information required: HB 7
 Washington D.C. voting rights ratified: HJR 18

WAGE ASSIGNMENT

Child support, priority over other assignments: *HB 153, CH 276
 Child support, procedure: HB 988

WAGES

Comparable worth repealed: HB 1126
 Marriage dissolutions, property, no future wages: HB 733
 Minimum wage, certain on-the-job training workers exempt: HB 1073
 Minimum wage, less than, handicap provision: HB 431
 Minimum wage defined: HB 1015
 Minimum wage, public works contractors: HB 996
 Minimum wage, residential housing salesperson exempt: HB 527
 Public works, overtime hours modified: HB 503

WAREHOUSES

Tax deferral for construction or renovation of buildings: HB 1066

WARRANTIES (See CONSUMER PROTECTION)**WASHINGTON STATE UNIVERSITY**

Board of regents increased: HB 201, *SB 3322, CH 61
 Consortium for community and rural improvement: HB 1188
 Diffuse Knapweed, pilot program for controlling: SHB 278
 Electrical research experiment station, repealed: *HB 331, CH 218
 Fees reset: SSB 3712
 IMPACT center, primary function: *SHB 1063, CH 39
 Joint center for education, technology: *SHB 1190, CH 408
 Joint center for higher education, Spokane: SHB 494, *SSB 3376, CH 370
 Majors, many eliminated: *HB 331, CH 218
 Salary increases for administrators: SSB 3056
 School districts, joint operation, WSU to provide technical assistance: *SSB 3350, CH 58
 Small business and development center: SB 4291

WASTE DISPOSAL (See SOLID WASTE)**WATER**

Acid rain, DOE monitoring: *SHB 974, CH 456
 Agricultural water supply facilities, bonds authorized: HB 985
 Agricultural water supply projects, recreation and wildlife included, bonds authorized: HB 1196, 2SSB 4136
 Aquifer protection areas: *SHB 1116, CH 425
 Aquifer protection, underground storage: HB 679

WATER—cont.

- Aquifers, sole-source, protection: HB 414
- Columbia River Gorge, Skamania County waterfalls, preserve: HB 907
- Connection charges, metropolitan municipal corporation: HB 1049, SB 4168
- Conservation commission, matching grant program: HB 471, SSB 3379
- Dredge spoils, contaminated, disposal of, regulations: HB 964
- Flood plain management, DOE rules: *SHB 380, CH 454
- Ground water management plan procedures: *SHB 232, CH 453
- Ground water protection: *SHB 403, CH 98
- Ground water rights, protection remedies: HB 22, HB 135
- Hazardous substance information and education office: *SHB 865, CH 410
- Hazardous waste sites, federal funds requested for clean up: SJM 107
- Hood canal, tributaries, shorelines of state-wide significance: HB 687
- Hydraulic projects, review by shorelines hearing board: HB 817
- Hydraulic projects, study committee formed: *SHB 223, CH 123
- Lake management districts: *SHB 606, CH 398
- Lake Osoyoos, British Columbia: *SB 3576, CH 27
- Level or flow changes in public waters, notice requirements: *SB 3298, CH 196
- Maritime technology program, western interstate compact: HB 424, HB 979, SSB 3558
- Minimum flow, technically and biologically sound definition: SHB 757
- Penalties for violations of water pollution control statutes, rules, or orders, up to \$5000/day: *SB 3812, CH 316
- Public water supply systems, notice and penalty procedure: HB 869
- Puget Sound, health departments review: HB 1035
- Puget Sound, industrial wastewater, pretreatment: HB 814, *SHB 815, CH 249
- Puget Sound, select committee on clean up and management: HFR 7
- Puget Sound, PSWQA pursue certain actions: HB 653
- Puget Sound, shellfish protection areas: HB 818
- Puget Sound water quality authority created: 2SHB 741, *2SSB 3828, CH 451
- Puget Sound water quality authority, review environmental regulations: HB 655
- Puget Sound water quality enforcement actions, report: SHB 796
- Puget Sound water quality enhancement, sales tax: HB 463
- Puget Sound, water quality policy: SHB 680
- Recreational water contact facilities: HB 669, SSB 3498
- Riparian owner, consumptive use or stock watering: HB 986
- Roosevelt Lake, BPA, announcement before lowering: HJM 18
- P Secondary treatment, DOE may concur with waivers: SHB 796
- Shoreline management master program: HB 963
- Vacating of county roads, proximity to salt water: HB 330
- Waste treatment standards modified: HB 637
- Water heater temperatures, apartments: SB 3206, *HB 34, CH 119
- Water pollution control facilities, financial assistance: 3SSB 3827
- Water pollution control facilities, nonradioactive liquid wastes: HB 1081
- Water pollution control financial assistance, property tax: SHB 1081
- Water protection assistance account: HB 811
- Water quality, fees and fines enhance water quality: HB 816
- Water rights, spouses or family groups considered one defendant for filing and fees: SB 3021
- Wetlands, acquire or protect, Puget Sound water quality: SHB 840
- Yakima water adjudication, certification period reopened: *SSB 4424, CH 435

WATER DISTRICTS

- Annexation, sewer, water system, county to district: *SHB 1232, CH 141
- Board members, districts over 7,000 meters: HB 730
- Commission compensation modified: *SHB 23, CH 330
- Connection charges, city or town system: SHB 24, *SB 3765, CH 445
- Short-term obligations, municipal corporations: *SHB 956, CH 332
- Small works roster, revised: *HB 250, CH 154
- Sole-source aquifer protection: HB 414
- Theft of utility services, civil liability: *HB 758, CH 427

WATER DISTRICTS—cont.

Water systems owned by municipalities, electric generation as a by product:
 *SHB 846, CH 444

Withdrawal of territory from district, alternative procedure: *HB 194, CH 153

WATER SLIDES

Recreational water contact facilities, slides, regulated: HB 669, SSB 3498

WATERCRAFT (See BOATS)**WATERFOWL**

Migratory waterfowl stamp to hunt required: *SHB 179, CH 243

WEEDS

Diffuse Knapweed, pilot program for controlling: HB 278

Noxious weed control board, county, weed coordinator: SSB 4119

Noxious weed control fund: SHB 1189, SB 3234

WESTERN WASHINGTON STATE UNIVERSITY

Board of regents for the regional universities and Evergreen: HB 171

Board of regents increased: HB 201

Community college development districts, repealed: *HB 331, CH 218

Fees reset: SSB 3712

Salary increases for administrators: SSB 3056

Trustee membership increased: *HB 293, CH 137, SB 3133

Tuition and fee, pilot program: *SB 3134, CH 356

WETLANDS

West Hylebos wetlands conservation area: HB 143

WHOLESALERS

Alcohol, financial interest redefined for sellers and wholesalers: HB 499, *SB 3325,
 CH 363

Alcohol, wholesaler distributors/suppliers equity agreement act: *SSB 4263, CH
 440

B&O tax modified, chain of purchase: HB 1127

Cigarettes, subsidiary, affiliate, cost of doing business, determination: HB 806, SSB
 3571

Fish dealers, damage, fines, bonds: *SHB 466, CH 248

Organic food products, standards established: *SHB 297, CH 247

Sales representations, contracts and commissions regulated: SSB 3255

WILDLIFE

Animal damage control, save the program: *HFR 11

Crop damages by wildlife, procedures clarified: *SSB 3116, CH 355

Damage done by wildlife, permission to kill: 2SHB 294

Fur sales at auctions, restricting the sale: HB 464

Illegally killed wildlife, reimbursement revised: SB 3397

Migratory waterfowl stamp to hunt: *SHB 179, CH 243

Mt. St. Helens surplus land, fish and wildlife habitat: *SB 4146, CH 307

Protected species listed, moose, beaver, fisher, caribou: HB 902

Puget Sound, PSWQA to pursue certain actions now: HB 653

Puget Sound, standards and guidelines to protect and enhance: HB 655

Water-dependent fish and wildlife, protection: SHB 757

Wetlands, acquire, protect, for Puget Sound water quality: SHB 840

Wildlife management, joint select committee established: HCR 12

WILLS

Award in lieu of homestead, statutes modified: *SB 3103, CH 194

Escheat property, director of revenue to administer estate: *HB 1004, CH 133

Statutory will act: HB 592

Trust act of 1984 wills provisions reenacted: *SB 3073, CH 23

WINE (See ALCOHOL; LIQUOR CONTROL BOARD)**WITNESSES**

Bill of rights for children victims or witnesses: *SHB 512, CH 394

WITNESSES—cont.

Deadman statute repealed: HB 85

Intimidating a former witness, class B felony: *HB 107, CH 327

Notice of release, escape of violent offenders: *SHB 848, CH 346

WOOD STOVES

Air pollution, regulation: HB 905

WORK

Agricultural workers, hazardous chemicals: *SHB 1170, CH 409

Applications for public employment, exempt, disclosure laws: HB 764

Community development corporation authorized: HB 113

Community work and training program, recipients: HB 951

Comparable worth repealed: HB 1126

Conservation corps, funding for distressed areas: *SHB 760, CH 230

Counter-cyclical development fund for timber-dependent counties: HB 1033

Day care, employer-sponsored, pilot program: HB 742

Distressed counties, CERB, loans and grants for projects: *SHB 461, CH 446

Economic development board, spur new jobs: *2SHB 627, CH 467

Economic stabilization task force: HB 620, SSB 3837

Economically depressed areas, centennial partnership projects, tourism, marketing: SSB 4100

Employee exchange program, government, nongovernment: SHB 2

Employee-ownership assistance program: *SHB 577, CH 263

Health care coverage for unemployed, pilot project: SHB 652

Industrial finance authority created, industrial development: HB 195

Industrial incentive zones: SHB 1032

Investment projects in distressed areas: *SHB 1079, CH 232

Investment projects, tax deferral: HB 1326

Job creation and economic development via development loan fund committee:

*SHB 855, CH 164

Job skills program, reappropriating unexpended money: HB 353

Labor exchange, job service resources and employment assistance: SHB 1183, SSB 4196

Lie detector use clarified in employment: HB 1151, SB 4302

Liquor premises, security, officers over 18: *SB 3851, CH 323

Marital status, employment agencies, no discrimination: HB 52

Maximum hours of labor, regulations modified: SHB 1092

Minimum wage, certain on-the-job training workers exempt: HB 1073

Minimum wage, handicap provision: HB 431

Minimum wage defined: HB 1015

Minimum wage, residential housing salesperson exempt: HB 527

Public assistance recipients, work incentive program: HB 1135

Sexual orientation, may not discriminate based on: HB 474

Shared work compensation program, conditions revised: HB 511, *SB 3406, CH 43

Shipbuilding, ship repair industries, request assistance: HCR 8

Single heads of households, higher education opportunities: SB 3444

Street kids pilot project, multiservice centers: 2SHB 930

Unemployment, small business and development center: SB 4291

Video display terminals, study health and safety effects: HFR 44

Vocational training, emergency pilot program: *SHB 1207, CH 437

Worker and community right-to-know: *SHB 1170, CH 409

Workplace closure, relocation, fine if no notice: HB 620

Youth employment exchange, funding for distressed areas: *SHB 760, CH 230

WORK-RELEASE (See PRISON TERMS AND PAROLE)**WORLD FAIR COMMISSION**

Gifts may be accepted, grants and endowments also: *HB 832, CH 274

WPPSS

HB 1194

Contracting authority regulated: HB 146

Decommissioning of major energy facilities: SHB 339

WPPSS—cont.

Joint operating agencies, thermal power plant construction projects, certain prohibited: HB 345

Joint operating agencies, travel reimbursement: HB 346

Nuclear, thermal, electric generating facilities, joint development authority repealed: HB 714

Ratepayers pay construction cost under certain conditions: HB 1194

YAKIMA RIVER

Yakima water adjudication, certification period reopened: *SSB 4424, CH 435

ZONING (See LAND USE PLANNING)**ZOOS AND AQUARIUMS**

Park and recreation service area authority modified: *SB 3445, CH 253

