

# HOUSE JOURNAL

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OF THE  
STATE OF WASHINGTON  
AT  
OLYMPIA, THE STATE CAPITOL

VOLUME II

1992 Regular Session

Convened January 13, 1992  
Adjourned Sine Die March 12, 1992



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**Joseph E. King, Speaker**  
**John L. O'Brien, Speaker Pro Tempore**  
**Alan Thompson, Chief Clerk**  
**Dennis Karras, Deputy Chief Clerk**  
**Greg Pierce, Assistant Chief Clerk**  
**Patsy Ellis, Minute/Journal Clerk**

Compiled and edited by House Workroom Staff  
**VickiSusan Anderson, Supervisor**

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**FIFTIETH DAY****AFTERNOON SESSION**

House Chamber, Olympia, Monday, March 2, 1992

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Edmondson and Moyer. On motion of Mr. Vance, Representatives Edmondson and Moyer were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Keri Huesties and Erin Toner. Prayer was offered by the Very Reverend Gerald Stanley, St. Edwards Church.

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

**INTRODUCTIONS**

HB 2995 by Representative Wang

AN ACT Relating to fiscal matters.

Referred to Rules Review.

HB 2996 by Representative Locke

AN ACT Relating to fiscal matters.

Referred to Rules Review.

HB 2997 by Representative Appelwick

AN ACT Relating to court fees for legal services and law libraries; amending RCW 36.18.020, 36.18.025, 27.24.070, 2.32.070, 27.24.010, 27.24.020, 27.24.040, 27.24.062, 27.24.066, 27.24.067, and 3.62.060; reenacting and amending RCW 43.08.250; adding a new section to chapter 43.08 RCW; adding a new section to chapter 36.18 RCW; adding a new section to chapter 3.62 RCW; creating a new section; and repealing RCW 27.24.050, 27.24.060, 27.24.063, 27.24.064, and 27.24.065.

Referred to Rules Review.

HB 2998 by Representatives Wynne, Wang, Brumsickle, Fraser and Day

AN ACT Relating to weights and measures; amending RCW 19.94.010, 19.94.150, 19.94.160, 19.94.190, 19.94.220, 19.94.230, 19.94.240, 19.94.250, 19.94.330, 19.94.260, 19.94.280, 19.94.310, 19.94.320, 19.94.340, 19.94.350, 19.94.370, 19.94.440, 19.94.450, 19.94.460, 19.94.480, 19.94.490, 19.94.500, 19.94.505,

19.94.510, and 19.94.530; adding new sections to chapter 19.94 RCW; creating a new section; recodifying RCW 19.94.330; repealing RCW 19.94.020, 19.94.030, 19.94.040, 19.94.050, 19.94.060, 19.94.070, 19.94.080, 19.94.090, 19.94.100, 19.94.110, 19.94.120, 19.94.130, 19.94.140, 19.94.170, 19.94.180, 19.94.200, 19.94.210, 19.94.215, 19.94.270, 19.94.290, 19.94.300, and 19.94.380; prescribing penalties; making appropriations; and providing an effective date.

Referred to Committee on Revenue.

#### MOTION

With consent of the House, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eighth order of business.

#### RESOLUTION

HOUSE RESOLUTION NO. 92-4754, by Representatives Rasmussen, Dorn, Spanel, Chandler, Riley, Fraser, Ludwig, Sheldon, Moyer, Betrozoff, Cantwell, Fuhrman, Kremen, Rayburn, McLean, Grant, Nealey, Roland, P. Johnson, Lisk, R. Johnson, Jones, Bowman, Neher, Former, Wynne, Brough, Winsley, Vance, Mitchell, Horn, Miller, Casada and Silver

WHEREAS, The agricultural education of the Future Farmers of America provides a strong foundation for America's agriculture; and

WHEREAS, The Future Farmers of America and agricultural education are changing to provide training for the new high-tech careers in agriculture; and

WHEREAS, Members of the Future Farmers of America are playing an outstanding role in assuring the future progress and prosperity of our nation; and

WHEREAS, The Future Farmers of America motto, "Learning to do, doing to learn; earning to live, living to serve," gives direction and purpose to the students who are providing leadership for a growing planet; and

WHEREAS, The Future Farmers of America performs the valuable service of developing leadership, encouraging cooperation, promoting good citizenship, and inspiring patriotism among its members;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the Future Farmers of America programs in the high schools of the state of Washington.

Ms. Rasmussen moved adoption of the resolution. Representative Rasmussen and Brumsickle spoke in favor of the resolution.

House Resolution No. 92-4754 was adopted.

The Speaker (Mr. O'Brien presiding) called upon Representative R. Meyers to preside.

#### SECOND READING

HOUSE BILL NO. 2986, by Representatives Anderson, Hine, Pruitt, Rayburn, Dellwo, R. Fisher, Bray, Ludwig, Rasmussen and Nelson

Regulating campaign financing.

The bill was read the second time. On motion of Mr. Anderson, Substitute House Bill No. 2986 was substituted for House Bill No. 2986, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2986 was read the second time.

Mr. Anderson moved adoption of the following amendment:

On page 4, line 11, after "contribution" strike all material through "proposition," on line 12 and insert ": For or against a ballot proposition; to a political party organization under an agreement forbidding the organization from using the funds for contributions to candidates or for independent expenditures in support of or opposition to candidates;"

On page 4, line 13, after "candidate" strike "or political committee" and insert ", political committee, or political party organization"

Mr. Anderson spoke in favor of adoption of the amendment, and it was adopted.

Ms. Bowman moved adoption of the following amendment:

On page 26, after line 8, insert:

NEW SECTION. Sec. 29. Notwithstanding any other provision of this act the following provisions apply:

The legislature recognizes that there are a great many types of expenditures which influence the outcome of elections over which the legislature has absolutely no authority.

The legislature recognizes that unless candidates are free to go outside of the limits of this act to raise the funds necessary to respond to expenditures made outside the limits of this act, the effect of this act will be to provide greater influence to those expenditures which are not regulated and not reported.

The contributions and expenditure limits of this act do not apply to contributions and expenditures made for the purpose of allowing a candidate to make a reasonable response to adverse communications which are not subject to this act and which a reasonable person would conclude might influence the election.

As an example of expenditures which are not and cannot be limited by the legislature, and not as a limitation on this section, if an interest group sends a mailing to 40,000 of its members suggesting that they should vote for candidate A, the expenditure is not reported as being for candidate A or against candidate B, the expenditure is considered a private communication between an organization and its members and is treated as if it never happened.

Ms. Bowman spoke in favor of adoption of the amendment, and Mr. Anderson spoke against.

Mr. D. Sommers demanded an electric roll call vote, and the demand was sustained.

Ms. Morris spoke against adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment to page 26, line 8 by Representative Bowman to Substitute House Bill No. 2986, and the amendment was not adopted by the following vote: Yeas - 39, Nays - 56, Absent - 1, Excused - 2.

Voting yea: Representatives Ballard, Beck, Betzoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Chandler, Ferguson, Forner, Fuhrman, Hochstatter, Horn, Johnson P., Kremen, Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Nealey, Neher, Padden, Paris, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 39.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Insee, Johnson R., Jones, King, R., Kohl, J., Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien,

Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 56.

Absent: Representative Jacobsen - 01.

Excused: Representatives Edmondson, Moyer - 02.

Mr. Anderson moved adoption of the following amendment:

On page 25, after line 2, insert the following paragraph:

"The term 'independent expenditure' does not include an organization's expenditure for any publication distributed primarily to its members or for any communication with its members."

Mr. Anderson spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, Representative Vance, withdrew the following amendment:

On page 26, after line 8, insert:

"NEW SECTION. Sec. 29. Notwithstanding any other provision of this act the following provisions apply: The limitations on contributions and expenditures set forth in this act are multiplied by one and one-half for persons who are challengers to incumbents."

Mr. Broback moved adoption of the following amendment:

On page 26, after line 8, insert:

"NEW SECTION. Sec. 29. Notwithstanding any other provision of this act the following provisions apply: Except for a bona fide political party, no political action committee, union, corporation, candidate or candidate political action committee, ballot proposition or its political committee, or other individual or organization may receive contributions, directly or indirectly, for campaign or lobbying purposes from any person domiciled or residing outside the state of Washington."

Mr. Broback spoke in favor of adoption of the amendment, Mr. Anderson spoke against, Ms. Miller spoke in favor. Ms. Hine spoke against. Mr. Ballard spoke in favor.

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

Mr. Anderson again spoke against adoption of the amendment, Mr. Broback again spoke in favor of adoption.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment on page 26, line 8 by Representative Broback to Substitute House Bill No. 2986, and the amendment was not adopted by the following vote: Yeas - 41, Nays - 55, Absent - 0, Excused - 2.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Chandler, Cooper, Ferguson, Fisher, G., Former, Fuhrman, Hargrove, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Nealey, Padden, Paris, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 41.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Day, Dellwo, Dorn, Ebersole, Fisher, R., Franklin, Fraser, Grant, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 55.

Excused: Representatives Edmondson, Moyer - 02.

The Speaker resumed the chair.

Mr. Ballard moved adoption of the following amendments:

On page 1, strike everything after the enacting clause and insert:

PART I  
FINDINGS AND INTENT

NEW SECTION. Sec. 1. FINDINGS. The legislature of the state of Washington find and declare that:

(1) The financial strength of certain individuals or organizations should not permit them to exercise a disproportionate or controlling influence on the election of candidates.

(2) Rapidly increasing political campaign costs have led many candidates to raise larger percentages of money from special interests with a specific financial stake in matters before state government. This has caused the public perception that decisions of elected officials are being improperly influenced by monetary contributions.

(3) Candidates are raising less money in small contributions from individuals and more money from special interests. This has created the public perception that individuals have an insignificant role to play in the political process.

NEW SECTION. Sec. 1. INTENT. By limiting campaign contributions, the legislature intends to:

(1) Ensure that individuals and interest groups have fair and equal opportunity to influence elective and governmental processes;

(2) Reduce the influence of large organizational contributors; and

(3) Restore public trust in governmental institutions and the electoral process.

PART II  
DEFINITIONS

NEW SECTION. Sec. 2. DEFINITIONS. The definitions of RCW 42.17.020 apply to sections 4 through 19 of this act except as modified by this section. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 4 through 19 of this act.

(1) "Authorized committee" means the political committee authorized by a candidate, or by the state official against whom recall charges have been filed, to accept contributions or make expenditures on behalf of the candidate or state official.

(2) "Bona fide political party" means:

(a) An organization that has filed a valid certificate of nomination with the secretary of state under chapter 29.24 RCW; or

(b) The governing body of the state organization of a major political party, as defined in RCW 29.01.090, which is the body authorized by the charter or bylaws of the party to exercise authority on behalf of the state party; or

(c) The county central committee or legislative district committee of a major political party.

(3) "Candidate" means an individual seeking nomination for election or seeking election to a state office. An individual is deemed to be seeking nomination for election or seeking election when the individual first:

(a) Announces publicly or files for the office;

(b) Purchases commercial advertising space or broadcast time to promote his or her candidacy;

(c) Receives contributions or makes expenditures for facilities with intent to promote his or her candidacy for the office; or

(d) Gives his or her consent to another person to take on behalf of the individual any of the actions in (b) or (c) of this subsection.

(4) "Caucus of the state legislature" means the caucus of members of a major political party in the state house of representatives or in the state senate.

(5)(a) "Contribution" includes a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services for less than full consideration.

(b) Subject to further definition by the commission, "contribution" does not include the following:

(i) Interest on money deposited in a political committee's account;

(ii) Ordinary home hospitality;

(iii) A contribution received by a candidate or political committee that is returned to the contributor within five business days of the date on which it is received by the candidate or political committee;

(iv) An expenditure or contribution earmarked for voter registration, for absentee ballot information, for precinct caucuses, for get-out-the-vote campaigns, for precinct judges or inspectors, for sample ballots, or for ballot counting, all without promotion of or political advertising for individual candidates;

(v) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is of primary interest to the general public, that is in a news medium controlled by a person whose primary business is that news medium, and that is not controlled by a candidate or political committee;

(vi) An expenditure by a political committee for its own internal organization or fund raising without direct association with individual candidates;

(vii) An internal political communication primarily limited to the contributors to a political party organization or political action committee, or the officers, management staff, and stockholders of a corporation or similar enterprise, or the members of a labor organization or other membership organization;

(viii) The rendering of personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of fifty dollars personally paid for by the worker. "Volunteer services," for the purposes of this section, means services or labor for which the individual is not compensated by any person and that are performed outside the individual's normal working hours; or

(ix) Legal or accounting services rendered to or on behalf of:

(A) A political party or caucus of the state legislature if the person paying for the services is the regular employer of the person rendering such services; or

(B) A candidate or an authorized committee if the person paying for the services is the regular employer of the individual rendering the services and if the services are solely for the purpose of ensuring compliance with state election or public disclosure laws.

(c) Contributions other than money or its equivalent are deemed to have a monetary value equivalent to the fair market value of the contribution.

(d) Sums paid for tickets to fund-raising events such as dinners and parties are contributions, except for the actual cost of the consumables furnished at the event.

(e) An expenditure made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a political committee, or their agents, is considered to be a contribution to such candidate or political committee.

(f) The financing by a person of the dissemination, distribution, or republication, in whole or in part, of broadcast, written, graphic, or other form of political advertising prepared by a candidate, a political committee, or its authorized agent, is considered to be a contribution to the candidate or political committee.

(6) "Election" means a primary or a general or special election in which a candidate is on the ballot.

(7) "Election cycle" means the period beginning on the first day of December after the date of the last previous general election for the office that the candidate seeks and ending on November 30th after the next election for the office. In the case of a special election to fill a vacancy in an office, "election cycle" means the period beginning on the day the vacancy occurs and ending on November 30th after the special election.

(8) "General election" means the election that results in the election of a person to a state office. It does not include a primary.

(9) "Immediate family" means a candidate's spouse, and any child, stepchild, grandchild, parent, stepparent, grandparent, brother, half-brother, sister, or half-sister of the candidate and the spouse of any such person and any child, stepchild, grandchild, parent, stepparent, grandparent, brother, half-brother, sister, or half-sister of the candidate's spouse and the spouse of any such person.

(10) "Independent expenditure" means an "expenditure" as defined in RCW 42.17.020 that has each of the following elements:

(a) It is made in support of or in opposition to a candidate for office by a person who is not (i) a candidate for that office, (ii) an authorized committee of that candidate for that office, (iii) a person who has received the candidate's encouragement or approval to make the expenditure, if the expenditure pays in whole or in part for any political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office, or (iv) a person with whom the candidate has collaborated for the purpose of making the expenditure, if the expenditure pays in whole or in part for any political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;

(b) The expenditure pays in whole or in part for any political advertising that either specifically names the candidate supported or opposed, or clearly and beyond any doubt identifies the candidate without using the candidate's name; and

(c) The expenditure, alone or in conjunction with another expenditure or other expenditures of the same person in support of or opposition to that candidate, has a value of five hundred dollars or more. A series of expenditures, each of which is under five hundred dollars, constitutes one independent expenditure if their cumulative value is five hundred dollars or more.



(11)(a) "Intermediary" means an individual who transmits a contribution to a candidate or committee from another person unless the contribution is from the individual's employer, immediate family, or an association to which the individual belongs.

(b) A treasurer or a candidate is not an intermediary for purpose of the committee that the treasurer or candidate serves.

(c) A professional fund raiser is not an intermediary if the fund raiser is compensated for fund-raising services at the usual and customary rate.

(d) A volunteer hosting a fund-raising event at the individual's home is not an intermediary for purposes of that event.

(12) "Person" includes:

(a) An individual;

(b) A partnership, limited partnership, public or private corporation, or joint venture;

(c) A nonprofit corporation, organization, or association, including but not limited to, a national, state, or local labor union or collective bargaining organization and a national, state, or local trade or professional association;

(d) A federal, state, or local governmental entity or agency, however constituted;

(e) A candidate, committee, political committee, bona fide political party, or executive committee thereof; and

(f) Any other organization or group of persons, however organized.

(13) "Primary" means the procedure for nominating a candidate to state office under chapter 29.18 or 29.21 RCW or any other primary for an election which uses, in large measure, the procedures established in chapter 29.18 or 29.21 RCW.

(14) "Recall campaign" means the period of time beginning on the date of the filing of recall charges under RCW 29.82.015 and ending thirty days after the recall election.

(15) "State legislative office" means the office of a member of the state house of representatives and the office of a member of the state senate.

(16) "State office" means state legislative office or the office of governor, lieutenant governor, secretary of state, attorney general, commissioner of public lands, insurance commissioner, superintendent of public instruction, state auditor, or state treasurer.

(17) "State official" means a person who holds a state office.

### PART III CONTRIBUTIONS

NEW SECTION. Sec. 3. CAMPAIGN CONTRIBUTION LIMITS. (1) No person, other than a bona fide political party or a caucus of the state legislature, may make contributions to a candidate for a state legislative office that in the aggregate exceed five hundred dollars or to a candidate for a state office other than a state legislative office that in the aggregate exceed one thousand dollars for each election in which the candidate is on the ballot or appears as a write-in candidate. Contributions made with respect to a primary may not be made after the date of the primary. Contributions made with respect to a general election may not be made after the final day of the applicable election cycle.

(2) No person, other than a bona fide political party or a caucus of the state legislature, may make contributions to a state official against whom recall charges have been filed, or to a political committee having the expectation of making expenditures in support of the recall of the state official, during a recall campaign that in the aggregate exceed five hundred dollars if for a state legislative office or one thousand dollars if for a state office other than a state legislative office.

(3)(a) Notwithstanding subsection (1) of this section, no bona fide political party or caucus of the state legislature may make contributions to a candidate during an election cycle that in the aggregate exceed (i) fifty cents multiplied by the number of eligible registered voters in the jurisdiction from which the candidate is elected if the contributor is a caucus of the state legislature or the governing body of a state organization, or (ii) twenty-five cents multiplied by the number of registered voters in the jurisdiction from which the candidate is elected if the contributor is a county central committee or a legislative district committee.

(b) No candidate may accept contributions from a county central committee or a legislative district committee during an election cycle that when combined with contributions from other county central committees or legislative district committees would in the aggregate exceed twenty-five cents times the number of registered voters in the jurisdiction from which the candidate is elected.

(4)(a) Notwithstanding subsection (2) of this section, no bona fide political party or caucus of the state legislature may make contributions to a state official against whom recall charges have been filed, or to a political committee having the expectation of making expenditures in support of the state official, during a recall campaign that in the aggregate exceed (i) fifty cents multiplied by the number of eligible registered voters in the jurisdiction entitled

to recall the state official if the contributor is a caucus of the state legislature of the governing body of a state organization, or (ii) twenty-five cents multiplied by the number of registered voters in the jurisdiction from which the candidate is elected if the contributor is a county central committee or a legislative district committee.

(b) No state official against whom recall charges have been filed, no authorized committee of the official, and no political committee having the expectation of making expenditures in support of the recall of a state official may accept contributions from a county central committee or a legislative district committee or a legislative district committee during an election cycle that when combined with contributions from other county central committees or legislative district committees would in the aggregate exceed twenty-five cents multiplied by the number of registered voters in the jurisdiction from which the candidate is elected.

(5) Notwithstanding subsections (1) through (4) of this section, no person other than an individual, bona fide political party, or caucus of the state legislature may make contributions reportable under this chapter to a caucus of the state legislature that in the aggregate exceed five hundred dollars in a calendar year or to a bona fide political party that in the aggregate exceed two thousand five hundred dollars in a calendar year. This subsection does not apply to loans made in the ordinary course of business.

(6) For the purposes of sections 4 through 19 of this act, a contribution to the authorized political committee of a candidate, or of a state official against whom recall charges have been filed, is considered to be a contribution to the candidate or state official.

(7) A contribution received within the twelve-month period after a recall election concerning a state office is considered to be a contribution during that recall campaign if the contribution is used to pay a debt or obligation incurred to influence the outcome of that recall campaign.

(8) The contributions allowed by subsection (2) of this section are in addition to those allowed by subsection (1) of this section, and the contributions allowed by subsection (4) of this section are in addition to those allowed by subsection (3) of this section.

(9) Sections 4 through 19 of this act apply to a special election conducted to fill a vacancy in a state office. However, the contributions made to a candidate or received by a candidate for a primary or special election conducted to fill such a vacancy shall not be counted toward any of the limitations that apply to the candidate or to contributions made to the candidate for any other primary or election.

(10) Notwithstanding the other subsections of this section, no corporation or business entity not doing business in Washington state, no labor union with fewer than ten members who reside in Washington state, and no political committee that has not received contributions of ten dollars or more from at least ten persons registered to vote in Washington state during the preceding one hundred eighty days may make contributions reportable under this chapter to a candidate, to a state official against whom recall charges have been filed, or to a political committee having the expectation of making expenditures in support of the recall of the official. This subsection does not apply to loans made in the ordinary course of business.

(11) Notwithstanding the other subsections of this section, no county central committee or legislative district committee may make contributions reportable under this chapter to a candidate, state official against whom recall charges have been filed, or political committee having the expectation of making expenditures in support of the recall of a state official if the county central committee or legislative district committee is outside of the jurisdiction entitled to elect the candidate or recall the state official.

(12) No person may accept contributions that exceed the contribution limitations provided in this section.

NEW SECTION. Sec. 4. ATTRIBUTION AND AGGREGATION OF FAMILY CONTRIBUTIONS. (1) Contributions by a husband and wife are considered separate contributions.

(2) Contributions by unemancipated children under eighteen years of age are considered contributions by their parents and are attributed proportionately to each parent. Fifty percent of the contributions are attributed to each parent or, in the case of a single custodial parent, the total amount is attributed to the parent.

NEW SECTION. Sec. 5. ATTRIBUTION OF CONTRIBUTIONS BY CONTROLLED ENTITIES. For purposes of this chapter:

(1) A contribution by a political committee with funds that have all been contributed by one person who exercises exclusive control over the distribution of the funds of the political committee is a contribution by the controlling person.

(2) Two or more entities are treated as a single entity if one of the two or more entities is a subsidiary, branch, or department of a corporation or a local unit, branch, or affiliate of a trade association, labor union, or collective bargaining association. All contributions made by a person or political committee whose contribution or expenditure activity is financed, maintained, or controlled by a trade association, labor union, collective bargaining organization, or the local unit of a trade association, labor union, or collective bargaining organization are considered made by the same person or entity.

**NEW SECTION. Sec. 6. ATTRIBUTION OF CONTRIBUTIONS.** All contributions made by a person or entity, either directly or indirectly, to a candidate, to a state official against whom recall charges have been filed, or to a political committee, are considered to be contributions from that person or entity to the candidate, state official, or political committee, as are contributions that are in any way earmarked or otherwise directed through an intermediary or conduit to the candidate, state official, or political committee. For the purposes of this section, "earmarked" means a designation, instruction, or encumbrance, whether direct or indirect, expressed or implied, or oral or written, that is intended to result in or does result in all or any part of a contribution being made to a certain candidate or state official. If a conduit or intermediary exercises any direction or control over the choice of the recipient candidate or state official, the contribution is considered to be by both the original contributor and the conduit or intermediary.

**NEW SECTION. Sec. 7. LIMITATIONS ON EMPLOYERS OR LABOR ORGANIZATIONS.** (1) No employer or labor organization may increase the salary of an officer or employee, or give an emolument to an officer, employee, or other person or entity, with the intention that the increase in salary, or the emolument, or a part of it, be contributed or spent to support or oppose a candidate, state official against whom recall charges have been filed, political party, or political committee.

(2) No employer or labor organization may discriminate against an officer or employee in the terms or conditions of employment for (a) the failure to contribute to, (b) the failure in any way to support or oppose, or (c) in any way supporting or opposing a candidate, ballot proposition, political party, or political committee.

(3) No employer or other person or entity responsible for the disbursement of funds in payment of wages or salaries may withhold or divert a portion of an employee's wages or salaries for contributions to political committees or for use as political contributions except upon the written request of the employee. The request must be made on a form prescribed by the commission informing the employee of the prohibition against employer and labor organization discrimination described in subsection (2) of this section. The request is valid for no more than twelve months from the date it is made by the employee.

(4) Each person or entity who withholds contributions under subsection (3) of this section shall maintain open for public inspection for a period of no less than three years, during normal business hours, documents and books of accounts that shall include a copy of each employee's request, the amounts and dates funds were actually withheld, and the amounts and dates funds were transferred to a political committee. Copies of such information shall be delivered to the commission upon request.

**NEW SECTION. Sec. 8. CHANGING MONETARY LIMITS.** At the beginning of each even-numbered calendar year, the commission shall increase or decrease all dollar amounts in this chapter based on changes in economic conditions as reflected in the inflationary index used by the commission under RCW 42.17.370. The new dollar amounts established by the commission under this section shall be rounded off by the commission to amounts as judged most convenient for public understanding and so as to be within ten percent of the target amount equal to the base amount provided in this chapter multiplied by the increase in the inflationary index since the effective date of this act.

**NEW SECTION. Sec. 9. CONTRIBUTIONS FROM BEFORE EFFECTIVE DATE OF ACT.** Contributions made and received before the effective date of this act are considered to be contributions under sections 4 through 19 of this act. Monetary contributions that exceed the contribution limitations and that have not been spent by the recipient of the contribution by the effective date of this act must be disposed of in accordance with RCW 42.17.095.

**NEW SECTION. Sec. 10. TIME LIMIT FOR STATE OFFICIAL TO SOLICIT OR ACCEPT CONTRIBUTIONS.** During the period beginning on the thirtieth day before the date a regular legislative session convenes and continuing thirty days past the date of final adjournment, and during the period beginning on the date a special legislative session convenes and continuing through the date that session adjourns, no state official or a person employed by or acting on behalf of a state official or state legislator may solicit or accept contributions to a public office fund, to a candidate or authorized committee, or to retire a campaign debt.

**NEW SECTION. Sec. 11. RESTRICTION ON LOANS.** (1) A loan is considered to be a contribution from the maker and the guarantor of the loan and is subject to the contribution limitations of this chapter.

(2) A loan to a candidate or the candidate committee must be by written agreement.

(3) The proceeds of a loan made to a candidate:

(a) By a commercial lending institution;

(b) Made in the regular course of business;

(c) On the same terms ordinarily available to members of the public; and

(d) That is secured or guaranteed,

are not subject to the contribution limits of this chapter.

**NEW SECTION. Sec. 12. CONTRIBUTIONS ON BEHALF OF ANOTHER.** (1) A person, other than an individual, may not be an intermediary or an agent for a contribution.

(2) An individual may not make a contribution on behalf of another person or entity, or while acting as the intermediary or agent of another person or entity, without disclosing to the recipient of the contribution both his or her full name, street address, occupation, name of employer, if any, or place of business if self-employed, and the same information for each contributor for whom the individual serves as intermediary or agent.

**NEW SECTION. Sec. 13. CERTAIN CONTRIBUTIONS REQUIRED TO BE BY WRITTEN INSTRUMENT.**

(1) An individual may not make a contribution of more than fifty dollars, other than an in-kind contribution, except by a written instrument containing the name of the donor and the name of the payee.

(2) A committee may not make a contribution, other than in-kind, except by a written instrument containing the name of the donor and the name of the payee.

**NEW SECTION. Sec. 14. SOLICITATION OF CONTRIBUTIONS BY GOVERNMENT EMPLOYEES.**

(1) No state official or state official's agent may knowingly solicit, directly or indirectly, a contribution from an employee in the state official's agency.

(2) No state official or state employee may provide an advantage or disadvantage to an employee or applicant for employment in the classified civil service concerning the applicant's or employee's:

- (a) Employment;
- (b) Conditions of employment; or
- (c) Application for employment,

based on the employee's or applicant's contribution or promise to contribute or failure to make a contribution or contribute to a political party or committee.

**NEW SECTION. Sec. 15. AGENCY SHOP FEES AS CONTRIBUTIONS.** A labor organization may not use agency shop fees paid by an individual who is not a member of the organization to make contributions or expenditures to influence an election or to operate a political committee, unless affirmatively authorized by the individual.

**NEW SECTION. Sec. 16. SOLICITATION FOR ENDORSEMENT FEES.** A person or entity may not solicit from a candidate, committee, political party, or other person or entity money or other property as a condition or consideration for an endorsement, article, or other communication in the news media promoting or opposing a candidate, committee, or political party.

**NEW SECTION. Sec. 17. REIMBURSEMENT FOR CONTRIBUTIONS.** A person or entity may not, directly or indirectly, reimburse another person or entity for a contribution to a candidate, committee, or political party.

**NEW SECTION. Sec. 18. PROHIBITION ON USE OF CONTRIBUTIONS FOR A DIFFERENT OFFICE.**

(1) Except as provided in subsection (2) of this section, a candidate committee may not use or permit the use of contributions solicited for or received by the candidate committee to further the candidacy of the individual for an office other than the office designated on the statement of organization. A contribution solicited for or received on behalf of the candidate is considered solicited or received for the candidacy for which the individual is then a candidate if the contribution is solicited or received before the general elections for which the candidate is a nominee or is unopposed.

(2) With the written approval of the contributor, a candidate committee may use or permit the use of contributions solicited for or received by the candidate committee from that contributor to further the candidacy of the individual for an office other than the office designated on the statement of organization.

**Sec. 19. TRANSFER OF FUNDS--USE OF FUNDS FOR OTHER OFFICE ELIMINATED.** RCW 42.17.095 and 1982 c 147 s 8 are each amended to read as follows:

The surplus funds of a candidate, or of a political committee supporting or opposing a candidate, may only be disposed of in any one or more of the following ways:

(1) Return the surplus to a contributor in an amount not to exceed that contributor's original contribution;

(2) Transfer the surplus to the candidate's personal account as reimbursement for lost earnings incurred as a result of that candidate's election campaign. Such lost earnings shall be verifiable as unpaid salary or, when the candidate is not salaried, as an amount not to exceed income received by the candidate for services rendered during an appropriate, corresponding time period. All lost earnings incurred shall be documented and a record thereof shall be maintained by the candidate or the candidate's political committee. The committee shall include a copy of such record when its expenditure for such reimbursement is reported pursuant to RCW 42.17.090;

(3) Transfer the surplus to ~~((one or more candidates or to))~~ a political ~~((committee or))~~ party or to a caucus of the state legislature;

(4) Donate the surplus to a charitable organization registered in accordance with chapter 19.09 RCW;

(5) Transmit the surplus to the state treasurer for deposit in the general fund; or

(6) Hold the surplus in the campaign depository or depositories designated in accordance with RCW 42.17.050 for possible use in a future election campaign ~~((, for political activity, for community activity, or for nonreimbursed public office related expenses))~~ for the same office last sought by the candidate and report any such disposition in accordance with RCW 42.17.090: PROVIDED, That if the candidate subsequently announces or publicly files for office, information

as appropriate is reported to the commission in accordance with RCW 42.17.040 through 42.17.090. If a subsequent office is not sought the surplus held shall be disposed of in accordance with the requirements of this section.

(7) No candidate or authorized committee may transfer funds to any other candidate or other political committee.

Sec. 20. CANDIDATE PERSONAL FUND LOANS LIMITED. RCW 42.17.125 and 1989 c 280 s 12 are each amended to read as follows:

Contributions received and reported in accordance with RCW 42.17.060 through 42.17.090 may only be transferred to the personal account of a candidate, or of a treasurer or other individual or expended for such individual's personal use under the following circumstances:

(1) Reimbursement for or loans to cover lost earnings incurred as a result of campaigning or services performed for the committee. Such lost earnings shall be verifiable as unpaid salary, or when the individual is not salaried, as an amount not to exceed income received by the individual for services rendered during an appropriate, corresponding time period. All lost earnings incurred shall be documented and a record thereof shall be maintained by the individual or the individual's political committee. The committee shall include a copy of such record when its expenditure for such reimbursement is reported pursuant to RCW 42.17.090.

(2) Reimbursement for direct out-of-pocket election campaign and postelection campaign related expenses made by the individual. To receive reimbursement from the political committee, the individual shall provide the committee with written documentation as to the amount, date, and description of each expense, and the committee shall include a copy of such information when its expenditure for such reimbursement is reported pursuant to RCW 42.17.090.

(3) Repayment of loans made by the individual to political committees, which repayment shall be reported pursuant to RCW 42.17.090. However, contributions may not be used to reimburse a candidate for loans totaling more than three thousand dollars made by the candidate to the candidate's own authorized committee or campaign.

#### PART IV

##### INDEPENDENT EXPENDITURES

Sec. 21. INDEPENDENT EXPENDITURE ADVERTISING DISCLOSURE. RCW 42.17.510 and 1984 c 216 s 1 are each amended to read as follows:

(1) All written political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name and address. All radio and television political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name. The use of an assumed name shall be unlawful. The party with which a candidate files shall be clearly identified in political advertising for partisan office.

(2) In addition to the materials required by subsection (1) of this section, all political advertising undertaken as an independent expenditure by a person or entity other than a party organization must include the following statement on the communication "NOTICE TO VOTERS (Required by law): This advertisement is not authorized or approved by any candidate. It is paid for by (name, address, city, state)." If the advertisement is undertaken by a nonindividual, then the following notation must also be included: "Top Five Contributors," followed by a listing of the names of the five persons or entities making the largest contributions reportable under this chapter during the twelve-month period before the date of the advertisement.

(3) The statements and listings of contributors required by subsections (1) and (2) of this section shall:

(a) Appear on each page or fold of the written communication in at least ten-point type, or in type at least ten percent of the largest size type used in a written communication directed at more than one voter, such as a billboard or poster, whichever is larger;

(b) Not be subject to the half-tone or screening process;

(c) Be in a printed or drawn box set apart from any other printed matter; and

(d) Be clearly spoken on any broadcast advertisement.

(4) Political yard signs are exempt from the requirement of subsections (1) and (2) of this section that the name and address of the sponsor of political advertising be listed on the advertising. In addition, the public disclosure commission shall, by rule, exempt from the identification requirements of subsections (1) and (2) of this section forms of political advertising such as campaign buttons, balloons, pens, pencils, sky-writing, inscriptions, and other forms of advertising where identification is impractical.

~~((3))~~ (5) For the purposes of this section, "yard sign" means any outdoor sign with dimensions no greater than eight feet by four feet.

NEW SECTION. Sec. 22. INDEPENDENT EXPENDITURE DISCLOSURE. A person or entity other than a party organization making an independent expenditure by mailing one thousand or more identical or nearly identical cumulative pieces of political advertising in a single calendar year shall, within two working days after the date of the mailing, file a statement disclosing the number of pieces in the mailing and an example of the mailed political advertising with the election officer of the county or residence for the candidate supported or opposed by the independent campaign

expenditure or, in the case of an expenditure made in support of or in opposition to a ballot proposition, the county of residence for the person making the expenditure.

## PART V

## USE OF PUBLIC FUNDS OR OFFICE FOR POLITICAL PURPOSES

NEW SECTION. Sec. 23. Public funds, whether derived through taxes, fees, penalties, or any other sources, shall not be used to finance political campaigns for state or local office.

NEW SECTION. Sec. 24. FRANKING PRIVILEGE LIMITED. During the twelve-month period preceding the expiration of a state legislator's term in office, no incumbent to that office may mail to a constituent at public expense a letter, newsletter, brochure, or other piece of literature that is not in direct response to that constituent's request for a response or for information. However, one mailing mailed within thirty days after the start of a regular legislative session and one mailing mailed within sixty days after the end of a regular legislative session of identical newsletters to constituents are permitted. A violation of this section constitutes use of the facilities of a public office for the purpose of assisting a campaign under RCW 42.17.130.

The house of representatives and senate shall specifically limit expenditures per member for the total cost of mailings, including but not limited to production costs, printing costs, and postage.

Sec. 25. STATE PAYROLL POLITICAL CHECK-OFF ELIMINATED. RCW 41.04.230 and 1988 c 107 s 19 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) ((Voluntary deductions for political committees duly registered with the public disclosure commission and/or the federal election commission: 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 political committee.~~

~~(8))~~ Insurance contributions to the authority for payment of premiums under contracts authorized by the state health care authority.

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 health care authority.

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.

PART VI  
POLITICAL EXPENDITURE AND CONTRIBUTION REPORTING

Sec. 26. INDEPENDENT EXPENDITURE ANNUAL REPORTING. RCW 42.17.180 and 1990 c 139 s 4 are each amended to read as follows:

(1) Every employer of a lobbyist registered under this chapter during the preceding calendar year and every person other than an individual that made contributions aggregating to more than ten thousand dollars or independent expenditures aggregating to more than five hundred dollars during the preceding calendar year shall file with the commission on or before ~~((March 31st))~~ the last day of February of each year a statement disclosing for the preceding calendar year the following information:

(a) The name of each state elected official and the name of each candidate for state office who was elected to the office and any member of the immediate family of those persons to whom the ~~((employer))~~ person reporting has paid any compensation in the amount of five hundred dollars or more during the preceding calendar year for personal employment or professional services, including professional services rendered by a corporation, partnership, joint venture, association, union, or other entity in which the person holds any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more, the value of the compensation in accordance with the reporting provisions set out in RCW 42.17.241(2), and the consideration given or performed in exchange for the compensation.

(b) The name of each state elected official, successful candidate for state office, or members of his immediate family to whom the ~~((lobbyist-employer))~~ person reporting made expenditures, directly or indirectly, either through a lobbyist or otherwise, the amount of the expenditures and the purpose for the expenditures. For the purposes of this subsection, the term expenditure shall not include any expenditure made by the employer in the ordinary course of business if the expenditure is not made for the purpose of influencing, honoring, or benefiting the elected official, successful candidate, or member of his immediate family, as an elected official or candidate.

(c) The total expenditures made by the ~~((employer))~~ person reporting for lobbying purposes, whether through or on behalf of a registered lobbyist or otherwise.

(d) All contributions made to a ~~((candidate for state office, to a))~~ political committee supporting or opposing a candidate for state office, or to a political committee supporting or opposing a state-wide ballot proposition. Such contributions shall be identified by the name and the address of the recipient and the aggregate amount contributed to each such recipient.

(e) The name and address of each registered lobbyist employed by the ~~((employer))~~ person reporting and the total expenditures made by ~~((the employer))~~ such person for each such lobbyist for lobbying purposes.

(f) The names, offices sought, and party affiliations of candidates for state offices supported or opposed by independent expenditures of the person reporting and the amount of each such expenditure.

(g) The identifying proposition number and a brief description of any state-wide ballot proposition supported or opposed by expenditures not reported under (d) of this subsection and the amount of each such expenditure.

(h) Such other information as the commission prescribes by rule.

(2)(a) Except as provided in (b) of this subsection, an employer of a lobbyist registered under this chapter shall file a special report with the commission if the employer makes a contribution or contributions aggregating more than one hundred dollars in a calendar month to any one of the following: A candidate, elected official, officer or employee of an agency, or political committee. The report shall identify the date and amount of each such contribution and the name of the candidate, elected official, agency officer or employee, or political committee receiving the contribution or to be benefitted by the contribution. The report shall be filed on a form prescribed by the commission and shall be filed within fifteen days after the last day of the calendar month during which the contribution was made.

(b) The provisions of (a) of this subsection do not apply to a contribution which is made through a registered lobbyist and reportable under RCW 42.17.170.

PART VII  
PENALTIES

Sec. 27. PENALTIES. RCW 42.17.390 and 1973 c 1 s 39 are each amended to read as follows:

~~((+))~~ One or more of the following civil remedies and sanctions may be imposed by court order in addition to any other remedies provided by law:

~~((+))~~ (1) If the court finds that the violation of any provision of this chapter by any candidate or political committee probably affected the outcome of any election, the result of said election may be held void and a special election held within sixty days of such finding. Any action to void an election shall be commenced within one year of the date of the election in question. It is intended that this remedy be imposed freely in all appropriate cases to protect the right of the electorate to an informed and knowledgeable vote.

~~((b))~~ (2) If any lobbyist or sponsor of any grass roots lobbying campaign violates any of the provisions of this chapter, his registration may be revoked or suspended and he may be enjoined from receiving compensation or making expenditures for lobbying: PROVIDED, HOWEVER, That imposition of such sanction shall not excuse said lobbyist from filing statements and reports required by this chapter.

~~((e))~~ (3) Any person who violates any of the provisions of this chapter may be subject to a civil penalty of not more than ten thousand dollars for each such violation. However, a person or entity who violates section 4 of this act may be subject to a civil penalty of ten thousand dollars or three times the amount of the contribution illegally made or accepted, whichever is greater.

~~((d))~~ (4) Any person who fails to file a properly completed statement or report within the time required by this chapter may be subject to a civil penalty of ten dollars per day for each day each such delinquency continues.

~~((e))~~ (5) Any person who fails to report a contribution or expenditure may be subject to a civil penalty equivalent to the amount he failed to report.

~~((f))~~ (6) The court may enjoin any person to prevent the doing of any act herein prohibited, or to compel the performance of any act required herein.

#### PART VIII

##### PUBLIC DISCLOSURE COMMISSION

NEW SECTION. Sec. 28. COMMISSION AUDITS. The commission shall conduct a sufficient number of audits and field investigations so as to provide a statistically valid finding regarding the degree of compliance with the provisions of this chapter by all required filers.

#### PART IX

##### GIFTS

NEW SECTION. Sec. 29. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Benefit" means a commercial, proprietary, financial, economic, or monetary advantage, or the avoidance of a commercial, proprietary, financial, economic, or monetary disadvantage.

(2) "Gift" means a rendering of money, property, services, discount, loan forgiveness, payment of indebtedness, reimbursements from or payments by persons, other than the state of Washington or an agency or political subdivision thereof, for travel or anything else of value in excess of fifty dollars in return for which legal consideration of equal or greater value is not given and received but does not include:

(a) A contribution that is required to be reported under RCW 42.17.090 or 42.17.243;

(b) Informational material that is transferred for the purpose of informing the recipient about matters pertaining to official agency business, and that is not intended to financially benefit that recipient;

(c) A symbolic presentation that is not intended to financially benefit the recipient;

(d) An honorarium that is required to be reported under this chapter;

(e) Hosting in the form of entertainment, meals, or refreshments, the value of which does not exceed fifty dollars, furnished in connection with official appearances, official ceremonies, and occasions where official agency business is discussed;

(f) Gifts that are not used and that, within thirty days after receipt, are returned to the donor or delivered to a charitable organization without being claimed as a charitable contribution for tax purposes;

(g) Intrafamily gifts; or

(h) Gifts received in the normal course of private business or social interaction that are not related to public policy decisions or agency actions.

Sec. 30. PUBLIC OFFICIAL ANNUAL REPORTING OF "GIFTS." RCW 42.17.240 and 1989 c 158 s 1 are each amended to read as follows:

(1) Every elected official and every executive state officer shall after January 1st and before April 15th of each year file with the commission a statement of financial affairs for the preceding calendar year. However, any local elected official whose term of office expires immediately after December 31st shall file the statement required to be filed by this section for the year that ended on that December 31st. In addition to and in conjunction with the statement of financial affairs, every official and officer shall file a statement describing any gifts received during the preceding calendar year.

(2) Every candidate shall within two weeks of becoming a candidate file with the commission a statement of financial affairs for the preceding twelve months.

(3) Every person appointed to a vacancy in an elective office or executive state officer position shall within two weeks of being so appointed file with the commission a statement of financial affairs for the preceding twelve months.



(4) A statement of a candidate or appointee filed during the period from January 1st to April 15th shall cover the period from January 1st of the preceding calendar year to the time of candidacy or appointment if the filing of the statement would relieve the individual of a prior obligation to file a statement covering the entire preceding calendar year.

(5) No individual may be required to file more than once in any calendar year.

(6) Each statement of financial affairs filed under this section shall be sworn as to its truth and accuracy.

(7) For the purposes of this section, the term "executive state officer" includes those listed in RCW 42.17.2401.

(8) This section does not apply to incumbents or candidates for a federal office or the office of precinct committee officer.

NEW SECTION. Sec. 31. LOBBYIST NOTIFICATION OF GIFTS. When a listing or a report of contributions is made to the commission under RCW 42.17.170(2)(c), a copy of the listing or report must be given to the candidate, elected official, professional staff member of the legislature, or officer or employee of an agency, or a political committee supporting or opposing a ballot proposition named in the listing or report.

#### PART X MISCELLANEOUS

NEW SECTION. Sec. 32. CODIFICATION DIRECTIONS. (1) Sections 1 through 19 of this act are each added to chapter 42.17 RCW as a subchapter and codified with the subchapter heading of "CAMPAIGN CONTRIBUTION LIMITATIONS."

(2) Sections 23 through 25, 29, 30, and 32 of this act are each added to chapter 42.17 RCW.

NEW SECTION. Sec. 33. CAPTIONS. Section captions and part headings used in this act do not constitute any part of the law.

NEW SECTION. Sec. 34. REPEALER. RCW 42.17.243 and 1977 ex.s. c 336 s 5 are each repealed.

NEW SECTION. Sec. 35. SHORT TITLE. This act may be known and cited as the Fair Campaign Practices Act.

NEW SECTION. Sec. 37. This act constitutes an alternative to Initiative 134, which has been proposed to the legislature. The secretary of state is directed to place this act on the ballot in conjunction with Initiative 134, pursuant to Article ii, section 1(a) of the state Constitution."

Mr. Ballard spoke in favor of adoption of the amendment, Mr. Anderson spoke against.

Mr. D. Sommers demanded an electric roll call vote, and the demand was sustained.

Representatives Hine, Nelson, Morris and Inslee spoke against adoption of the amendment, Representatives Brough and Mielke spoke in favor.

#### ROLL CALL

The Clerk call the roll on adoption of the striking amendment, by Representative Ballard to Substitute House Bill No. 2986, and the amendment was not adopted by the following vote:

Yeas - 38, Nays - 58, Absent - 0, Excused - 2.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Chandler, Ferguson, Forner, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Nealey, Neher, Padden, Paris, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 38.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprengle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 58.

Excused: Representatives Edmondson, Moyer - 02.

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

Representatives Bowman, Hargrove, McLean and Ballard spoke against passage of the bill, and Representatives Anderson and Hine spoke in favor of passage of the bill.

The Speaker called upon Representative R. Meyers to preside.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2986, and the bill passed the House by the following vote: Yeas - 58, Nays - 38, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 58.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Chandler, Forner, Fuhrman, Hargrove, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Nealey, Neher, Padden, Paris, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 38.

Excused: Representatives Edmondson, Moyer - 02.

Engrossed Substitute House Bill No. 2986, having received the constitutional majority, was declared passed.

#### RESOLUTION

HOUSE RESOLUTION NO. 92-4755, by Representatives Rasmussen, Hargrove, R. Fisher, Cooper, Kremen, Spanel, Neher, Wynne, Rayburn, Basich, Leonard, Ogden, Inslee, Franklin, Dorn, Tate, Bowman, D. Sommers, Morris, Haugen, Horn, Lisk, Ferguson, Hochstatter, Wood, Paris, Casada, P. Johnson, Zellinsky, Schmidt, Prince, Nealey, Sheldon, Prentice, Fraser and Chandler

WHEREAS, Congress established the Cooperative Extension Service at state land grant universities in 1916; and

WHEREAS, A number of education programs for children and adults have grown out of that system, including 4-H; and

WHEREAS, 4-H is dedicated to promoting the educational and civic involvement of this nation's young people; and

WHEREAS, 4-H, in conjunction with the Cooperative Extension Service, today has more than five million members in eighty-three countries around the world, all fifty states, and all thirty-nine counties in Washington state; and

WHEREAS, 4-H has expanded its focus in recent years to serve young people from urban areas as well as rural communities; and

WHEREAS, 4-H members can today choose projects in such varied fields as animal sciences, social sciences, mechanical sciences, natural resources, plant sciences, family living, and the expressive arts; and

WHEREAS, Cooperative Extension agents and program assistants from Washington State University, working together with community volunteers, have contributed to the educational and personal development of thousands of young people and adults in Washington state; and

WHEREAS, More than one hundred fifty 4-H members from around the state are currently visiting the state capital as part of a state-wide education program entitled "4-H Know Your Government";

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives does hereby welcome those delegates, along with the Extension agents, program assistants, and adult chaperons involved in the project, to Olympia; and

BE IT FURTHER RESOLVED, That the State House of Representatives recognize the value of the "Know Your Government" project along with all the other programs that 4-H and the Washington State University Cooperative Extension have sponsored over the years to help young people and adults make a contribution to their communities; and

BE IT FURTHER RESOLVED, That the House of Representatives does hereby recognize and applaud the efforts of all those people involved in 4-H in Washington state and around the world; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Joseph R. Kurth, assistant director of Extension 4-H Youth Programs for Washington State University.

Ms. Rasmussen moved adoption of the resolution. Representatives Rasmussen, Bowman, Kremen, Forner, Basich, Paris, Vance, Wynne, Chandler and Nealey spoke in favor of it.

House Resolution No. 92-4755 was adopted.

With consent of the House, reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

March 2, 1992

HB 2983 Prime Sponsor, Representative Locke: Providing job training or work experience for public assistance recipients. Reported by Committee on Appropriations

Majority recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Carlson; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Mielke; and D. Sommers.

Passed to Committee on Rules for second reading.

March 2, 1992

HB 2994 Prime Sponsor, Representative Orr: Modifying the basic health plan. Reported by Committee on Appropriations

Majority recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Appelwick; Braddock; Brekke; Carlson; Dorn; Ebersole; Hine; Lisk; May; Mielke; Peery; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Minority recommendation: Do not pass. Signed by Representatives Morton, Assistant Ranking Minority Member; Fuhrman; and Nealey.

Excused: Representative D. Sommers

Passed to Committee on Rules for second reading.

March 2, 1992

2ESSB 5121 Prime Sponsor, Committee on Governmental Operations: Protecting whistleblowers. Reported by Committee on Appropriations

Majority recommendation: Do pass with the following amendments:

On page 23, line 20 after "Sec. 11." strike all remaining material and insert "If specific funding for this act, referencing this act by bill number, is not provided by June 30, 1992 in the supplemental biennial operating appropriations act, this act shall be null and void."

On page 1, line 4 of the title, strike "making an appropriation" and insert "creating a new section"

Strikes the appropriation and makes the bill null and void if it is not referenced in the supplemental budget.

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Carlson; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Mielke; D. Sommers; and Vance.

Passed to Committee on Rules for second reading.

March 2, 1992

SSB 5237 Prime Sponsor, Committee on Transportation: Requiring large, slow vehicles to keep right. Reported by Committee on Transportation

Majority recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Former; Horn; P. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Wood; and Zellinsky.

Excused: Representatives Day; Haugen; Heavey; R. Johnson; Mitchell; Prince; and Wilson.

Passed to Committee on Rules for second reading.

March 2, 1992

ESB 5675 Prime Sponsor, Metcalf: Requiring a restoration plan for Skagit river salmon. Reported by Committee on Appropriations

Majority recommendation: Do pass as amended by Committee on Fisheries & Wildlife (For committee amendments, see Journal, 40th Day, February 21, 1992.) Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Carlson;

Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Mielke; and D. Sommers.

Passed to Committee on Rules for second reading.

March 2, 1992

ESB 6051 Prime Sponsor, L. Smith: Providing a program to assess and monitor infants exposed to drugs. Reported by Committee on Appropriations

Majority recommendation: Do pass as amended by Committee on Human Services (For committee amendments, see Journal, 47th Day, February 28, 1992.) as amended with the following amendments by Committee on Appropriations.

Beginning on page 3, line 11 of the amendment, after "DELIVERY." strike the remainder of the amendment and insert

"NEW SECTION. Sec. 5. INTERAGENCY COORDINATION OF SERVICE DELIVERY. (1) The department of social and health services and the department of health shall assure that the delivery of available services to chemically dependent pregnant women and chemically dependent mothers and infants are coordinated so that (a) all available medical and support services offered through or paid by the agencies are provided to the extent of available resources, (b) existing community-based services are identified and utilized, (c) to the extent feasible, services be offered jointly to the mother and infant in a manner that promotes and preserves positive bonding of the mother and infant, (d) possible long-term developmental disabilities are identified early to minimize adverse health consequences, (e) the department of social and health services and the department of health are able to track clients and the services they receive across programs and agency lines using the high priority infant tracking system, as it is implemented, and (f) the department of health and the department of social and health services, in consultation with representatives from chemical dependency treatment programs and family planning agencies, shall jointly develop a curriculum and training format for substance abuse counselors and community service office line staff that includes: (i) Information to all clients on the risks to a fetus from exposure to alcohol or drugs; (ii) a review of available birth control methods; and (iii) referral information to a family planning clinic.

(2) On or after January 1, 1993, qualified substance abuse counselors employed by state-approved chemical dependency treatment programs and community service office line staff shall receive the training described in subsection (1)(f) of this section. After receiving training, substance abuse counselors shall discuss these matters with and provide referral information to all of their clients.

(3) The department of health shall track referrals to family planning services from programs utilizing the curriculum developed under subsection (1)(f) of this section.

NEW SECTION. Sec. 6. EDUCATION FOR HEALTH CARE PROFESSIONALS. The department of health may consult with the University of Washington and the disciplining authorities for each health care profession under RCW 18.130.040 whose license holders provide prenatal, obstetrical, and pediatric services and may prepare and distribute appropriate educational material to such license holders on the effects of substance abuse by pregnant women. The training and education may include information on identifying signs of drug usage, the effects of drug exposure, conducting medical assessments as provided for by this chapter, and referring patients to appropriate treatment and services.

NEW SECTION. Sec. 7. CAPTIONS NOT LAW. Section captions as used in this act constitute no part of the law.

NEW SECTION. Sec. 8. Sections 1 through 6 of this act shall constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 9. If specific funding for this act, referencing this act by bill number, is not provided by June 30, 1992, in the supplemental biennial operating appropriations act, this act shall be null and void."

On page 4, line 19 of the title amendment, after "Title 70 RCW;" strike the remainder of the title amendment and insert "and creating new sections."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Bowman; Braddock; Brekke; Carlson; Dorn; Hine; May; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Wang; and Wineberry.

Minority recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Fuhrman; Lisk; Mielke; and Vance.

Excused: Representatives Mielke; and D. Sommers.

Passed to Committee on Rules for second reading.

March 2, 1992

ESSB 6069 Prime Sponsor, Committee on Health & Long Term Care: Creating a bone marrow donor program. Reported by Committee on Appropriations

Majority recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Carlson; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Appelwick; Ebersole; Mielke; D. Sommers; and Vance.

Passed to Committee on Rules for second reading.

March 2, 1992

SB 6172 Prime Sponsor, Nelson: Concerning the use of fuel that is not subject to the vehicle fuel excise tax. Reported by Committee on Transportation

Majority recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Horn; Jones; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wood; and Zellinsky.

Excused: Representatives Day; Haugen; Heavey; R. Johnson; Mitchell; and Wilson

Passed to Committee on Rules for second reading.

March 2, 1992

ESB 6318 Prime Sponsor, Niemi: Refining mental health care. Reported by Committee on Appropriations

Majority recommendation: Do pass as amended by Committee on Human Services (For committee amendments see Journal, 47th Day, February 28, 1992.) Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Carlson; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Appelwick; Mielke; D. Sommers; and Vance.

Passed to Committee on Rules for second reading.

March 2, 1992

ESB 6319 Prime Sponsor, Niemi: Modifying placement responsibilities for persons in the state mental health system. Reported by Committee on Appropriations

Majority recommendation: Do pass as amended by Committee on Human Services (For committee amendments see Journal, 47th Day, February 28, 1992.) as amended with the following amendments by Committee on Appropriations.

On page 5 of the amendment, after line 10, strike all of section 3

On page 6 of the amendment, after line 9, strike all of section 5

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Carlson; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Mielke; D. Sommers; and Vance.

Passed to Committee on Rules for second reading.

March 2, 1992

E2SSB 6347 Prime Sponsor, Committee on Law & Justice: Making changes to the domestic violence statute. Reported by Committee on Appropriations

Majority recommendation: Do pass without amendment by Committee on Judiciary (For committee amendments see Journal, 47th Day, February 28, 1992.) Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Carlson; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Minority recommendation: Do not pass. Signed by Representatives Braddock; and Nealey.

Excused: Representatives Mielke; D. Sommers; and Vance.

Passed to Committee on Rules for second reading.

March 2, 1992

SB 6390 Prime Sponsor, Moore: Concerning the director of licensing's enforcement of the securities industry. Reported by Committee on Appropriations

Majority recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Carlson; Dorn; Ebersole; Ferguson;

Fuhrman; Hine; Lisk; May; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Mielke; and D. Sommers.

Passed to Committee on Rules for second reading.

March 2, 1992

SSB 6393 Prime Sponsor, Committee on Agriculture & Water Resources: Instituting fees on dairy producers and handlers and food processors to support WSDA food safety inspection program. Reported by Committee on Appropriations

Majority recommendation: Do pass as amended by Committee on Agriculture & Rural Development (For committee amendments see Journal, 47th Day, February 28, 1992.) as amended with the following amendments by Committee on Appropriations:

On page 1, after line 6 of the amendment, strike the remainder of the amendment and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 15.36 RCW to read as follows:

There is levied on all milk processed in this state an assessment not to exceed one-half of one cent per hundredweight. The director shall determine, by rule, an assessment, that with contribution from the general fund, will support an inspection program to maintain compliance with the provisions of the pasteurized milk ordinance of the national conference on interstate milk shipment. All assessments shall be levied on the operator of the first milk plant receiving the milk for processing. This shall include milk plants that produce their own milk for processing and milk plants that receive milk from other sources. All moneys collected under this section shall be paid to the director by the twentieth day of the succeeding month for the previous month's assessments. The director shall deposit the funds into the dairy inspection account hereby created within the agricultural local fund established in RCW 43.23.230. The funds shall be used only to provide inspection services to the dairy industry. If the operator of a milk plant fails to remit any assessments, that sum shall be a lien on any property owned by him or her, and shall be reported by the director and collected in the manner and with the same priority over other creditors as prescribed for the collection of delinquent taxes under chapters 84.60 and 84.64 RCW.

This section shall take effect July 1, 1992, and shall expire June 30, 1994.

NEW SECTION. Sec. 2. A new section is added to chapter 15.36 RCW to read as follows:

(1) There is created a dairy inspection program advisory committee. The committee shall consist of nine members. The committee shall be appointed by the director from names submitted by dairy producer organizations or from handlers of milk products. The committee shall consist of four members who are producers of milk or their representatives, and four members who are handlers or their representatives, and one member who must be a producer-handler.

(2) The purpose of this advisory committee is to assist the director by providing recommendations regarding the dairy inspection program, that are consistent with the pasteurized milk ordinance. The advisory committee shall (a) review and evaluate the program including the efficiency of the administration of the program, the adequacy of the level of inspection staff, the ratio of inspectors to number of dairy farm inspections per year, and the ratio of inspectors to management employees; and (b) consider alternatives to the state program, which may include privatization of various elements of the inspection program.

(3) The committee shall meet as necessary to complete its work. Meetings of the committee are subject to the open public meetings act.

(4) Not later than October 15, 1992, the advisory committee shall issue a preliminary report of its findings to the dairy industry. The committee shall solicit comments from the dairy industry which shall be reflected in the committee's final report.

(5) Not later than December 1, 1992, the advisory committee shall report to the agricultural committees of the house of representatives and senate its recommendations for long-term structure and funding of the dairy inspection program.

Sec. 3. RCW 69.07.040 and 1991 c 137 s 3 are each amended to read as follows:

It shall be unlawful for any person to operate a food processing plant or process foods in the state without first having obtained an annual license from the department, which shall expire on a date set by rule by the director. License fees shall be prorated where necessary to accommodate staggering of expiration dates. Application for a license shall be on a form prescribed by the director and accompanied by ~~((a twenty five dollar annual))~~ the license fee. The license fee is



determined by computing the gross annual sales for the accounting year immediately preceding the license year. If the license is for a new operator, the license fee shall be based on an estimated gross annual sales for the initial license period.

<u>If gross annual sales are:</u>	<u>The license fee is:</u>
<u>\$0 to \$50,000</u>	<u>\$50.00</u>
<u>\$50,001 to \$500,000</u>	<u>\$100.00</u>
<u>\$500,001 to \$1,000,000</u>	<u>\$200.00</u>
<u>\$1,000,001 to \$5,000,000</u>	<u>\$350.00</u>
<u>\$5,000,001 to \$10,000,000</u>	<u>\$500.00</u>
<u>Greater than \$10,000,000</u>	<u>\$750.00</u>

Such application shall include the full name of the applicant for the license and the location of the food processing plant he or she intends to operate. If such applicant is an individual, receiver, trustee, firm, partnership, association or corporation, the full name of each member of the firm or partnership, or names of the officers of the association or corporation shall be given on the application. Such application shall further state the principal business address of the applicant in the state and elsewhere and the name of a person domiciled in this state authorized to receive and accept service of summons of legal notices of all kinds for the applicant. The application shall also specify the type of food to be processed and the method or nature of processing operation or preservation of that food and any other necessary information. Upon the approval of the application by the director and compliance with the provisions of this chapter, including the applicable regulations adopted hereunder by the department, the applicant shall be issued a license or renewal thereof.

Licenses shall be issued to cover only those products, processes, and operations specified in the license application and approved for licensing. Wherever a license holder wishes to engage in processing a type of food product that is different than the type specified on the application supporting the licensee's existing license and processing that type of food product would require a major addition to or modification of the licensee's processing facilities or has a high potential for harm, the licensee shall submit an amendment to the current license application. In such a case, the licensee may engage in processing the new type of food product only after the amendment has been approved by the department.

If upon investigation by the director, it is determined that a person is processing food for retail sale and is not under permit, license, or inspection by a local health authority, then that person may be considered a food processor and subject to the provisions of this chapter.

Sec. 4. RCW 69.07.050 and 1991 c 137 s 4 are each amended to read as follows:

If the application for renewal of any license provided for under this chapter is not filed prior to the expiration date as established by rule by the director, an additional fee of ~~((fifteen dollars))~~ ten percent of the cost of the license shall be assessed and added to the original fee and shall be paid by the applicant before the renewal license shall be issued: PROVIDED, That such additional fee shall not be charged if the applicant furnishes an affidavit certifying that he or she has not operated a food processing plant or processed foods subsequent to the expiration of his or her license.

Sec. 5. RCW 69.07.120 and 1967 ex.s. c 121 s 12 are each amended to read as follows:

All moneys received by the department under the provisions of this chapter shall be paid into the ~~((state treasury))~~ food processing inspection account hereby created within the agricultural local fund established in RCW 43.23.230 and shall be used solely to carry out the provisions of this chapter and chapter 69.04 RCW.

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Appelwick; Brekke; Dorn; Ebersole; Ferguson; Hine; May; Nealey; Peery; Pruitt; Rust; Sprenkle; Vance; and Wang.

Minority recommendation: Do not pass. Signed by Representatives Morton, Assistant Ranking Minority Member; Bowman; Carlson; Fuhrman; Lisk; Mielke; and Wineberry.

Excused: Representatives D. Sommers; and Wineberry.

Passed to Committee on Rules for second reading.

March 2, 1992

SSB 6428 Prime Sponsor, Committee on Children & Family Services: Improving the responsiveness of services for at-risk children and families. Reported by Committee on Appropriations

Majority recommendation: Do pass as amended by Committee on Human Services (For committee amendments see Journal, 47th Day, February 28, 1992.) Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Carlson; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Appelwick; Mielke; D. Sommers; and Vance.

Passed to Committee on Rules for second reading.

March 2, 1992

SSB 6494 Prime Sponsor, Committee on Energy & Utilities: Modifying sublease and rent requirements concerning the ninety-nine-year lease of Hanford reservation land. Reported by Committee on Appropriations

Majority Report: Do pass as amended by Committee on Energy & Utilities (For committee amendments see Journal, 47th Day, February 28, 1992.) as such amendment is amended by Committee on Appropriations.

On page 1, after line 6 of the amendment, strike the remainder of the amendment and insert the following:

""NEW SECTION. Sec. 1. The legislature finds that the ninety-nine-year lease of one thousand acres of land by the state from the federal government requires that the state use any rent moneys from subleasing the land for the development of the leased land and nuclear-related industries in the Tri-Cities area. The legislature further finds that the new emphasis on waste cleanup at Hanford and the new technologies needed for environmental restoration warrant a renewed effort to promote development of the leased land and nuclear-related industries in the Tri-Cities area.

Sec. 2. RCW 43.31.205 and 1990 c 281 s 2 are each amended to read as follows:

In an effort to enhance the economy of the Tri-Cities area, the department of trade and economic development is directed to promote the existence of the lease between the state of Washington and the federal government executed September 10, 1964, covering one thousand acres of land lying within the Hanford reservation near Richland, Washington, and the

opportunity of subleasing the land to entities for nuclear-related industry, in agreement with the terms of the lease. When promoting the existence of the lease, the department shall work in cooperation with any associate development organizations located in or near the Tri-Cities area.

NEW SECTION. Sec. 3. A new section is added to chapter 43.31 RCW to read as follows:

(1) The Hanford sublease rent account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation and only for the following purposes:

(a) To promote the existence of the lease between the state of Washington and the federal government executed September 10, 1964, covering one thousand acres of land lying within the Hanford reservation near Richland, Washington;

(b) To promote development of the leased land and nuclear-related industry in the Tri-Cities area, in accordance with the terms of the lease; and

(c) To execute any new sublease agreements that meet the terms of the lease.

(2) Sources for this account shall include:

(a) Any rent payments from subleases of the site; and

(b) Other funding from federal, state, and local agencies.

(3) Nothing in this section shall affect any agreements or contracts related to sublease rental payments in effect as of the effective date of this act.

(4) This section expires on June 30, 1999."

On page 3, line 6 of the title amendment, after "RCW;" strike the remainder of the title and insert "and creating a new section."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Bowman; Brekke; Carlson; Ebersole; Ferguson; Fuhrman; Lisk; May; Mielke; Nealey; Peery; Pruitt; H. Sommers; Sprenkle; Vance; Wang; and Wineberry.

Excused: Representative D. Sommers.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Dorn, the bills listed on today's committee reports under the fifth order of business to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

#### MOTION

On motion of Mr. Dorn, the House adjourned until 10:00 a.m., Tuesday, March 3, 1992.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

## FIFTY-FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Tuesday, March 3, 1992.

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 Brekke and Moyer. On motion of Ms. G. Cole, Representative Brekke was excused. On motion of Mr. Vance, Representatives Moyer was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sonja Jacobsen and Kirsten Loreen. Prayer was offered by Reverend Robert Cassis, South Sound Presbyterian of Olympia.

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

## MESSAGE FROM THE SENATE

March 2, 1992

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2314,  
SUBSTITUTE HOUSE BILL NO. 2465,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

There being no objection, the House advanced to the eighth order of business.

## RESOLUTIONS

HOUSE RESOLUTION NO. 92-4748, by Representatives Franklin, Wineberry, Ebersole, Braddock, Anderson, R. Fisher, Heavey, Sheldon, Fraser, Broback, Paris, Leonard, Ogden, Rasmussen, Nelson, Pruitt, Zellinsky, Ludwig, Bray, Moyer, Silver, Carlson, J. Kohl, G. Cole, O'Brien, Wynne, Spanel and Basich

WHEREAS, The House of Representatives recognizes February as the celebration of Black History Month; and

WHEREAS, Alex Haley, the author of the noted book "Roots: The Saga of an American Family" died during a recent visit to Seattle; and

WHEREAS, The book "Roots" chronicled Haley's painstaking research into his African ancestry and inspired people of all races to explore their heritage; and

WHEREAS, We are saddened by the author and historian's death but grateful for the memory of a man who awakened this nation to the story of a portion of its population too long trampled underfoot; and

WHEREAS, Haley's book "Roots" told the gripping story of an African taken into slavery and of generations of his descendants, slave and free, in this country; and

WHEREAS, "Roots" won the Pulitzer Prize in 1977, sold 6 million hardcover copies, and became one of the most important works of late 20th century American literature by one of the most influential writers since World War II; and

WHEREAS, The twelve-hour television miniseries based on the book attracted the largest television audience of any show up to its broadcast in 1977; and

WHEREAS, Haley is credited with sensitizing many Americans, white and black, to the horrors endured by African Americans under slavery; and

WHEREAS, Television viewers were inspired by the struggle of Kunta Kinte and his progeny to maintain their humanity in the face of oppression through six generations; and

WHEREAS, The book and miniseries gave special meaning to millions of Americans of African ancestry, and also encouraged millions of other Americans to look differently at black history and better understand the crisscrossed paths of African and European experience in the United States; and

WHEREAS, Haley showed African Americans that they survived slavery because of the will of their ancestors to tell later generations that they were not born inferior and that slavery could not stop their struggle for freedom; and

WHEREAS, Haley's rich descriptions of his ancestors' lives set off a wave of interest in genealogy among all races that lasted long after the book faded from best-seller lists; and

WHEREAS, Haley's first book, "The Autobiography of Malcolm X" showed many African Americans that people born poor, on welfare, guilty of criminal acts, and sent to jail can still turn their lives around and make a positive difference in the world;

NOW, THEREFORE BE IT RESOLVED, That the House of Representatives recognize that Alex Haley's books went a long way to instilling pride in African Americans and helped raise their consciousness about their strong African heritage; and

BE IT FURTHER RESOLVED, That the House of Representatives acknowledge Alex Haley's significant contribution in enabling all Americans to come to grips with their past and because of this, future generations will be forever in his debt; and

BE IT FURTHER RESOLVED, That the House of Representatives believe Haley's greatest and longest lasting gift to the American people is teaching us all the importance of respecting racial diversity; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to William Alexander Haley, son of Alex Haley.

Ms. Franklin moved adoption of the resolution. Representative Franklin spoke in favor of the resolution.

House Resolution No. 92-4748 was adopted.

HOUSE RESOLUTION NO. 92-4758, by Representatives Cooper, Ogden, Ferguson, Mitchell, Riley, R. Meyers, Leonard and H. Myers

WHEREAS, The right to vote is the privilege of a free nation, the heart of any democracy, and the foundation of our government; and

WHEREAS, The United States Constitution guarantees that right to all citizens, regardless of race, creed, gender, ethnic origin, or physical impairment; and

WHEREAS, The process of selecting our public officials must be kept open and accessible to all people at all times; and

WHEREAS, In 1988, more than 200,000 Washington residents signed a petition calling for a Presidential primary election in this state, encouraging more people to participate in the process of selecting our President; and

WHEREAS, The initiative enacted by the 1989 Legislature to provide for that primary election specifically states that the presidential nominating caucus system in Washington state restricts voter participation "... in that it discriminates against the elderly, the infirm, women, the handicapped, evening workers, and others who are unable to attend caucuses ..."; and

WHEREAS, State law protects the right of all people to have access to public meetings, and that right should include people with physical handicaps who wish to attend neighborhood caucuses; and

WHEREAS, Our caucus system unfairly restricts people with physical handicaps;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives call on our state's political parties to provide caucus facilities for people with physical handicaps, ensuring that no one is denied their right to participate in our nation's democratic process; and

BE IT FURTHER RESOLVED, That the House of Representatives affirm this right to access as a fundamental element of the right to vote and the right of citizens to participate in our democracy; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to State Democratic Party Chairwoman Karen Marchioro and State Republican Chairman Ben Bettridge.

Mr. Cooper moved adoption of the resolution. Representative Cooper spoke in favor of the resolution.

House Resolution No. 92-4758 was adopted.

HOUSE RESOLUTION NO. 92-4752, by Representatives Prentice, J. Kohl, Ludwig, Leonard, Rust, Braddock, Peery, Franklin, R. Meyers, Ogden, G. Fisher, Nelson, Jacobsen, R. Fisher, Day, H. Myers, Spanel, Basich and Anderson

WHEREAS, Freedom of speech is the most fundamental right of American citizens; and

WHEREAS, Freedom of the press is a cornerstone of democracy; and

WHEREAS, The press has been instrumental in bringing world events into our living rooms, changing forever our relationship with those around us; and

WHEREAS, It was media focus on our state's proposed bank merger legislation that prompted the New York Stock Exchange to temporarily halt trading of Security Pacific Corporation stock; and

WHEREAS, In Olympia, we rely on the press to shine a questioning spotlight on our legislative actions, no matter how uncomfortable, unflattering, or unmerciful; and

WHEREAS, As legislators, it is our duty to answer the questions, and the duty of the press to question our answers; and

WHEREAS, When sometimes we utter the unprintable, the press still finds a way to print the unutterable; and

WHEREAS, The need to maintain a free, open, and sometimes painfully candid press in the legislative arena should always take precedence over our desire to hide our wrinkles and be quoted as geniuses; and

WHEREAS, Many say the press has a responsibility to comfort the afflicted and afflict the comfortable; and

WHEREAS, Even though the press occasionally gets the facts wrong, our quotes garbled, and our names misspelled;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington recognizes the value of a free, open, and forthright press to report our legislative activities, unchecked by government intervention or fears of criticism; and

BE IT FURTHER RESOLVED, That the House of Representatives acknowledges and commends the media for upholding the ideals of democracy and fostering a frank discussion of issues; and

BE IT FURTHER RESOLVED, That the House of Representatives supports and encourages judicious freedom of the press as a solid foundation for our democratic way of life.

Ms. Prentice moved adoption of the resolution. Representative Prentice spoke in favor of the resolution.

House Resolution No. 92-4752 was adopted.

HOUSE RESOLUTION NO. 92-4747, by Representatives Cantwell, Paris and Basich

WHEREAS, It is the policy of the Legislature to recognize the outstanding achievements and sacrifices of the citizens of Washington state; and

WHEREAS, Staff Sergeant Kevin Jackson, a Bothell resident and member of the Marine Corps Reserve, served this state and the entire United States of America with distinction and honor in Operation Desert Storm; and

WHEREAS, Staff Sergeant Jackson suffered a life-threatening head injury while deployed in Saudi Arabia in the 6th Truck Battalion with Marine Corps forces; and

WHEREAS, Staff Sergeant Jackson willingly left his wife, Emilse, 4-year-old son, Kevin Jr., and 3-month-old daughter, Maria, to fulfill his duty in the Marine Corps Reserve; and

WHEREAS, Staff Sergeant Jackson also willingly left his job with General Motors as a district services manager for Cadillac; and

WHEREAS, In his 14 years service to the Marine Corps and the Marine Corps Reserve, Staff Sergeant Jackson received numerous honors and decorations, including the Navy Commendation Medal, Organized Marine Corps Reserve Medal, Armed Forces Reserve Medal, Marine Corps Good Conduct Medal, Southwest Asia Service Medal with a bronze star, Overseas Deployment Medal, and the National Defense Service Medal; and

WHEREAS, Staff Sergeant Jackson was extremely debilitated by his injury, but rose above the injury to resume nearly all of his normal activities; and

WHEREAS, Staff Sergeant Jackson is so valued as an employee of General Motors that the company has offered him, upon completion of his rehabilitation program, a job as an instructor with the Service Technology Group at Seattle Community College;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognizes Staff Sergeant Jackson's commitment to duty and selfless sacrifice for the United States of America; and

BE IT FURTHER RESOLVED, That the House of Representatives honor Staff Sergeant Jackson for his determination, dedication, and sheer willpower to recover from his terrible injury; and

BE IT FURTHER RESOLVED, That the House of Representatives acknowledge General Motors for its commitment to a valuable employee; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Staff Sergeant Jackson and his family, his employer at General Motors, his former battalion commander, and the detachment commander of the Marine Corps League.

Ms. Cantwell moved adoption of the resolution. Representative Cantwell spoke in favor of the resolution.

House Resolution No. 92-4747 was adopted.

With consent of the House, advance to the sixth order of business, calendar of the day.

## SECOND READING

### MOTION

Mr. Ebersole moved that the House immediately consider Senate Bill No. 6078 on the second reading calendar. The motion was carried.

SENATE BILL NO. 6078, by Senators Skratek, Patterson and Vognild

Removing SR 901 from the state highway system.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. Fisher and Forner spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6078, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luvan, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Brekke, Moyer - 02.



Senate Bill No. 6078, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6133, by Senators Bailey, Rinehart, Erwin, Murray, Oke, Pelz and Gaspard; by request of Board of Education

Changing the membership and terms of the state board of education.

The bill was read the second time.

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

Mr. G. Fisher spoke in favor of passage of the bill, Ms. Brough spoke against.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6133, and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Brough - 01.

Excused: Representatives Brekke, Moyer - 02.

Senate Bill No. 6133, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6134, by Senators Nelson, A. Smith, Erwin and Madsen

Requiring seals for district courts.

The bill was read the second time.

On motion of Mr. Dorn, 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.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6134, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen,

Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Brekke, Moyer - 02.

Senate Bill No. 6134, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6135, by Senate Committee on Law & Justice (originally sponsored by Senators Nelson, A. Smith, Erwin and Madsen)

Requiring permanent retention of name change orders.

The bill was read the second time.

On motion of Mr. Dorn, 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.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6135, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Brekke, Moyer - 02.

Substitute Senate Bill No. 6135, having received the constitutional majority, was declared passed.

The Speaker assumed the chair.

#### MOTION

Mr. Ebersole moved that the House, immediately consider Substitute House Bill No. 2729, on the second reading calendar.

HOUSE BILL NO. 2729, by Representatives Locke, Jacobsen, Ogden, Inslee, Spanel, Wineberry, Basich, Sheldon, Prentice, Ludwig, Orr, Fraser, Dellwo, Heavey, Appelwick, Morris, Cantwell, Belcher, G. Fisher, Peery, Rasmussen, Braddock, Valle, Zellinsky, R. Meyers, Franklin, Cooper, Bray, Pruitt, Haugen and Leonard

Reforming higher education tuition and financial aid.

The bill was read the second time. Committee on Human Services recommendation: Majority do pass substitute. Committee on Appropriations recommendation: Majority, do pass substitute by Committee on Human Services as amended by Committee on Appropriations. (For committee amendments, see Journal, 30th Day, February 11, 1992.)

On motion of Mr. Jacobsen, Substitute House Bill No. 2729 was substituted for House Bill No. 2729, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2729 was read the second time.

Ms. Spanel moved adoption of the committee amendment, it was adopted.

Mr. Jacobsen moved adoption of the following striking amendment, by Representatives Jacobsen and others:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. It is the intent of the legislature to restructure and fully fund the state's system of financial aid. The restructured financial aid system shall be known as college promise.

NEW SECTION. Sec. 2. (1) The higher education coordinating board shall restructure the state's financial aid programs into a comprehensive and coordinated system of assistance known as college promise. College promise shall expand and modify three existing programs for needy students: The state need grant program under RCW 28B.10.790 through 28B.10.824; the state work study program under chapter 28B.12 RCW; and the educational opportunity grant program under chapter 28B.101 RCW. In addition, college promise shall include the revised future teachers conditional scholarship program under chapter 28B.102 RCW, and may include a demonstration project to assist needy students whose parents did not attend an institution of higher education. College promise shall be implemented beginning in the 1993-94 academic year.

(2) By December 1, 1992, the higher education coordinating board, in consultation with the house of representatives and senate higher education and fiscal committees, and the institutions of higher education, shall develop a detailed implementation plan for college promise. In preparing the plan, the board shall follow the goals and priorities set forth in sections 3 and 4 of this act. The plan shall include, but not be limited to:

(a) Specific program eligibility measures and application procedures for the new populations of state financial aid recipients identified in section 3 of this act;

(b) Specific need analysis criteria and asset protection allowances;

(c) Estimates of how many state residents, both those who are currently enrolled in a college or university, and those not currently enrolled, would be eligible and would apply for aid under the expanded eligibility criteria identified in section 3 of this act. The estimates shall take into account state economic and demographic factors and information obtained through a survey of potential new aid applicants;

(d) Estimates of where the new aid applicants identified under (c) of this subsection would choose to enroll by type of institution and level of program;

(e) Estimates of the costs for each state financial aid program, including the state need grant program under RCW 28B.10.790 through 28B.10.824; the state work study program under chapter 28B.12 RCW; the educational opportunity grant program under chapter 28B.101 RCW; and the future teachers conditional scholarship program under chapter 28B.102 RCW, to accommodate any new aid applicants estimated under (c) of this subsection, as offset by nonstate sources of aid. Separate cost estimates shall be made for each of the new aid populations identified under section 3 of this act;

(f) Estimates of the cost to increase budgeted levels of enrollment at public college and universities to accommodate the new aid applicants estimated under (d) of this subsection.

(3) The cost estimates completed under subsection (2) of this section shall be the basis for determining funding levels for state financial aid programs for each year of the 1993-95 biennium.

(4) The methodologies used to estimate costs under subsection (2) of this section shall be used for the annual cost estimates required under section 5 of this act.

(5) The plan completed under subsection (2) of this section shall be deemed approved on June 30, 1993, unless legislation is enacted to alter the policies set forth in the plan. The board shall also propose to the legislature any changes to the laws governing state financial aid programs that it deems necessary to accomplish the purposes of college promise.

**NEW SECTION. Sec. 3.** In restructuring the state's financial aid programs, the higher education coordinating board shall follow these goals:

(1) For all need-based financial aid programs under RCW 28B.10.790 through 28B.10.824, chapter 28B.12 RCW, and chapter 28B.101 RCW:

(a) Through a mix of federal, state, and other resources:

(i) Limit student debt to no more than one-half of a student's cost of attendance; and

(ii) Provide more self-help opportunities than grant aid to middle-income students, and approximately equal amounts of self-help opportunities and grant aid to low-income and lower middle-income students. Self-help opportunities include work study and loans;

(b) In determining eligibility for state financial aid programs, shelter home equity on a family's principal place of residence, and shelter a reasonable portion of savings and farm or business net worth, each insofar as is permissible under state and federal law;

(c) Simplify the financial aid application process for low-income students with limited assets;

(d) Strive to preserve a range of educational options for needy students, including choice of institutions and programs;

(e) Recognize otherwise unfunded equipment and assistance needed to reasonably accommodate students with disabilities; and

(f) Deliver clear and timely information to current and future postsecondary students about the costs of attending college and available financial aid.

(2) For the state need grant program under RCW 28B.10.790 through 28B.10.824: As funds are available, expand the program to include new populations of resident students in the following priority order:

(a) Low-income undergraduates;

(b) Lower middle-income undergraduates;

(c) Middle-income undergraduates; and

(d) Resident graduate and professional students, following the income priorities established for undergraduate students.

(3) For the state work study program under chapter 28B.12 RCW: Increase employment opportunities including off-campus job opportunities with community service employers.

(4) For the future teachers' conditional scholarship program under chapter 28B.102 RCW: Expand program eligibility to include teachers pursuing a master's degree for continuing certification.

(5) For students whose parents did not attend college: Determine the feasibility of providing grants to needy first generation scholars.

**NEW SECTION. Sec. 4.** In implementing the goals for expanding financial aid to needy undergraduate students, the board shall be guided by the following matrix. The matrix defines income levels, and for each level, specifies the application requirement, the funding priority, and the assistance mix goal. Income levels shall be adjusted annually for family size and changes in the state's median income.

Implementation Matrix for Assistance to  
Needy Undergraduate Students

Classification:	Low-income	Lower middle-income	Middle-income
Family Income: (1990 Dollars)	0-\$19,599	\$19,600-\$29,499	\$29,500-\$49,200
Percentage of State Median Income:	Fifty percent	Fifty-one to seventy-five percent	Seventy-six to one hundred twenty-five percent
Aid Application:	May qualify for simplified form	Full need analysis required	Full need analysis required

Priority for Receiving Grants:	First	Second	Third
Assistance Mix Goal:	One-half grants	One-half grants	One-third grants
	One-half work study and loans	One-half work study and loans	Two-thirds work study and loans

**NEW SECTION. Sec. 5.** By September 1st of each even-numbered year, the higher education coordinating board shall adopt an estimate of the amount of funding, annualized for each fiscal year, that will be needed during the ensuing biennium to fully fund each of the state's student financial aid programs under RCW 28B.10.210 through 28B.10.220, 28B.10.790 through 28B.10.824, chapter 28B.12 RCW, chapter 28B.101 RCW, chapter 28B.102 RCW, and, if funded, the first generation scholars demonstration project. The board shall report its findings to the governor, and the house of representatives and senate fiscal and higher education committees.

**NEW SECTION. Sec. 6.** A new section is added to chapter 28B.10 RCW to read as follows:  
In administering the state student financial aid program, also known as the state need grant program, under RCW 28B.10.790 through 28B.10.824, the higher education coordinating board shall proceed substantially as follows unless it determines that a modification is required in order to conform with federal law or to improve the administration of the program, consistent with the purposes of this chapter.

(1) Define and assist additional populations of needy students as funding becomes available, in the priority order specified in section 3(2) of this act, and using income level classification definitions as described in section 4 of this act.

(2) In calculating eligibility for aid, where not otherwise inconsistent with federal or state law, shelter home equity on a family's principal place of residence and shelter a reasonable amount of savings and a reasonable portion of farm or business net worth, in order to equitably evaluate family ability to pay.

(3) To the extent feasible, adjust the student budget of a needy student with disabilities to reflect otherwise unfunded equipment or assistance needed to reasonably accommodate the student in a postsecondary education or training program.

**Sec. 7.** RCW 28B.102.020 and 1987 c 437 s 2 are each amended to read as follows:  
Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Conditional scholarship" means a loan that is forgiven in whole or in part if the recipient renders service as a teacher in the public schools of this state.

(2) "Institution of higher education" or "institution" means a college or university in the state of Washington which is accredited by an accrediting association recognized as such by rule of the higher education coordinating board.

(3) "Board" means the higher education coordinating board.

(4) "Eligible student" means a student who is registered for at least ten credit hours or the equivalent, demonstrates achievement of at least a 3.30 grade point average for students entering an institution of higher education directly from high school or maintains at least a 3.00 grade point average or the equivalent for each academic year in an institution of higher education, is a resident student as defined by RCW 28B.15.012 through 28B.15.015, and has a declared intention to complete an approved preparation program leading to initial teacher certification or required for earning an additional endorsement, or a college or university graduate who meets the same credit hour requirements and is seeking an additional teaching endorsement or initial teacher certification. "Eligible student" also means a teacher seeking a master's degree if the degree is required for continuing certification.

(5) "Public school" means an elementary school, a middle school, junior high school, or high school within the public school system referred to in Article IX of the state Constitution.

(6) "Forgiven" or "to forgive" or "forgiveness" means to render service as a teacher at a public school in the state of Washington in lieu of monetary repayment.

(7) "Satisfied" means paid-in-full.

(8) "Participant" means an eligible student who has received a conditional scholarship under this chapter.

(9) "Targeted ethnic minority" means a group of Americans with a common ethnic or racial heritage selected by the board for program consideration due to societal concerns such as high dropout rates or low rates of college participation by members of the group.

**Sec. 8.** RCW 28B.102.050 and 1987 c 437 s 5 are each amended to read as follows:

The board may award conditional scholarships to eligible students from ~~((the funds))~~ moneys appropriated to the board for this purpose, or from any private donations, or any other ~~((funds))~~ moneys given to the board for this program. The amount of the conditional scholarship awarded an individual shall not exceed three thousand dollars per academic year. Students are eligible to receive conditional scholarships for a maximum of five years. The amount of the conditional scholarship awarded to any eligible student pursuing a master's degree for continuing certification shall not exceed the lesser of the student's cost of tuition or twenty-five hundred dollars per year. Grants awarded to any one student pursuing a master's degree for continuing certification shall not exceed a total of five thousand dollars.

**Sec. 9.** RCW 28B.101.040 and 1990 c 288 s 6 are each amended to read as follows:

Grants may be used by eligible participants to attend any public or private college or university in the state of Washington that is accredited by an accrediting association recognized by rule of the higher education coordinating board and that has an existing unused capacity. Grants shall not be used to attend any branch campus or educational program established under chapter 28B.45 RCW. The participant shall not be eligible for a grant if it will be used for any programs that include religious worship, exercise, or instruction or to pursue a degree in theology. Each participating student may receive up to two thousand five hundred dollars per academic year, not to exceed the student's demonstrated financial need for the course of study.

**NEW SECTION. Sec. 10.** With the exception of institutions of higher education as defined in RCW 28B.10.016, an institution of postsecondary education that enrolls students receiving state-funded financial aid shall match the total amount of the state financial aid funds received by all enrolled students at that institution with an equal amount of institutionally raised grant funds from private sources. The higher education coordinating board shall adopt rules to implement this requirement. The rules shall ensure that all institutional matching grant funds go to students who are residents of the state as defined in RCW 28B.15.011 through 28B.15.013 and are needy as defined in RCW 28B.10.802(3).

**Sec. 11.** RCW 28B.12.040 and 1985 c 370 s 58 are each amended to read as follows:

The 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 higher education coordinating board may deem necessary or appropriate to carry out the purposes of this chapter.

With the exception of off-campus community service placements, the share from ~~((funds))~~ moneys 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.

By rule, the board shall define community service placements and may determine any salary matching requirements for any community service employers.

**NEW SECTION. Sec. 12.** Sections 1 through 5 and 10 of this act shall constitute a new chapter in Title 28B RCW.

**NEW SECTION. Sec. 13.** RCW 28B.15.065 and 1977 ex.s. c 322 s 6 as now existing or hereafter amended are repealed June 30, 1993.

**NEW SECTION. Sec. 14.** (1) Sections 1 through 3 of this act shall take effect July 1, 1992.

(2) Sections 4 through 11 of this act shall take effect July 1, 1993.

**NEW SECTION. Sec. 15.** 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. 16.** The sum of one hundred thousand dollars, or as much thereof as may be necessary, is appropriated from the general fund to the higher education coordinating board, for the biennium ending June 30, 1993, to complete the plan required under section 2 of this act.

On page 1, line 1 of the title, after "aid;" strike the remainder of the title and insert "amending RCW 28B.102.020, 28B.102.050, 28B.101.040, and 28B.12.040; adding a new section to chapter 28B.10 RCW; adding a new chapter to Title 28B RCW; repealing RCW 28B.15.065; making an appropriation; and providing effective dates."

Ms. H. Sommers moved adoption of the following amendment, by Representatives H. Sommers, Prince and Jacobsen, to the floor striking amendment:

On page 10, after line 6 of the amendment, insert the following:

**Sec. 12.** RCW 28B.15.202 and 1985 c 390 s 19 are each amended to read as follows:

Tuition fees and services and activities fees at the University of Washington and at Washington State University for other than summer quarters or semesters shall be as follows:

(1) For full time resident undergraduate students and all other full time resident students not in graduate study programs or enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total tuition fees shall be one-third of the per student undergraduate educational costs at the state

universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each academic year shall be ~~((one hundred and twenty dollars))~~ six percent of total tuition fees.

(2) For full time resident graduate students not enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total tuition fees shall be twenty-three percent of the per student graduate educational costs at the state universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each academic year shall be ~~((one hundred and twenty dollars))~~ four percent of total tuition fees.

(3) For full time resident students enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total tuition fees shall be one hundred sixty-seven percent of such fees charged in subsection (2) ~~((above))~~ of this section: PROVIDED, That the building fees for each academic year shall be ~~((three hundred and forty two dollars))~~ six percent of total tuition fees.

(4) For full time nonresident undergraduate students and such other full time nonresident students not in graduate study programs or enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, or doctor of veterinary medicine, the total tuition fees shall be one hundred percent of the per student undergraduate educational costs at the state universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each academic year shall be ~~((three hundred and fifty four dollars))~~ six percent of total tuition fees.

(5) For full time nonresident graduate students not enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total tuition fees shall be ~~((four thousand and seventy four dollars, and thereafter such fees shall be))~~ sixty percent of the per student graduate educational costs at the state universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each academic year shall be ~~((three hundred and fifty four dollars))~~ four percent of total tuition fees.

(6) For full time nonresident students enrolled in programs leading to the degree~~(s)~~ of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, the total tuition fees shall be one hundred sixty-seven percent of such fees charged in subsection (5) ~~((above))~~ of this section: PROVIDED, That the building fees for each academic year shall be ~~((five hundred and fifty five dollars.~~

~~(7)))~~ four percent of total tuition fees.

(7) The boards of regents of each of the state universities shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) through (6) hereof a services and activities fee which for each year of the 1981-83 biennium shall not exceed one hundred and thirty-eight dollars. In subsequent biennia the board of regents may increase the existing fee, consistent with budgeting procedures set forth in RCW 28B.15.045, by a percentage not to exceed the percentage increase in tuition fees authorized in subsection (1) ~~((above))~~ of this section: PROVIDED, That such percentage increase shall not apply to that portion of the services and activities fee previously committed to the repayment of bonded debt. The services and activities fee committee provided for in RCW 28B.15.045 may initiate a request to the governing board for a fee increase.

Sec. 13. RCW 28B.15.502 and 1991 c 353 s 2 are each amended to read as follows:

Tuition fees and services and activities fees at each community college other than ~~((at))~~ summer quarters shall be as follows:

(1) For full time resident students, the total tuition fees shall be twenty-three percent of the per student educational costs at the community colleges computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each academic year shall be ~~((one hundred and twenty seven dollars and fifty cents))~~ fifteen percent of tuition fees.

(2) For full time nonresident students, the total tuition fees shall be one hundred percent of the per student educational costs at the community colleges computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each academic year shall be ~~((four hundred and three dollars and fifty cents))~~ eleven percent of tuition fees.

(3) The boards of trustees of each of the state community colleges shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) and (2) ~~((hereof))~~ of this section a services and activities fee which for each year of the 1981-83 biennium shall not exceed sixty-four dollars and fifty cents. In subsequent biennia the board of trustees may increase the existing fee, consistent with budgeting procedures set forth in RCW 28B.15.045, by a percentage not to exceed the percentage increase in tuition fees authorized in subsection (1) above: PROVIDED, That such percentage increase shall not apply to that portion of the services and activities fee previously committed to the repayment of bonded debt. The services and activities fee committee provided for in RCW 28B.15.045 may initiate a request to the governing board for a fee increase.

(4) Tuition and services and activities fees consistent with the above schedule ~~((will))~~ shall be fixed by the state board for community and technical colleges for summer school students unless the community college charges fees in accordance with RCW 28B.15.515.

The board of trustees shall charge such fees for ungraded courses, noncredit courses, community services courses, and self-supporting short courses as it, in its discretion, may determine, not inconsistent with the rules and regulations of the state board for community ~~(college education)~~ and technical colleges.

Sec. 14. RCW 28B.15.402 and 1989 c 245 s 1 are each amended to read as follows:

Tuition fees and services and activities fees at the regional universities and The Evergreen State College for other than summer quarters or semesters shall be as follows:

(1) For full time resident undergraduate students and all other full time resident students not in graduate study programs, the total tuition fees shall be one-fourth of the per student undergraduate educational costs at the regional universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each academic year shall be ~~((seventy six dollars and fifty cents))~~ five percent of total tuition fees.

(2) For full time resident graduate students, the total tuition fees shall be twenty-three percent of the per student graduate educational costs at the regional universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each academic year shall be ~~((seventy six dollars and fifty cents))~~ three percent of total tuition fees.

(3) For full time nonresident undergraduate students and all other full time nonresident students not in graduate study programs, the total tuition fees shall be one hundred percent of the per student undergraduate educational costs at the regional universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each academic year shall be ~~((two hundred and ninety five dollars and fifty cents))~~ five percent of total tuition fees.

(4) For full time nonresident graduate students, the total of tuition fees shall be seventy-five percent of the per student graduate educational costs at the regional universities computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each academic year shall be ~~((two hundred and ninety five dollars and fifty cents))~~ four percent of total tuition fees.

(5) The boards of trustees of each of the regional universities and The Evergreen State College shall charge and collect equally from each of the students registering at the particular institution and included in subsections (1) through (4) ~~((hereof))~~ of this section a services and activities fee which for each year of the 1981-83 biennium shall not exceed one hundred eighty-four dollars and fifty cents. In subsequent biennia the board of trustees may increase the existing fee, consistent with budgeting procedures set forth in RCW 28B.15.045, by a percentage not to exceed the percentage increase in tuition fees authorized in subsection (1) ~~((above))~~ of this section: PROVIDED, That such percentage increase shall not apply to that portion of the services and activities fee previously committed to the repayment of bonded debt. The services and activities fee committee provided for in RCW 28B.15.045 may initiate a request to the governing board for a fee increase.

(6) Notwithstanding the provisions of RCW 28B.15.067, for the 1989-91 biennium the undergraduate and graduate cost relationship developed by the 1987 cost study for Central Washington University shall be used to establish tuition fees for the regional universities and The Evergreen State College.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 11, line 5 of the title amendment, after "28B.101.040," strike "and 28B.12.040" and insert "28B.12.040, 28B.15.202, 28B.15.502, and 28B.15.402"

Ms. H. Sommers spoke in favor of adoption of the amendment, it was adopted.

The Speaker stated the question before the House, the adoption of the floor striking amendment, as amended.

Representative Jacobsen and Wood spoke in favor of adoption of the amendment as amended; it was adopted.

The bill was ordered engrossed.

On motion of Mr. Ebersole, 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.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2729, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Brekke, Moyer - 02.

Engrossed Substitute House Bill No. 2729, having received the constitutional majority, was declared passed.

## MOTION

Mr. Ebersole moved that the House immediately consider Substitute Senate Bill No. 6138, on today second reading calendar.

SUBSTITUTE SENATE BILL NO. 6138, by Senate Committee on Law & Justice (originally sponsored by Senators Nelson, A. Smith, Erwin and Madsen)

Deleting obsolete references regarding district courts.

The bill was read the second time.

On motion of Mr. Dorn, 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.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6138, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Brekke, Moyer - 02.

Substitute Senate Bill No. 6138, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6140, by Senators Nelson, A. Smith, Erwin and Madsen

Recodifying the penalty for failure to comply with a written promise to appear after a traffic infraction.

The bill was read the second time.

On motion of Mr. Dorn, 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.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6140, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luvan, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Brekke, Moyer - 02.

Senate Bill No. 6140, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6141, by Senate Committee on Law & Justice (originally sponsored by Senators Erwin, A. Smith, Madsen and Gaspard)

Allowing an antiharassment action to be brought in the appropriate judicial district.

The bill was read the second time.

On motion of Mr. Ebersole, 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.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6141, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo,

Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Brekke, Moyer - 02.

Substitute Senate Bill No. 6141, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6174, by Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Rasmussen, Thorsness, Erwin, Bailey and Jesernig)

Providing for counseling of family members of homicide victims.

The bill was read the second time.

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

Mr. Padden 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. 6174, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Brekke, Moyer - 02.

Engrossed Substitute Senate Bill No. 6174, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6186, by Senate Committee on Ways & Means (originally sponsored by Senators Nelson, Johnson, Niemi, Craswell, Rasmussen, Moore, Snyder, Oke, Bauer, Gaspard, Saling and Bailey; by request of Joint Committee on Pension Policy)

Authorizing service credit for periods of unpaid leaves of absence for elected officials of a Washington education association.

The bill was read the second time.

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

Representatives Hine and Silver spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6186, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Brekke, Moyer - 02.

Substitute Senate Bill No. 6186, having received the constitutional majority, was declared passed.

#### AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Basich, Haugen, Hochstatter, Inslee, R. King, Mielke, Prince, Silver, and Sprenkle. On motion of Ms. G. Cole, Representative Brekke was excused. On motion of Mr. Vance, Representative Moyer was excused.

#### MESSAGE FROM THE SENATE

March 3, 1992

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2261,  
HOUSE BILL NO. 2294,  
SUBSTITUTE HOUSE BILL NO. 2391,  
HOUSE BILL NO. 2662,  
SUBSTITUTE HOUSE BILL NO. 2735,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Dorn moved that we immediately consider Engrossed Substitute Senate Bill No. 6326, on the second reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6326, by Senate Committee on Education (originally sponsored by Senators Gaspard, Bailey, Rinehart and Bauer)

Changing the Washington award for excellence.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 45th Day, February 26, 1992.)

Mr. G. Fisher moved adoption of the committee amendments and spoke in favor of there adoption. They were adopted.

With consent of the House the committee amendment to the title was adopted.

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

Mr. G. 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. 6326 as amended by the House, and the bill passed the House by the following vote: Yeas - 88, Nays - 0, Absent - 8, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Heavey, Hine, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Basich, Haugen, Hochstatter, King, R., Mielke, Prince, Silver, Sprengle - 08.

Excused: Representatives Brekke, Moyer - 02.

Engrossed Substitute Senate Bill No. 6326, as amended by the House, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) called upon Representative R. Meyers to preside.

SENATE BILL NO. 6220, by Senators Oke, Bailey, Rinehart, Craswell, Erwin, Pelz, Murray and Conner

Changing provisions in the schools for the twenty-first century program.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 45th Day, February 26, 1992.)

Mr. Peery moved adoption of the committee amendments.

Ms. Brough moved adoption of the following amendment, to the committee amendment:

On page 3, after line 17, insert:

"Sec. 3. RCW 28A.410.040 and 1990 c 33 s 406 are each amended to read as follows:

(1) The state board of education shall adopt rules providing that, except as provided in this section, all individuals qualifying for an initial-level teaching certificate after August 31, 1992, shall possess a baccalaureate degree in the arts, sciences, and/or humanities and have fulfilled the requirements for teacher certification pursuant to RCW 28A.305.130 (1) and (2). ~~((The state board of education shall develop and adopt rules establishing baccalaureate degree equivalency standards for certification of vocational instructors performing instructional duties and acquiring initial level certification after August 31, 1992.))~~ However, candidates for grades preschool through eight certificates shall have fulfilled the requirements for a major as part of their baccalaureate degree. if the major is in early childhood education, elementary education, or special education, the candidate must have at least thirty quarter hours or twenty semester hours in one academic field.

(2) ~~((The state board of education shall study the impact of eliminating the major in education under subsection (1) of this section and submit a report to the legislature by January 15, 1990. The report shall include a recommendation on whether the major in education under subsection (1) of this section should be eliminated.~~

~~(3)) The initial certificate shall be valid for ((two years.~~

(4) ~~Certificate holders may renew the certificate for a three year period by providing proof of acceptance and enrollment in an approved masters degree program. A second renewal, for a period of two years, may be granted upon recommendation of the degree granting institution and if the certificate holder can demonstrate substantial progress toward the completion of the masters degree and that the degree will be completed within the two year extension period. Under no circumstances may an initial certificate be valid for)) a period of no more than seven years. The initial certificate may be reinstated pursuant to state board of education rules.~~

Sec. 4. RCW 28A.410.050 and 1989 c 29 s 2 are each amended to read as follows:

~~((1) The state board of education shall implement rules providing that all teachers performing instructional duties and acquiring professional level certificate status after August 31, 1992, shall possess, as a requirement of professional status, a masters degree in teaching, or a masters degree in the arts, sciences, and/or humanities.~~

(2)) the state board of education shall develop and adopt rules establishing baccalaureate and masters degree equivalency standards for vocational instructors performing instructional duties and acquiring ~~((professional level))~~ certification after August 31, 1992."

On page 3, line 23, after "28A.630 RCW" insert ";amending RCW 28A.410.040 and 28A.410.050"

#### POINT OF ORDER

Mr. Peery: Mr. Speaker (Mr. R. Meyers presiding), I would like a ruling on scope and object of this amendment:

With consent of the House, will defer consideration of Senate Bill No. 6220 and it will hold its place on the second reading calendar.

#### POINT OF ORDER

Mr. Ballard: Mr. Speaker (Mr. R. Meyers presiding), Under the rules address the fact, once debate has started, and then somebody calls for a point of order, after debate has started.

Mr. Speaker (Mr. R. Meyers presiding): Mr. Ballard your point of order would have been well taken if Ms. Brough had started debate, and she had not been recognized for purpose of debate, and therefor the point of order was entirely appropriate.

SENATE BILL NO. 6357, by Senator Metcalf

Making technical changes to statutes concerning solid waste and recycling.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6357, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Brekke, Moyer - 02.

Senate Bill No. 6357, having received the constitutional majority, was declared passed.

SENATE CONCURRENT RESOLUTION NO. 8422, by Senators Hayner, Gaspard, Cantu, Rinehart, von Reichbauer and Bauer

Endorsing the Council on Education Reform and Funding's goals and mission.

With consent of the House, the rules were suspended, the second reading considered the third and placed on final passage.

Representatives G. Fisher and Vance spoke in favor of adoption of the resolution.

#### ROLL CALL

The Clerk called the roll on the adoption of Senate Concurrent Resolution No. 8422, and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Broback, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Brough - 01.

Excused: Representatives Brekke, Moyer - 02.

Senate Concurrent Resolution No. 8422, having received the constitutional majority, was adopted.

SENATE BILL NO. 6276, by Senators Snyder and Nelson

Providing compensation limits for district judges vacating office.

The bill was read the second time.

With consent of the House, 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.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6276, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Brekke, Moyer - 02.

Senate Bill No. 6276, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6055, by Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Madsen and Newhouse)

Providing for the use as evidence the reports by or testimony from criminologists of the state's crime laboratory.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 38th Day, February 19, 1992.)

Mr. Appelwick moved adoption of the committee amendment and spoke in favor. It was adopted.

Mr. Ludwig moved adoption of the following striking amendment:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 43.43 RCW to read as follows:

(1) In all prosecutions involving the analysis of a controlled substance or a sample of a controlled substance by the crime laboratory system of the state patrol, a certified copy of the analytical report signed by the supervisor of the state patrol's crime laboratory or the forensic scientist conducting the analysis is prima facie evidence of the results of the analytical findings.

(2) The defendant or a prosecutor may subpoena the forensic scientist who conducted the analysis of the substance to testify at the preliminary hearing and trial of the issue at no cost to the defendant, if the subpoena is issued at least ten days prior to the trial date.

NEW SECTION. Sec. 2. (1) When a person has been adjudged guilty of violating any criminal statute of this state and a crime laboratory analysis was performed by a state crime laboratory, in addition to any other disposition,



penalty, or fine imposed, the court shall levy a crime laboratory analysis fee of one hundred dollars for each offense for which the person was convicted. Upon a verified petition by the person assessed the fee, the court may suspend payment of all or part of the fee if it finds that the person does not have the ability to pay the fee.

(2) When a minor has been adjudicated a juvenile offender for an offense which, if committed by an adult, would constitute a violation of any criminal statute of this state and a crime laboratory analysis was performed, in addition to any other disposition imposed, the court shall assess a crime laboratory analysis fee of one hundred dollars for each adjudication. Upon a verified petition by a minor assessed the fee, the court may suspend payment of all or part of the fee if it finds that the minor does not have the ability to pay the fee.

(3) All crime laboratory analysis fees assessed under this section shall be collected by the clerk of the court and forwarded to the state general fund, to be used only for crime laboratories. The clerk may retain five dollars to defray the costs of collecting the fees.

NEW SECTION. Sec. 3. Sections 1 and 2 of this act are each added to chapter 43.43 RCW.

On page 1, line 1 of the title, after "patrol;" strike the remainder of the title and insert "adding new sections to chapter 43.43 RCW; and prescribing penalties."

The amendment was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Appelwick and Padden spoke in favor of passage of the bill as amended by the House.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6055 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Häugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Brekke, Moyer - 02.

Substitute Senate Bill No. 6055 as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6159, by Senator Oke

Reorganizing the recreational boating code.

The bill was read the second time.

Ms. Bowman moved adoption of the following amendment:

On page 3, after line 10, insert:

"NEW SECTION. Sec. 2. A new section is added to chapter 88.12. RCW as follows:

(1) It is an infraction for any person to operate a personal watercraft on any lake unless:

- (a) The lake is free of milfoil; and
- (b) Landowners living within one quarter mile of the lake shore have approved by 60% a resolution approving the operation of personal watercraft subject to the terms of the resolution; and
- (c) The personal watercraft must have a muffling device which blends the exhaust and motor noise in such a manner so as to preclude excessive or unusual noise and which shall effectively limit such noise at a level of eighty decibels, or below, on the "A" scale at fifty feet, under testing procedures as established by the department of health. This section shall not affect the power of the department of health to adopt noise performance standards for personal watercraft. Noise performance standards adopted or to be adopted by the department of health shall be in addition to the standards contained in this section, but the department's standards shall supersede this section to the extent of any inconsistency.

#### POINT OF ORDER

Mr. Heavey: Mr. Speaker (Mr. R. Meyers presiding), I would ask for a ruling on scope and object of this amendment.

With consent of the House we will defer consideration of Senate Bill No. 6159, pending a ruling on scope and object.

#### MOTION

Mr. Dorn moved that we immediately consider Engrossed Substitute Senate Bill No. 5092 and the bills that following, on the second reading suspension calendar.

Ms. Bowman moved that Representative Betrozoff be excused.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5092, by Senate Committee on Ways & Means (originally sponsored by Senators Roach, Snyder, Stratton, Amondson, L. Kreidler, McCaslin, Erwin, Newhouse, Niemi, Sellar, Craswell, Gaspard, Hayner, Skratek, L. Smith, Talmadge, Oke, Bauer, Rasmussen, Thorsness, Johnson, Wojahn, Cantu and West)

Continuing retirement system membership while on active duty in operation Desert Shield.

The bill was read the second time. Committee on Appropriations recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 45th Day, February 26, 1992.)

Mr. Cooper moved adoption of the committee amendment. The committee amendment was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Cooper 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. 5092 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Engrossed Substitute Senate Bill No. 5092 as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5105, by Senators Rasmussen, Moore and West

Revising collective bargaining provisions for superior court employees.

The bill was read the second time.

Ms. G. Cole moved adoption of the committee recommendation. They were adopted.

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

Representatives G. Cole and Cooper spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5105, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Senate Bill No. 5105, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5342, by Senate Committee on Commerce & Labor (originally sponsored by Senators Matson, Anderson, Owen, McCaslin and Oke)

Authorizing payment by annuity by self-insured employers.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 28, 1992.)

Ms. G. Cole moved the adoption of the committee amendments. They were adopted.

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

Representatives G. Cole, Inslee, Cooper and Peery spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5342 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Berozoff, Moyer - 02.

Substitute Senate Bill No. 5342 as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5425, by Senate Committee on Transportation (originally sponsored by Senator Owen)

Permitting old vehicles to have blue dot taillights.

The bill was read the second time.

Ms. R. Fisher moved that the committee recommendations be adopted. They were adopted.

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

Representatives R. Fisher and Cooper spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5425; and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn,

Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Van Luven - 01.

Excused: Representatives Betrozoff, Moyer - 02.

Substitute Senate Bill No. 5425, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5465, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators West, Moore, Conner, McDonald, Newhouse, Nelson, Bluechel, Johnson, Niemi, Wojahn and von Reichbauer)

Concerning the ratio of pharmacy assistants.

The bill was read the second time.

Mr. Braddock moved the committee recommendation and they were 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. G. Fisher spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5465, and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Sommers, H. - 01.

Excused: Representatives Betrozoff, Moyer - 02.

Substitute Senate Bill No. 5465, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5510, by Senators Rasmussen, Moore, Nelson, Bauer, Saling and L. Smith

Allowing for restoration of withdrawn contributions in annual installments to the Washington public employees' retirement system.

The bill was read the second time. Committee on Appropriations recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 28, 1992.)

Ms. Spanel moved adoption of the committee amendments, and they were adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5510 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Senate Bill No. 5510 as amended by the House, having received the constitutional majority, was declared passed.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5526, by Senate Committee on Commerce & Labor (originally sponsored by Senators Bauer, Newhouse, Moore, Nelson and Johnson)

Governing employee noncompetition clauses.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, Day, February 1992.)

Ms. G. Cole moved adoption of the committee amendments, and they were adopted.

On motion of Ms. G. Cole, the rules were suspended, the second reading considered the third, and placed on final passage.

Representatives G. Cole and Cooper spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5526 as amended by the House, and the bill passed the House by the following vote:

Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Berozoff, Moyer - 02.

Second Engrossed Substitute Senate Bill No. 5526 as amended by the House, having received the constitutional majority, was declared passed.

## MOTION

Mr. Dorn moved that we defer consideration of Substitute Senate Bill No. 5557, and that it hold its place on the suspension calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5727, by Senate Committee on Governmental Operations (originally sponsored by Senators Amondson, Vognild, Owen, Stratton, McCaslin, West and Johnson)

Altering interim zoning by permit-granting agencies.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 28, 1992.)

Ms. Haugen moved adoption of the committee amendments, and they were adopted.

On motion of Ms. Haugen, the rules were suspended, the second reading considered the third and the bill be placed on final passage.

Representatives Haugen, Ferguson and Cooper 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. 5727 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher,

Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Engrossed Substitute Senate Bill No. 5727 as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5986, by Senate Committee on Law & Justice (originally sponsored by Senators Wojahn, Newhouse and Rasmussen)

Expanding the duties of tenants under the landlord-tenant act.

The bill was read the second time. Committee on Housing recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 28, 1992.)

Mr. Nelson moved adoption of the committee amendments, and they were adopted.

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

Representatives Nelson and Mitchell 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. 5986 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Engrossed Substitute Senate Bill No. 5986 as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6008, by Senator Roach

Repealing RCW 11.92.095.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 38th Day, February 19, 1992.)

Mr. Ludwig moved adoption of the committee amendments, and they were adopted.



On motion of Mr. Ludwig, the rules were suspended, the second reading consider the third and the bill was placed on finale passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6008 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Engrossed Senate Bill No. 6008 as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6010, by Senators Bauer, Johnson, Craswell, L. Smith and Oke

Exempting church day cares from the business and occupation tax.

The bill was read the second time.

Mr. Wang moved adoption of the committee recommendations, and they were adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6010, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Senate Bill No. 6010, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6027, by Senators Barr, Gaspard, Sellar, Bauer, Conner, Rasmussen, Bailey and Jesernig

Funding horticultural nursery research.

The bill was read the second time.

Ms. Rayburn moved adoption of the committee recommendation, and it was adopted.

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

Representatives Rayburn and 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. 6027, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Engrossed Senate Bill No. 6027, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6028, by Senators Barr, Madsen, Williams and Erwin; by request of Jnt Sel Com on Water Resource Policy

Authorizing cities and towns to issue revenue bonds for financing water conservation programs.

The bill was read the second time.

Ms. Haugen moved adoption of the committee recommendation, and they were adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6028, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Engrossed Senate Bill No. 6028, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6042, by Senate Committee on Law & Justice (originally sponsored by Senators Nelson and Rasmussen)

Revising the Washington condominium act.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 40th Day, February 21, 1992.)

Mr. Appelwick moved adoption of the committee 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.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6042 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Substitute Senate Bill No. 6042 as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Dorn moved that we refer Senate Bill No. 6070, to the Rules committee. The motion carried.

SENATE BILL NO. 6074, by Senators Conner, Owen, Sutherland, Snyder, Amondson, Anderson, Bauer, McMullen and Erwin

Providing additional unemployment insurance benefits.

The bill was read the second time.

Ms. G. Cole moved adoption of the committee recommendation, and they were adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6074, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Berozoff, Moyer - 02.

Senate Bill No. 6074, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6076, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators West, M. Kreidler, Amondson and Barr; by request of Department of Health)

Modifying rural health facility certificate of need provisions.

The bill was read the second time.

Mr. Braddock moved adoption of the committee recommendation, and it 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. 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. 6076, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Substitute Senate Bill No: 6076, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6085, by Senate Committee on Governmental Operations (originally sponsored by Senators Bauer, McCaslin, Sutherland, Sellar, Madsen and Vognild)

Providing for waiver of review of water and sewer extensions by boundary review board.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 28, 1992.)

Ms. Haugen moved adoption of the committee amendments, and they were adopted.

On motion of Ms. Haugen, 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. 6085 as amended by the House, and the bill passed the House by the following vote:

Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Substitute Senate Bill No. 6085 as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6086, by Senate Committee on Governmental Operations (originally sponsored by Senators McCaslin, M. Kreidler, Oke and Bauer; by request of Department of Veterans Affairs)

Changing provisions relating to the veterans affairs advisory committee.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 28, 1992.)

Mr. Anderson moved adoption of the committee amendments, and they were adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6086 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betrozoff, Moyer - 02.

Substitute Senate Bill No. 6086 as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6120, by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators A. Smith and von Reichbauer)

Regulating the relationship between a sales representative and the representative's principal.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 28, 1992.)

Ms. G. Cole moved adoption of the committee amendments, and they were adopted.

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

Representatives G. Cole and Cooper spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6120 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Betzoff, Moyer - 02.

Substitute Senate Bill No. 6120 as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

### MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Wednesday, March 4, 1992.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FIFTY-SECOND DAY****MORNING SESSION**

House Chamber, Olympia, Wednesday, March 4, 1992.

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 Casada and Ludwig. On motion of Ms. G. Cole, Representative Ludwig was excused. On motion of Mr. Vance, Representative Casada was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kelvin McDaniel and Justin Scott. Prayer was offered by Reverend Robert Cassis, Minister of South Sound Presbyterian Church of Olympia.

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

**MESSAGE FROM THE SENATE**

March 3, 1992

MR. SPEAKER:

The Senate has failed to pass HOUSE BILL NO. 2930.

and the same is  
herewith transmitted.

W.D. Naismith, Deputy Secretary.

**MESSAGE FROM THE SENATE**

March 3, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2330  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2333  
HOUSE BILL NO. 2358  
HOUSE BILL NO. 2371  
HOUSE BILL NO. 2516  
HOUSE BILL NO. 2543  
SUBSTITUTE HOUSE BILL NO. 2560  
SUBSTITUTE HOUSE BILL NO. 2673  
SUBSTITUTE HOUSE BILL NO. 2745  
SUBSTITUTE HOUSE BILL NO. 2768

and the same are



herewith transmitted.

W. D. Naismith, Deputy Secretary.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS

HB 2999 by Representatives Nelson, Bowman, Anderson and Paris

AN ACT Relating to state publications; adding a new section to chapter 40.07 RCW; adding a new section to chapter 44.04 RCW; and adding a new section to chapter 2.56 RCW.

Referred to Committee on State Government.

HJM 4041 by Representatives Jones, Nelson, Haugen, Ferguson, Miller, Prentice, Leonard, Mitchell, Vance, Valle, G. Cole, G. Fisher, Hargrove, Ballard, Dellwo and Paris

Advocating improved zoning regulations concerning day care facilities.

Referred to Committee on Local Government.

HCR 4431 by Representatives Spanel, Hine, Silver, Locke, McLean, Paris and Rayburn

Creating a task force to study supplementary benefits for retired teachers and public employees.

Referred to Rules Review.

HCR 4432 by Representatives Jacobsen, Wood, Heavey, Fuhrman and Paris

Requesting a study concerning high technology education.

Referred to Rules Review.

MOTION

On motion of Mr. Dorn, the bills, memorials and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

MOTION

With consent of the house, we will revert to the eighth order of business.

HOUSE RESOLUTION NO. 92-4756, by Representatives Fraser, Belcher, Brumsickle, Bowman, P. Johnson, Sheldon, Jacobsen, Prentice and Prince

WHEREAS, Citizens and organizations of Olympia and the state capital area and the state supported the formation of and contributed to the longstanding success of the State Capital Historical Association and Museum; and

WHEREAS, Clarence Lord, former businessman and mayor of Olympia, and his family donated their home and grounds to the state of Washington to be used as a public facility for the enjoyment and education of the state citizens and to be held in trust by the State Capital Historical Association; and

WHEREAS, The Washington State legislature authorized the formation of the State Capital Historical Association by House Bill No. 172 on January 31, 1941, for the preservation and interpretation of Washington State history; and

WHEREAS, The proposed legislation was passed by the legislature and signed into law by Governor Arthur Langlie on March 5, 1941; and

WHEREAS, The Washington State Capital Historical Association has served the community and state by collecting, preserving, and interpreting the political history and culture of what is now Washington State, since March 1942; and

WHEREAS, The Washington State Capital Historical Association is celebrating its Fiftieth Anniversary during 1992;

NOW, THEREFORE, BE IT RESOLVED, That March 5, 1992, be declared Washington State Capital Museum Day and that the Washington State House of Representatives commend the Association for its fine work for the past fifty years and encourage our citizens to continue to support and visit the Washington State Capital Museum.

Ms. Fraser moved adoption of the resolution. Representatives Fraser and Jacobsen spoke in favor of the resolution.

House Resolution No. 92-4756 was adopted.

HOUSE RESOLUTION NO. 92-4759, by Representatives Basich, Brumsickle, Dorn, Kremen, Wineberry, Leonard, Heavey, G. Cole, McLean, Rasmussen, Franklin, Rayburn, Hochstatter, Belcher, Winsley, O'Brien, Jacobsen, Ludwig, Pruitt, Riley, Miller, Bray, R. Johnson, Vance, Lisk, J. Kohl, Hargrove, Spanel, Van Luven, G. Fisher, Fraser, Jones, Paris, Ogden, Wilson, Roland, Wynne, Sheldon, Morris, R. King, Nelson, Valle, Anderson, Inslee, Ferguson, Appelwick, Neher, Mielke, Tate, Peery, Beck and Hine

WHEREAS, The House of Representatives, by House Resolution No. 91-4714, unanimously adopted on June 28, 1991, a self-esteem resolution that focused on parents and schools and defined self-esteem as "appreciating my own worth and importance and having the character to be accountable for myself and to act responsibly toward others"; and

WHEREAS, House Resolution No. 91-4714 further declared that a lack of self-esteem to be central to most personal and social issues facing citizens of this state and a strong social vaccine against crime, violence, and substance abuse; and

WHEREAS, Current research on delinquency prevention and substance abuse has added to our body of knowledge that a strong self worth and an attachment to family, school, and community is an effective antidote against a life of crime, anti-social and destructive behavior, gangs, domestic violence, and prostitution; and

WHEREAS, Lack of self-esteem is a causal factor in educational failure and that failure to learn can be catastrophic for the individual and staggering in its cost to society; and

WHEREAS, Families are the most crucial ingredient in nurturing a sense of self-esteem, and social service agencies or programs which provide support services can enhance family efforts to build self-esteem; and

WHEREAS, Being dependent on social services can be destructive to self-esteem, encourage learned helplessness, and undermine one's efforts to be personally and socially responsible unless assistance is administered in a way that is sensitive to every person's need for dignity and respect;

NOW, THEREFORE, BE IT RESOLVED, That every individual citizen, social service organization, school, family, and community, is strongly urged by the House of Representatives to make a commitment, both individually and collectively, to preventing delinquency and substance abuse among youth in this state and to actively contribute of ourselves, our time and our experience to this purpose; and

BE IT FURTHER RESOLVED, That every person, group, institution, program, and publication who are involved in operating programs or otherwise seeking to address in either preventative or curative ways the many social problems which plague our nation is strongly urged by the House of Representatives to adopt the promotion of self-esteem and personal and social responsibility as a clearly stated goal; and

BE IT FURTHER RESOLVED, That every adult citizen, both individually and as groups, is strongly urged to practice lawful behavior on a daily basis and be cognizant that we are role models for young people in this state; and

BE IT FURTHER RESOLVED, That every citizen of this state is strongly urged to actively and openly practice decision-making skills that resolve problems in a responsible manner and make a commitment to helping young people learn these skills; and

BE IT FURTHER RESOLVED, That every parent has an obligation to teach skills and values which foster self worth and individual responsibility, that balance individual and community needs, that offer opportunities to practice self control and effective communication, and emulate lawful behavior; and

BE IT FURTHER RESOLVED, That every business has a civic duty to provide opportunities that enable youth to develop practical work skills and ethics, to earn an income commensurate with the work involved, and provide paths for youth toward lawful, responsible existence in their communities; and

BE IT FURTHER RESOLVED, That communities and schools have a social responsibility to provide opportunities which enable youth to practice lawful behavior, achieve academic success, and engage in social and recreational activities that promote self-esteem, individual accomplishment and contribution, sportsmanship, and connection to community; and

BE IT FURTHER RESOLVED, That programs and agencies which are seeking to address social problems act in a coordinated fashion, building upon existing efforts of interagency cooperation, in order to enhance delivery of services and the promotion of self-esteem; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the superintendent of public instruction, the secretary of the department of social and health services, the commissioner of the employment security department, the director of the department of labor and industries, the secretary of the department of corrections, and the secretary of the department of health, the association of Washington businesses for distribution to local chamber of commerce groups, associations of Washington cities and counties, the Washington educational association, the Washington school directors association, the Washington association of superintendents, and the association of Washington school principals.

Mr. Basich moved adoption of the resolution. Representatives Basich, Brumsickle and Wineberry spoke in favor of passage of the resolution.

House Resolution No. 92-4759 was adopted.

The Speaker (Mr. O'Brien presiding) called upon Representative R. Meyers to preside.

#### MOTION

On motion of Mr. Ebersole, that the House immediately take up consideration of the Suspension Calendar, beginning with Substitute Senate Bill No. 6146. The motion was carried.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 6146, by Senate Committee on Ways & Means (originally sponsored by Senators McDonald, Gaspard; Craswell and Niemi; by request of Department of Community Development)

Allocating moneys for public works projects recommended by the public works board.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk call the roll on the final passage of Substitute Senate Bill No. 6146, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Casada, Ludwig - 02.

Substitute Senate Bill No. 6146, having received the constitution majority, was declared passed.

ENGROSSED SENATE BILL NO. 6161, by Senators Oke and Sutherland; by request of Department of Natural Resources

Allowing the nonpermanent disposition of public lands.

The bill was read the second time. Committee on Natural Resources & Parks recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Braddock moved the adoption of the committee recommendation. It 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.

Representatives G. Cole and Belcher spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6161, as amended by the House, the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Casada, Ludwig - 02.

Engrossed Senate Bill No. 6161, as amended by the House, having received the constitution majority, was declared passed.

ENGROSSED SENATE BILL NO. 6184, by Senators Newhouse, Bauer, Anderson, Gaspard, Snyder, West, Johnson and L. Smith

Revising provisions for the regulation of real estate brokers and salespersons.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6184, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen,

Leonard, Lisk, Locke, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Casada, Ludwig - 02.

Engrossed Senate Bill No. 6184, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Mr. Ebersole, that Substitute Senate Bill No. 6191 and Substitute Senate Bill No. 6192, be referred back to the Rule Committee. The motion was carried.

#### AFTERNOON SESSION

#### MOTION

On motion of Mr. Dorn, that the House immediately consider Substitute Senate Bill No. 6193, on the Suspension Calendar.

**SUBSTITUTE SENATE BILL NO. 6193, by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer and Pelz)**

Providing for stop loss insurance.

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.

Representative G. Cole moved that Representative Ludwig be excused. Representative Vance moved that Representatives Casada and Wood be excused.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6193, and the bill passed the House by the following vote: Yeas - 88, Nays - 0, Absent - 8, Excused - 2.

Voting yeas: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insole, Jacobsen, Johnson P., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Appelwick, Fuhrman, Johnson R., Kohl, J., Locke, Prentice, Schmidt, Sommers, H.  
- 08.

Excused: Representatives Casada, Wood - 02.

Substitute Senate Bill No. 6193, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6199, by Senators Sutherland and Snyder

Adopting the Boating Offense Compact.

The bill was read the second time.

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

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

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6199, and the bill passed the House by the following vote: Yeas - 92, Nays - 0, Absent - 4, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Appelwick, Locke, Prentice, Sommers, H. - 04.

Excused: Representatives Casada, Wood - 02.

Senate Bill No. 6199, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6212, by Senators Anderson, Bailey, Barr, Gaspard, Newhouse, Sellar, Jesernig and Bauer

Authorizing the fruit commission to change assessments for fruits and classifications.

The bill was read the second time.

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

Representatives Rayburn, Cooper and Anderson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6212, and the bill passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 3, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Appelwick, Prentice, Sommers, H. - 03.

Excused: Representatives Casada, Wood - 02.

Senate Bill No. 6212, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6213, by Senator Roach

Setting certain special election dates.

The bill was read the second time.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6213, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 1, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Appelwick - 01.

Excused: Representatives Casada, Wood - 02.

Senate Bill No. 6213, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6221, by Senators Oke, Snyder, Bailey, Erwin and Bauer

Regulating the harvest of western Washington pheasants.



The bill was read the second time. Committee on Fisheries & Wildlife recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

The bill was read the second time.

Mr. R. King moved adoption of the committee amendment. It was adopted

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

Mr. R. King spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No.6221 as amended by the House, and the bill passed the House by the following vote: Yeas - 92, Nays - 3, Absent - 1, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Carlson, McLean, Vance - 03.

Absent: Representative Appelwick - 01.

Excused: Representatives Casada, Wood - 02.

Senate Bill No. 6221 as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6226, by Senators McCaslin, Madsen and Conner

Changing the standards for the investment of the moneys of the firemen's pension fund.

The bill was read the second time.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6226, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 1, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Appelwick - 01.

Excused: Representatives Casada, Wood - 02.

Senate Bill No. 6226, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6241, by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Moore and Newhouse)

Allowing certain tax-exempt organizations to insure the life of a person.

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.

Representatives Dellwo and Broback spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6241, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 1, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Appelwick - 01.

Excused: Representatives Casada, Wood - 02.

Substitute Senate Bill No. 6241, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6270, by Senators Newhouse, Niemi, Anderson, McMullen and Thorsness; by request of Task Force on City/County Finances

Modifying municipal criminal justice account distribution.

The bill was read the second time.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6270, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 1, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslie, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Appelwick - 01.

Excused: Representatives Casada, Wood - 02.

Senate Bill No. 6270, having received the constitutional majority, was declared passed.

Representative G. Cole, moved that Representative Anderson be excused.

SENATE BILL NO. 6289, by Senators Bauer, Sellar, Gaspard, Newhouse, Sutherland, Snyder, Owen, Madsen, McMullen, Vognild and Rasmussen

Requiring agencies to accept fax and phone comments at rule-making hearings.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Pruitt moved adoption of the committee amendment. It was adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6289 as amended by the House, and the bill passed the House by the following vote: Yeas - 95, Nays - 0,

Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Senate Bill No. 6289 as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved, that the House defer consideration of Engrossed Senate Bill No. 6292, and that the bill hold its place on the second reading calendar.

SENATE BILL NO. 6295, by Senators Erwin, A. Smith, M. Kreidler, Newhouse, Nelson, Rasmussen, McCaslin and von Reichbauer

Enabling a court to sentence a person convicted of driving under the influence to attend a panel of victims of similar crimes.

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. Appelwick spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6295, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Senate Bill No. 6295, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6296, by Senators West, Niemi, Amondson, Stratton, Newhouse, M. Kreidler, Wojahn, Gaspard and Pelz

Authorizing infant mortality reviews.

The bill was read the second time. Committee on Health Care recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Day moved adoption of the committee amendment. It was adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6296 as amended by the House, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Senate Bill No. 6296 as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6306, by Committee on Transportation (originally sponsored by Senator Snyder)

Funding the Puget Island ferry.

The bill was read the second time.

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

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6306, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Substitute Senate Bill No. 6306, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6321, by Senate Committee on Governmental Operations (originally sponsored by Senators Skratek, Metcalf, Gaspard and von Reichbauer)

Regulating local government whistleblower programs.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Ms. Haugen moved adoption of the committee amendment. It was adopted.

On motion of Ms. Haugen, 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. 6321 as amended by the House, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Substitute Senate Bill No. 6321 as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6327, by Senate Committee on Education (originally sponsored by Senators Gaspard, Bailey, Johnson, Jesernig, Murray, Pelz, Anderson, von Reichbauer, Skratek, McMullen, Bauer, Erwin, Rinehart and Roach)

Providing awards for excellence in education for classified employees.

The bill was the second time.

On motion of Mr. G. Fisher, 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. 6327, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Substitute Senate Bill No. 6327, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6329, by Senators Nelson and Rasmussen

Repealing obsolete sections in the Revised Code of Washington.

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. Appelwick spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6329, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Senate Bill No. 6329, having received the constitutional majority, was declared passed.

The Speaker resumed the chair.

SENATE BILL NO. 6159, by Senator Oke

Reorganizing the recreational boating code.

The House resumed consideration of Senate Bill No. 6159 on second reading. (For previous action, see Journal, 51st Day, March 3, 1992, Afternoon Session.)

#### SPEAKER'S RULING

The Speaker: Representative Heavey, the Speaker has examined, and it is not a difficult ruling, the original bill simply recodifies chapters on recreational boating code, and puts it into a single section. The amendment does a lot more than that. It is clearly not within the scope and object of the bill. Your point Representative Heavey, is well taken.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

With consent of the House we will defer consideration of Senate Bill No. 6159.

SENATE BILL NO. 6220, by Senators Oke, Bailey, Rinehart, Craswell, Erwin, Pelz, Murray and Conner

Changing provisions in the schools for the twenty-first century program.

The House resumed consideration of Senate Bill No. 6220. (For previous action, see Journal, 51st Day, March 3, 1992)

#### SPEAKER'S RULING

The Speaker: Representative Peery, the bill deals with the schools for the twenty-first century program. The amendment deals with qualifications for teaching certificates. The Speaker finds the amendment does not deal with the schools for the twenty-first century program. Your point is well taken Representative Peery, the amendment is out of order.



The Speaker stated the question before the House, is adoption of the committee amendment.

Mr. Peery moved adoption of the amendment, and spoke in favor of it. It was adopted.

With consent of the House, the rules were suspended the second reading considered the third, and the bill was placed on final passage.

Representatives Peery 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. 6220 as amended by the House, and the bill passed the House by the following vote: Yeas - 94, Nays - 1, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Myers, H. - 01.

Excused: Representatives Anderson, Casada, Wood - 03.

Senate Bill No. 6220 as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Mr. Dorn, the House immediately consider Substitute Senate Bill No. 5557, on the suspension calendar. The motion was carried.

The Speaker called upon Representative R. Meyers to preside.

**SUBSTITUTE SENATE BILL NO. 5557**, by Senate Committee on Governmental Operations (originally sponsored by Senators Nelson and Sutherland)

Modifying requirements for recording of surveys.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Ms. Haugen moved that the committee amendment be adopted. It was adopted.

On motion of Ms. Haugen, 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. Mr. Heavey spoke against. Representatives Cooper and Nealey spoke in favor. Mr. Heavey again spoke against. Representatives Betrozoff and Ferguson spoke in favor. Ms. Haugen again spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5557 as amended by the House, and the bill passed the House by the following vote: Yeas - 87, Nays - 8, Absent - 0, Excused - 3.

Voting yea: Representatives Ballard, Basich, Beck, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cooper, Day, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Appelwick, Belcher, Cole, G., Dellwo, Heavey, Peery, Prentice, Scott - 08.

Excused: Representatives Anderson, Casada, Wood - 03.

Substitute Senate Bill No. 5557 as amended by the House, having received the constitutional majority, was declared passed.

#### ENGROSSED SENATE BILL NO. 6128, by Senators Owen and Amondson

Regarding erosion of shoreline uplands used for residential purposes.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Ms. Rust moved adoption of the committee amendment. It was adopted.

On motion of Ms. Rust, the rules were suspended, the second reading considered the third, and the bill was 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 Engrossed Senate Bill No. 6128 as amended by the House, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt,

Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Engrossed Senate Bill No. 6128 as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6132, by Senate Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, Owen, Oke, M. Kreidler, Snyder and Conner; by request of Puget Sound Water Quality Authority)

Modifying shellfish protection.

The bill was read the second time.

On motion of Ms. Belcher, 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 Engrossed Substitute Senate Bill No. 6132, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Engrossed Substitute Senate Bill No. 6132, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6292, by Senators Bauer, Newhouse, Thorsness, Moore and Vognild

Expanding the sales opportunities of licensed brewers and domestic wineries.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Ms. G. Cole moved adoption of the committee amendment. It was adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6292 as amended by the House, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Engrossed Senate Bill No. 6292 as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved, that the House consider House Bill No. 2386, on the regular second reading calendar.

HOUSE BILL NO. 2386, by Representatives Heavey, Orr, Jones, G. Cole, Brumsickle, O'Brien and Paris; by request of Employment Security Department

Codifying the labor market information and economic analysis responsibilities of the employment security department.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass substitute. Committee on Appropriations recommendation: Majority, do pass substitute by Commerce & Labor as amended by Committee on Appropriations. (For committee amendment, see Journal, Day, 1992.)

On motion of Mr. Heavey, Substitute House Bill No. 2386 was substituted for House Bill No. 2386, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2386 was read the second time.

Ms. Spanel moved adoption of the committee amendment by Committee on Appropriations. It was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Heavey and Silver 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. 2386, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Engrossed Substitute House Bill No. 2386, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Dorn moved that the House consider the following bills, in the following order, Senate Bill No. 6032, Senate Bill No. 6159 and Engrossed Substitute Senate Bill No. 6104. The motion was carried.

SENATE BILL NO. 6032, by Senators West and Johnson

Repealing the termination provisions of the emergency medical services committee.

The bill was read the second time.

With consent of the House, 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. 6032, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson,

O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Senate Bill No. 6032, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Dorn moved to re-refer Senate Bill No. 6159, to the Rules Committee. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6104, by Senators Nelson, Rasmussen, Thorsness, Hayner, Sellar, A. Smith and Erwin

Creating the crime of assault against a child.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Appelwick moved adoption of the committee amendment, and spoke in favor. It was adopted.

With consent of the House, 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.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6104 as amended by the House, and the bill passed the House by the following vote:

Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Anderson, Casada, Wood - 03.

Engrossed Substitute Senate Bill No. 6104 as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2964 on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2964, by Representatives Wang, Winsley, Locke, Peery, R. Fisher and Brekke

Modifying rental car taxation and providing funding for traffic safety education programs.

House Bill No. 2964 was read the second time. On motion of Mr. Wang, Substitute House Bill No. 2964 was substituted for House Bill No. 2964 and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2964 was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Locke, J. Kohl, Ferguson, Paris, Appelwick and Brumsickle:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 46.04 RCW to read as follows:

(1) "Rental car" means a passenger car, as defined in RCW 46.04.382, that is used solely by a rental car business for rental to others, without a driver provided by the rental car business, for periods of not more than thirty consecutive days.

(2) "Rental car" does not include:

(a) Vehicles rented or loaned to customers by automotive repair businesses while the customer's vehicle is under repair;

(b) Vehicles licensed and operated as taxicabs.

NEW SECTION. Sec. 2. A new section is added to chapter 82.08 RCW to read as follows:

For purposes of this chapter, "retail car rental" means renting a rental car, as defined in section 1 of this act, to a consumer.

NEW SECTION. Sec. 3. A new section is added to chapter 82.14 RCW to read as follows:

The legislative authority of any county may impose a sales and use tax, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the county that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax shall be one percent of the selling price in the case of a sales tax or rental value of the vehicle in the case of a use tax. Proceeds of the tax shall be used solely for the following purposes:

(1) Acquiring, constructing, maintaining, or operating public sports stadium facilities; or

(2) Engineering, planning, financial, legal, or professional services incidental to public sports stadium facilities.

NEW SECTION. Sec. 4. The legislature intends to exempt rental cars from state and local motor vehicle excise taxes, and to impose additional sales and use taxes in lieu thereof. These additional sales and use taxes are intended to provide as much revenue as would have been received if the motor vehicle excise tax exemptions had not been enacted. Revenues from these additional sales and use taxes are intended to be distributed in the same manner as the motor vehicle excise tax revenues they replace.

NEW SECTION. Sec. 5. A new section is added to chapter 46.04 RCW to read as follows:

"Rental car business" means a person engaging within this state in the business of renting rental cars, as determined under rules of the department of licensing.

NEW SECTION. Sec. 6. A new section is added to chapter 46.16 RCW to read as follows:

Rental cars shall be registered and licensed as provided in chapter 46.87 RCW.

NEW SECTION. Sec. 7. A new section is added to chapter 46.87 RCW to read as follows:

(1) Rental car businesses must register with the department of licensing. This registration must be renewed annually by the rental car business.

(2) Rental car businesses must obtain a certificate of ownership and indicate that the vehicle is a rental car. Registration must be obtained for all rental cars and shall be valid for the period in which the rental car is part of an authorized business up to a maximum of twelve months.

(3) In addition to all other fees prescribed for the registration of vehicles under chapter 46.16 RCW, the department shall collect a fee of five dollars per registration for the administration of the program and a vehicle transaction fee as authorized in RCW 46.87.130 to be deposited to the motor vehicle fund.

(4) Use of rental cars is restricted to the rental customer unless otherwise provided by rule.

(5) The department will issue rental car license plates to businesses authorized under this section. A rental car business shall pay a fee of ten dollars for each set of rental car license plates as defined in RCW 46.87.090. Rental cars no longer eligible for use of the rental plates will be considered unlicensed vehicles and must be registered and pay the required motor vehicle excise taxes and registration fees prior to operation on public roads of this state.

(6) The department may authorize rental car businesses to issue temporary authorization permits as defined in RCW 46.87.080.

(7) The department may suspend or cancel the exemptions, benefits, or privileges granted under this section to any person or business firm who violates the laws of this state relating to the operation or registration of vehicles or rules lawfully adopted thereunder. The department may initiate and conduct audits, investigations, and enforcement actions as may be reasonably necessary for administering this section.

(8) Except as provided in this section or by rule adopted pursuant to this section, the transfer or use of the rental plates is a traffic infraction subject to a fine not to exceed five hundred dollars. Any law enforcement agency that determines that a special license plate has not been used in conformance with this section will confiscate the license plates and return them to the department for nullification along with full details of the reasons for confiscation.

(9) The department shall adopt such rules as may be necessary to administer and enforce the provisions of this section.

NEW SECTION. Sec. 8. A new section is added to chapter 82.44 RCW to read as follows:

Rental cars as defined in section 1 of this act are exempt from the taxes imposed in RCW 82.44.020 (1) and (2).

Sec. 9. RCW 82.08.020 and 1985 c 32 s 1 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price.

(2) There is levied and there shall be collected an additional tax on each retail car rental, regardless of whether the vehicle is licensed in this state, equal to five and nine-tenths percent of the selling price. Ninety-one percent of the revenue collected under this subsection shall be deposited and distributed in the same manner as revenue collected under RCW 82.44.020(1). Nine percent of the revenue collected under this subsection shall be deposited and distributed in the same manner as revenue collected under RCW 82.44.020(2).

~~(3) The ((tax)) taxes~~ imposed under this chapter shall apply to successive retail sales of the same property.

~~((3)) (4) The rates provided in this section ((applies)) apply~~ to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

NEW SECTION. Sec. 10. A new section is added to chapter 82.08 RCW to read as follows:

Before January 1, 1994, and January 1 of each odd-numbered year thereafter:

The department of licensing, with the assistance of the department of revenue, shall provide the office of financial management and the fiscal committees of the legislature with an updated estimate of the amount of revenue attributable to the taxes imposed in RCW 82.08.020(2), and the amount of revenue not collected as a result of section 8 of this act.

Sec. 11. RCW 35.58.273 and 1991 c 339 s 29 and 1991 c 309 s 1 are each reenacted and amended to read as follows:

(1) Through June 30, 1992, any municipality, as defined in this subsection, is authorized to levy and collect a special excise tax not exceeding .7824 percent and beginning July 1, 1992, .725 percent on the value, as determined under chapter 82.44 RCW, of every motor vehicle owned by a resident of such municipality for the privilege of using such motor vehicle provided that in no event shall the tax be less than one dollar and, subject to RCW 82.44.150 (3) and (4), the amount of such tax shall be credited against the amount of the excise tax levied by the state under RCW 82.44.020(1). As used in this subsection, the term "municipality" means a municipality that is located within (a) each county with a population of two hundred ten thousand or more and (b) each county with a population of from one hundred twenty-five thousand to less than two hundred ten thousand except for those counties that do not border a county with a population as described under subsection (a) of this subsection.

(2) Through June 30, 1992, any other municipality is authorized to levy and collect a special excise tax not exceeding .815 percent, and beginning July 1, 1992, .725 percent on the value, as determined under chapter 82.44 RCW, of every motor vehicle owned by a resident of such municipality for the privilege of using such motor vehicle provided that in no event shall the tax be less than one dollar and, subject to RCW 82.44.150 (3) and (4), the amount of such tax shall be credited against the amount of the excise tax levied by the state under RCW 82.44.020(1). Before utilization of any excise tax moneys collected under authorization of this section for acquisition of right of way or construction of a mass transit facility on a separate right of way the municipality shall adopt rules affording the public an opportunity for "corridor public hearings" and "design public hearings" as herein defined, which rule shall provide in detail the



procedures necessary for public participation in the following instances: (a) prior to adoption of location and design plans having a substantial social, economic or environmental effect upon the locality upon which they are to be constructed or (b) on such mass rapid transit systems operating on a separate right of way whenever a substantial change is proposed relating to location or design in the adopted plan. In adopting rules the municipality shall adhere to the provisions of the Administrative Procedure Act.

(3) A "corridor public hearing" is a public hearing that: (a) is held before the municipality is committed to a specific mass transit route proposal, and before a route location is established; (b) is held to afford an opportunity for participation by those interested in the determination of the need for, and the location of, the mass rapid transit system; (c) provides a public forum that affords a full opportunity for presenting views on the mass rapid transit system route location, and the social, economic and environmental effects on that location and alternate locations: PROVIDED, That such hearing shall not be deemed to be necessary before adoption of an overall mass rapid transit system plan by a vote of the electorate of the municipality.

(4) A "design public hearing" is a public hearing that: (a) is held after the location is established but before the design is adopted; and (b) is held to afford an opportunity for participation by those interested in the determination of major design features of the mass rapid transit system; and (c) provides a public forum to afford a full opportunity for presenting views on the mass rapid transit system design, and the social, economic, environmental effects of that design and alternate designs.

(5) A municipality imposing a tax under subsection (1) or (2) of this section may also impose a sales and use tax, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the municipality that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax shall bear the same ratio to the rate imposed under RCW 82.08.020(2) as the excise tax rate imposed under subsection (1) of this section bears to the excise tax rate imposed under RCW 82.44.020 (1) and (2). The base of the tax shall be the selling price in the case of a sales tax or the rental value of the vehicle used in the case of a use tax. The tax imposed under this section shall be deducted from the amount of tax otherwise due under RCW 82.08.020(2). The revenue collected under this subsection shall be distributed in the same manner as special excise taxes under subsections (1) and (2) of this section.

Sec. 12. RCW 81.100.060 and 1991 c 363 s 154 are each amended to read as follows:

A county with a population of one million or more and a county with a population of from two hundred ten thousand to less than one million that is adjoining a county with a population of one million or more, having within their boundaries existing or planned high occupancy vehicle lanes on the state highway system may, with voter approval, impose a local surcharge of not more than fifteen percent on the state motor vehicle excise tax paid under RCW 82.44.020(1) on vehicles registered to a person residing within the county and on the state sales and use taxes paid under the rate in RCW 82.08.020(2) on retail car rentals within the county. No surcharge may be imposed on vehicles licensed under RCW 46.16.070 except vehicles with an unladen weight of six thousand pounds or less, RCW 46.16.079, 46.16.080, 46.16.085, or 46.16.090.

Counties imposing a tax under this section shall contract, before the effective date of the resolution or ordinance imposing a surcharge, administration and collection to the state department of licensing, and department of revenue, as appropriate, which shall deduct an amount, as provided by contract, for administration and collection expenses incurred by the department. All administrative provisions in chapters 82.03, 82.32, and 82.44 RCW shall, insofar as they are applicable to state motor vehicle excise taxes, be applicable to surcharges imposed under this section. All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW shall, insofar as they are applicable to state sales and use taxes, be applicable to surcharges imposed under this section.

If the tax authorized in RCW 81.100.030 is also imposed by the county, the total proceeds from ~~((both))~~ tax sources imposed under this section and RCW 81.100.030 each year shall not exceed the maximum amount which could be collected under this section.

Sec. 13. RCW 81.104.160 and 1991 c 318 s 12 are each amended to read as follows:

(1) Any city that operates a transit system, county transportation authority, metropolitan municipal corporation, or public transportation benefit area, solely for the purpose of providing high capacity transportation service may submit an authorizing proposition to the voters, and if approved, may levy and collect an excise tax, at a rate approved by the voters, but not exceeding eighty one-hundredths of one percent on the value, under chapter 82.44 RCW, of every motor vehicle owned by a resident of such city, county transportation authority, metropolitan municipal corporation, or public transportation benefit area. In any county imposing a motor vehicle excise tax surcharge pursuant to RCW 81.100.060, the maximum tax rate under this section shall be reduced to a rate equal to eighty one-hundredths of one percent on the value less the equivalent motor vehicle excise tax rate of the surcharge imposed pursuant to RCW 81.100.060. This rate shall not apply to vehicles licensed under RCW 46.16.070 except vehicles with an unladen weight of six thousand pounds or less, RCW 46.16.079, 46.16.080, 46.16.085, or 46.16.090.

(2) An agency imposing a tax under subsection (1) of this section may also impose a sales and use tax solely for the purpose of providing high capacity transportation service, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the agency's jurisdiction that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax shall bear the same ratio to the rate imposed under RCW 82.08.020(2) as the excise tax rate imposed under subsection (1) of this section bears to the excise tax rate imposed under RCW 82.44.020 (1) and (2). The base of the tax shall be the selling price in the case of a sales tax or the rental value of the vehicle used in the case of a use tax. The revenue collected under this subsection shall be used in the same manner as excise taxes under subsection (1) of this section.

NEW SECTION. Sec. 14. (1) Sections 1 through 3 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect June 1, 1992.

(2) Sections 4 through 13 of this act shall take effect January 1, 1993.

Representatives Wang, Ferguson, Zellinsky and Jacobsen spoke in favor of adoption of the amendment, and Representatives Betzoff, Morris, Wynne, G. Cole, Van Luven and Brough spoke against it. Mr. Wang again spoke in favor of the amendment.

Mr. Zellinsky demanded the previous question, and the demand was sustained.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be adoption of the amendment by Representative Wang and others to Substitute House Bill No. 2964.

A division was called. The Speaker (Mr. R. Meyers presiding) called upon the House to divide. The result of the division was: Yeas - 44, Nays - 52. The amendment was not adopted.

#### MOTION

Mr. Dorn moved that the House defer further consideration of Substitute House Bill No. 2964 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2990, by Representatives H. Sommers, Brumsickle, Belcher, Beck, Sheldon and Rasmussen

Modifying limitations and restrictions relating to purchase of state trust lands for park and outdoor recreation purposes.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 2990, was substituted for House Bill No. 2990, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2990 was read the second time.

Mr. Jones moved the following amendment, by Representatives Jones, Belcher and Jacobsen, to the substitute bill:

On page 4, line 27 after "study" insert ". The commission may not authorize acquisition of any portion of the Diamond Point trust property by a private party prior to approval by the Clallam county board of commissioners of a preliminary master site plan for a resort development on the property"

Representatives Jones and Beck spoke in favor of adoption of the amendment. It was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. G. Cole moved to excuse Representative Haugen.

Ms. H. Sommers spoke in favor of passage of the bill. Mr. Jones spoke against.

#### COLLOQUY

Mr. Speaker (R. Meyers presiding): Mr. Heavey for what purpose do you rise. Will Representative Belcher yield to some questions. Mr. Heavey, Representative Belcher will yield to your questions.

Mr. Hargrove: Representative Belcher, does Substitute House Bill No. 2990 in any way ensure that a resort will be built on a portion of the Diamond Point trust property?

Representative Belcher: Representative Hargrove, Substitute House Bill No. 2990 gives the Parks Commission the option of varying the boundaries of the Diamond Point property it acquires from DNR, but it does not in any way ensure that a resort will be built on a portion of the property.

Peninsula Partners, the resort developer, must secure approval from the Clallam County Board of Commissioners for the Preliminary master Site Plan of the resort. The review process for the Preliminary Master Site Plan requires preparation of an environmental impact statement to address concerns about wildlife, water, traffic, and other associated impacts.

In additions Peninsula Partners must secure additional permits before construction can proceed.

Representative Hargrove: Representative Belcher, does Substitute House Bill No. 2990, restrict opportunity for public review of the proposed resort or park to be developed at Diamond Point.

Representative Belcher: Representative Hargrove, Substitute House Bill No. 2990, does nothing to change public review of either the resort development or state park development. Peninsula Partners must prepare an environmental impact statement as part of the review of the resort Preliminary Master Site Plan. The EIS will be subject to public hearings as will any decisions by the county planning commission or county commissioners.

Likewise, State Parks must go through a public planning process, including preparation of an environmental impact statement prior to development of a state park on diamond Point property.

In addition, before the Board of Natural Resources considers a land transfer to Peninsula Partners, or an intergrant exchange prior to transfer of land to State Parks, there will be a public hearing for each transfer, with the results of the hearings presented to the Board in a public meeting.

Representative Hargrove: Representative Belcher, how will the interests of State Parks be protected in the event that the developer, Peninsula Partners, is not for some reason, able to proceed with the development?

Representative Belcher: Representative Hargrove, both State Parks and Peninsula Partners have recently submitted letters that outline how State Parks will be protected in the event that resort development is terminated. State Parks and Peninsula partners will negotiate an agreement to specify the terms and conditions under which both parties will proceed. The parties have agreed that Peninsula Partners will provide State Parks with appropriate financial security such as performance bond or letter of credit ensuring that the improvements pertaining to park development will be completed.

The parties have further agreed that if the resort development is terminated, Parks will have a one year option to acquire the land originally deemed suitable for a park.

Mr. Hargrove 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. 2990, and the bill passed the House by the following vote: Yeas - 85, Nays - 10, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Heavey, Hine, Hochstatter, Horn, Inslee, Johnson P., Johnson R., Kohl, J., Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Sprenkle, Tate, Vance, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Cole, G., Jacobsen, Jones, King, R., Kremen, Nelson, Prentice, Spanel, Valle, Van Luven - 10.

Excused: Representatives Anderson, Casada, Haugen - 03.

Engrossed Substitute House Bill No. 2990, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Dorn moved that we, immediately consider Senate Bill No. 6457, on the suspension calendar. The motion was carried.

SENATE BILL NO. 6457, by Senator Cantu

Refunding construction obligations for the state convention and trade center.

The bill was read the second time.

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

Ms. H. Sommers spoke in favor of passage of the bill. Mr. Heavey spoke against.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6457, and the bill passed the House by the following vote: Yeas - 90, Nays - 5, Absent - 0, Excused - 3.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Brough, Brumsickle, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Wood, Wynne, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Broback, Heavey, Lisk, Rayburn, Winsley - 05.

Excused: Representatives Anderson, Casada, Haugen - 03.

Senate Bill No. 6457, having received the constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

## MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Thursday, March 5, 1992.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FIFTY-THIRD DAY****MORNING SESSION**

House Chamber, Olympia, Thursday, March 5, 1992

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 Ballard, Betrozoff, Locke, Prentice, Wineberry. On motion of Ms. G. Cole, Representative Locke was excused. On motion of Mr. Vance, Representatives Ballard and Betrozoff were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Korie Kuzina and Nathan Oraker. Prayer was offered by Reverend Robert Cassis, South Sound Presbyterian Church of Olympia.

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

**MESSAGE FROM THE SENATE**

March 3, 1992

MR. SPEAKER:

The Senate has failed to pass HOUSE BILL NO. 2930.

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

**MESSAGE FROM THE SENATE**

March 4, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2281  
SUBSTITUTE HOUSE BILL NO. 2714  
HOUSE BILL NO. 2746

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

**INTRODUCTIONS**

HJM 4042 by Representative R. Fisher

Requesting Congress press for more realistic, cost effective, and sensitive federal regulations governing overweight buses.

Referred to Committee on Transportation.

HCR 4433 by Representatives Ebersole, Ferguson, Dorn, Brumsickle, Sheldon, Broback, Orr and Fomer

Appointing a special task force on work force training and retraining finance.

Referred to Rules Review.

MOTION

With consent of House, the memorial and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

MOTION

Mr. Dorn moved that the House now consider Senate Bill No. 6339, on today's suspension calendar.

SENATE BILL NO. 6339, by Senator Hayner

Eliminating the county size requirement for class F wine retailer's licenses.

The bill was read the second time.

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

Representatives G. Cole and Neher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6339, and the bill passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 2, Excused - 3.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Fomer, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Prentice, Wineberry - 02.

Excused: Representatives Ballard, Betrozoff, Locke - 03.

Senate Bill No. 6339, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6351, by Senators Nelson and Rasmussen

Repealing obsolete sections in the Revised Code of Washington.

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. Appelwick spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6351, and the bill passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 2, Excused - 3.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P.; Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Prentice, Wineberry - 02.

Excused: Representatives Ballard, Betzoff, Locke - 03.

Senate Bill No. 6351, having received the constitutional majority, was declared passed.

The Speaker resumed the chair.

#### AFTERNOON SESSION

Mr. R. Meyers presiding.

#### MOTION

Mr. Ebersole moved, that the House immediately consider House Bill No. 2967, on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2967, by Representatives Wang, Locke, Braddock and Paris

Expanding federally authorized medicaid taxes and appropriations to IMR facilities.

The bill was read the second time.



## MOTION

Mr. Ebersole moved, that the House defer consideration of House Bill No. 2967, and that it hold it's place, on the second reading calendar. The motion carried.

Mr. Ebersole moved, that the House now consider Engrossed Second Substitute Senate Bill No. 5724, on the second reading calendar. The motion carried.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5724, by Senate Committee on Ways & Means (originally sponsored by Senators Sutherland, Hayner and Owen)

Requiring the department of ecology to study impacts of regulating paper mill waste.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Ms. Rust moved the adoption of the committee recommendation. Ms. Rust spoke in favor of adoption of the committee amendment and it was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Horn spoke in favor of passage of the bill.

Ms. G. Cole moved to excuse Representative Cooper.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5724, as amended by the House, and the bill passed the House by the following vote:  
Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Brekke - 01.

Excused: Representative Cooper - 01.

Engrossed Second Substitute Senate Bill No. 5724, as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6103, by Senators Nelson, Rasmussen, Thorsness, M. Kreidler, Sutherland and Erwin

Allowing electronic monitoring as a condition of release or condition of probation.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6103, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Cooper - 01.

Engrossed Senate Bill No. 6103, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6330, by Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Madsen, Bauer, McCaslin, Oke and Roach)

Concerning the operation of a motor vehicle while license is suspended or revoked.

The bill was read the second time.

With consent of the House, 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.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6330, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Cooper - 01.

Substitute Senate Bill No. 6330, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6349, by Senators von Reichbauer, Owen and Pelz

Defining unlawful factoring of credit card transactions.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Dellwo moved the adoption of the committee recommendation.

#### MOTION

Mr. Dorn moved, that the House defer further consideration of Senate Bill No. 6349, and that it hold its place on the second reading calendar. The motion was carried.

ENGROSSED SENATE BILL NO. 6401, by Senators Barr, Bauer, Hayner and Snyder

Regulating the designation of corridors.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Ms. Haugen moved the adoption of the committee recommendation. Ms. Haugen spoke in favor of adoption, it was adopted.

With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen, Morton and Ferguson spoke in favor of passage of the bill.

#### COLLOQUY

Representative Ferguson: Mr. Speaker (Mr. R. Meyers presiding), will Representative Haugen yield to a question.

Mr. Speaker (Mr. R. Meyers presiding): Representative Ferguson, Representative Haugen does yield to your question. Please state your question.

Representative Ferguson: Representative Haugen, what will this bill do to help protect if lawful taking of private property rights?

Representative Haugen: Representative Ferguson, this is a small step in the right direction to insure that private property rights are protected. This bill clarifies that Local jurisdictions can not

take private property, that is used for agriculture or forest purpose, by identifying or restricting property of open space quotes, in less it has first acquired a significate interest in that property.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6401, as amended by the House, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Engrossed Senate Bill No. 6401, as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6427, by Senators Murray and Skratek

Declaring when goods mailed without authority become gifts.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Dorn moved that we defer further consideration Engrossed Senate Bill No. 6427, and that it hold its place on the second reading calendar.

The Speaker assumed the chair.

#### MOTION

Mr. Ebersole moved, that the House consider the following bills in the following order, Engrossed Senate Bill No. 6427, (For previous action, see today's Journal.), Second Engrossed Substitute Senate Bill No. 5121, Substitute Senate Bill No. 5305, Second Substitute Senate Bill No. 5318 and Engrossed Senate Bill No. 5675.

ENGROSSED SENATE BILL NO. 6427, by Senators Murray and Skratek

Declaring when goods mailed without authority become gifts.

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

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

Ms. G. Cole moved to excuse J. Kohl.

Representative Fuhrman: Mr. Speaker, will Representative Heavey yield to a question?

Mr. Speaker: Representative Fuhrman, Representative Heavey does yield.

#### COLLOQUY

Representative Fuhrman: Representative Heavey, is it the intent of this bill to bring the unauthorized mailing statute within the scope of the consumer protection act?

Representative Heavey: Representative Fuhrman, yes.

Representative Fuhrman: Representative Heavey, does that mean that if a person or entity is not subject to the consumer protection act, then this statute would not apply?

Representative Heavey: Representative Fuhrman, yes.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6427, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kohl, J. - 01.

Engrossed Senate Bill No. 6427, having received the constitutional majority, was declared passed.

The Speaker called upon Representative Heavey to preside.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5121, by Senate Committee on Governmental Operations (originally sponsored by Senators Metcalf, Talmadge, McCaslin, Owen, Thorsness, Vognild, Rinehart, Sellar, L. Smith, Sutherland, Roach, Amondson, Hayner, Rasmussen, Bailey, Moore, Barr, Oke, Wojahn, Nelson, von Reichbauer, Bauer, Gaspard, L. Kreidler, Johnson, Stratton, Skratek and Erwin)

Protecting whistleblowers.

The bill was read the second time. Committee on Appropriations recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 50th Day, March 2, 1992.)

Ms. Spanel moved the adoption of the committee recommendation. It was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and Bowman spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5121, as amended by the House, and the bill passed the House by the following vote:  
Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kohl, J. - 01.

Second Engrossed Substitute Senate Bill No. 5121, as amended by the House, having received the constitutional majority, was declared passed.

The Speaker (Mr. Heavey presiding) called upon Representative R. Meyers to preside.

SUBSTITUTE SENATE BILL NO. 5305, by Senate Committee on Education (originally sponsored by Senators Owen and Craswell)

Conditioning the reduction of a student's suspension on the commencement of counseling.

The bill was read the second time.

Ms. P. Johnson moved adoption of the following amendment by Representatives P. Johnson, Peery, Bowman, G. Fisher, Forner, Brumsickle, Vance, Ferguson, Tate, Sheldon, Lisk and Mitchell:

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

"NEW SECTION. Sec. 2. A new section is added to chapter 28A.600 RCW to read as follows:

(1) The superintendent of public instruction shall encourage school districts to utilize community service as an alternative to student suspension. Community service shall include the provision of volunteer services by students in social and educational organizations including, but not limited to, hospitals, fire and police stations, nursing homes, food banks, day care organizations, and state and local government offices.

(2) At a minimum, by February 1, 1993, the superintendent shall prepare and distribute information to school districts regarding existing programs, the potential benefits and considerations of using community service as an alternative to suspension, and recommended guidelines for starting new programs. The superintendent also shall address, and attempt to clarify and resolve, any potential liability, supervision, and transportation issues associated with using community service as an alternative to suspension."

On page 1, line 1 of the title, after "adding" strike "a new section" and insert "new sections"

Ms. P. Johnson spoke in favor of passage of this amendment. It was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery, Vance, Dorn and Betrozoff spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5305, as amended by the House, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kohl, J. - 01.

Substitute Senate Bill No. 5305, as amended by the House, having received the constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5318, by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Pelz, Owen, Johnson, Vognild, Moore, Rasmussen, McCaslin, Matson, Sellar and West)

Prescribing penalties for money laundering.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Appelwick moved the adoption of the committee amendment.

Mr. Appelwick moved adoption of the following amendment, to the committee amendment:

On page 1, after line 10 of the amendment, insert the following:

"(2) "Financial institution" means a bank, savings bank, credit union, or savings and loan institution."

Renumber the subsections following consecutively.

On page 1, line 18 of the amendment, after "agent, or" strike "having actual knowledge" and insert "knowing"

On page 2, line 9 of the amendment, after "(b)" strike "Has actual knowledge" and insert "Knows"

On page 2, line 13 of the amendment, after "(c)" strike "Has actual knowledge" and insert "Knows"

On page 2, after line 29 of the amendment, insert the following:

"(3) An additional proof requirement is imposed when a case involves a financial institution and one or more of its employees. In these situations, the prosecution is required to prove that proceeds of specified unlawful activity were accepted with intent:

(a) To conceal or disguised the nature, location, source, ownership, or control of the proceeds, knowing the property is proceeds of specified unlawful activity; or

(b) To avoid a transaction reporting requirement under federal law.

The proof required by this subsection is in addition to the requirements contained in subsection (1) of this section."

Renumber the subsections following consecutively.

Mr. Appelwick spoke in favor of adoption of the amendment. It was adopted.

Mr. Appelwick spoke in favor of adoption of the committee amendment as amended. It was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5318, as amended by the House, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kohl, J. - 01.

Second Substitute Senate Bill No. 5318, as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5675, by Senators Metcalf, McMullen, Anderson and Bailey

Requiring a restoration plan for Skagit river salmon.

The bill was read the second time. Committee on Fisheries & Wildlife recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.) Committee on Appropriations recommendation: Majority, do pass with amendments by Committee on Fisheries & Wildlife. (For committee recommendation, see Journal, 50th Day, March 2, 1992.)

Mr. R. King moved the adoption of the committee amendment by the Committee on Fisheries & Wildlife, and spoke in favor of adoption. It was adopted.

With consent of the House, 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. 5675, as amended by the House, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kohl, J. - 01.

Engrossed Senate Bill No. 5675, as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6023, by Senators Saling, Bauer, Oke, Gaspard, Conner, Thorsness and L. Smith; by request of Legislative Budget Committee

Modifying the duties and delaying the sunset termination of the center for international trade in forest products.

The bill was read the second time. Committee on Trade & Economic Development recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Sheldon moved the adoption of the committee recommendation, and spoke in favor of passage. It was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sheldon and Bowman spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6023, as amended by the House, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kohl, J. - 01.

Engrossed Senate Bill No. 6023, as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved, that the House consider the following bills in the following order, Senate Bill No. 6070, Senate Bill No. 6155, Substitute Senate Bill No. 6191, Engrossed Senate Bill No. 6261 and Engrossed Second Substitute Senate Bill No. 6347. The motion carried.

SENATE BILL NO. 6070, by Senators Amondson and Snyder

Authorizing alternative supervisors for physician's assistants.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

#### COLLOQUY

Representative Moyer: Mr. Speaker, will Representative Braddock, yield to a question?

Mr. Speaker: Representative Moyer, he does yield, please state your question.

Representative Moyer: Representative Braddock, what is the basic goal and purpose of this bill?

Representative Braddock: Representative Moyer, the purpose of the bill is simple. To allow physician's assistants to be legally supervised interchangeably by both physicians and osteopathic physicians.

The goal is to improve access of physician's assistant services to the public. This is expected to be of particular benefit to patients in areas of the state experiencing a shortage of physicians, such as in rural areas or in nursing home settings.

Physician's assistants are an extension of the physician who work under the direction and supervision of a physician, although the physician need not be physically present. Because of the reluctance of many physician's to visit nursing home setting for a variety of reason's. The physician's assistant is an ideal extender of medical services in that practice setting.

Of special importance is the ability of the physician's assistant to provide a complete range of medical services to the nursing home patient on the physician's behalf. This includes even such simple procedures as routine foot care which is so often neglected. Although the law does not permit a physician's assistant to practice podiatry per se, this is not to be construed as to prevent the physician's assistant from providing the complete range of medical services that a physician can legally provide as the physician's legal extender.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6070, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kohl, J. - 01.

Senate Bill No. 6070, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6155, by Senators Bailey, Gaspard, Anderson, Conner, Newhouse and Barr

Clarifying milk marketing order regulations.

The bill was read the second time.

Ms. Rayburn moved adoption of the following amendment, by Representatives Rayburn and Nealey:

On page 2, line 26, after "(10)" insert "The terms "plan," "market area and pooling arrangement," "market area pooling plan," "market area and pooling plan," "market pool," and "market plan" all have the same meaning;

(11)"

On page 3, after line 4, insert the following:

NEW SECTION. Sec. 2. A new section is added to chapter 15.35 RCW to read as follows:

(1) Not less than sixty days before a referendum creating a market area and pooling plan with quotas is to be conducted under RCW 15.35.110, the director shall notify each producer-dealer regarding the referendum. Any producer-dealer may choose to vote on the referendum and each choosing to do so shall notify the director in writing of this choice not later than thirty days before the referendum is conducted. Such a producer-dealer and any person who becomes a producer-dealer or producer by acquiring the quota of such a producer-dealer shall be a fully regulated producer under such an approved plan and shall receive a quota which is not less than the sales of milk in fluid form from the producer facilities during the reference period used by the director in determining quotas for producers. Such a producer-dealer shall also be a fully regulated dealer under the terms of such an approved plan. RCW 15.35.310(1) does not apply to a producer-dealer who is subject to regulation under this subsection.

(2) If a person was not a producer-dealer at the time notice was provided to producer-dealers under subsection (1) of this section regarding a referendum on a proposed market area and pooling plan with quotas, the plan was approved by referendum, and the person subsequently became a producer-dealer (other than by virtue of the person's acquisition of the quota of a producer-dealer who is fully regulated under the plan), the person is subject to all of the terms of the plan for producers and dealers during the duration of the plan and RCW 15.35.310(1) does not apply to such a person with regard to that plan.

(3) This subsection applies: To a person who was a producer-dealer at the time the notice was provided to producer-dealers under subsection (1) of this section regarding a referendum which was approved and who did not notify the director under subsection (1) of this section to vote in that referendum; and to a person who acquires the quota of such a person.

If such a person's sales of milk in fluid form subsequent to the adoption of the plan increases such that those sales on an annual basis are more than fifty percent greater than the sales of milk in fluid form from the producer facilities during the reference period used by the director in determining quotas under the plan, RCW 15.35.310(1) does not apply to that person with regard to that plan. Such a producer-dealer shall be a fully regulated producer under such an approved plan and shall receive a quota which is not less than the producer-dealer's sales of milk in fluid form during the reference period used by the director in determining quotas for producers. Such a producer-dealer shall also be a fully regulated dealer under the terms of such an approved plan.

If changes are made, on a market area-wide basis, to the quotas established under the plan, the director shall by rule adjust the fifty percent limitation provided by this section by an equivalent amount.

Sec. 3. RCW 41.06.084 and 1990 c 37 s 2 are each amended to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, the provisions of this chapter shall not apply in the department of agriculture to the director, the director's confidential secretary, the deputy director, not more than eight assistant directors, ~~((and))~~ the state veterinarian, and the milk pooling administrator employed under RCW 15.35.100.

Sec. 4. RCW 15.35.110 and 1991 c 239 s 8 are each amended to read as follows:

(1) The director, either upon his or her own motion or upon petition by ten percent of the producers in any proposed area, shall conduct a hearing to determine whether to establish or discontinue a market area pooling arrangement. Upon determination by the director that in order to satisfy the purposes of this chapter a pooling arrangement should be established, a referendum of affected individual producers and milk dealers shall be conducted by the department.

(2) In order for the director to establish a market area and pooling plan:

(a) Sixty-six and two-thirds percent of the producers and producer-dealers that vote must be in favor of establishing a market area and pooling plan; ~~((and))~~

(b) Sixty-six and two-thirds percent of the milk dealers and producer-dealers that vote must be in favor of establishing a market area and pooling plan; and

(c) Producer-dealers providing notice to the director under section 2(1) of this act, shall be authorized to vote both as producers and as milk dealers.

The director, within sixty days from the date the results of the referendum are filed with the secretary of state, shall establish a market pool in the market area, as provided for in this chapter.

(3) If fifty-one percent of the producers and producer-dealers voting representing fifty-one percent of the milk produced in the market area vote to terminate a pooling plan, the director, within one hundred twenty days, shall terminate all the provisions of said market area and pooling arrangement.

(4) A referendum of affected producers, producer-dealers, and milk dealers shall be conducted only when a market area pooling arrangement is to be established ~~((or terminated))~~. Only producers and producer-dealers who are subject to the plan may vote on the termination of a pooling plan.

Sec. 5. RCW 15.35.150 and 1991 c 239 s 11 are each amended to read as follows:

(1) Under a market pool and as used in this section, "quota" means a producer's or producer-dealer's portion of the total sales of milk in fluid form in a market area plus a reserve determined by the director.

(2) The director may in each market area subject to a market plan establish each producer's and each producer-dealer's initial quota in the market area. Such initial quotas shall be determined by the department after due notice and the opportunity for a hearing as provided in chapter 34.05 RCW. In making this determination, consideration shall be given to a history of the producer's production record. In no case shall a producer-dealer receive as a quota an amount which is less than his or her fluid milk sales for the reference period used by the director in determining quotas for other producers.

In any system of establishing quotas, provision shall be made for new producers to qualify for allocation of quota in a reasonable proportion and for old and new producers to participate in any new increase in fluid milk sales in a reasonable proportion. The director may establish a method to proportionately decrease quota allocations in the event decreases in fluid milk consumption occur.

All subsequent changes or new quotas issued shall be determined by the department after due notice and the opportunity for a hearing as provided in chapter 34.05 RCW.

Sec. 6. RCW 15.35.310 and 1991 c 239 s 16 are each amended to read as follows:

(1) Except as provided in section 2 of this act, the provisions of this chapter shall not apply to persons designated as producer-dealers, except that:

(a) The director may require pursuant to RCW 15.35.100 any information deemed necessary to verify a producer-dealer's status as a producer-dealer; and

(b) A producer-dealer shall comply with all requirements of this chapter applicable to milk dealers, except those which the director may deem unnecessary.

(2) The director shall upon request designate producer-dealers and adopt rules governing eligibility for designation of a producer-dealer and cancellation of such designation. To receive such designation, a producer-dealer shall, at a minimum:

(a) In its capacity as a handler, have and exercise complete and exclusive control over the operation and management of a plant at which it handles and processes milk received from its own milk production resources and facilities as designated in subsection (4)(a) of this section, the operation and management of which are under the complete and exclusive control of the producer-dealer in its capacity as a dairy farmer;

(b) Neither receive at its designated milk production resources and facilities nor receive, handle, process, or distribute at or through any of its milk handling, processing, or distributing resources and facilities, as designated in subsection (4)(b) of this section, milk products for reconstitution into fluid milk products, or fluid milk products derived

from any source other than (i) its designated milk production resources and facilities, (ii) other milk dealers within the limitation specified in subsection (2)(e) of this section, or (iii) nonfat milk solids which are used to fortify fluid milk products;

(c) Neither be directly nor indirectly associated with the business control or management of, nor have a financial interest in, another dealer's operation; nor shall any other dealer be so associated with the producer-dealer's operation;

(d) Not allow milk from the designated milk production resources and facilities of the producer-dealer to be delivered in the name of another person as producer milk to another handler; and

(e) Not handle fluid milk products derived from sources other than the designated milk production facilities and resources, except for fluid milk product purchased from pool plants which do not exceed in the aggregate a daily average during the month of one hundred pounds.

(3) Designation of any person as a producer-dealer following a cancellation of its prior designation shall be preceded by performance in accordance with subsection (2) of this section for a period of one month.

(4) Designation of a person as a producer-dealer shall include the determination and designation of the milk production, handling, processing, and distributing resources and facilities, all of which shall be deemed to constitute an integrated operation, as follows:

(a) As milk production resources and facilities: All resources and facilities, milking herd, buildings housing such herd, and the land on which such buildings are located, used for the production of milk:

(i) Which are directly, indirectly, or partially owned, operated, or controlled by the producer-dealer;

(ii) In which the producer-dealer in any way has an interest including any contractual arrangement; and

(iii) Which are directly, indirectly, or partially owned, operated, or controlled by any partner or stockholder of the producer-dealer. However, for purposes of this item (4)(a)(iii) any such milk production resources and facilities which the producer-dealer proves to the satisfaction of the director do not constitute an actual or potential source of milk supply for the producer-dealer's operation as such shall not be considered a part of the producer-dealer's milk production resources and facilities; and

(b) As milk handling, processing, and distributing resources and facilities: All resources and facilities including store outlets used for handling, processing, and distributing any fluid milk product:

(i) Which are directly, indirectly, or partially owned, operated, or controlled by the producer-dealer; or

(ii) In which the producer-dealer in any way has an interest, including any contractual arrangement, or with respect to which the producer-dealer directly or indirectly exercises any degree of management or control.

(5) Designation as a producer-dealer shall be canceled automatically upon determination by the director that any of the requirements of subsection (2) of this section are not continuing to be met, such cancellation to be effective on the first day of the month following the month in which the requirements were not met, or the conditions for cancellation occurred.

On page 1, line 1 of the title, after "orders;" strike the remainder of the title and insert "amending RCW 15.35.080, 41.06.084, 15.35.110, 15.35.150, and 15.35.310; and adding a new section to chapter 15.35 RCW."

Ms. Rayburn spoke in favor of adoption of the amendment. It was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6155, as amended by the House, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland,

Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Kohl, J. - 01.

Senate Bill No. 6155, as amended by the House, having received the constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6191**, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators West, Vognild, Sellar, Murray and L. Smith)

Updating the schedules of drugs that the board of pharmacy has authority to control.

The bill was read the second time. Committee on Health Care recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Braddock moved adoption of the committee amendment.

Ms. Haugen moved adoption of the following amendment, by Representative Haugen and Ferguson to the committee amendment:

On page 34, after line 3 of the amendment, insert the following:

NEW SECTION. Sec. 14. A new section is added to chapter 54.04 RCW to read as follows:

A public utility district by a majority vote of its board of commissioners may add sodium fluoride, sodium silicofluoride, or hydrofluosilicic acid to the water supply system of the public utility district. The commissioners may cause the proposition of fluoridation of the water supply to be submitted to the electors of the public utility district at any general election or special election to be called for the purpose of voting on the proposition. The proposition must be approved by a majority of the electors voting on the proposition to become effective.

On page 34, line 10 of the title amendment, after "69.50.213;" strike "and" and on line 11 of the title amendment, after "69.50 RCW" insert "; and adding a new section to chapter 54.04 RCW"

#### POINT OF ORDER

Mr. Speaker: Representative Padden, state your point of order.

Representative Padden: Thank you Mr. Speaker, I would like a ruling on scope and object of this amendment.

#### MOTION

With consent of the House, we will defer consideration of Substitute Senate Bill No. 6191, pending a ruling from the Speaker.

**ENGROSSED SENATE BILL NO. 6261**, by Senators Roach, Stratton, L. Smith, Murray, Cantu, Jesernig, Hayner, Thorsness, Amondson and Erwin

Changing defenses to prosecutions for sexual exploitation of children.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Appelwick moved the adoption of the committee recommendation, and spoke in favor of adoption. It was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6261, as amended by the House, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Engrossed Senate Bill No. 6261, as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6347, by Senate Committee on Ways & Means (originally sponsored by Senators Nelson, A. Smith, Erwin, Madsen, Rinehart, Thorsness and von Reichbauer)

Making changes to the domestic violence statute.

The bill was read the second time.

#### MOTION

Mr. Dorn moved, that the House defer further consideration of Engrossed Second Substitute Senate Bill No. 6347, and that it hold its place on the second reading calendar. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6393, by Senate Committee on Agriculture & Water Resources (originally sponsored by Senator Bailey; by request of Department of Agriculture)

Instituting fees on dairy producers and handlers and food processors to support WSDA food safety inspection program.

The bill was read the second time. Committee on Agriculture & Rural Development recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.) Committee on Appropriations recommendation: Majority, do pass with

amendments by Committee on Agriculture & Rural Development as amended by the Committee on Appropriations. (For committee amendment, see Journal, 50th Day, March 2, 1992.)

Ms. Rayburn moved the adoption of the committee amendment by the committee Agriculture & Rural Development and spoke in favor of adoption.

Ms. Spanel moved the adoption of the committee amendment by the committee on Appropriations and spoke in favor of adoption.

The Speaker stated the question before the House to be, the adoption of the committee amendment by the committee on Agriculture & Rural Development, as amended by the committee amendment by the committee on Appropriations. The amendment as amended was adopted.

With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kremen spoke in favor of passage of the bill. Ms. Bowman spoke against, Ms. Rasmussen, spoke for. Mr. Chandler spoke against, Representatives Wynne and Nealey spoke in favor. Mr. Morton spoke against. Mr. Kremen again spoke in favor of passage of the bill. Representatives Miller and Franklin spoke in favor. Mr. Chandler again spoke against. Mr. Locke spoke in favor. Representatives McLean, Morris and Lisk spoke against. Ms. Rasmussen again spoke in favor. Ms. Rayburn spoke in favor.

#### PERVIOUS QUESTION

Mr. Zellinsky demanded the pervious question. The motion carried.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6393, as amended by the House, and the bill passed the House by the following vote: Yeas - 60, Nays - 38, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sommers, H., Spanel, Sprenkle, Wilson, Wineberry, Wood, Wynne, Zellinsky - 60.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Chandler, Former, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Padden, Prince, Schmidt, Sheldon, Silver, Sommers, D., Tate, Valle, Vance, Van Luven, Wang, Winsley, and Mr. Speaker - 38.

Substitute Senate Bill No. 6393, as amended by the House, having received the constitutional majority, was declared passed.

The Speaker resumed the chair.

SUBSTITUTE SENATE BILL NO. 6191, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators West, Vognilid, Sellar, Murray and L. Smith)



Updating the schedules of drugs that the board of pharmacy has authority to control.

The House resumed consideration Substitute Senate Bill No. 6191 on second reading. (For previous action, see today's Journal Day.)

#### SPEAKER'S RULING

The Speaker has examined the original bill, committee amendment and the floor amendment. Representative Ferguson's amendment broadens the original intent of the bill and tries to include, that public utilities may add fluoride and other elements to water. The amendment is clearly outside the scope and object of the original bill. Your point Representative Padden is well taken.

#### MOTION

We will defer the consideration of Substitute Senate Bill No. 6191, for the purpose of amendments.

#### MOTION

Mr. Ebersole moved, that the House consider the following bills in the following order, Engrossed Second Substitute Senate Bill No. 6347, Engrossed Senate Bill No. 6407, Substitute Senate Bill No. 6386, Engrossed Senate Bill No. 6054, Substitute Senate Bill No. 6111, Substitute Senate Bill No. 5116 and Engrossed Senate Bill No. 6093. The motion was carried.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6347, by Senate Committee on Ways & Means (originally sponsored by Senators Nelson, A. Smith, Erwin, Madsen, Rinehart, Thorsness and von Reichbauer)

Making changes to the domestic violence statute.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.) Committee on Appropriations recommendation: Majority, do pass without amendments by Committee on Judiciary.

Mr. Appelwick moved adoption of the committee amendment by Judiciary. Mr. Appelwick moved that the amendment not be adopted. Mr. Padden spoke in favor of adoption. Ms. Forner spoke against. The amendment by the Judiciary committee was not adopted.

The Speaker called on Representative Spanel to preside.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Forner, Padden and Ebersole 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. 6347, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Engrossed Second Substitute Senate Bill No. 6347, having received the constitutional majority, was declared passed.

## MOTION

Mr. Ebersole moved, that the House defer consideration of Engrossed Senate Bill No. 6407 and that it hold its place on the second reading calendar. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6386, by Senate Committee on Energy & Utilities (originally sponsored by Senators Roach, McMullen, Anderson and Bauer)

Providing for radon testing in residences.

The bill was read the second time.

With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6386, and the bill passed the House by the following vote: Yeas - 81, Nays - 17, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Braddock, Bray, Brekke, Broback, Brough, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, May, Meyers, R., Mitchell, Morris, Morton, Myers, H., Nealey, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, D., Sommers, H., Spanel, Sprenkle, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 81.

Voting nay: Representatives Bowman, Brumsickle, Carlson, Casada, Chandler, Fuhrman, Johnson P., Lisk, McLean, Mielke, Miller, Moyer, Neher, Nelson, Silver, Tate, Vance - 17.

Substitute Senate Bill No. 6386, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6054, by Senators L. Smith, Bauer, Johnson, Murray, von Reichbauer, Snyder, Metcalf, Conner, Thorsness, Vognild, Sutherland, Jesernig, M. Kreidler and Pelz

Modifying the chiropractic practice act.

The bill was read the second time.

#### MOTION

Mr. Ebersole moved, that the House defer consideration of Engrossed Senate Bill No. 6054 and that it hold its place on the second reading calendar.

SUBSTITUTE SENATE BILL NO. 6111, by Senate Committee on Children & Family Services (originally sponsored by Senators Craswell, Wojahn, Rasmussen, Roach, Stratton, Owen and Oke)

Providing family preservation services.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Ms. Leonard moved the adoption of the committee recommendation. It was adopted.

Ms. Leonard moved adoption of the following amendment, to the committee amendment:

On page 7, beginning on line 12 of the striking amendment strike all of New Section 9 and insert the following:  
"NEW SECTION Sec.9. After July 1, 1993, the secretary of social and health services may transfer funds appropriated for foster care services to purchase family preservation services for children at imminent risk of foster care placement. The secretary shall notify the appropriate committees of the senate and house of representatives of any transfers under this section. The secretary shall include caseload, expenditure, cost avoidance, identified improvements to the foster care system, and outcome data related to the transfer in the notification.

NEW SECTION Sec.10. The juvenile issues task force established under chapter 234, Laws of 1991, shall review the advisability of transferring appropriated funds from foster care to purchase family preservation services for children at imminent risk of foster care placement and include findings and recommendations on the transfer of funds to the appropriate committees of the senate and house of representatives by December 15, 1992. The task force shall identify ways to improve the foster care system and expand family preservation services with the savings generated by avoiding the placement of children at imminent risk of foster care placement through the provision of family preservation services."

Renumber the remaining sections accordingly.

Ms. Leonard spoke in favor of adoption of the amendment to the committee amendment. It was adopted.

Ms. Leonard moved adoption of the following amendment to the committee amendment:  
On page 8 line 6 strike "10" and insert "11"

Ms. Leonard spoke in favor of the adoption of the amendment to the amendment. It was adopted.

The Speaker stated the question before the House is the adoption of the committee amendment as amended. It was adopted.

With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Leonard, Edmondson P. Johnson, Padden and Casada spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6111, as amended by the House, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Loven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 6111, as amended by the House, having received the constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5116**, by Senate Committee on Education (originally sponsored by Senators Murray, Bailey, Thorsness, Gaspard, A. Smith, Rinehart, Madsen, Talmadge, Bauer and Erwin; by request of Task Force on Student Transp. Safety)

Allowing school bus drivers to report violators.

The bill was read the second time. Committee on recommendation: Majority, do pass as amended. (For committee amendment, see Journal, Day, 1992.)

Mr. Peery moved the adoption of the committee recommendation. It was adopted.

With the consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brough, Neher and Brumsickle spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5116, as amended by the House, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day,

Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 5116, as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved, that the House defer consideration of Engrossed Senate Bill No. 6093 and that it hold its place on the second reading calendar.

#### MOTION

Mr. Ebersole moved, that the House consider the following bills in the following order, Engrossed Senate Bill No. 6407, Substitute Senate Bill No. 6377 and Engrossed Senate Bill No. 6273. The motion carried.

ENGROSSED SENATE BILL NO. 6407, by Senators Madsen, Anderson, Matson and Vognild

Providing for awards in construction contract actions.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Heavey moved the adoption of the committee recommendation.

Mr. Heavey moved adoption of the following amendment by Representatives Heavey and Fuhrman to the committee amendment:

On page 1, beginning on line 5 of the committee amendment, strike all material through "arbitration." on line 22 and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 39.04 RCW to read as follows:

(1) The provisions of RCW 4.84.250 through 4.84.280 shall apply to an action arising out of a public works contract in which the state or a municipality, or other public body that contracts for public works, is a party, except that: (a) The maximum amount of the pleading shall be two hundred fifty thousand dollars; and (b) in applying RCW 4.84.280, the time period for serving offers of settlement on the adverse party shall be the period not less than thirty days and not more than one hundred twenty days after completion of the service and filing of the summons and complaint.

(2) The rights provided for under this section may not be waived by the parties to a public works contract that is entered into on or after the effective date of this act, and a provision in such a contract that provides for waiver of these rights is void as against public policy. However, this subsection shall not be construed as prohibiting the parties from mutually agreeing to a clause in a public works contract that requires submission of a dispute arising under the contract to arbitration."

Mr. Heavey spoke in favor of adoption of the amendment. It was adopted.

With consent of the House, Mr. Heavey moved to withdraw the following amendment:

On page 1, beginning on line 20 of the committee amendment, after "agreeing" strike the remainder of subsection (2) and insert "to a clause in a public works contract that requires submission of a dispute arising under the contract to arbitration."

Mr. Heavey spoke in favor of adoption of the committee amendment as amended.

The Speaker (Ms. Spanel presiding) stated the question before the House to be, the adoption of the committee amendment as amended. It was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Heavey and Fuhrman spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6407, as amended by the House, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Engrossed Senate Bill No. 6407, as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6377, by Senate Committee on Energy & Utilities (originally sponsored by Senator Thorsness)

Modifying provisions for the awarding of TDD distribution and maintenance contracts.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Cooper moved the adoption of the committee amendment.

Mr. Cooper moved adoption of the following amendment, by Representatives Cooper, Grant and May to the committee amendment:

On page 5, line 15, after "exceed" strike "~~((ten))~~ fourteen" and insert "ten"

Representatives Cooper and Miller spoke in favor of adoption of the amendment.

The Speaker (Ms. Spanel presiding) stated the question before the House, to be the adoption of the committee amendment as amended. It was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cooper, Miller and D. Sommers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6377, as amended by the House, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute Senate Bill No. 6377, as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved, that the House defer consideration of Engrossed Senate Bill No. 6273 and that it hold its place on the second reading calendar.

#### MOTION

Mr. Ebersole moved, that the House now consider House Bill No. 2967 on the second reading calendar.

HOUSE BILL NO. 2967, by Representatives Wang, Locke, Braddock and Paris

Expanding federally authorized medicaid taxes and appropriations to IMR facilities.

The bill was read the second time. Committee on Revenue recommendation: Majority, do pass substitute.

On motion of Mr. Wang, Substitute House Bill No. 2967 was substituted for House Bill No. 2967, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2967 was read the second time.

With consent of the House, 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 House Bill No. 2967, and the bill passed the House by the following vote: Yeas - 67, Nays - 30, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Broback, Brumsickle, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, May, Meyers, R., Morris, Moyer, Myers, H., Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Valle, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Ballard, Betrozoff, Bowman, Brough, Carlson, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Insee, Johnson P., Lisk, McLean, Mielke, Miller, Mitchell, Morton, Nealey, Neher, Padden, Prince, Schmidt, Silver, Sommers, D., Sprenkle, Tate, Vance, Van Luven - 30.

Excused: Representative Beck - 01.

Substitute House Bill No. 2967, having received the constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

#### MOTION

On motion of Mr. Ebersole, the House adjourned until 9:00 a.m., Friday, March 6, 1992.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk



FIFTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Friday, March 6, 1992

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 Appelwick, Beck, G. Fisher, Heavey and Vance.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Gavin Schmidt and Mark Longbrake. Prayer was offered by Pastor Larry Robertson, Minister of Emmanuel Apostolic Church of Bremerton.

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

MESSAGE FROM THE SENATE

March 5, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1631,  
SUBSTITUTE HOUSE BILL NO. 2212,  
ENGROSSED HOUSE BILL NO. 2360,  
SUBSTITUTE HOUSE BILL NO. 2263,  
HOUSE BILL NO. 2374,  
SUBSTITUTE HOUSE BILL NO. 2394,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2490,  
HOUSE BILL NO. 2633,  
SUBSTITUTE HOUSE BILL NO. 2639,  
HOUSE BILL NO. 2655,  
SUBSTITUTE HOUSE BILL NO. 2672,  
HOUSE BILL NO. 2841,  
ENGROSSED HOUSE BILL NO. 2821,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2842,  
SUBSTITUTE HOUSE BILL NO. 2867,  
SUBSTITUTE SENATE BILL NO. 5953,

and the same are herewith transmitted.

W.D. Naismith, Deputy Secretary.

With no objects, the House advanced to the eighth order of business.

## RESOLUTION

HOUSE RESOLUTION NO. 92-4762, by Representatives J. Kohl, Miller, Rasmussen, Valle, Rust, Silver, Brough, Mitchell, Winsley, Prentice, Sheldon, Roland, Franklin, G. Cole, Scott, Hine, R. Fisher, Wineberry, Jacobsen, Nelson, Brekke, Pruitt, Spanel, Wang, Edmondson, Fraser, Dorn, Ebersole, Bowman, Ogden, H. Myers, Orr, H. Sommers, O'Brien, Leonard, Moyer, Fomer, Schmidt, Lisk, P. Johnson, Belcher, D. Sommers, Casada, Paris, Kremen, Wood, Ferguson, Wynne and Anderson

WHEREAS, American women of every race, class, and ethnic background made historic contributions to the growth and strength of our state and Nation in countless recorded and unrecorded ways; and

WHEREAS, American women played and continue to play a critical economic, cultural, and social role in every sphere of life by constituting a significant portion of the labor force whether working inside or outside of the home; and

WHEREAS, American women played a unique role throughout the history of the Nation by providing a majority of the volunteer labor force; and

WHEREAS, American women were particularly important in establishing historic charitable, philanthropic, and cultural institutions in our Nation; and

WHEREAS, American women of every race, class, and ethnic background served as early leaders of every major progressive, social change movement; and

WHEREAS, American women were leaders not only in securing their own rights of suffrage and equal opportunity but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and especially the peace movement, which created a more fair and just society for all; and

WHEREAS, Despite these contributions, the role of American women in history is consistently overlooked and undervalued, in the literature, teaching, and study of American history;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives designate March as "Women's History Month" and recognize March 8th as "International Women's Day."

Ms. J. Kohl moved adoption of the resolution. Representatives J. Kohl, Miller, Wineberry, Ferguson, Wood and Rasmussen spoke in favor of the resolution.

House Resolution No. 92-4762 was adopted.

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

## POINT OF ORDER

Ms. Miller: Mr. Speaker (Mr. O'Brien presiding) I call for orders of the day.

Question before the House is motion to advance to the sixth order of business, division has been called.

## MOTION

On motion of Ms. G. Cole, Representative Appelwick was excused.

On motion of Ms. Bowman, Representative Beck and Vance were excused.

Question before the House is motion to advance to the sixth order of business, calendar of the day.

### ROLL CALL

The Clerk called the roll on the motion to advance to the second reading called, and the motion was passed, by the following vote: Yeas - 55, Nays - 38, Absent - 2, Excused - 3.

Voting yea: Representatives Anderson, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Hine, Insee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprengle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 55.

Voting nay: Representatives Ballard, Betrozoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Chandler, Edmondson, Ferguson, Former, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Silver, Sommers, D., Tate, Van Luven, Wilson, Winsley, Wood, Wynne - 38.

Absent: Representatives Fisher, G., Heavey - 02.

Excused: Representatives Appelwick, Beck, Vance - 03.

Motion having received the majority vote, it was carried.

### SECOND READING

#### MOTION

Mr. Ebersole moved that the House immediately consider Substitute House Bill No. 2964.

The Speaker (Mr. O'Brien presiding) called upon Representative R. Meyers to preside.

On motion of Ms. G. Cole, Representative G. Fisher was excused.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2947 on the Second Reading calendar. The motion was carried.

HOUSE BILL NO. 2947, by Representative Locke, Ferguson, Belcher, Miller, Peery, Hine, Fraser, Dellwo, Winsley, Paris, Edmondson, D. Sommers, Bowman, Basich, Van Luven, Jones, Former, Neher, Scott, Haugen, Rayburn, Ludwig, Sheldon, O'Brien and Anderson

Authorizing early retirement for certain employees of PERS and TRS.

The bill was read the second time. On motion of Representative Spanel, Substitute House Bill No. 2947 was substituted for House Bill No. 2947, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2947 was read the second time.

Mr. Locke moved adoption of the following amendments:

On page 3, line 15, after "public." strike "The" and insert "At the end of each three-month period in which exceptions are approved, the"

On page 4, line 9, after "students.", strike "The" and insert "At the end of each three-month period in which exceptions are approved, the"

On page 5, line 16, after "public.", strike "The" and insert "At the end of each three-month period in which exceptions are approved, the"

Representatives Locke and Silver spoke in favor of adoption of the amendments, and they were adopted.

Mr. Locke moved adoption of the following amendment:

On page 7, line 21, after "injury" strike "within two years following" and insert "after the time of"

On page 7, line 24, after "later than" strike all material down to and including "employment." on line 25 and insert "the date the employee would have been eligible to retire under the provisions of RCW 41.40.180 or 41.32.480 had the employee continued to work for the district until eligible to retire, or three years following the date of the employee's separation from school district employment, whichever occurs first. A district exercising its discretion under this section to pay the remainder of the remuneration after the time of the employee's separation from school district employment shall establish a policy and procedure for paying the remaining remuneration that applies to all affected employees equally and without discrimination."

Representatives Locke and Silver spoke in favor of adoption of the amendment, it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill placed on final passage.

Representatives Locke, Hine, Miller, Dorn, Ferguson and D. Sommers spoke in favor of passage of the bill, and Representatives Silver and Fuhrman spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2947, and the bill passed the House by the following vote: Yeas - 85, Nays - 12, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Broback, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Moyer, Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Schmidt, Scott, Sheldon, Sommers, D., Sprenkle, Tate, Valle, Van Luyen, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Brekke, Brough, Fuhrman, Hochstatter, Lisk, Morton, Nealey, Padden, Rust, Silver, Sommers, H., Spanel - 12.

Excused: Representative Vance - 01.

Engrossed Substitute House Bill No. 2947, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 2964, by House Committee on Revenue (originally sponsored by Representatives Wang, Winsley, Locke, Peery, R. Fisher and Brekke)

Modifying rental car taxation and providing funding for traffic safety education programs.

Mr. Prince moved adoption of the following amendment by Representatives Prince, Brough and Edmondson:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 46.04 RCW to read as follows:

(1) "Rental car" means a passenger car, as defined in RCW 46.04.382, that is used solely by a rental car business for rental to others, without a driver provided by the rental car business, for periods of not more than thirty consecutive days.

(2) "Rental car" does not include:

(a) Vehicles rented or loaned to customers by automotive repair businesses while the customer's vehicle is under repair;

(b) Vehicles licensed and operated as taxicabs.

NEW SECTION. Sec. 2. A new section is added to chapter 82.08 RCW to read as follows:

For purposes of this chapter, "retail car rental" means renting a rental car, as defined in section 1 of this act, to a consumer.

NEW SECTION. Sec. 3. A new section is added to chapter 82.14 RCW to read as follows:

The legislative authority of any county may impose a sales and use tax, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the county that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax shall be one percent of the selling price in the case of a sales tax or rental value of the vehicle in the case of a use tax. Proceeds of the tax shall be used solely for the following purposes:

(1) Acquiring, constructing, maintaining, or operating public sports stadium facilities; or

(2) Engineering, planning, financial, legal, or professional services incidental to public sports stadium facilities.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect June 1, 1992."

On page 1, line 2 of the title, after "rental;" strike the remainder of the title and insert "adding a new section to chapter 46.04 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.14 RCW; and declaring an emergency."

Representatives Prince, Brough and Paris spoke in favor of the adoption of the amendment, Mr. Wang spoke against.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be adoption of amendment 322, by Representatives Prince, Brough and Edmondson to Substitute House Bill No. 2964.

The Speaker (Mr. R. Meyers presiding), being in doubt, called upon the House to divide. The result of the division was: Yeas - 35, Nays - 62. The amendment was not adopted.

Mr. Wang moved adoption of the following amendment, by Representatives Wang, Locke, Ferguson, Paris, Brumsickle, Appelwick, Leonard, Zellinsky, Schmidt, Wilson, G. Cole, Nelson and Kremen:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 46.04 RCW to read as follows:

(1) "Rental car" means a passenger car, as defined in RCW 46.04.382, that is used solely by a rental car business for rental to others, without a driver provided by the rental car business, for periods of not more than thirty consecutive days.

(2) "Rental car" does not include:

(a) Vehicles rented or loaned to customers by automotive repair businesses while the customer's vehicle is under repair;

(b) Vehicles licensed and operated as taxicabs.

NEW SECTION. Sec. 2. A new section is added to chapter 82.08 RCW to read as follows:

For purposes of this chapter, "retail car rental" means renting a rental car, as defined in section 1 of this act, to a consumer.

**NEW SECTION. Sec. 3.** A new section is added to chapter 82.14 RCW to read as follows:

The legislative authority of any county may impose a sales and use tax, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the county that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax shall be one percent of the selling price in the case of a sales tax or rental value of the vehicle in the case of a use tax. Proceeds of the tax shall not be used to subsidize any professional sports team and shall be used solely for the following purposes:

- (1) Acquiring, constructing, maintaining, or operating public sports stadium facilities;
- (2) Engineering, planning, financial, legal, or professional services incidental to public sports stadium facilities;

or

- (3) Youth or amateur sport activities or facilities.

**NEW SECTION. Sec. 4.** The legislature intends to exempt rental cars from state and local motor vehicle excise taxes, and to impose additional sales and use taxes in lieu thereof. These additional sales and use taxes are intended to provide as much revenue to the funds currently receiving motor vehicle excise tax revenue, including the transportation funds and the general fund, as each fund would have received if the motor vehicle excise tax exemptions had not been enacted. Revenues from these additional sales and use taxes are intended to be distributed in the same manner as the motor vehicle excise tax revenues they replace.

**NEW SECTION. Sec. 5.** A new section is added to chapter 46.04 RCW to read as follows:

"Rental car business" means a person engaging within this state in the business of renting rental cars, as determined under rules of the department of licensing.

**NEW SECTION. Sec. 6.** A new section is added to chapter 46.16 RCW to read as follows:

Rental cars shall be registered and licensed as provided in chapter 46.87 RCW.

**NEW SECTION. Sec. 7.** A new section is added to chapter 46.87 RCW to read as follows:

(1) Rental car businesses must register with the department of licensing. This registration must be renewed annually by the rental car business.

(2) Rental car businesses must obtain a certificate of ownership and indicate that the vehicle is a rental car. Registration must be obtained for all rental cars and shall be valid for the period in which the rental car is part of an authorized business up to a maximum of twelve months.

(3) In addition to all other fees prescribed for the registration of vehicles under chapter 46.16 RCW, the department shall collect a fee of five dollars per registration for the administration of the program and a vehicle transaction fee as authorized in RCW 46.87.130 to be deposited to the motor vehicle fund.

(4) Use of rental cars is restricted to the rental customer unless otherwise provided by rule.

(5) The department will issue rental car license plates to businesses authorized under this section. A rental car business shall pay a fee of ten dollars for each set of rental car license plates as defined in RCW 46.87.090. Rental cars no longer eligible for use of the rental plates will be considered unlicensed vehicles and must be registered and pay the required motor vehicle excise taxes and registration fees prior to operation on public roads of this state.

(6) The department may authorize rental car businesses to issue temporary authorization permits as defined in RCW 46.87.080.

(7) The department may suspend or cancel the exemptions, benefits, or privileges granted under this section to any person or business firm who violates the laws of this state relating to the operation or registration of vehicles or rules lawfully adopted thereunder. The department may initiate and conduct audits, investigations, and enforcement actions as may be reasonably necessary for administering this section.

(8) Except as provided in this section or by rule adopted pursuant to this section, the transfer or use of the rental plates is a traffic infraction subject to a fine not to exceed five hundred dollars. Any law enforcement agency that determines that a special license plate has not been used in conformance with this section will confiscate the license plates and return them to the department for nullification along with full details of the reasons for confiscation.

(9) The department shall adopt such rules as may be necessary to administer and enforce the provisions of this section.

**NEW SECTION. Sec. 8.** A new section is added to chapter 82.44 RCW to read as follows:

Rental cars as defined in section 1 of this act are exempt from the taxes imposed in RCW 82.44.020 (1) and (2).

**Sec. 9.** RCW 82.08.020 and 1985 c 32 s 1 are each amended to read as follows:

(1) There is levied and there shall be collected a tax on each retail sale in this state equal to six and five-tenths percent of the selling price.

(2) There is levied and there shall be collected an additional tax on each retail car rental, regardless of whether the vehicle is licensed in this state, equal to five and nine-tenths percent of the selling price. Ninety-one percent of the revenue collected under this subsection shall be deposited and distributed in the same manner as motor vehicle excise tax revenue collected under RCW 82.44.020(1). Nine percent of the revenue collected under this subsection shall be

deposited in the transportation fund and distributed in the same manner as motor vehicle excise tax revenue collected under RCW 82.44.020(2).

~~(3)~~ The ~~((tax))~~ taxes imposed under this chapter shall apply to successive retail sales of the same property.

~~((3))~~ (4) The rates provided in this section ~~((applies))~~ apply to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

NEW SECTION. Sec. 10. A new section is added to chapter 82.08 RCW to read as follows:

Before January 1, 1994, and January 1 of each odd-numbered year thereafter:

The department of licensing, with the assistance of the department of revenue, shall provide the office of financial management and the fiscal committees of the legislature with an updated estimate of the amount of revenue attributable to the taxes imposed in RCW 82.08.020(2), and the amount of revenue not collected as a result of section 8 of this act.

Sec. 11. RCW 35.58.273 and 1991 c 339 s 29 and 1991 c 309 s 1 are each reenacted and amended to read as follows:

(1) Through June 30, 1992, any municipality, as defined in this subsection, is authorized to levy and collect a special excise tax not exceeding .7824 percent and beginning July 1, 1992, .725 percent on the value, as determined under chapter 82.44 RCW, of every motor vehicle owned by a resident of such municipality for the privilege of using such motor vehicle provided that in no event shall the tax be less than one dollar and, subject to RCW 82.44.150 (3) and (4), the amount of such tax shall be credited against the amount of the excise tax levied by the state under RCW 82.44.020(1). As used in this subsection, the term "municipality" means a municipality that is located within (a) each county with a population of two hundred ten thousand or more and (b) each county with a population of from one hundred twenty-five thousand to less than two hundred ten thousand except for those counties that do not border a county with a population as described under subsection (a) of this subsection.

(2) Through June 30, 1992, any other municipality is authorized to levy and collect a special excise tax not exceeding .815 percent, and beginning July 1, 1992, .725 percent on the value, as determined under chapter 82.44 RCW, of every motor vehicle owned by a resident of such municipality for the privilege of using such motor vehicle provided that in no event shall the tax be less than one dollar and, subject to RCW 82.44.150 (3) and (4), the amount of such tax shall be credited against the amount of the excise tax levied by the state under RCW 82.44.020(1). Before utilization of any excise tax moneys collected under authorization of this section for acquisition of right of way or construction of a mass transit facility on a separate right of way the municipality shall adopt rules affording the public an opportunity for "corridor public hearings" and "design public hearings" as herein defined, which rule shall provide in detail the procedures necessary for public participation in the following instances: (a) prior to adoption of location and design plans having a substantial social, economic or environmental effect upon the locality upon which they are to be constructed or (b) on such mass rapid transit systems operating on a separate right of way whenever a substantial change is proposed relating to location or design in the adopted plan. In adopting rules the municipality shall adhere to the provisions of the Administrative Procedure Act.

(3) A "corridor public hearing" is a public hearing that: (a) is held before the municipality is committed to a specific mass transit route proposal, and before a route location is established; (b) is held to afford an opportunity for participation by those interested in the determination of the need for, and the location of, the mass rapid transit system; (c) provides a public forum that affords a full opportunity for presenting views on the mass rapid transit system route location, and the social, economic and environmental effects on that location and alternate locations: PROVIDED, That such hearing shall not be deemed to be necessary before adoption of an overall mass rapid transit system plan by a vote of the electorate of the municipality.

(4) A "design public hearing" is a public hearing that: (a) is held after the location is established but before the design is adopted; and (b) is held to afford an opportunity for participation by those interested in the determination of major design features of the mass rapid transit system; and (c) provides a public forum to afford a full opportunity for presenting views on the mass rapid transit system design, and the social, economic, environmental effects of that design and alternate designs.

(5) A municipality imposing a tax under subsection (1) or (2) of this section may also impose a sales and use tax, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the municipality that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax shall bear the same ratio to the rate imposed under RCW 82.08.020(2) as the excise tax rate imposed under subsection (1) of this section bears to the excise tax rate imposed under RCW 82.44.020 (1) and (2). The base of the tax shall be the selling price in the case of a sales tax or the rental value of the vehicle used in the case of a use tax. The tax imposed under this section shall be deducted from the amount of tax otherwise due under RCW 82.08.020(2). The revenue collected under this subsection shall be distributed in the same manner as special excise taxes under subsections (1) and (2) of this section.

Sec. 12. RCW 81.100.060 and 1991 c 363 s 154 are each amended to read as follows:

A county with a population of one million or more and a county with a population of from two hundred ten thousand to less than one million that is adjoining a county with a population of one million or more, having within their boundaries existing or planned high occupancy vehicle lanes on the state highway system may, with voter approval, impose a local surcharge of not more than fifteen percent on the state motor vehicle excise tax paid under RCW 82.44.020(1) on vehicles registered to a person residing within the county and on the state sales and use taxes paid under the rate in RCW 82.08.020(2) on retail car rentals within the county. No surcharge may be imposed on vehicles licensed under RCW 46.16.070 except vehicles with an unladen weight of six thousand pounds or less, RCW 46.16.079, 46.16.080, 46.16.085, or 46.16.090.

Counties imposing a tax under this section shall contract, before the effective date of the resolution or ordinance imposing a surcharge, administration and collection to the state department of licensing, and department of revenue, as appropriate, which shall deduct an amount, as provided by contract, for administration and collection expenses incurred by the department. All administrative provisions in chapters 82.03, 82.32, and 82.44 RCW shall, insofar as they are applicable to state motor vehicle excise taxes, be applicable to surcharges imposed under this section. All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW shall, insofar as they are applicable to state sales and use taxes, be applicable to surcharges imposed under this section.

If the tax authorized in RCW 81.100.030 is also imposed by the county, the total proceeds from ~~((both))~~ tax sources imposed under this section and RCW 81.100.030 each year shall not exceed the maximum amount which could be collected under this section.

**Sec. 13.** RCW 81.104.160 and 1991 c 318 s 12 are each amended to read as follows:

(1) Any city that operates a transit system, county transportation authority, metropolitan municipal corporation, or public transportation benefit area, solely for the purpose of providing high capacity transportation service may submit an authorizing proposition to the voters, and if approved, may levy and collect an excise tax, at a rate approved by the voters, but not exceeding eighty one-hundredths of one percent on the value, under chapter 82.44 RCW, of every motor vehicle owned by a resident of such city, county transportation authority, metropolitan municipal corporation, or public transportation benefit area. In any county imposing a motor vehicle excise tax surcharge pursuant to RCW 81.100.060, the maximum tax rate under this section shall be reduced to a rate equal to eighty one-hundredths of one percent on the value less the equivalent motor vehicle excise tax rate of the surcharge imposed pursuant to RCW 81.100.060. This rate shall not apply to vehicles licensed under RCW 46.16.070 except vehicles with an unladen weight of six thousand pounds or less, RCW 46.16.079, 46.16.080, 46.16.085, or 46.16.090.

(2) An agency imposing a tax under subsection (1) of this section may also impose a sales and use tax solely for the purpose of providing high capacity transportation service, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the agency's jurisdiction that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax shall bear the same ratio to the rate imposed under RCW 82.08.020(2) as the excise tax rate imposed under subsection (1) of this section bears to the excise tax rate imposed under RCW 82.44.020 (1) and (2). The base of the tax shall be the selling price in the case of a sales tax or the rental value of the vehicle used in the case of a use tax. The revenue collected under this subsection shall be used in the same manner as excise taxes under subsection (1) of this section.

**NEW SECTION. Sec. 14.** (1) Sections 1 through 3 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect June 1, 1992.

(2) Sections 4 through 13 of this act shall take effect January 1, 1993.

On page 1, line 2 of the title, after "rental;" strike the remainder of the title and insert "amending RCW 82.08.020, 81.100.060, and 81.104.160; reenacting and amending RCW 35.58.273; adding new sections to chapter 46.04 RCW; adding new sections to chapter 82.08 RCW; adding a new section to chapter 82.14 RCW; adding a new section to chapter 46.16 RCW; adding a new section to chapter 46.87 RCW; adding a new section to chapter 82.44 RCW; creating a new section; prescribing penalties; providing effective dates; and declaring an emergency."

Representatives Wang and Basich spoke in favor of adoption of the amendment, Representatives Prince, Horn and Brough spoke against.

Mr. Zellinsky demanded the previous question.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be the adoption of amendment 327, by Representative Wang and others. The amendment was adopted.



The bill was ordered in engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representative Morris spoke against passage of the bill.

On motion of Mr. Mielke, Representatives Bowman and Brumsickle were excused.

Representative Prince spoke against passage of the bill

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2964, and the bill passed the House by the following vote: Yeas - 57, Nays - 38, Absent - 0, Excused - 3.

Voting yea: Representatives Anderson, Appelwick, Basich, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Neher, Nelson, O'Brien, Ogden, Orr, Paris, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wilson, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 57.

Voting nay: Representatives Ballard, Beck, Belcher, Betrozoff, Braddock, Broback, Brough, Carlson, Casada, Chandler, Edmondson, Forner, Fuhrman, Hochstatter, Horn, Inslee, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Padden, Peery, Prince, Schmidt, Silver, Sommers, D., Tate, Van Luven, Wood, Wynne - 38.

Excused: Representatives Bowman, Brumsickle, Vance - 03.

Engrossed Substitute House Bill No. 2964 as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Mr. Dorn, the House recessed until 1:30 p.m.

#### AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m. The Clerk called the roll and all members were present except Representatives Locke and Vance.

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

#### INTRODUCTIONS AND FIRST READING

HCR 4434 by Representatives Forner, Hargrove, Chandler, McLean, Van Luven, Hochstatter, Mielke, Tate, Moyer, Casada, Morton, P. Johnson, Broback, Vance, Fuhrman, Padden, Wynne, Paris, Brumsickle, Bowman and Horn

Exempting Engrossed Senate Bill No. 6201 from legislative cut-off dates.

Referred to Rules Review.

HCR 4435 by Representatives Rayburn, Grant, Edmondson, Roland, Lisk, Riley, Ludwig, Bowman, Bray, Fraser, Leonard, Chandler, Haugen, Nealey, Paris, Brumsickle, Padden, Wynne and Anderson

Recognizing Washington wine appreciation month.

Referred to Rules Review.

HCR 4436 by Representatives Forner, Hargrove, Bowman, Day, Ballard, Vance, Brumsickle, Basich, Tate, Morris, Casada, Ferguson, Lisk, Horn, Wynne, Edmondson, Broback, Nealey, Wilson, Betrozoff, Beck, Hochstatter, Brough, D. Sommers, Paris, Wood and Padden

Exempting Second Substitute Senate Bill No. 6255 from the cutoff dates.

Referred to Rules Review.

SSB 5953 by Senate Committee on Education (originally sponsored by Senator Bailey)

Improving the common school system.

#### MOTION

Ms. Miller moved to amend the motion, to place House Concurrent Resolution No. 4436, on the Second Reading calendar.

Ms. Miller withdrew the motion, asked the question be divided and recorded vote be taken.

Ms. Miller spoke in favor of not sending House Concurrent Resolution No. 4436, to the Rules committee.

Mr. Mielke moved that Representative Vance be excused.

#### ROLL CALL

The Clerk called the roll on the motion to send House Concurrent Resolution No. 4436 to the Rules committee. Yeas - 51, Nays - 44, Absent - 2, Excused - 1.

Voting yea: Representatives Anderson, Belcher, Braddock, Bray, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Haugen, Heavey, Hine, Insee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Ludwig, Meyers, R., Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 51.

Voting nay: Representatives Ballard, Basich, Beck, Betrozoff, Bowman, Brekke, Broback, Brough, Brumsickle, Carlson, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hargrove, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Sheldon, Silver, Sommers, D., Tate, Van Luven, Wilson, Winsley, Wood, Wynne - 44.

Absent: Representatives Appelwick, Locke - 2.

Excused: Representative Vance - 1.

Having received the necessary majority, the motion is declared passed.

Mr. Ebersole moved that Substitute Senate Bill No. 5953, be advanced to second reading.

SECOND READING

SSB 5953 by Senate Committee on Education (originally sponsored by Senator Bailey)

Improving the common school system.

MOTION

Mr. Ebersole, moved that the House defer consideration of Substitute Senate Bill No. 5953, and it holds it place on the second reading calendar.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1631,  
SUBSTITUTE HOUSE BILL NO. 2212,  
HOUSE BILL NO. 2261,  
SUBSTITUTE HOUSE BILL NO. 2263,  
SUBSTITUTE HOUSE BILL NO. 2281,  
HOUSE BILL NO. 2294,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2305,  
HOUSE BILL NO. 2314,  
SUBSTITUTE HOUSE BILL NO. 2330,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2333,  
ENGROSSED HOUSE BILL NO. 2347,  
HOUSE BILL NO. 2358,  
ENGROSSED HOUSE BILL NO. 2360,  
HOUSE BILL NO. 2371,  
HOUSE BILL NO. 2374,  
SUBSTITUTE HOUSE BILL NO. 2391,  
SUBSTITUTE HOUSE BILL NO. 2465,  
HOUSE BILL NO. 2516,  
HOUSE BILL NO. 2543,  
SUBSTITUTE HOUSE BILL NO. 2560,  
SUBSTITUTE HOUSE BILL NO. 2639,  
HOUSE BILL NO. 2655,  
HOUSE BILL NO. 2662,  
SUBSTITUTE HOUSE BILL NO. 2673,  
SUBSTITUTE HOUSE BILL NO. 2714,  
SUBSTITUTE HOUSE BILL NO. 2735,  
SUBSTITUTE HOUSE BILL NO. 2745,  
HOUSE BILL NO. 2746,  
SUBSTITUTE HOUSE BILL NO. 2768,  
ENGROSSED HOUSE BILL NO. 2821,

HOUSE BILL NO. 2841,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2842,  
 SUBSTITUTE HOUSE BILL NO. 2845,  
 SUBSTITUTE HOUSE BILL NO. 2867,

## MESSAGE FROM THE SENATE

March 6, 1992

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1664,  
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1931,  
 ENGROSSED HOUSE BILL NO. 2260,  
 SUBSTITUTE HOUSE BILL NO. 2302,  
 SUBSTITUTE HOUSE BILL NO. 2348,  
 HOUSE BILL NO. 2417,  
 SUBSTITUTE HOUSE BILL NO. 2555,  
 HOUSE BILL NO. 2682,  
 ENGROSSED HOUSE BILL NO. 2813,  
 SUBSTITUTE HOUSE BILL NO. 2873,  
 HOUSE BILL NO. 2961,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2990,  
 SUBSTITUTE SENATE BILL NO. 6057,  
 ENGROSSED SENATE BILL NO. 6089,  
 SUBSTITUTE SENATE BILL NO. 6460,

and the same are herewith transmitted.

W.D. Naismith, Deputy Secretary,

## INTRODUCTIONS

ESB 6089 by Senators West, M. Kreidler, Patterson, Bailey, Vognild, Madsen, Talmadge,  
 Johnson and McMullen; by request of Governor Gardner

Enacting comprehensive health care reform.

## MOTION

On motion of Mr. Ebersole, the rules were suspended and Engrossed Senate Bill No. 6089  
 was advanced to second reading and read the second time in full.

ENGROSSED SENATE BILL NO. 6089, by Senators West, M. Kreidler, Patterson, Bailey,  
 Vognild, Madsen, Talmadge, Johnson and McMullen; by request of Governor Gardner

Enacting comprehensive health care reform.

## MOTION

Mr. Braddock moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

## "WASHINGTON HEALTH SERVICES ACT"

NEW SECTION. Sec. 1. FINDINGS, INTENT, AND PRINCIPLES. (1) The legislature finds that:

(a) Despite the significant strides Washington state has made in addressing the lack of access to health services and rising health service costs, major system deficiencies still exist. The number of persons without access or with increasingly limited access to health services continues to grow at an alarming rate, as health service costs continue to rise well above the rate of inflation;

(b) Problems relating to health service access, assurance of quality of care, and cost control are likely to have a detrimental effect on the state's ability to be competitive in the international economy. Further, growing health service costs and the inability to purchase insurance have had a particularly harmful effect on small businesses, families, and individuals;

(c) There are significant administrative inefficiencies in the structure of the current health system, which has numerous payers and administrators, involving excess paperwork and consuming much of a health provider's time on nonclinical matters; and that a more unified financing and administrative structure would reduce overall administrative costs and increase the amount of time a health service provider would have available for patient care; and

(d) Future reforms must be systemic, addressing total community as well as individual needs, and encompassing all major components of health service delivery and finance. Reforms must also result in appropriate health service coverage for all state residents, promote quality of care, and include effective cost controls.

(2) To address the problems set forth in subsection (1) of this section, it is the intent of the legislature to implement the following principles by means of this chapter:

(a) The fundamental purpose of the health system should be to maintain or improve the health of all Washington residents at a reasonable cost;

(b) Because the responsibility for a healthy society lies primarily with its citizenry, enlightened citizens should play a key role in the development and oversight of their health services system;

(c) Appropriate health services should be available within an integrated system to all residents of Washington state regardless of health condition, age, sex, marital status, ethnicity, race, geographic location, employment, or economic status;

(d) The financial burden for providing needed health services should be equitably shared by government, employers, individuals, and families;

(e) Citizens should have the freedom to choose their health service provider, with incentives to participate in cost-effective well-managed health service settings;

(f) Health service providers should receive fair compensation for their services in a timely and uncomplicated manner;

(g) Health service providers should have the freedom to choose their practice settings with incentives to participate in cost-effective well-managed health service settings and to practice in areas where there are shortages of providers;

(h) Health promotion and illness and injury prevention programs should be a major part of a health services system;

(i) A state health services budget, reflecting the cost of providing health services through certified health plans and established in a public and deliberative manner, is essential to controlling health costs;

(j) An efficient health services administrative structure is essential to reduce costs and streamline service delivery;

(k) Quality of care should be promoted through identification of the most effective health services, with the assistance of health service providers, health scientists, health economists, health policy experts and consumers, through implementation of acceptable standards for the education, credentialing, and disciplining of health service providers and the operation of health facilities, and through a process of continued quality improvement and total quality management;

(l) The health services system should be sensitive to cultural differences and recognize the need for access services in eliminating significant barriers to health services and give special consideration to the special needs of racial and ethnic minorities and underserved or inappropriately serviced populations;

(m) There should be explicit policy addressing critical issues related to medical ethics and acceptable use of health service rationing, which should be developed in an open manner reflecting community and societal values; and

(n) The problems of medical malpractice and health care liability have a substantial effect upon the efficacy and cost-effectiveness of a health services system and should be addressed in health services reform policy.

**NEW SECTION. Sec. 2. DEFINITIONS.** In this chapter, unless the context otherwise requires:

(1) "Access services" means services that are not necessarily provided by a provider or facility but are deemed by the commission as critical for the efficient and effective delivery of health services.

(2) "Certified health plan" or "plan" means a disability group insurer regulated under chapter 48.21 or 48.22 RCW, a health care service contractor as defined in RCW 48.44.010, a health maintenance organization as defined in RCW 48.46.020, an entity as identified in section 5(15) of this act, or two or more of such entities that contract with the commission to administer or provide the uniform benefits package consistent with the requirements set forth in sections 5, 6, and 8 of this act. The Washington health care authority created under chapter 41.05 RCW shall be designated as a certified health plan when deemed appropriate by the commission.

(3) "Chair" means the presiding officer and the chief administrative officer of the commission.

(4) "Commission" means the Washington health services commission.

(5) "Continuous quality improvement and total quality management" means a continuous process to improve the quality of health services while reducing the costs of such services, as set forth in section 24 of this act.

(6) "Employer" means an employer as defined in RCW 50.04.080; a corporate officer; a partner in a partnership; a sole proprietor; and an individual who is an employee for whom an assessment is not collected or who earns self-employment or partnership income that is essentially equivalent to wages as defined in RCW 50.04.320.

(7) "Enrollee" means any person who is a Washington resident enrolled in a certified health plan.

(8) "Enrollee point of service cost-sharing" means fees paid to certified health plans by enrollees at the time of receiving uniform benefits package services.

(9) "Enrollee premium sharing" means that portion of the premium, as determined in section 14 of this act, that is paid by enrollees or their family members.

(10) "Federal poverty level" means the federal poverty guidelines determined annually by the United States department of health and human services or successor agency.

(11) "Health service facility" or "facility" means hospices licensed under chapter 70.127 RCW, hospitals licensed under chapter 70.41 RCW, rural health care facilities as defined in RCW 70.175.020, psychiatric hospitals licensed under chapter 71.12 RCW, nursing homes licensed under chapter 18.51 RCW, kidney disease treatment centers licensed under chapter 70.41 RCW, ambulatory diagnostic, treatment or surgical facilities licensed under chapter 70.41 RCW, and home health agencies licensed under chapter 70.127 RCW, and includes such facilities if owned and operated by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations, but does not include Christian Science sanatoriums operated, listed, or certified by the First Church of Christ Scientist, Boston, Massachusetts.

(12) "Health service provider" or "provider" means either:

(a) Any licensed, certified, or registered health professional regulated under chapter 18.130 RCW who the commission identifies as appropriate to provide health services;

(b) An employee or agent of a person described in (a) of this subsection, acting in the course and scope of his or her employment; or

(c) An entity, whether or not incorporated, facility, or institution employing one or more persons described in (a) of this subsection, 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 or her employment.

(13) "Improper queuing" means a delay in the delivery of health services, the results of which could be detrimental to the health of an enrollee.

(14) "Maximum enrollee financial participation" means the income-related total annual payments that may be required of an enrollee per family member, including both premium sharing and point of service cost-sharing.

(15) "Premium" means the level of payment a certified health plan receives for all expenses, including administration, operation, and capital, determined on an annual basis by the commission, for providing the uniform benefits package to an individual, either adult or child, or a family.

(16) "Technology" means drugs, devices, equipment, and medical or surgical procedures used in the delivery of health services, and the organizational or supportive systems within which such services are provided. It also means sophisticated and complicated machinery developed as a result of ongoing research in the basic biological and physical sciences, clinical medicine, electronics and computer sciences, as well as the growing body of specialized professionals, medical equipment, procedures, and chemical formulations used for both diagnostic and therapeutic purposes.

(17) "Uniform benefits package" means the subset of appropriate and effective health services, as defined by the commission pursuant to section 8 of this act, that must be offered to all Washington residents through certified health plans.

(18) "Washington resident" means a person who has established permanent residence in the state of Washington and who has not moved to Washington for the primary purpose of securing health insurance under this chapter. The confinement of a person in a nursing home, hospital, or other medical institution in the state shall not by itself be sufficient to qualify such person as a resident.

(19) "Washington state health service supplier certification" means a process established pursuant to section 24 of this act whereby health service providers and health service facilities become certified to provide the uniform benefits package.

**NEW SECTION. Sec. 3. CREATION OF COMMISSION--MEMBERSHIP--TERMS OF OFFICE--VACANCIES--SALARIES.** (1) The Washington health services commission is created with the responsibility of exercising strategies to control rapidly increasing health services expenditures and ensure universal access. The regulatory practices of the commission shall be limited to strategies that will reduce administrative waste, limit inefficient use of capital and technology, reduce defensive medical practices, structure payment mechanisms that provide incentives for efficient delivery of appropriate services, and define the uniform benefits package and the price that may be charged to provide that package to citizens of the state. The rate of increase in the price of the uniform benefits package is limited by this act. Implementation of these cost control strategies is necessary to meet the goal of universal access.

The commission's regulatory efforts shall include regulation that aids market forces as an effective means of cost containment. Increasing the use of managed care systems to provide health services, and emphasizing preventive and primary care shall guide the commission's regulatory activities.

(2) There is created an agency of state government to be known as the Washington health services commission. The commission shall consist of seven members appointed by the governor with the consent of the senate. One member shall be designated by the governor as chair and shall serve at the pleasure of the governor. The other six members shall serve five-year terms. In making such appointments the governor shall give consideration to the geographical exigencies, and the interests of consumers, purchasers, and ethnic groups. One member shall have experience as a health service provider, and one member shall have experience in health service administration. Of the initial members, two shall be appointed to a term of three years, two shall be appointed to a term of four years, and two shall be appointed to a term of five years. Thereafter, members shall be appointed to five-year terms. Vacancies shall be filled by appointment for the remainder of the unexpired term of the position being vacated.

(3) Members of the commission shall have no pecuniary interest in any business subject to regulation by the commission and shall be subject to chapter 42.18 RCW, the executive branch conflict of interest act.

(4) Members of the commission shall occupy their positions on a full-time basis and are exempt from the provisions of chapter 41.06 RCW. Members shall be paid a salary to be fixed by the governor in accordance with RCW 43.03.040. A majority of the members of the commission constitutes a quorum for the conduct of business.

**NEW SECTION. Sec. 4. POWERS AND DUTIES OF THE CHAIR.** The chair shall be the chief administrative officer and the appointing authority of the commission and has the following powers and duties:

(1) Direct and supervise the commission's administrative and technical activities in accordance with the provisions of this chapter and rules and policies adopted by the commission;

(2) Employ personnel of the commission, not to exceed twenty-five full-time employees, in accordance with chapter 41.06 RCW, and prescribe their duties. With the approval of a majority of the commission, the chair may appoint persons to administer any entity established pursuant to subsection (8) of this section, and up to seven additional full-time employees, all of whom shall be exempt from the provisions of chapter 41.06 RCW;

(3) Enter into contracts on behalf of the commission;

(4) Accept and expend gifts, donations, grants, and other funds received by the commission;

(5) Delegate administrative functions of the commission to employees of the commission as the chair deems necessary to ensure efficient administration;

(6) Subject to approval of the commission, appoint advisory committees and undertake studies, research, and analysis necessary to support activities of the commission;

(7) Preside at meetings of the commission;

(8) Consistent with policies and rules established by the commission, establish such administrative divisions, offices, or programs as are necessary to carry out the purposes of this chapter; and

(9) Perform such other administrative and technical duties as are consistent with this chapter and the rules and policies of the commission.

**NEW SECTION. Sec. 5. POWERS AND DUTIES OF THE COMMISSION.** The activities of the commission shall be limited to the following powers and duties:

(1) Establish a total state health services budget, as provided in section 13 of this act.

(2) Adopt necessary rules in accordance with chapter 34.05 RCW to carry out the purposes of this chapter, provided that an initial set of draft rules addressing, at a minimum, the uniform benefits package, limits on maximum

enrollee financial participation, methods for developing the state health services budget, standards for health plan certification, procedures for monitoring and enforcing health plans certification standards, and standards for certified health plan and commission grievance procedures, must be submitted to the legislature by December 1, 1993.

(3) Establish the uniform benefits package, as provided in section 8 of this act, which shall be offered to enrollees of a certified health plan. The uniform benefits package shall be provided at the premium specified in subsection (4) of this section.

(4) Establish for each year, a premium that a certified health plan may receive from the Washington health services trust fund to provide the uniform benefits package to enrollees. The premium shall be determined by the commission, after conducting an analysis of the cost experience of the state employee health benefit plans for 1992 and assuming cost savings that may result from: Reductions in cost shifting; managed health care approaches; cost savings as a result of the uniform benefits package design process pursuant to section 8(2) of this act; the continuous quality improvement and total quality management process set forth in section 24 of this act, and other cost reduction strategies set forth herein. Thereafter, the commission shall, as soon as possible, limit the rate of increase to no more than the rate of increase in the United States consumer price index. In no event shall the rate of increase in the premium be increased by more than the amount of actual growth in the cost of the uniform benefits package between 1991 and 1992, as determined by the commission, minus two percentage points per year for each succeeding year until the annual rate of increase is no greater than the growth in the United States consumer price index.

(5) Evaluate and monitor the extent to which racial and ethnic minorities have access to and receive health services within the state.

(6) Monitor the actual growth in total annual health services expenditures in the state.

(7) Establish a maximum annual budget for major capital expenditures that are included within the premium. A major capital expenditure is defined as any single expenditure for capital acquisitions, including medical technological equipment, as defined by the commission, costing more than one million dollars. Periodically the commission shall prioritize the proposed projects based on standards of cost-effectiveness and access. The commission shall then approve those projects in rank order that are within the limits of the capital budget.

(8) After consultation with certified health plans, health service providers, purchasers, and consumers of health services, adopt practice guidelines in specific practice areas, for providers participating in any certified health plan. Such practice guidelines shall be used to promote appropriate use of technology, services, drugs, and supplies, and for cost containment and quality assurance.

(9) Develop guidelines to certified health plans for utilization management, use of technology and methods of payment, such as diagnosis related groupings and a resource-based relative value scale. Such guidelines shall be designed to promote improved management of health services, and improved efficiency and effectiveness within the health services delivery system.

(10) For services provided under the uniform benefits package, adopt standards for a single billing and claims payment procedure. Such standards shall ensure that these procedures are performed in a simplified, streamlined, and economical manner for all parties concerned. Except to the extent provided in section 7 of this act, nothing in this subsection authorizes the commission to require any specific claim or payment level or method.

(11) Adopt standards for personal health systems data and information systems as provided in section 17 of this act.

(12) Adopt standards that prevent conflict of interest by health service providers as provided in section 10 of this act.

(13) Certify certified health plans to provide the uniform benefits package.

(14) Contract with certified health plans to provide the uniform benefits package.

(15) When deemed necessary to ensure the availability of the uniform benefits package in a timely manner, contract directly with a local health department, a community/migrant health center, or any other private, nonprofit community-based health services agency for all or any part of the uniform benefits package.

(16) Ensure that no certified health plan may charge any additional fees or balance bill for services included in the uniform benefits package.

(17) Establish standards for certified health plan grievance and complaint procedures whereby an enrollee may file a complaint or grievance regarding any aspect of the plan and such grievance is addressed expeditiously.

(18) As of July 1, 1994, prohibit any disability group insurer, health care service contractor, or health maintenance organization from independently insuring, contracting for, or providing those health services provided through the uniform benefits package.

(19) In developing the uniform benefits package and other standards pursuant to this section, consider the likelihood of the establishment of a national health services plan by the federal government and its implications.

(20) Monitor certified health plans for compliance with standards established pursuant to this section.



(21) Establish standards for enrollment and prohibit discrimination based upon age, sex, family structure, ethnicity, race, health condition, geographic location, employment, or economic status in enrollment by certified health plans.

To the extent that the exercise of any of the powers and duties specified in this section may be inconsistent with the powers and duties of other state agencies, offices, or commissions, the authority of the commission shall supersede that of such other state agency, office, or commission, except in matters of health data pursuant to section 18 of this act, where the department of health shall have primary responsibility.

**NEW SECTION. Sec. 6. CERTIFIED HEALTH PLANS--REQUIREMENTS FOR APPROVAL.** The uniform benefits package established pursuant to section 8 of this act shall be provided through certified health plans. To participate, a plan must meet at least the following requirements:

- (1) Provide or assure the provision of services in the uniform benefits package within a defined geographic area.
- (2) Bear full financial risk and responsibility for the uniform benefits package provided to enrollees.
- (3) Comply with commission standards regarding health data and certified health plan evaluation.
- (4) Comply with all other standards established by the commission pursuant to section 5 of this act.

**NEW SECTION. Sec. 7. COMMISSION CERTIFICATION ENFORCEMENT AUTHORITY.** (1) Upon a determination by the commission that a certified health plan is failing, or is at imminent risk of failing, to meet its obligations to its enrollees or the state during a current certification or contractual period, the commission may intervene and assume those functions that are demonstrably necessary to protect the interests of the plan's enrollees and the state. Such actions may include, but are not limited to:

- (a) Approval of provider or facility payment methods or levels;
- (b) Approval of utilization management procedures or mechanisms to control the use of technology; and
- (c) Administration of functions demonstrably related to the failure, or imminent risk of failure, of the certified health plan to meet its certification or contractual obligations.

(2) The assumption of any certified health plan function by the commission pursuant to this section shall not absolve such certified health plan from any of the financial obligations undertaken by it through its certification or contracts with enrollees.

(3) Actions taken by the commission pursuant to this section shall be limited in duration to the balance of time remaining in the current certification period of the certified health plan. At or before the expiration of such time period, the commission shall make a determination regarding renewal of the plan's certification. If the commission determines that the plan's certification should not be renewed, the commission shall make every effort to ensure that the plan's current enrollees experience as minimal a disruption as possible in their receipt of health services, and in their established relationships with health service providers. It shall, as soon as possible, contract with another certified health plan to assume these responsibilities.

**NEW SECTION. Sec. 8. UNIFORM BENEFITS PACKAGE DESIGN.** (1) The commission shall define the uniform benefits package, which shall include those health services, based on the best available scientific health information, deemed to be effective and necessary on a societal basis for the maintenance of the health of the residents of the state, giving consideration to the state health services budget established pursuant to section 13 of this act.

(a) The legislature intends that the uniform benefits package be sufficiently comprehensive to meet the needs of state residents. As guidance in developing the package, the commission shall include no significant reductions in the categories of coverage included in the state employees health benefits plans, and shall include access services as defined herein. However, the specific schedule of services shall be established through the process set forth in subsection (2) of this section. The categories of coverage shall, at least, include the following:

(i) Personal health services, including inpatient and outpatient services for physical, mental, and developmental illnesses and disabilities including:

- (A) Diagnosis and assessment, and selection of treatment and care;
- (B) Clinical preventive services;
- (C) Emergency health services;
- (D) Reproductive and maternity services;
- (E) Clinical management and provision of treatment; and
- (F) Therapeutic drugs, biologicals, supplies, and equipment.

(ii) Access services.

(b) The commission, through a public process, also shall determine which services will be excluded. These exclusions shall include at least the following:

- (i) Cosmetic surgery except where deemed necessary for normal functioning or restorative purposes;
- (ii) Examinations associated with life insurance applications or legal proceedings; and
- (iii) Infertility services.

(c) The commission shall establish limits on maximum enrollee financial participation, related to enrollee gross family income.

(d) The commission shall evaluate the inclusion or exclusion of dental services in the uniform benefits package, and make such inclusions as are deemed appropriate.

(e) The uniform benefits package may include other services determined by the commission to be effective, necessary, and consistent with the principles set forth in section 1 of this act.

(2) The commission shall establish procedures to determine the specific schedule of health services to be included in the uniform benefits package categories of coverage. To assist the commission in this task, it may periodically establish health service review panels for specified periods of time to review existing information on need, efficacy, and cost-effectiveness of specific services and treatments. These panels shall consider the services outcome data provided under section 17 of this act. These panels also shall take into consideration available practice guidelines and appropriate use of expensive technology. Their review activities shall be consistent with the health service rationing policy set forth in section 20 of this act.

(3) In establishing the uniform benefits package, the commission shall seek the opinions of, and information from, the public. The commission shall consider results of official public health assessment and policy development activities, including recommendations of the state board of health, the department of health, and the state health report in discharging its responsibilities under this section. It shall coordinate this activity with the state board of health in its development of the state health report pursuant to RCW 43.20.050.

**NEW SECTION. Sec. 9. SUPPLEMENTAL BENEFITS.** Nothing in this chapter shall preclude disability group insurers, health care service contractors, or health maintenance organizations from insuring, providing, or contracting for health services not included in the uniform benefits package, and nothing in this chapter shall restrict the right of an employer to offer, an employee representative to negotiate for, or an individual to purchase services not included in the uniform benefits package.

**NEW SECTION. Sec. 10. CONFLICT OF INTEREST STANDARDS.** The commission shall establish standards prohibiting conflict of interest by health service providers. These standards shall be designed to control inappropriate behavior by health service providers that results in financial gain at the expense of consumers or certified health plans. These standards are not intended to inhibit the efficient operation of certified health plans.

**NEW SECTION. Sec. 11. REPORTS OF HEALTH CARE COST CONTROL AND ACCESS COMMISSION.** In carrying out its powers and duties under this chapter, including its responsibilities to develop recommendations regarding the health care liability system, design the uniform benefits package, and develop guidelines and standards, the commission shall consider the reports of the health care cost control and access commission established under House Concurrent Resolution No. 4443 adopted by the legislature in 1990. Nothing in this chapter requires the commission, created by section 3 of this act, to follow any specific recommendation contained in those reports except as it may also be included in this chapter or other law.

**NEW SECTION. Sec. 12. IMPROPER QUEUING PROTECTION.** It is the intent of the legislature that all enrollees receive necessary health services in a timely manner and that every effort be made to avoid delays in service that could be detrimental to an enrollee's health. The commission shall develop strategies that will reduce or prevent improper queuing. Upon the adoption of such strategies in rules by the commission, funds from the improper queuing reserve account of the Washington health services trust fund may be used to implement such strategies.

**NEW SECTION. Sec. 13. STATE HEALTH SERVICES BUDGET.** The state health services budget shall reflect total expenditures for all health services included in the uniform benefits package and shall be derived from the following sources:

- (1) Medicare, parts A and B, Title XVIII of the federal social security act, as amended;
- (2) Medicaid, Title XIX of the federal social security act, as amended;
- (3) Other federal health services funds that are allocated for the purposes of health services included in the accounts established pursuant to section 16 of this act;
- (4) Legislative general fund--state appropriations;
- (5) Employer contribution, as determined in section 14 of this act;
- (6) Enrollee premium sharing, as determined in section 14 of this act; and
- (7) Enrollee point of service cost-sharing, as determined in section 14 of this act.

**NEW SECTION. Sec. 14. UNIVERSAL ACCESS MECHANISMS.** (1) The commission shall develop recommendations relating to the most effective and cost-efficient methods of providing and financing universal access to the uniform benefits package. Such methods shall ensure access to appropriate and effective health services for all residents of Washington state regardless of age, sex, family structure, ethnicity, race, health condition, geographic location, employment, or economic status. In developing recommended financing methods, the commission shall consider the financial sources enumerated in section 13 of this act.

- (2) The commission shall use the following criteria as the basis for its determination:
- (a) Provision of the uniform benefits package to all residents;
  - (b) Minimal shift of costs from payer to payer;
  - (c) Compliance with health data requirements as set forth in this chapter;
  - (d) Accessibility by all residents to the uniform benefits package;
  - (e) Efficiency through uniformity in billing, claims, and records procedures;
  - (f) Propensity to resist inflationary increases on cost;
  - (g) Public accountability;
  - (h) Portability of benefits, whereby a resident changing employment or traveling out-of-state continues to be covered;
  - (i) Equity in risk adjustment methods;
  - (j) Seamlessness;
  - (k) Simplicity and ease with which residents can comprehend the operation of the health services system; and
  - (l) Development of appropriate technology.

(3) The commission shall report its findings and recommended methods to the governor and appropriate committees of the legislature no later than December 1, 1993.

(4) Any act or bill passed by the legislature related to methods of providing and financing universal access to the uniform benefits package shall be submitted to the people as a referendum, pursuant to Article II, section 1 of the Constitution of the state of Washington. No methods of providing or financing universal access to the uniform benefits package shall be implemented or amount collected unless approved by the voters of Washington state by referendum as provided in this subsection.

NEW SECTION. **Sec. 15. ADVISORY COMMITTEES.** In an effort to ensure effective participation in the commission's deliberations, the chair shall appoint an advisory committee with members representing consumers, business, government, labor, insurers, and health service providers. The chair may also appoint ad hoc and special committees for a specified time period.

Members of any committee shall serve without compensation for their services but shall be reimbursed for their expenses while attending meetings on behalf of the commission in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. **Sec. 16. TRUST FUND AND ACCOUNTS.** The Washington health services trust fund is hereby established in the state treasury. Funds designated pursuant to section 14 of this act shall be deposited in the Washington health services trust fund. Disbursements from the trust fund shall be on authorization of the commission or a duly authorized representative thereof. In order to maintain an effective expenditure the Washington health services trust fund shall be subject in all respects to chapter 43.88 RCW. However, no appropriation shall be required to permit expenditures and payment of obligations from such fund. The trust fund shall consist of four accounts:

(1) The personal health services account from which funds shall be expended for contracts with certified health plans to deliver the uniform benefits package to enrollees, including access services, personal health services, capital development, and health professions education.

(2) The public health account from which funds shall be expended to maintain and improve the health of all Washington residents, by assuring adequate financing for a public health system to (a) assess and report on the population's health status; (b) develop public policy which promotes and maintains health; and (c) assure the availability and delivery of appropriate and effective health interventions. This public system shall be composed of the state board of health, state department of health, and local public health departments and districts. The commission shall assure that no less than five percent of the state health services budget is used for these assessment, policy development, and assurance functions, as defined by the state board of health in rule. These funds may include fees, federal funds, and general or dedicated state or local tax revenue. The state board of health shall develop policies regarding the extent to which local revenue or fees may be used to meet the five percent requirement. The commission may appropriate funds under its direction in order to assure that five percent of the state health services budget is used as required by this subsection. None of the funds shall be used for any service reimbursable through the uniform benefits package. The commission shall consider the results of official public health assessment and policy development activities, including recommendations of the state board of health, the department of health, and the state health report in discharging its responsibilities, including the assurance of access to appropriate and effective health services and the determination of the actual percentage used for core public health functions. The percent of total health expenditures required for expenditure on core public health functions shall be reviewed by the state board of health as part of its state health report and by the commission as part of any overall evaluation or assessment that may be required under this chapter.

(3) The improper queuing reserve account from which funds shall be expended to reduce unacceptable delays in the delivery of critical health care services as set forth in section 12 of this act.

(4) The health professions and research account from which funds shall be expended to:

(a) Retain needed health service providers in a manner consistent with the health professional shortage provisions set forth in chapter 332, Laws of 1991; and

(b) Conduct research relative to the commission's responsibilities:

NEW SECTION. Sec. 17. HEALTH DATA. The commission shall develop, in consultation with the department of health, the health data sources necessary to efficiently implement this chapter. The commission shall have access to all health data presently available to the secretary of health, however, the department of health shall be the designated depository agency for all health data collected pursuant to this chapter. To the extent possible, the commission shall use existing data systems and coordinate among existing agencies. The following data sources shall be developed or made available:

(1) The commission shall coordinate with the secretary of health to utilize data collected by the state center for health statistics, including hospital charity care and related data, rural health data, epidemiological data, ethnicity data, social and economic status data, and other data relevant to the commission's responsibilities.

(2) The commission, in coordination with the department of health and the health science programs of the state universities shall develop procedures to analyze clinical and other health services outcome data, and conduct other research necessary for the specific purpose of assisting in the design of the uniform benefits package under section 8 of this act.

(3) The commission shall utilize the capability of the insurance commissioner's office in conducting actuarial analyses.

NEW SECTION. Sec. 18. A new section is added to chapter 70.170 RCW to read as follows:

DEPARTMENT OF HEALTH DATA REQUIREMENTS. (1) The department is responsible for the implementation and custody of a state-wide personal health services data and information system. The data elements, specifications, and other design features of this data system shall be consistent with criteria adopted by the Washington health services commission. The department shall provide the commission with reasonable assistance in the development of these criteria, and shall provide the commission with periodic progress reports related to the implementation of the system or systems related to those criteria.

(2) The department shall coordinate the development and implementation of the personal health services data and information system with related private activities and with the implementation activities of the data sources identified by the commission. Data shall include: (a) Enrollee identifier, including date of birth, sex, and ethnicity; (b) provider identifier; (c) diagnosis; (d) health services or procedures provided; (e) provider charges; and (f) amount paid. The commission shall establish by rule confidentiality standards to safeguard the information from inappropriate use or release. The department shall assist the commission in establishing reasonable time frames for the completion of system development and system implementation.

NEW SECTION. Sec. 19. LONG-TERM CARE. (1) In order to meet the health needs of the residents of Washington state, it is critical to organize the foundation for financing and providing community-based long-term care and support services through an integrated, comprehensive system that promotes human dignity and recognizes the individuality of all functionally disabled persons. This system shall be available, accessible, and responsive to all residents based upon an assessment of their functional disabilities. The legislature recognizes that families, volunteers, and community organizations are absolutely essential for delivery of effective and efficient community-based long-term care and support services, and that this private and public service infrastructure should be supported and strengthened. Further, it is important to provide secured benefits assurance in perpetuity without requiring family or program beneficiary impoverishment for service eligibility.

(2) Recognizing that financial stability is essential to the success of a comprehensive long-term care system and that current and future demands are exceeding available financial resources, a dedicated fund comprised of state general funds, matching federal funds, public insurance funds, and sliding fee contributions by program beneficiaries should be established.

(3) It is the intent of this chapter that the Washington state legislature develop a program and financial structure for the provision of community-based long-term care and support services for functionally disabled persons as suggested in this section and adopt the necessary legislation no later than the adjournment of the 1994 regular session of the legislature.

NEW SECTION. Sec. 20. HEALTH SERVICE RATIONING POLICY. (1) The commission shall establish an explicit policy regarding rationing of health services. This policy shall address rationing in relation to limitations on financial resources and the availability of anatomical gifts.

The health services rationing policy shall address the following factors:

- (a) The effectiveness of the specific health service considered;
- (b) The cost-effectiveness of such service;
- (c) The service's ability to significantly improve quality of life;

- (d) The service's ability to improve functioning and independence;
- (e) The equity in providing the service to some persons, but not others; and
- (f) The service's social value to the health of the community when weighed against other priorities.

(2) The commission shall establish regional health services ethics committees, composed of persons drawn from a broad cross-section of the community to provide, based on the health services rationing policy, guidance to certified health plans in making decisions about the rationing of health services.

**NEW SECTION. Sec. 21. IMPLEMENTATION SCHEDULE.** Consistent with the determinations made pursuant to section 14 of this act, this chapter shall be implemented in developmental phases as follows:

(1) By May 1, 1992, the director of the office of financial management shall constitute a transition team composed of staff of the department of social and health services, the Washington state health care authority, the health care cost control and access commission created by House Concurrent Resolution No. 4443 (1990), the department of health, the department of labor and industries, the Washington basic health plan, and the insurance commissioner's office. The director may request participation of the appropriate legislative committee staff.

The transition team shall conduct analyses and identify:

- (a) The necessary transfer and consolidation of responsibilities among state agencies to fully implement this chapter;
- (b) State and federal laws that would need to be repealed, amended, or waived to fully implement this chapter; and
- (c) Appropriate guidelines for administrative costs of the plan.

The transition team shall report its findings to the director of financial management, the commission, and appropriate committees of the legislature by January 1, 1993, and on that date be disbanded.

(2) By December 1, 1992, the commission shall be appointed. As soon as possible thereafter, the commission shall:

- (a) Hire necessary staff;
- (b) Develop necessary data sources;
- (c) Appoint the initial health service review panel; and
- (d) Develop necessary methods to establish the state health services budget.

(3) By September 1, 1993, the director of the office of financial management shall submit to appropriate committees of the legislature an agency transfer and consolidation report, which shall address staffing, equipment, facilities, and funds, along with any necessary proposed legislation.

(4) By September 1, 1993, the commission shall review the result of the studies conducted as required in section 23(1) of this act.

(5) By December 1, 1993, the commission shall submit to the governor and appropriate committees of the legislature:

- (a) Draft rules, as provided in section 5(2) of this act;
- (b) A report on the extent that federal waivers or exemptions have not been obtained or the extent to which this chapter can be implemented without receipt of all of such waivers;

(c) Recommended methods of providing and financing universal access to the uniform benefits package, as provided in section 14 of this act; and

- (d) Proposed recommended uniform benefits package.

(6) By July 1, 1994, the commission shall have reviewed the recommendations of the initial health service review panel.

(7) By October 1, 1994, the commission shall have:

- (a) Determined the uniform benefits package;
- (b) Identified anti-improper queuing strategies; and
- (c) Developed procedures regarding enrollment, premiums, enrollee financial participation, and certified health plan negotiations and payments.

(8) During its 1994 session, the legislature should consider the material submitted as identified in subsection (5) of this section in an expeditious manner, and shall submit any act or bill passed by the legislature related to methods of providing and financing universal access to the uniform benefits package to the people as a referendum, as provided in section 14(4) of this act.

(9) By July 1, 1995, consistent with specific appropriations, all health services provided to recipients of medical assistance, medical care services, and the limited casualty program, as defined in RCW 74.09.010, all enrollees in the Washington basic health plan, as established by chapter 70.47 RCW, all state employees eligible for employee health benefits plans pursuant to chapter 41.05 RCW, and all common school employees eligible for health insurance, or health

care insurance under RCW 28A.400.350 shall be enrolled exclusively with a certified health plan, consistent with all provisions of this chapter.

**NEW SECTION. Sec. 22. CODE REVISIONS AND WAIVERS.** (1) The Washington health services commission shall consider the analysis of state and federal laws that would need to be repealed, amended, or waived to implement sections 1 through 26 of this act, as prepared by the transition team pursuant to section 21 of this act, and report its recommendations, with proposed revisions to the Revised Code of Washington, to the governor and appropriate committees of the legislature by December 31, 1993.

(2) The Washington health services commission shall take the following steps in an effort to receive waivers or exemptions from federal statutes necessary to fully implement sections 1 through 26 of this act:

(a) Negotiate with the United States congress to obtain a statutory exemption from provisions of the employee retirement income security act that limit the state's ability to enact legislation relating to employee health benefits plans administered by employers, including health benefits plans offered by self-insured employers.

(b) Negotiate with the United States congress and the federal department of health and human services, health care financing administration to obtain a statutory or regulatory waiver of provisions of the medicaid statute, Title XIX of the federal social security act, that currently constitute barriers to full implementation of provisions of sections 1 through 26 of this act related to access to health services for low-income residents of Washington state. Such provisions may include and are not limited to: Categorical eligibility restrictions related to age, disability, blindness, or family structure; income and resource limitations tied to financial eligibility requirements of the federal aid to families with dependent children and supplemental security income programs; and limitations on health service provider payment methods.

(c) Negotiate with the United States congress and the federal department of health and human services, health care financing administration to obtain a statutory or regulatory waiver of provisions of the medicare statute, Title XVIII of the federal social security act, that currently constitute barriers to full implementation of provisions of sections 1 through 26 of this act related to access to health services for elderly and disabled residents of Washington state. Such provisions include and are not limited to: Beneficiary cost-sharing requirements; restrictions on scope of services and limitations on health service provider payment methods.

(d) Negotiate with the United States congress and the federal department of health and human services to obtain any statutory or regulatory waivers of provisions of the United States public health services act necessary to ensure integration of federally funded community health clinics and other health services funded through the public health services act into the health services system established pursuant to sections 1 through 26 of this act.

(3) If the Washington health services commission fails to obtain approval for all necessary federal statutory changes or regulatory waivers necessary to fully implement sections 1 through 26 of this act by January 1, 1996, it shall report to the governor and appropriate committees of the legislature with a proposal for the implementation of sections 1 through 26 of this act to the extent possible without receipt of all of such waivers.

**NEW SECTION. Sec. 23. EVALUATIONS AND STUDIES:** The legislative budget committee, in consultation with the health care policy committees of the legislature, shall conduct directly or by contract the following studies or evaluations:

(1) Studies to determine the desirability and feasibility of consolidating the following programs, services, and funding sources into the system established by sections 1 through 26 of this act:

(a) Medical services component of the worker's compensation program of the department of labor and industries;

(b) Developmental disabilities, mental health and aging and adult services institutional programs of the department of social and health services;

(c) State and federal veterans' health services; and

(d) Civilian health and medical program of the uniformed services of the federal department of defense and other federal agencies.

The report shall be made to the governor and the appropriate committees of the legislature and the commission by September 1, 1993.

(2) A study to evaluate the implementation of the provisions of sections 1 through 26 of this act. The study shall determine to what extent the plan has been implemented consistent with the principles and elements set forth in chapter 70.-- RCW (sections 1 through 17 and 19 through 21 of this act) and shall report its findings to the governor and appropriate committees of the legislature by July 1, 1998.

**NEW SECTION. Sec. 24. CONTINUOUS QUALITY IMPROVEMENT AND TOTAL QUALITY MANAGEMENT.** To ensure the highest quality health services at the lowest total cost, the Washington health services commission shall establish a total quality management system of continuous quality improvement. Such endeavor shall be based upon the recognized quality science of continuous quality improvement. The commission shall impanel a

committee composed of persons from the private sector and related sciences who have broad knowledge and successful experience in continuous quality improvement and total quality management applications. It shall be the responsibility of the committee to develop standards for a Washington state health services supplier certification process and recommend such standards to the commission for review and adoption. Once adopted, the commission shall establish a schedule, with full compliance no later than July 1, 1995, whereby certified health plans must provide evidence that all health service providers and health service facilities have been reviewed and meet these standards prior to providing uniform benefits package services.

**NEW SECTION. Sec. 25. HEALTH CARE LIABILITY.** On or before December 1, 1994, the commission shall report the following information to the governor and appropriate committees of the legislature:

- (1) The status of the commission's development of practice guidelines, as provided in section 5(8) of this act;
- (2) The feasibility of implementing a demonstration project in which practice guidelines in specific practice areas may be used as evidence in medical malpractice actions.

In preparing this report, the commission shall consider recommendations related to health care liability that have been developed by the health care cost control and access commission.

**NEW SECTION. Sec. 26. RESERVATION OF LEGISLATIVE POWER.** The legislature reserves the right to amend or repeal all or any part of sections 1 through 26 of this act at any time and there shall be no vested private right of any kind against such amendment or repeal. All rights, privileges, or immunities conferred by sections 1 through 25 of this act or any act done pursuant thereto shall exist subject to the power of the legislature to amend or repeal sections 1 through 25 of this act at any time.

#### "INSURANCE REFORM"

**NEW SECTION. Sec. 27.** The legislature finds that in order to make the cost of health coverage more affordable and accessible to individuals and to businesses and their employees, certain marketing and underwriting practices by disability insurers, health care service contractors, and health maintenance organizations must be reformed and more aggressively regulated. Such reforms work in the public interest and guarantee coverage to individuals, and businesses, their employees and employees' dependents. Practices that hinder access to, affordability of, and equity in health insurance coverage are unacceptable.

It is the intent of the legislature to prohibit certain discriminatory practices, and to require that insurers use community rating methods, at least for individuals, and small business owners and their employees, that more broadly pool and distribute risk, which is a fundamental principle of health insurance coverage.

**NEW SECTION. Sec. 28.** A new section is added to Title 48 RCW to read as follows:

For the purposes of sections 29, 30, and 31 of this act "small business entity" means a business that employs less than one hundred individuals who reside in Washington state and are regularly scheduled to work at least twenty or more hours per week for at least twenty-six weeks per year. For purposes of determining the number of employees of an entity all employees, owners, or principals of all branches and divisions of the principal entity shall be included and may not be segregated by division, job responsibilities, employment status, or on any other basis.

**NEW SECTION. Sec. 29.** A new section is added to chapter 48.21 RCW to read as follows:

Every disability insurer that provides group disability insurance for health care services under this chapter shall make available to all individuals and business entities in this state the opportunity to enroll as an individual or a group in an insured plan without medical underwriting except as provided in this section. Such plan shall: (1) Allow all such individuals and groups to continue participation on a guaranteed renewable basis; (2) not exclude or discriminate in rate making or in any other way against any category of business, trade, occupation, employment skill, or vocational or professional training; and (3) not exclude or discriminate in rate making or in any other way against any individual, or employee or dependent within a group on any basis, including age, sex, or health status or condition. Disability insurers may adopt a differential rate based only upon actual costs of providing health care that are identifiable on a major geographical basis, such as east and west of the Cascades, and may adopt exclusions for preexisting conditions limited to not more than six months and applicable only to those individuals who have not been insured in the previous three months and have not been continuously insured long enough to satisfy a six-month waiting period. In addition, every disability insurer shall allow individuals and small business entities the opportunity to enroll as a group in an insured plan that uses community rating to establish the premium and may extend to larger sized businesses a similar opportunity to be included within a community rated pool.

An individual or family member who participates as an employee member of a group covered under this section for more than six consecutive months who then terminates his or her employment relationship and wishes to continue the same amount of health care coverage in the same plan shall be allowed that opportunity on an individual or family basis, depending on the coverage provided during active employment. The cost of such individual conversion or continuation coverage shall not exceed one hundred five percent of the rate for active members of the group.

**NEW SECTION. Sec. 30.** A new section is added to chapter 48.44 RCW to read as follows:

Every health care service contractor that provides coverage under group health care service contracts under this chapter shall make available to all individuals and business entities in this state the opportunity to enroll as an individual or a group in a health service contract without medical underwriting except as provided in this section. The health service contract shall: (1) Allow all such individuals and groups to continue participation on a guaranteed renewable basis; (2) not exclude or discriminate in rate making or in any other way against any category of business, trade, occupation, employment skill, or vocational or professional training; and (3) not exclude or discriminate in rate making or in any other way against any individual, or employee or employee's dependent within the group on any basis, including age, sex, or health status or condition. Health care service contractors may adopt a differential rate based only upon actual costs of providing health care that are identifiable on a major geographical basis, such as east and west of the Cascades, and may adopt exclusions for preexisting conditions limited to not more than six months and applicable only to those individuals who have not been insured in the previous three months and have not been continuously insured long enough to satisfy a six-month waiting period. In addition, every health care service contractor shall allow individuals and small business entities the opportunity to enroll as a group in an insured plan that uses community rating to establish the premium and may extend to larger sized businesses a similar opportunity to be included within a community rated pool.

An individual or family member who participates as an employee member of a group covered under this section for more than six consecutive months who then terminates his or her employment relationship and wishes to continue the same amount of health care coverage in the same plan shall be allowed that opportunity on an individual or family basis, depending on the coverage provided during active employment. The cost of such individual conversion or continuation coverage shall not exceed one hundred five percent of the rate for active members of the group.

**NEW SECTION. Sec. 31.** A new section is added to chapter 48.46 RCW to read as follows:

Every health maintenance organization that provides coverage under group health maintenance organization agreements under this chapter shall make available to all individuals and business entities in this state the opportunity to enroll as an individual or a group in a health maintenance organization agreement without medical underwriting except as provided in this section. Such agreements shall: (1) Allow all such individuals and groups to continue participation on a guaranteed renewable basis; (2) not exclude or discriminate in rate making or in any other way against any category of business, trade, occupation, employment skill, or vocational or professional training; and (3) not exclude or discriminate in rate making or in any other way against any individual, or employee or employee's dependent within the group on any basis, including age, sex, or health status or condition. Such health maintenance organizations may adopt a differential rate based only upon actual costs of providing health care that are identifiable on a major geographical basis, such as east and west of the Cascades, and may adopt exclusions for preexisting conditions limited to not more than six months and applicable only to those individuals who have not been insured in the previous three months and have not been continuously insured long enough to satisfy a six-month waiting period. In addition, every health maintenance organization shall allow individuals and small business entities the opportunity to enroll as a group in an insured plan that uses community rating to establish the premium and may extend to larger sized businesses a similar opportunity to be included within a community rated pool.

An individual or family member who participates as an employee member of a group covered under this section for more than six consecutive months who then terminates his or her employment relationship and wishes to continue the same amount of health care coverage in the same plan shall be allowed that opportunity on an individual or family basis, depending on the coverage provided during active employment. The cost of such continuation or conversion coverage shall not exceed one hundred five percent of the rate for active members of the group.

**NEW SECTION. Sec. 32.** A new section is added to chapter 48.21 RCW to read as follows:

Notwithstanding other sections of this chapter, the uniform benefits package adopted pursuant to section 5 of this act and from time to time revised by the Washington health services commission shall become the minimum benefits package required of any plan under this chapter. The maximum per capita rate determined and from time to time revised by the Washington health services commission shall become the maximum rate charged for this minimum benefits package.

**NEW SECTION. Sec. 33.** A new section is added to chapter 48.44 RCW to read as follows:

Notwithstanding other sections of this chapter, the uniform benefits package adopted pursuant to section 5 of this act and from time to time revised by the Washington health services commission shall become the minimum benefits package required of any plan under this chapter. The maximum per capita rate determined and from time to time revised by the Washington health services commission shall become the maximum rate charged for this minimum benefits package.

**NEW SECTION. Sec. 34.** A new section is added to chapter 48.46 RCW to read as follows:

Notwithstanding other sections of this chapter, the uniform benefits package adopted pursuant to section 5 of this act and from time to time revised by the Washington health services commission shall become the minimum benefits



package required of any plan under this chapter. The maximum per capita rate determined and from time to time revised by the Washington health services commission shall become the maximum rate charged for this minimum benefits package.

NEW SECTION. Sec. 35. A new section is added to Title 48 RCW to read as follows:

The insurance commissioner shall develop a reinsurance mechanism for certified health plans that does not impact the enrollee, enables insurers to share risk, and allows those insurers that assume the entire risk for their enrollees to opt out of the mechanism. The reinsurance mechanism must support itself entirely from funds generated from the participating insurers.

"BASIC HEALTH PLAN MODIFICATIONS"

NEW SECTION. Sec. 36. A new section is added to chapter 70.47 RCW to read as follows:

The powers, duties, and functions of the Washington basic health plan are hereby transferred to the Washington state health care authority. All references to the administrator of the Washington basic health plan in the Revised Code of Washington shall be construed to mean the administrator of the Washington state health care authority.

NEW SECTION. Sec. 37. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the Washington basic health plan shall be delivered to the custody of the Washington state health care authority. All cabinets, furniture, office equipment, motor vehicles, and other tangible property used by the Washington basic health plan shall be made available to the Washington state health care authority. All funds, credits, or other assets held by the Washington basic health plan shall be assigned to the Washington state health care authority.

Any appropriations made to the Washington basic health plan shall, on the effective date of this section, be transferred and credited to the Washington state health care authority. At no time may those funds in the basic health plan trust account, any funds appropriated for the subsidy of any enrollees or any premium payments or other sums made or received on behalf of any enrollees in the basic health plan be commingled with any appropriated funds designated or intended for the purposes of providing health care coverage to any state or other public employees.

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. 38. All employees of the Washington basic health plan are transferred to the jurisdiction of the Washington state health care authority. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the Washington state health care authority 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. 39. All rules and all pending business before the Washington basic health plan shall be continued and acted upon by the Washington state health care authority. All existing contracts and obligations shall remain in full force and shall be performed by the Washington state health care authority.

NEW SECTION. Sec. 40. The transfer of the powers, duties, functions, and personnel of the Washington basic health plan shall not affect the validity of any act performed prior to the effective date of this section.

NEW SECTION. Sec. 41. If apportionments of budgeted funds are required because of the transfers directed by sections 37 through 40 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.

NEW SECTION. Sec. 42. Nothing contained in sections 36 through 41 of this act may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law.

Sec. 43. RCW 70.47.010 and 1987 1st ex.s. c 5 s 3 are each amended to read as follows:

(1) The legislature finds that:

(a) A significant 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;

(b) This lack of basic health care coverage is detrimental to the health of the individuals lacking coverage and to the public welfare, and 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; and

(c) The use of managed health care systems has significant potential to reduce the growth of health care costs incurred by the people of this state generally, and by low-income pregnant women who are an especially vulnerable population, along with their children, and who need greater access to managed health care.

(2) The purpose of this chapter is to provide necessary basic health care services in an appropriate setting to working persons and others who lack coverage, at a cost to these persons that does not create barriers to the utilization of necessary health care services. To that end, this chapter establishes a program to be made available to those residents under sixty-five years of age not otherwise eligible for medicare with gross family income at or below two hundred percent of the federal poverty guidelines who share in the cost of receiving basic health care services from a managed health care system.

(3) It is not the intent of this chapter to provide health care services for those persons who are presently covered through private employer-based health plans, nor to replace employer-based health plans. Further, it is the intent of the legislature to expand, wherever possible, the availability of private health care coverage and to discourage the decline of employer-based coverage.

~~(4) (The program authorized under this chapter is strictly limited in respect to the total number of individuals who may be allowed to participate and the specific areas within the state where it may be established. All such restrictions or limitations shall remain in full force and effect until quantifiable evidence based upon the actual operation of the program, including detailed cost benefit analysis, has been presented to the legislature and the legislature, by specific act at that time, may then modify such limitations))~~ (a) It is the purpose of this chapter to acknowledge the initial success of this program that has (i) assisted thousands of families in their search for affordable health care; (ii) demonstrated that low-income uninsured families are willing, indeed eager, to pay for their own health care coverage to the extent of their ability to pay; and (iii) proved that local health care providers are willing to enter into a public/private partnership as they configure their own professional and business relationships into a managed health care system.

(b) As a consequence, but always limited to the extent to which funds might be available to subsidize the costs of health services for those in need, enrollment limitations have been modified and the program shall be expanded to additional geographic areas of the state. In addition, the legislature intends to extend an option to enroll to certain citizens with income above two hundred percent of the federal poverty guidelines who reside in communities where the plan is operational and who collectively or individually wish to exercise the opportunity to purchase health care coverage through the basic health plan, if it is done at no cost to the state.

Sec. 44. RCW 70.47.020 and 1987 1st ex.s. c 5 s 4 are each amended to read as follows:

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 plan administrator through participating managed health care systems, created by this chapter.

(2) "Administrator" means the Washington basic health plan administrator, who also holds the position of administrator of the Washington state health care authority.

(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 administrator and rendered by duly licensed providers, on a prepaid capitated basis to a defined patient population enrolled in the plan and in the managed health care system.

(4) "Enrollee" means an individual, or an individual plus the individual's spouse and/or dependent children, ~~((all under the age of sixty five and))~~ not ~~((otherwise))~~ eligible for medicare, who resides in an area of the state served by a managed health care system participating in the plan, whose gross family income at the time of enrollment does not exceed twice the federal poverty level as adjusted for family size and determined annually by the federal department of health and human services, who chooses to obtain basic health care coverage from a particular managed health care system in return for periodic payments to the plan. Nonsubsidized enrollees shall be considered enrollees unless otherwise specified.

(5) "Nonsubsidized enrollee" means an individual, or an individual plus the individual's spouse and/or dependent children not eligible for medicare, who resides in an area of the state served by a managed health care system participating in the plan, who has a gross family income of less than three hundred percent of the federal poverty level, and who chooses to obtain basic health care coverage from a particular managed health care system at no cost to the state in return for periodic payments to the plan. "Nonsubsidized enrollee" also includes any enrollee who originally enrolled subject to the income limitations specified in subsection (4) of this section, but who subsequently pays the full unsubsidized premium as set forth in RCW 70.47.060(9).

(6) "Subsidy" means the difference between the amount of periodic payment the administrator makes ~~((from funds appropriated from the basic health plan trust account,))~~ to a managed health care system on behalf of an enrollee plus the administrative cost to the plan of providing the plan to that enrollee, and the amount determined to be the enrollee's responsibility under RCW 70.47.060(2).

~~((6))~~ (7) "Premium" means a periodic payment, based upon gross family income and determined under RCW 70.47.060(2), which an enrollee makes to the plan as consideration for enrollment in the plan.

~~((7))~~ (8) "Rate" means the per capita amount, negotiated by the administrator with and paid to a participating managed health care system, that is based upon the enrollment of enrollees in the plan and in that system.

Sec. 45. RCW 70.47.030 and 1991 sp.s. c 13 s 68 and 1991 sp.s. c 4 s 1 are each reenacted and amended to read as follows:

(1) The basic health plan trust account is hereby established in the state treasury. ~~((A))~~ Any nongeneral fund-state funds collected for this program shall be deposited in the basic health plan trust account and may be expended without further appropriation. 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. After July 1, 1991, the administrator shall not expend or encumber for an ensuing fiscal period amounts exceeding ninety-five percent of the amount anticipated to be spent for purchased services during the fiscal year.

(2) The basic health plan subscription account is created in the custody of the state treasurer. All receipts from amounts due under RCW 70.47.060 (10) and (11) shall be deposited into the account. 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 nonsubsidized enrollees in the plan and payment of costs of administering the plan. The account is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures.

(3) The administrator shall take every precaution to see that none of the moneys in the separate account created in this section or that any premiums paid by either subsidized or nonsubsidized enrollees are commingled in any way.

Sec. 46. RCW 70.47.040 and 1987 1st ex.s. c 5 s 6 are each amended to read as follows:

(1) The Washington basic health plan is created as an independent ~~((agency of the state))~~ program within the Washington state health care authority. The administrative head and appointing authority of the plan shall be the administrator ~~((who shall be appointed by the governor, with the consent of the senate, and shall serve at the pleasure of the governor. The salary for this office shall be set by the governor pursuant to RCW 43.03.040))~~ of the Washington state health care authority. The administrator shall appoint a medical director. ~~The ((administrator,))~~ medical director~~((,))~~ and up to five other employees of the plan shall be exempt from the civil service law, chapter 41.06 RCW.

(2) The administrator shall employ such other staff as are necessary to fulfill the responsibilities and duties of the administrator, such staff to be subject to the civil service law, chapter 41.06 RCW. In addition, the administrator 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 plan. The administrator may call upon other agencies of the state to provide available information as necessary to assist the administrator in meeting its responsibilities under this chapter, which information shall be supplied as promptly as circumstances permit.

(3) The administrator may appoint such technical or advisory committees as he or she deems necessary. The administrator shall appoint a standing technical advisory committee that is representative of health care professionals, health care providers, and those directly involved in the purchase, provision, or delivery of health care services, as well as consumers and those knowledgeable of the ethical issues involved with health care public policy. Individuals appointed to any technical or other advisory committee shall serve without compensation for their services as members, but may be reimbursed for their travel expenses pursuant to RCW 43.03.050 and 43.03.060.

(4) The administrator may apply for, 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.

(5) In the design, organization, and administration of the plan under this chapter, the administrator shall consider the report of the Washington health care project commission established under chapter 303, Laws of 1986. Nothing in this chapter requires the administrator to follow any specific recommendation contained in that report except as it may also be included in this chapter or other law.

Sec. 47. RCW 70.47.060 and 1991 sp.s. c 4 s 2 and 1991 c 3 s 339 are each reenacted and amended to read as follows:

The administrator has 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 premium payments to the plan. The schedule of services shall emphasize proven 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 administrator shall consider the guidelines for assessing health services under the mandated benefits act of 1984, RCW 48.42.080, and such other factors as the administrator deems appropriate.

(2)(a) To design and implement a structure of periodic premiums due the administrator from subsidized enrollees that is based upon gross family income, giving appropriate consideration to family size as well as the ages of all family members. The enrollment of children shall not require the enrollment of their parent or parents who are eligible for the plan. With approval of the administrator, a third party may pay the premium, rate, or other amount determined by the administrator to be due to the plan on behalf of any enrollee, by arrangement with the enrollee, and through a mechanism approved by the administrator.

(b) Any premium, rate, or other amount determined to be due from nonsubsidized enrollees shall be in an amount equal to the amount negotiated by the administrator with the participating managed health care system for the plan plus the administrative cost of providing the plan to those enrollees.

(c) The administrator shall give consideration to any schedule of premiums, deductibles, copayments, and coinsurance that may be adopted by the Washington health services commission, but in particular reference to subsidized enrollees the powers, duties, and responsibilities of the administrator under this section and chapter shall not be superseded by action of the commission.

(3) To design and implement a structure of nominal copayments due a managed health care system from enrollees. The structure shall discourage inappropriate enrollee utilization of health care services, but shall not be so costly to enrollees as to constitute a barrier to appropriate utilization of necessary health care services.

(4) To design and implement, in concert with a sufficient number of potential providers in a discrete area, an enrollee financial participation structure, separate from that otherwise established under this chapter, that has the following characteristics:

(a) Nominal premiums that are based upon ability to pay, but not set at a level that would discourage enrollment;

(b) A modified fee-for-services payment schedule for providers;

(c) Coinsurance rates that are established based on specific service and procedure costs and the enrollee's ability to pay for the care. However, coinsurance rates for families with incomes below one hundred twenty percent of the federal poverty level shall be nominal. No coinsurance shall be required for specific proven prevention programs, such as prenatal care. The coinsurance rate levels shall not have a measurable negative effect upon the enrollee's health status; and

(d) A case management system that fosters a provider-enrollee relationship whereby, in an effort to control cost, maintain or improve the health status of the enrollee, and maximize patient involvement in her or his health care decision-making process, every effort is made by the provider to inform the enrollee of the cost of the specific services and procedures and related health benefits.

The potential financial liability of the plan to any such providers shall not exceed in the aggregate an amount greater than that which might otherwise have been incurred by the plan on the basis of the number of enrollees multiplied by the average of the prepaid capitated rates negotiated with participating managed health care systems under RCW 70.47.100 and reduced by any sums charged enrollees on the basis of the coinsurance rates that are established under this subsection.

(5) To limit enrollment of persons who qualify for subsidies so as to prevent an overexpenditure of appropriations for such purposes. Whenever the administrator finds that there is danger of such an overexpenditure, the administrator shall close enrollment until the administrator finds the danger no longer exists.

(6) To adopt a schedule for the orderly development of the delivery of services and availability of the plan to residents of the state, subject to the limitations contained in RCW 70.47.080.

In the selection of any area of the state for ~~((the initial))~~ operation of the plan, the administrator shall take into account the levels and rates of unemployment in different areas of the state, the need to provide basic health care coverage to a population reasonably representative of the portion of the state's population that lacks such coverage, and the need for geographic, demographic, and economic diversity.

Before July 1, ~~((1988))~~ 1994, the administrator shall endeavor to secure participation contracts with managed health care systems in ~~((discrete geographic areas within at least five))~~ all congressional districts.

(7) 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 administrator shall endeavor to assure that covered basic health care services are available to any enrollee of the plan from among a selection of two or more 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 administrator 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 areas of the state.

(8) To receive periodic premiums from enrollees, deposit them in the basic health plan operating account, keep records of enrollee 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.

(9) To accept applications from individuals residing in areas served by the plan, 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 sliding scale premiums. An enrollee who remains current in payment of the sliding-scale premium, as determined under subsection (2) of this section, and whose gross family income has risen above twice the federal poverty level, may continue enrollment (~~unless and until the enrollee's gross family income has remained above twice the poverty level for six consecutive months,~~) by making full payment at the unsubsidized rate required for the managed health care system in which he or she may be enrolled plus the administrative cost of providing the plan to that enrollee. No subsidy may be paid with respect to any enrollee whose current gross family income exceeds twice the federal poverty level or, subject to RCW 70.47.110, who is a recipient of medical assistance or medical care services under chapter 74.09 RCW. If a number of enrollees drop their enrollment for no apparent good cause, the administrator may establish appropriate rules or requirements that are applicable to such individuals before they will be allowed to re-enroll in the plan.

(10) To accept applications from small business owners on behalf of themselves and their employees who reside in an area served by the plan. Such businesses must have less than one hundred employees and enrollment shall be limited to those not eligible for medicare, who has a gross family income of less than three hundred percent of the federal poverty level, who wish to enroll in the plan at no cost to the state and choose to obtain basic health care coverage and services from a managed health care system participating in the plan. The administrator may require all or a substantial majority of the eligible employees, as determined by the administrator, of any such business to enroll in the plan and establish such other procedures as may be necessary to facilitate the orderly enrollment of such groups in the plan and into a managed health care system. The administrator shall adjust the amount determined to be due on behalf of or from all such enrollees whenever the amount negotiated by the administrator with the participating managed health care system or systems is modified or the administrative cost of providing the plan to such enrollees changes. Any amounts due under this subsection shall be deposited in the basic health plan subscription account. No enrollee of a small business group shall be eligible for any subsidy from the plan and at no time shall the administrator allow the credit of the state or funds from the trust account to be used or extended on their behalf.

(11) On and after July 1, 1994, to accept applications from individuals residing in areas served by the plan, on behalf of themselves and their spouses and dependent children not eligible for medicare who wish to enroll in the plan at no cost to the state and choose to obtain basic health care coverage and services from a managed health care system participating in the plan. Any such nonsubsidized enrollee must pay the plan whatever amount is negotiated by the administrator with the participating managed health care system and the administrative cost of providing the plan to such enrollees and shall not be eligible for any subsidy from the plan. Any amounts due under this subsection shall be deposited in the basic health plan subscription account.

(12) To determine the rate to be paid to each 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 similar enrollees, the rates negotiated with participating managed health care systems may vary among the systems. In negotiating rates with participating systems, the administrator shall consider the characteristics of the populations served by the respective systems, economic circumstances of the local area, the need to conserve the resources of the basic health plan trust account, and other factors the administrator finds relevant.

~~((14))~~ (13) 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 data reports concerning the utilization of health care services rendered to enrollees in order to provide adequate information for evaluation, 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 administrator shall endeavor to minimize costs, both to the managed health care systems and to the ~~(administrator)~~ plan. The administrator shall coordinate any such reporting requirements with other state agencies, such as the insurance commissioner and the department of health, to minimize duplication of effort.

~~((12))~~ (14) 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 the administrator deems appropriate.

~~((13))~~ (15) To evaluate the effects this chapter has on private employer-based health care coverage and to take appropriate measures consistent with state and federal statutes that will discourage the reduction of such coverage in the state.

~~((14))~~ (16) To develop a program of proven preventive health measures, and to integrate it into the plan wherever possible and consistent with this chapter.

~~((15))~~ (17) To provide, consistent with available resources, technical assistance for rural health activities that endeavor to develop needed health care services in rural parts of the state.

Sec. 48. RCW 70.47.080 and 1987 1st ex.s. c 5 s 10 are each amended to read as follows:

On and after July 1, 1988, the administrator shall accept for enrollment applicants eligible to receive covered basic health care services from the respective managed health care systems which are then participating in the plan. ~~((The administrator shall not allow the total enrollment of those eligible for subsidies to exceed thirty thousand.))~~

Thereafter, ~~((total))~~ average monthly enrollment of those eligible for subsidies during any biennium shall not exceed the number established by the legislature in any act appropriating funds to the plan, and total subsidized enrollment shall not result in expenditures that exceed the total amount that has been made available by the legislature in any act appropriating funds to the plan.

Before July 1, ~~((1988))~~ 1994, the administrator shall endeavor to secure participation contracts from managed health care systems in ~~((discrete geographic areas within at least five))~~ all congressional districts of the state and in such manner as to allow residents of both urban and rural areas access to enrollment in the plan. The administrator shall make a special effort to secure agreements with health care providers in one such area that meets the requirements set forth in RCW 70.47.060(4).

The administrator shall at all times closely monitor growth patterns of enrollment so as not to exceed that consistent with the orderly development of the plan as a whole, in any area of the state or in any participating managed health care system.

The annual or biennial enrollment limitations derived from operation of the plan under this section do not apply to nonsubsidized enrollees as defined in RCW 70.47.020(5).

Sec. 49. RCW 70.47.120 and 1987 1st ex.s. c 5 s 14 are each amended to read as follows:

In addition to the powers and duties specified in RCW 70.47.040 and 70.47.060, the administrator has the power to enter into contracts for the following functions and services:

(1) With public or private agencies, to assist the administrator in her or his duties to design or revise the schedule of covered basic health care services, and/or to monitor or evaluate 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 public or private agencies, including 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 administrator, and other administrative functions ordinarily performed by health care service contractors, other than insurance except that the administrator may purchase or arrange for the purchase of reinsurance, or self-insure for reinsurance, on behalf of its participating managed health care systems. Any activities of a health care service contractor pursuant to a contract with the administrator under this section shall be exempt from the provisions and requirements of Title 48 RCW.

#### "MISCELLANEOUS"

NEW SECTION. Sec. 50. The following acts or parts of acts are each repealed:

(1) RCW 43.131.355 and 1987 1st ex.s. c 5 s 24; and

(2) RCW 43.131.356 and 1987 1st ex.s. c 5 s 25.

NEW SECTION. Sec. 51. SEVERABILITY. 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. 52. SAVINGS CLAUSE. The enactment of this act does not have the effect of terminating, or in any way modifying, any obligation or any liability, civil or criminal, which was already in existence on the effective date of this section.

NEW SECTION. Sec. 53. CODIFICATION DIRECTIONS. Sections 1 through 17 and 19 through 21 of this act shall constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 54. CAPTIONS. Captions used in this act do not constitute any part of the law.

NEW SECTION. Sec. 55. SHORT TITLE. This act may be known and cited as the Washington health services act.

NEW SECTION. Sec. 56. EMERGENCY CLAUSE. Sections 1 through 26, 51, and 52 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 57. (1) Sections 27 through 31 and 35 through 50 of this act shall take effect July 1, 1992.

(2) Sections 32 through 34 of this act shall take effect January 1, 1994.

NEW SECTION. Sec. 58. Sections 27 through 35 of this act shall expire on July 1, 1996.

On page 1, line 1 of the title, after "care;" strike the remainder of the title and insert "amending RCW 70.47.010, 70.47.020, 70.47.040, 70.47.080, and 70.47.120; reenacting and amending RCW 70.47.030 and 70.47.060; adding a new section to chapter 70.170 RCW; adding new sections to Title 48 RCW; adding new sections to chapter 48.21 RCW; adding new sections to chapter 48.44 RCW; adding new sections to chapter 48.46 RCW; adding a new section to chapter 70.47 RCW; adding a new chapter to Title 70 RCW; creating new sections; repealing RCW 43.131.355 and 43.131.356; providing effective dates; providing an expiration date; and declaring an emergency."

Representatives Braddock and Franklin spoke in favor of adoption of the amendment, and Representatives Moyer, Bowman, Padden and Sprengle spoke against. The amendment was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Moyer, Ballard and Brough, spoke against passage of the bill, Representatives Braddock and Ebersole spoke in favor.

On motion of Mr. Mielke, Representative D. Sommers was excused.

Representative Ballard again spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6089 as amended by the House, and the bill passed the House by the following vote: Yeas - 55, Nays - 41, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sommers, H., Spanel, Valle, Wang, Wineberry, and Mr. Speaker - 55.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Sheldon, Silver, Sprengle, Tate, Van Luven, Wilson, Winsley, Wood, Wynne, Zellinsky - 41.

Excused: Representatives Sommers, D., Vance - 2.

Engrossed Senate Bill No. 6089 as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2983 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2983, by Representatives Locke, H. Sommers and D. Sommers

Providing job training or work experience for public assistance recipients.

On motion of Ms. Spanel, Substitute House Bill No. 2983 was substituted for House Bill No. 2983, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2983 was read the second time.

Mr. Mielke moved adoption of the following amendment by Representatives Mielke and Ballard:

On page 10, line 3, after "project" strike all language through "state." on page 10, line 5, and insert "for a period of twelve months."

Mr. Mielke spoke in favor of adoption of the amendment.

The Speaker called upon Representative R. Meyers to preside.

Mr. Locke spoke against adoption of the amendment, Mr. Padden spoke in favor.

Mr. Tate demand an electric roll call vote, and the demand was sustained.

Mr. Mielke again spoke in favor of adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment of the amendment on page 10, lines 3 and 5, by Representatives Mielke and Ballard to Substitute House Bill NO. 2983, and the amendment was not adopted by the following vote: Yeas - 38, Nays - 58, Absent - 0, Excused - 2.

Voting yea: Representatives Ballard, Beck, Betzoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Silver, Tate, Van Luven, Wilson, Winsley, Wood, Wynne - 38.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 58.

Excused: Representatives Sommers, D., Vance - 02.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Locke, Silver and Mielke spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2983, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.



Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2983 having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2993, by Representatives Orr, Locke, Inslee, Spanel, Rayburn, Roland and Rasmussen

Creating the rural health access account.

The bill was read the second time. On motion of Ms. Spanel, Substitute House Bill No. 2993 was substituted for House Bill No. 2993, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2993 was read the second time.

Mr. Moyer moved adoption of the following amendment by Representatives Moyer and Chandler:

On page 2, line 6, after "account" insert, "and shall be limited to no more than five percent of each contribution made to the account". Caps administrative costs at 5% of the annual contributions to the rural health access account.

Representatives Moyer, Mitchell and Chandler spoke in favor of adoption of the amendment, Mr. Locke spoke against it.

The Speaker, being in doubt, called upon the House to divide. The result of the division was: Yeas - 42, Nays - 54. The amendment was not adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and bill was placed on final passage.

Representatives Silver and Moyer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage Substitute House Bill No. 2993, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley,

Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2993, having received the constitutional majority, was declared passed.

### MOTION

Mr. Ebersole moved the House immediately consider Engrossed Senate Bill No. 6054 on the regular second reading calendar. The motion was carried.

ENGROSSED SENATE BILL NO. 6054, by Senators L. Smith, Bauer, Johnson, Murray, von Reichbauer, Snyder, Metcalf, Conner, Thorsness, Vognild, Sutherland, Jesernig, M. Kreidler and Pelz

Modifying the chiropractic practice act.

The bill was read the second time. Committee on Health Care recommendation: Majority, do pass as amended. (For committee amendments, see Journal 47th Day, February 28, 1992.)

Mr. Braddock moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

Mr. Moyer moved adoption of the following amendments, to the committee amendments:

On page 2, line 7 of the amendment, after "its" insert "spinal"

On page 2, beginning on line 7 of the amendment, after "effects" strike all material through "body" on line 9

On page 2, line 11 of the amendment, after "manipulation" insert "only"

On page 2, line 12 of the amendment, after "is" insert "directly"

On page 2, line 13 of the amendment, after "adjustment." insert "Complementary and preparatory procedures shall not be used to treat disorders originating from the extremities."

On page 2, line 18 of the amendment, after "measures" insert "if complementary and preparatory to a spinal adjustment"

On page 2, line 19 of the amendment, after "light" insert "if complementary and preparatory to a spinal adjustment"

On page 3, beginning on line 27 of the amendment, after "(6)" strike all material through "(8)" on page 4, line 3

Renumber the remaining subsections consecutively.

On page 4, beginning on line 4 of the amendment, after "complex" strike ", articular dysfunction, or musculoskeletal disorder" and insert "or articular dysfunction"

On page 4, beginning on line 9 of the amendment, after "complex" strike all material through "disorder" on line 10

On page 4, at the beginning of line 14 of the amendment, strike "applied to a joint of the appendicular skeleton. The" and insert ", insofar as the"

Mr. Moyer spoke in favor of adoption of the amendments to the committee amendment, Mr. Braddock spoke against. The amendments were not adopted.

Ms. Bowman moved adoption of the following amendment to the committee

amendment:

On page 4, after line 25 of the amendment, insert the following:

NEW SECTION. Sec. 5. If any section of this act is found to exceed the intent of section 1 of this act, the entire act shall be null and void.

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 5, beginning on line 8 of the title amendment, after "creating" strike "a new section" and insert "new sections"

Representatives Bowman and Moyer, spoke in favor of adoption of the amendment to the committee amendment, Mr. Braddock spoke against. It was not adopted.

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

On page 4, after line 25 of the amendment, insert the following:

Sec. 5. RCW 48.21.142 and 1971 ex.s. c 13 s 2 are each amended to read as follows:

Notwithstanding any provision of any group disability insurance contract or blanket disability insurance contract as provided for in this chapter, benefits shall not be denied thereunder for any health service performed by a holder of a license issued pursuant to chapter 18.25 RCW if (1) the service performed was within the lawful scope of such person's license, and (2) such contract would have provided benefits if such service had been performed by a holder of a license issued pursuant to chapter 18.71 RCW: PROVIDED, HOWEVER, That no provision of chapter 18.71 RCW shall be asserted to deny benefits under this section.

The provisions of this section are intended to be remedial and procedural to the extent they do not impair the obligation of any existing contract.

This section shall not apply to the services added to chiropractic scope of practice by this chapter.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 6, beginning on line 7 of the title amendment, after "18.25.025" strike "and 18.25.006" and insert ", 18.25.006, and 48.21.142"

Ms. Bowman spoke in favor of adoption of the amendments to the committee amendment, Mr. Braddock spoke against adoption. They were not adopted.

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

On page 4, after line 25 of the amendment, insert the following:

"Sec. 5. RCW 48.44.310 and 1986 c 223 s 8 are each amended to read as follows:

(1) Each group contract for comprehensive health care service which is entered into, or renewed, on or after September 8, 1983, between a health care service contractor and the person or persons to receive such care shall offer coverage for chiropractic care on the same basis as any other care.

(2) A patient of a chiropractor shall not be denied benefits under a contract because the practitioner is not licensed under chapter 18.57 or 18.71 RCW.

(3) This section shall not apply to a group contract for comprehensive health care services entered into in accordance with a collective bargaining agreement between management and labor representatives. Benefits for chiropractic care shall be offered by the employer in good faith on the same basis as any other care as a subject for collective bargaining for group contracts for health care services.

(4) This section shall not apply to the services added to chiropractic scope of practice by this chapter.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 6, beginning on line 7 of the title amendment, after "18.25.025" strike "and 18.25.006" and insert ", 18.25.006, and 48.44.310"

Ms. Bowman spoke in favor of adoption of the amendments to the committee amendment, Mr. Braddock spoke against adoption. They were not adopted.

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

On page 4, after line 25 of the amendment, insert the following:

**"NEW SECTION. Sec. 5.** A new section is added to chapter 18.25 RCW to read as follows:

All health care insurers subject to the regulation of the insurance commissioner shall have the authority to set service and fee limitations on chiropractic costs. They may establish arrangements under which chiropractors are paid on a prepaid capitated basis."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 5, line 8 of the title amendment, after "adding" strike "a new section" and insert "new sections"

Representatives Bowman and Moyer spoke in favor of the adoption of the amendments to the committee amendment, Mr. Braddock spoke against adoption.

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

### ROLL CALL

The Clerk called the roll on adoption of the amendments on page 4, line 25 and page 5, line 8, by Representative Bowman to the committee amendment, and the amendments were not adopted by the following vote: Yeas - 9, Nays - 87, Absent - 0, Excused - 2.

Voting yea: Representatives Ballard, Betrozoff, Bowman, Brumsickle, Ferguson, May, Moyer, Nealey, Rust - 09.

Voting nay: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Braddock, Bray, Brekke, Broback, Brough, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 87.

Excused: Representatives Sommers, D., Vance - 02.

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

On page 4, after line 25 of the amendment, insert the following:

**"NEW SECTION. Sec. 5.** A new section is added to chapter 48.44 RCW to read as follows:

(1) Each group contract for chiropractic services which is entered into, or renewed, on or after the effective date of this act, between a health care service contractor and the person or person to receive such care shall offer coverage for medical services on the same basis as any other care.

(2) A patient of physician shall not be denied benefits under a contract because the practitioner is not licensed under chapter 18.25 RCW.

(3) This section shall not apply to a group contract for comprehensive health care services entered into in accordance with a collective bargaining agreement between management and labor representatives. Benefits for the medical care shall be offered by the employer in good faith on the same basis as any other care as a subject for collective bargaining for group contracts for health care service."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 5, line 8 of the title amendment, after "RCW;" insert "adding a new section to chapter 48.44 RCW;"

Ms. Bowman spoke in favor of adoption of the amendment to the committee amendment, Mr. Braddock spoke against adoption. The amendment was not adopted.

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

On page 4, after line 25 of the amendment, insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 7.70 RCW to read as follows:

In actions against chiropractors licensed pursuant to chapter 18.25 RCW, to the extent that the subject matter of the lawsuit involves a service also included within chapter 18.71 RCW, chiropractors shall be held to the standard of care as physicians licensed pursuant to chapter 18.71 RCW."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 5, line 8 of the title amendment, after "RCW;" insert "adding a new section to chapter 7.70 RCW;"

Ms. Bowman spoke in favor of adoption of the amendments to the committee amendment.

#### POINT OF ORDER

Mr. Heavey: Thank you Mr. Speaker. Can we take the rest of Representative Bowman's amendments as one?

#### SPEAKERS RULING

The Speaker (Mr. R. Meyers presiding): Mr. Heavey there is only one more of Representative Bowman's amendments, your point is not well taken.

Mr. Braddock spoke against the adoption of the amendments to the committee amendment. They were not adopted.

Ms. Bowman moved adoption of the following amendment to the committee amendment.

On page 4, after line 25 of the amendment, insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 48.21 RCW to read as follows: Notwithstanding any provision of any group disability insurance contract or blanket disability insurance contract as provided for in this chapter, benefits shall not be denied thereunder for any health service performed by a holder of a license issued pursuant to chapter 18.71 RCW if: (1) The service performed was within the lawful scope of such person's license; and (2) such contract would have provided benefits if such service had been performed by a holder of license issued pursuant to chapter 18.25 RCW: PROVIDED, That no provision of chapter 18.25 RCW shall be asserted to deny benefits under this section.

The provisions of this section are intended to be remedial and procedural to the extent they do not impair the obligation of any existing contract."

On page 5, line 8 of the title amendment, after "RCW;" insert "adding a new section to chapter 48.21 RCW;"

Ms. Bowman spoke in favor of adoption of the amendments to the committee amendment, Mr. Braddock spoke against adoption of the amendment. They were not adopted.

Mr. Paris moved adoption of the following amendments by Representatives Paris and Beck to the committee amendment:

On page 2, line 5 of the amendment, after "deals" insert "only"

On page 2, line 7 of the amendment, after "effects," insert "including"

On page 2, line 12 of the amendment, after "procedure is" strike "complementary or"

On page 4, line 15 of the amendment, after "shall be" strike "complementary and"

Mr. Paris spoke in favor of the adoption of the amendments to the committee amendment, Mr. Braddock spoke against adoption of the amendments. They were not adopted.

Mr. Paris moved adoption of the following amendments by Representatives Paris and Beck to the committee amendment:

On page 4, beginning on line 26 of the amendment, strike all of section 5

On page 5, line 8 of the title amendment, after "18.25 RCW;" insert "and"

On page 5, line 9 of the title amendment, after "section" strike ";" and declaring an emergency"

Mr. Paris spoke in favor of the adoption of the amendments to the committee amendment, Mr. Braddock spoke against adoption of the amendments. They were not adopted.

Mr. Sprenkle moved adoption of the following amendment to the committee amendment:

On page 5, after line 13, insert the following:

Sec. 5. RCW 51.36.110 and 1986 c 200 s 2 are each amended to read as follows:

Health care providers have no vested right to treat workers of this state covered under Title 51 RCW, and the department shall provide for health care for these workers under such terms and conditions as are in the best interests of the workers.

(1) Therefore, the director of the department of labor and industries or the director's ((authorized representative)) designee shall have the authority to:

((1)) (a) Conduct audits and investigations of providers of medical, dental, vocational, and other health services furnished to ((industrially injured)) workers covered under Title 51 RCW pursuant to Title 51 RCW. In the conduct of such audits or investigations, the director or the director's ((authorized representatives)) designee may examine all records or bills for submission of payment, or portions thereof, including patient records, for which services were rendered by a ((health services)) provider and reimbursed by the department or self-insurer, notwithstanding the provisions of any other statute which may make or purport to make such records privileged or confidential: PROVIDED, That no original patient records shall be removed from the premises of the health services provider, and that the disclosure of any records or information obtained under authority of this section by the department of labor and industries is prohibited and constitutes a violation of RCW 42.22.040, unless such disclosure is directly connected to the official duties of the department: AND PROVIDED FURTHER, That the disclosure of patient information as required under this section shall not subject any physician or other health services provider to any liability for breach of any confidential relationships between the provider and the patient: AND PROVIDED FURTHER, That the director or the director's ((authorized representative)) designee shall destroy all copies of patient medical records in their possession upon completion of the audit, investigation, or proceedings.

Determinations by the department following any audit or investigation may be made without examination of the worker by a health care provider.

All information obtained by the department pursuant to this section shall be confidential and not subject to the disclosure requirements of chapter 42.17 RCW. Nothing herein shall preclude the use of such information by the department of labor and industries or its legal representatives in any proceeding, including an appeal by a provider or by a worker on issues involving a provider, before the board of industrial insurance appeals or the courts of this state;

((2)) (b) Deny or reduce payment or demand reimbursement or recoupment, with or without a penalty, of sums inappropriately paid to providers. Any amounts paid within the thirty-six calendar months immediately preceding the date of the demand may be included in the demand: PROVIDED, That whenever any payment to a provider has been induced by fraud the department may terminate or suspend eligibility to participate as a provider of services furnished to any or all workers covered under Title 51 RCW pursuant to Title 51 RCW and the provisions of RCW 51.32.240(4) shall apply;

(c) Approve or deny applications to participate as a provider of services furnished to ((industrially injured)) any or all workers covered under Title 51 RCW pursuant to Title 51 RCW; ((and

((3)) (d) Terminate or suspend eligibility to participate as a provider of services furnished to ((industrially injured)) any or all workers covered under Title 51 RCW pursuant to Title 51 RCW for patterns of medically unnecessary or inappropriate health care independent of any action or inaction by any other state agency, board, or commission including, but not limited to, those disciplinary authorities established in Title 18 RCW; and

(e) Adopt, promulgate, amend, and rescind administrative rules, in accordance with the administrative procedure act, chapter 34.05 RCW, to carry out the policies and purposes of this chapter.

(2) The provisions of this chapter shall apply to the provision of health care on any claim without regard to the date of injury or disease or the date the services were rendered.

(3) In no case shall a worker be responsible for the payment of any sum, or part thereof, recouped or demanded from a provider under this section.

(4) Whenever the department has taken any action pursuant to this section resulting in the termination or suspension of eligibility to treat an injured worker, the department shall assist the affected worker in the selection of a new provider.

Sec. 6. RCW 51.52.060 and 1986 c 200 s 11 are each amended to read as follows:

Any worker, beneficiary, employer, health care provider or other person aggrieved by an order, decision, or award of the department must, before he or she appeals to the courts, file with the board and the director, by mail or personally, within sixty days from the day on which such copy of such order, decision, or award was communicated to such person, a notice of appeal to the board: PROVIDED, That a health services provider or other person aggrieved by a department order or decision only making demand, whether with or without penalty, for repayment of sums paid to a provider of medical, dental, vocational, or other health services rendered to an industrially injured worker must, before he or she appeals to the courts, file with the board and the director, by mail or personally, within twenty days from the day on which such copy of such order or decision was communicated to the health services provider upon whom the department order or decision was served, a notice of appeal to the board. Within ten days of the date on which an appeal has been granted by the board, the board shall notify the other interested parties thereto of the receipt thereof and shall forward a copy of said notice of appeal to such other interested parties. Within twenty days of the receipt of such notice of the board, the worker or the employer may file with the board a cross-appeal from the order of the department from which the original appeal was taken: PROVIDED, That nothing contained in this section shall be deemed to change, alter or modify the practice or procedure of the department for the payment of awards pending appeal: AND PROVIDED, That failure to file notice of appeal with both the board and the department shall not be ground for denying the appeal if the notice of appeal is filed with either the board or the department: AND PROVIDED, That, if within the time limited for filing a notice of appeal to the board from an order, decision, or award of the department, the department shall direct the submission of further evidence or the investigation of any further fact, the time for filing such notice of appeal shall not commence to run until such person shall have been advised in writing of the final decision of the department in the matter: PROVIDED, FURTHER, That in the event the department shall direct the submission of further evidence or the investigation of any further fact, as above provided, the department shall render a final order, decision, or award within ninety days from the date such further submission of evidence or investigation of further fact is ordered which time period may be extended by the department for good cause stated in writing to all interested parties for an additional ninety days: PROVIDED, FURTHER, That the department, either within the time limited for appeal, or within thirty days after receiving a notice of appeal, may modify, reverse or change any order, decision, or award, or may hold any such order, decision, or award in abeyance for a period of ninety days which time period may be extended by the department for good cause stated in writing to all interested parties for an additional ninety days pending further investigation in light of the allegations of the notice of appeal, and the board shall thereupon deny the appeal, without prejudice to the appellant's right to appeal from any subsequent determinative order issued by the department: AND PROVIDED FURTHER, That the board may not issue a stay of a department order issued under RCW 51.36.110 unless the appealing party can demonstrate by substantial evidence that it will prevail in a hearing on the merits. A decision on the motion for a stay must be based on written affidavits and documentary evidence, including the department's file, as may be submitted by the parties. An industrial appeals judge who hears or decides a motion for a stay may not, without consent of the parties, participate in writing the proposed decision and order in the appeal.

NEW SECTION. Sec. 7. A new section is added to chapter 42.17 RCW to read as follows:

The disclosure requirements of this chapter shall not apply to records and information obtained by the department of labor and industries through the audit activities authorized by RCW 51.36.110.

NEW SECTION. Sec. 8. A new section is added to chapter 51.36 RCW to read as follows:

When any determination made by the department that demands payment of a penalty or repayment of any sums deemed owing under RCW 51.36.110 becomes final, the amount owing may be recovered by the department as follows:

(1) Any and all amounts may be offset at any time against future payments due the provider under any claim with the state fund or self-insurer, as the case may be; and

(2) The department may collect those sums by commencement of a civil action in the name of the state and paid into the medical aid fund or reimbursed to the self-insurer, as the case may be; and

(3) The director or the director's designee may file with the clerk of any county within the state a warrant in the amount of the sums owing plus interest from the date the order became final. The clerk of the county in which the warrant is filed shall immediately designate a superior court cause number for such warrant and the clerk shall cause to be entered in the judgment docket under the superior court cause number assigned to the warrant, the name of the provider mentioned in the warrant, the amount of the penalties and repayment owing plus interest accrued, and the date when the warrant was filed. The amount of the warrant as docketed shall become a lien upon the title to and interest in all real and personal property of the provider against whom the warrant is issued, the same as a judgment in a civil case docketed in the office of the clerk. The sheriff shall then proceed in the same manner and with like effect as

prescribed by law with respect to execution or other process issued against rights or property upon judgments in the superior court. The warrant so docketed shall be sufficient to support the issuance of writs of garnishment in favor of the department in the manner provided by law in the case of judgment, wholly or partially unsatisfied. The clerk of the court shall be entitled to a filing fee of five dollars, which shall be added to the amount of the warrant. A copy of the warrant shall be mailed to the provider within three days of filing with the clerk; and

(4) The director or the director's designee may issue to any person, firm, corporation, municipal corporation, political subdivision of the state, public corporation, or agency of the state, a notice and order to withhold and deliver property of any kind if there is reason to believe that there is in the possession of the person, firm, corporation, municipal corporation, political subdivision of the state, public corporation, or agency of the state, property that is due or owing or belonging to any provider upon whom a warrant has been served by the department for payments due the department. The notice and order to withhold and deliver shall be served by the sheriff of the county or by the sheriff's deputy, or by any authorized representatives of the director. Any person, firm, corporation, municipal corporation, political subdivision of the state, public corporation, or agency of the state upon whom service has been made shall answer the notice within twenty days exclusive of the day of service, under oath and in writing, and shall make true answers to the matters inquired of in the notice and order to withhold and deliver. In the event there is in the possession of the party named and served with the notice and order, any property that may be subject to the claim of the department, such property shall be delivered forthwith to the director or the director's authorized representative upon demand. If the party served and named in the notice and order fails to answer the notice and order within the time prescribed in this section, the court may, after the time to answer the order has expired, render judgment by default against the party named in the notice for the full amount claimed by the director in the notice together with costs; and

(5) In all cases of probate, insolvency, assignment for the benefits of creditors, or bankruptcy, the claim of the state for the payments due shall be a lien prior to all other liens or claims and on a parity with prior tax and liens, and the mere existence of such cases or conditions shall be sufficient to create such lien without any prior or subsequent action by the state. All administrators, receivers, or assignees for the benefit of creditors shall notify the department of such administration, receivership, or assignment within thirty days from date of their appointment and qualification.

The department must commence action pursuant to subsections (2) through (4) of this section within one year of the date its order becomes final.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, beginning on line 1 of the title, after "18.25.025" strike "and 18.25.006" and insert ", 18.25.006, 51.36.110, and 51.52.060"

On page 1, line 2 of the title, after "18.25 RCW;" insert "adding a new section to chapter 42.17 RCW; adding a new section to chapter 51.36 RCW;"

On page 5, beginning on line 14, strike all of section 5

On page 1, line 2 of the title, after "18.25 RCW;" insert "and"

On page 1, line 3 of the title, after "section" strike "; and declaring an emergency"

On page 3, after line 27, insert the following:

"(6) A person licensed under this chapter may not engage in the practice of medicine as defined in chapter 18.71 RCW."

On page 1, line 1 of the title, after "RCW" strike "18.25.025" and insert "18.25.005"

#### POINT OF ORDER

Ms. Morris: Thank you Mr. Speaker. I would like ruling of scope and object on this amendment. Ms. Morris with drew her point of order.

The Speaker (Mr. R. Meyers presiding) stated the question before the House, is the discussion of the amendments to the committee amendment by Representative Sprenkle.

Representatives Sprenkle and Moyer spoke in favor of the adoption of the amendments to the committee amendment, Ms. G. Cole spoke against adoption of the amendments.



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

Mr. Sprenkle again spoke in favor of the adoption of the amendments to the committee amendment.

#### ROLL CALL

The Clerk call the roll on adoption of the amendments on page 5, line 13, by Representative Sprenkle to the Health Care amendment, and the amendments were not adopted by the following vote: Yeas - 10, Nays - 86, Absent - 0, Excused - 2.

Voting yea: Representatives Betrozoff, Bowman, Ferguson, Hochstatter, Moyer, Paris, Rust, Schmidt, Sprenkle, Zellinsky - 10.

Voting nay: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Scott, Sheldon, Silver, Sommers, H., Spanel, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, and Mr. Speaker - 86.

Excused: Representatives Sommers, D., Vance - 02.

Motion before the House is adoption of the committee amendment as amended. The motion carried.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was place on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6054, as amended by the House, and the bill passed the House by the following vote: Yeas - 91, Nays - 5, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, and Mr. Speaker - 91.

Voting nay: Representatives Bowman, Ferguson, Moyer, Rust, Zellinsky - 05.

Excused: Representatives Sommers, D., Vance - 02.

Engrossed Senate Bill No. 6054, as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Senate Bill No. 6033 on the regular second reading calendar. The motion was carried.

ENGROSSED SENATE BILL NO. 6033, by Senators West and Johnson

Modifying certification provisions for emergency medical services personnel.

The bill was read the second time. Committee on Health Care recommendation: Majority, do pass as amended. (For committee amendments, see Journal 47th Day, February 28, 1992.)

Mr. Braddock moved adoption of the committee amendment.

Ms. Morris moved adoption of the following amendment to the committee amendment, by Representatives Morris and Paris:

On page 3, after line 24 of the amendment, insert the following:

Sec. 4. RCW 18.73.150 and 1979 ex.s. c 261 s 15 are each amended to read as follows:

Any ambulance operated as such shall operate with sufficient personnel for adequate patient care, at least one of whom shall be an emergency medical technician under standards promulgated by the secretary. The emergency medical technician shall have responsibility for its operation and for the care of patients both before they are placed aboard the vehicle and during transit. If there are two or more emergency medical technicians operating the ambulance, a nondriving medical technician shall be in command of the vehicle. The emergency medical technician in command of the vehicle shall be in the patient compartment and in attendance to the patient.

The driver of the ambulance shall have at least a certificate of advance first aid qualification recognized by the secretary pursuant to RCW 18.73.120 unless there are at least two certified emergency medical technicians in attendance of the patient, in which case the driver shall not be required to have such certificate.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 7, line 6 of the title amendment, after "18.73.140," insert "18.73.150,"

Representatives Morris and Paris spoke in favor of the adoption of the amendment to the committee amendment. It was adopted.

The committee amendment as amended was adopted.

With consent of the House, the rules 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. 6033 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Engrossed Senate Bill No. 6033 as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6069, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators West, M. Kreidler, Amondson and Barr; by request of Department of Health)

Creating a bone marrow donor program.

The bill was read the second time.

Mr. Braddock moved adoption of the following amendment:

On page 3, after line 7, insert:

"NEW SECTION. Sec. 4. In addition to educating and recruiting state employees, the department of health shall make special efforts to encourage community and private sector businesses and associations to initiate independent efforts to achieve the goals of this act."

Renumber the remaining sections consecutively and correct internal references accordingly.

Mr. Braddock spoke in favor of adoption of the amendment. It was adopted.

With consent of the House, the rules suspended, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Clerk call the roll on final passage of Engrossed Substitute Senate Bill No. 6069 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Engrossed Substitute Senate Bill No. 6069 as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House immediately consider Substitute Senate Bill No. 6248 on the regular second reading calendar. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6248, by Senate Committee on Children & Family Services (originally sponsored by Senators Roach, Stratton and Oke; by request of Dept. of Social and Health Services, Department of Health, Superintendent of Public Instruction, Department of community Development and Employment Security Department)

Improving the responsiveness of services for at-risk children and families.

The bill was read the second time. Committee on Human Service recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.), as further Committee on Appropriations recommendation: Majority do pass as amended by Human Services. (For committee recommendation, see Journal, 50th Day, March 2, 1992.)

Ms. Leonard moved adoption of the committee amendment.

Ms. Leonard moved adoption of the following amendment by Representatives Leonard, Mitchell, Winsley, Wineberry, Pruitt and Ferguson to the committee amendment:

On page 16, after line 7 of the amendment, insert the following:

NEW SECTION. Sec. 14. The legislature finds that there is an urgent and substantial need to:

(1) Enhance the development of infants and toddlers with disabilities in the state of Washington in order to minimize developmental delay and maximize individual potential and enhance the capability of families to meet the needs of their infants and toddlers with disabilities and maintain family integrity;

(2) Coordinate and enhance the state's existing early intervention services to ensure a state-wide, community-based, coordinated, interagency program of early intervention services for infants and toddlers with disabilities and their families; and

(3) Facilitate the coordination of payment for early intervention services from federal, state, local, and private sources including public and private insurance coverage.

NEW SECTION. Sec. 15. For the purposes of implementing this chapter, the governor shall appoint a state birth-to-six interagency coordinating council and ensure that state agencies involved in the provision of, or payment for, early intervention services to infants and toddlers with disabilities and their families shall coordinate and collaborate in the planning and delivery of such services. The coordinating council shall report to the appropriate committees of the legislature on the implementation of this chapter by January 15, 1993.

No state or local agency currently providing early intervention services to infants and toddlers with disabilities may use funds appropriated for early intervention services for infants and toddlers with disabilities to supplant funds from other sources.

All state and local agencies shall ensure that the implementation of this chapter will not cause any interruption in existing early intervention services for infants and toddlers with disabilities.

Nothing in this chapter shall be construed to permit the restriction or reduction of eligibility under Title V of the Social Security Act, P.L. 90-248, relating to maternal and child health or Title XIX of the Social Security Act, P.L. 89-97, relating to medicaid for infants and toddlers with disabilities.

NEW SECTION. Sec. 16. State agencies providing or paying for early intervention services shall enter into formal interagency agreements with each other and where appropriate, with school districts, counties, and other providers, to define their relationships and financial and service responsibilities. Local agencies or entities, including local school districts, counties, and service providers receiving public money for providing or paying for early intervention services shall enter into formal interagency agreements with each other that define their relationships and financial responsibilities to provide services within each county. In establishing priorities, school districts, counties, and other service providers shall give due regard to the needs of children birth to three years of age and shall ensure that they continue to participate in providing services and collaborate with each other. The interagency agreements shall include procedures for resolving disputes, provisions for establishing maintenance requirements, and all additional components necessary to ensure collaboration and coordination.

NEW SECTION. Sec. 17. The state birth-to-six interagency coordinating council shall identify and work with county early childhood interagency coordinating councils to coordinate and enhance existing early intervention services and assist each community to meet the needs of infants and toddlers with disabilities and their families.

NEW SECTION. Sec. 18. Sections 14 through 17 of this act shall constitute a new chapter in Title 70 RCW.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 16, line 14 of the amendment, after "Sec. 16." strike "This" and insert "Sections 1 through 13 of this"

On page 16, line 23 of the title amendment, after "adding" strike "a new chapter" and insert "new chapters"

Representatives Leonard and Ferguson spoke in favor of adoption of the amendment to the committee amendment and it was adopted.

Mr. Hargrove moved adoption of the following amendment by Representatives Hargrove, Padden and Braddock to the committee amendment:

On page 16, after line 9 of the amendment, insert the following:

**Sec. 15.** RCW 13.34.160 and 1987 c 435 s 14 are each amended to read as follows:

~~((In any case in which the court shall find the child dependent, it may in the same or subsequent proceeding upon the parent or parents, guardian, or other person having custody of said child, being duly summoned or voluntarily appearing, proceed to inquire into the ability of such persons or person able to support the child or contribute thereto, the court may enter such order or decree as shall be according to equity in the premises, and may enforce the same by execution, or in any way in which a court of equity may enforce its decrees. All child support orders entered pursuant to this chapter shall be in compliance with the provisions of RCW 26.23.050))~~ In an action brought under this chapter, the court shall inquire into the ability of the parent or parents of the subject child to pay child support and shall enter a child support order or decree consistent with chapter 26.19 RCW. In determining a parent's income the court shall consider how anticipated reunification efforts may affect that parent's availability for work. The child support obligation shall not be set at a level so as to interfere with reunification efforts. The court shall consider as a basis for deviation parental responsibility for costs related to reunification efforts or the special needs of the child.

NEW SECTION. **Sec. 16.** RCW 13.34.162 and 1988 c 275 s 15 are each repealed.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 16, line 21 of the title amendment, after "43.63A.065," strike "and 43.70.020" and insert "43.70.020, and 13.34.160"

On page 16, line 24 of the title amendment, after "sections;" insert "repealing RCW 13.34.162;"

Mr. Hargrove spoke in favor of adoption of the amendment to the committee amendment and it was adopted.

Mr. Ebersole moved adoption of the following amendment by Representatives Ebersole, Padden, Leonard, McLean and Appelwick to the committee amendment:

On page 16, beginning on line 10 of the amendment, strike all of sections 15 and 16 and insert the following:

NEW SECTION. **Sec. 15.** Sections 1 through 14 of this act shall take effect July 1, 1992.

**"PART I - JUVENILE JUSTICE"**

NEW SECTION. **Sec. 101.** The legislature reaffirms the dual policies of the juvenile justice act of 1977 of punishment and rehabilitation. However, the legislature finds that confusion exists about the relative priority of the purposes enumerated in section 55, chapter 291, Laws of 1977 ex. sess. and that simplification and clarification is necessary to reduce that confusion. The legislature finds that the policies of rehabilitation; accountability; and flexibility in service delivery, sanctions, and placement options are equally important in ensuring public safety. The purpose of section 102 of this act is to clarify that these goals are equally important.

NEW SECTION. **Sec. 102.** A new section is added to chapter 13.40 RCW to read as follows:

The purpose of this chapter is to establish a juvenile justice system that both punishes and rehabilitates juvenile offenders. The legislature intends that juvenile offenders be held accountable for their offenses, are justly punished, but are provided necessary treatment, rehabilitation, and supervision. Active parental and community involvement is vital to ensure swift response to youthful offenders' needs. Flexibility in disposition, sanctions, placement, and treatment alternatives within a structured discretionary framework will enhance the system's ability to respond to individual offender's needs while ensuring proportionality and fairness. Community safety will be achieved by implementing the following equally important purposes:

- (1) Accountability and just punishment proportional to the offense, juvenile's age, and offense history;
- (2) Treatment, rehabilitation, and supervision through flexibility in options for disposition, treatment, custody, programming, and active parental and community involvement;
- (3) Victim restitution; and

(4) Due process protection for juvenile offenders with a clear policy to determine which types of offenders shall receive punishment, treatment, or both, and to determine the jurisdictional limitations of the court, institutions, and community services.

Sec. 103. RCW 13.40.020 and 1990 1st ex.s. c 12 s 1 are each amended to read as follows:

For the purposes of this chapter:

(1) "Serious offender" means a person fifteen years of age or older who has committed an offense which if committed by an adult would be:

(a) A class A felony, or an attempt to commit a class A felony;

(b) Manslaughter in the first degree; or

(c) Assault in the second degree, extortion in the first degree, child molestation in the second degree, kidnapping in the second degree, robbery in the second degree, residential burglary, or burglary in the second degree, where such offenses include the infliction of bodily harm upon another or where during the commission of or immediate withdrawal from such an offense the perpetrator is armed with a deadly weapon or firearm as defined in RCW 9A.04.110;

(2) "Community service" means compulsory service, without compensation, performed for the benefit of the community by the offender as punishment for committing an offense. Community service may be performed through public or private organizations or through work crews;

(3) "Community supervision" means an order of disposition by the court of an adjudicated youth not committed to the department. A community supervision order for a single offense may be for a period of up to two years for a sex offense as defined by RCW 9.94A.030 and up to one year for other offenses ~~((and))~~. Community supervision is an individualized program comprised of one or more of the following:

(a) Community-based sanctions;

(b) Community-based rehabilitation;

(c) Monitoring and reporting requirements;

(4) Community-based sanctions may include one or more of the following:

(a) A fine, not to exceed one hundred dollars;

(b) Community service not to exceed one hundred fifty hours of service;

~~((e))~~ (5) "Community-based rehabilitation" means one or more of the following: Attendance of information classes;

~~((d) Counseling; or~~

~~((e) Such other services to the extent funds are available for such services;))~~ counseling, outpatient substance abuse treatment programs, outpatient mental health programs, anger management classes, or other services; attendance at school or other educational programs appropriate for the juvenile as determined by the school district; or placement in foster care that is not used as a pretrial, postadjudication, or postdisposition detention facility. Placement in community-based rehabilitation programs is subject to available funds;

(6) "Monitoring and reporting requirements" means one or more of the following: Curfews; requirements to remain at home, school, work, or court-ordered treatment programs during specified hours; restrictions from leaving or entering specified geographical areas; requirements to report to the probation officer as directed and to remain under the probation officer's supervision; home monitoring by electronic or staff monitoring; and other conditions~~((;))~~ or limitations as the court may require which may not include confinement;

~~((4))~~ (7) "Confinement" means ((physical custody by the department of social and health services in a facility operated by or pursuant to a contract with the state, or physical custody in a facility operated by or pursuant to a contract with any county)) incarceration in a detention facility following: Arrest pending a detention hearing under RCW 13.40.050; entry of an order of detention entered pursuant to RCW 13.40.050; commitment to a county detention facility, the department, or an inpatient drug and alcohol treatment facility following imposition of option D of RCW 13.40.0357; modification of a disposition for violation of the disposition; or modification of parole for violation of parole. The county may operate or contract with vendors to operate county detention facilities. The department may operate or contract to operate detention facilities for juveniles committed to the department. Confinement of less than thirty-one days imposed as part of a disposition or modification order may be served consecutively or intermittently, in the discretion of the court;

~~((5))~~ (8) "Court", when used without further qualification, means the juvenile court judge(s) or commissioner(s);

~~((6))~~ (9) "Criminal history" includes all criminal complaints against the respondent for which, prior to the commission of a current offense:

(a) The allegations were found correct by a court. If a respondent is convicted of two or more charges arising out of the same course of conduct, only the highest charge from among these shall count as an offense for the purposes of this chapter; or

(b) The criminal complaint was diverted by a prosecutor pursuant to the provisions of this chapter on agreement of the respondent and after an advisement to the respondent that the criminal complaint would be considered as part of the respondent's criminal history;

~~((7))~~ (10) "Department" means the department of social and health services;

~~((8))~~ (11) "Detention facility" means a facility for the physical confinement of a juvenile alleged to have committed an offense or an adjudicated offender subject to a disposition or modification order. Detention facilities may be secure, semisecure, or nonsecure, and may include group homes and foster homes. Detention foster homes and group homes may not be used for placement of juveniles who are ordered into rehabilitation placements pursuant to a community supervision disposition. "Secure detention" means lockup or staff-secure facilities. "Nonsecure detention" means residential placement in the community in a physically nonrestrictive environment under the supervision of the county probation department or department of social and health services;

(12) "Home monitoring" means placement of the juvenile in the custody of the juvenile's parent, guardian, or custodian in a physically nonrestrictive environment under the supervision of the county probation department or the department of social and health services with electronic or staff monitoring;

(13) "Diversion unit" means any probation counselor who enters into a diversion agreement with an alleged youthful offender, or any other person or entity with whom the juvenile court administrator has contracted to arrange and supervise such agreements pursuant to RCW ~~((13.04.040, as now or hereafter amended,))~~ 13.40.080, or any person or entity specially funded by the legislature to arrange and supervise diversion agreements in accordance with the requirements of this chapter;

~~((9))~~ (14) "Institution" means a juvenile facility established pursuant to chapters 72.05 and 72.16 through 72.20 RCW;

~~((49))~~ (15) "Juvenile," "youth," and "child" mean any individual who is under the chronological age of eighteen years and who has not been previously transferred to adult court;

~~((41))~~ (16) "Juvenile offender" means any juvenile who has been found by the juvenile court to have committed an offense, including a person eighteen years of age or older over whom jurisdiction has been extended under RCW 13.40.300;

~~((42))~~ (17) "Manifest injustice" means a disposition that would either impose an excessive penalty on the juvenile or would impose a serious, and clear danger to society in light of the purposes of this chapter;

~~((43))~~ (18) "Middle offender" means a person who has committed an offense and who is neither a minor or first offender nor a serious offender;

~~((44))~~ (19) "Minor or first offender" means a person sixteen years of age or younger whose current offense(s) and criminal history fall entirely within one of the following categories:

(a) Four misdemeanors;

(b) Two misdemeanors and one gross misdemeanor;

(c) One misdemeanor and two gross misdemeanors;

(d) Three gross misdemeanors;

(e) One class C felony except manslaughter in the second degree and one misdemeanor or gross misdemeanor;

(f) One class B felony except: Any felony which constitutes an attempt to commit a class A felony; manslaughter in the first degree; assault in the second degree; extortion in the first degree; indecent liberties; kidnapping in the second degree; robbery in the second degree; burglary in the second degree; residential burglary; vehicular homicide; or arson in the second degree.

For purposes of this definition, current violations shall be counted as misdemeanors;

~~((45))~~ (20) "Offense" means an act designated a violation or a crime if committed by an adult under the law of this state, under any ordinance of any city or county of this state, under any federal law, or under the law of another state if the act occurred in that state;

~~((46))~~ (21) "Respondent" means a juvenile who is alleged or proven to have committed an offense;

~~((47))~~ (22) "Restitution" means financial reimbursement by the offender to the victim, and shall be limited to easily ascertainable damages for injury to or loss of property, actual expenses incurred for medical treatment for physical injury to persons, lost wages resulting from physical injury, and costs of the victim's counseling reasonably related to the offense if the offense is a sex offense. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. Nothing in this chapter shall limit or replace civil remedies or defenses available to the victim or offender;

~~((48))~~ (23) "Secretary" means the secretary of the department of social and health services;

~~((49))~~ (24) "Services" mean services which provide alternatives to incarceration for those juveniles who have pleaded or been adjudicated guilty of an offense or have signed a diversion agreement pursuant to this chapter;

~~((20))~~ (25) "Sex offense" means an offense defined as a sex offense in RCW 9.94A.030;

((21)) (26) "Sexual motivation" means that one of the purposes for which the respondent committed the offense was for the purpose of his or her sexual gratification;

((22)) (27) "Foster care" means temporary physical care in a foster family home or group care facility as defined in RCW 74.15.020 and licensed by the department, or other legally authorized care;

((23)) (28) "Violation" means an act or omission, which if committed by an adult, must be proven beyond a reasonable doubt, and is punishable by sanctions which do not include incarceration.

Sec. 104. RCW 13.40.027 and 1989 c 407 s 2 are each amended to read as follows:

(1) It is the responsibility of the commission to: (a) (i) Evaluate the effectiveness of existing disposition standards and related statutes in implementing policies set forth in ((RCW 13.40.010)) section 102 of this act generally and (ii) specifically review the guidelines relating to the confinement of minor and first offenders as well as the use of diversion; (b) solicit the comments and suggestions of the juvenile justice community concerning disposition standards; and (c) make recommendations to the legislature regarding revisions or modifications of the disposition standards in accordance with RCW 13.40.030.

(2) It is the responsibility of the department to: (a) Provide the commission with available data concerning the implementation of the disposition standards and related statutes and their effect on the performance of the department's responsibilities relating to juvenile offenders; (b) at the request of the commission, provide technical and administrative assistance to the commission in the performance of its responsibilities; and (c) provide the commission and legislature with recommendations for modification of the disposition standards.

Sec. 105. RCW 13.40.0357 and 1989 c 407 s 7 are each amended to read as follows:

SCHEDULE A  
DESCRIPTION AND OFFENSE CATEGORY

JUVENILE DISPOSITION OFFENSE CATEGORY	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
<b>Arson and Malicious Mischief</b>		
A	Arson 1 (9A.48.020)	B+
B	Arson 2 (9A.48.030)	C
C	Reckless Burning 1 (9A.48.040)	D
D	Reckless Burning 2 (9A.48.050)	E
B	Malicious Mischief 1 (9A.48.070)	C
C	Malicious Mischief 2 (9A.48.080)	D
D	Malicious Mischief 3 (<\$50 is E class) (9A.48.090)	E
E	Tampering with Fire Alarm Apparatus (9.40.100)	E
A	Possession of Incendiary Device (9.40.120)	B+
<b>Assault and Other Crimes Involving Physical Harm</b>		
A	Assault 1 (9A.36.011)	B+
B+	Assault 2 (9A.36.021)	C+
C+	Assault 3 (9A.36.031)	D+
D+	Assault 4 (9A.36.041)	E
D+	Reckless Endangerment (9A.36.050)	E
C+	Promoting Suicide Attempt (9A.36.060)	D+
D+	Coercion (9A.36.070)	E
C+	Custodial Assault (9A.36.100)	D+



	<b>Burglary and Trespass</b>	
B+	Burglary 1 (9A.52.020)	C+
B	Burglary 2 (9A.52.030)	C
D	Burglary Tools (Possession of) (9A.52.060)	E
D	Criminal Trespass 1 (9A.52.070)	E
E	Criminal Trespass 2 (9A.52.080)	E
D	Vehicle Prowling (9A.52.100)	E
	<b>Drugs</b>	
E	Possession/Consumption of Alcohol (66.44.270)	E
C	Illegally Obtaining Legend Drug (69.41.020)	D
C+	Sale, Delivery, Possession of Legend Drug with Intent to Sell (69.41.030)	D+
E	Possession of Legend Drug (69.41.030)	E
B+	Violation of Uniform Controlled Substances Act - Narcotic Sale (69.50.401(a)(1)(i))	B+
C	Violation of Uniform Controlled Substances Act - Nonnarcotic Sale (69.50.401(a)(1)(ii))	C
E	Possession of Marihuana <40 grams (69.50.401(e))	E
C	Fraudulently Obtaining Controlled Substance (69.50.403)	C
C+	Sale of Controlled Substance for Profit (69.50.410)	C+
E	<del>((Glue Sniffing (9.47A.050)))</del> <u>Unlawful Inhalation (9.47A.020)</u>	E
B	Violation of Uniform Controlled Substances Act - Narcotic Counterfeit Substances (69.50.401(b)(1)(i))	B
C	Violation of Uniform Controlled Substances Act - Nonnarcotic Counterfeit Substances (69.50.401(b)(1) (ii), (iii), (iv))	C
C	Violation of Uniform Controlled Substances Act - Possession of a Controlled Substance (69.50.401(d))	C
C	Violation of Uniform Controlled Substances Act - Possession of a Controlled Substance (69.50.401(c))	C
	<b>Firearms and Weapons</b>	
<del>((C+</del>	<del>Committing Crime when Armed (9.41.025)</del>	<del>D+))</del>
E	Carrying Loaded Pistol Without Permit (9.41.050)	E
E	Use of Firearms by Minor (<14)	

	(9.41.240)	E
D+	Possession of Dangerous Weapon (9.41.250)	E
D	Intimidating Another Person by use of Weapon (9.41.270)	E
<b>Homicide</b>		
A+	Murder 1 (9A.32.030)	A
A+	Murder 2 (9A.32.050)	B+
B+	Manslaughter 1 (9A.32.060)	C+
C+	Manslaughter 2 (9A.32.070)	D+
B+	Vehicular Homicide (46.61.520)	C+
<b>Kidnapping</b>		
A	Kidnap 1 (9A.40.020)	B+
B+	Kidnap 2 (9A.40.030)	C+
C+	Unlawful Imprisonment (9A.40.040)	D+
<del>((D</del>	<del>Custodial Interference (9A.40.050)</del>	<del>E))</del>
<b>Obstructing Governmental Operation</b>		
E	Obstructing a Public Servant (9A.76.020)	E
E	Resisting Arrest (9A.76.040)	E
B	Introducing Contraband 1 (9A.76.140)	C
C	Introducing Contraband 2 (9A.76.150)	D
E	Introducing Contraband 3 (9A.76.160)	E
B+	Intimidating a Public Servant (9A.76.180)	C+
B+	Intimidating a Witness (9A.72.110)	C+
<del>((E</del>	<del>Criminal Contempt (9.23.010)</del>	<del>E))</del>
<b>Public Disturbance</b>		
C+	Riot with Weapon (9A.84.010)	D+
D+	Riot Without Weapon (9A.84.010)	E
E	Failure to Disperse (9A.84.020)	E
E	Disorderly Conduct (9A.84.030)	E
<b>Sex Crimes</b>		
A	Rape 1 (9A.44.040)	B+
A-	Rape 2 (9A.44.050)	B+
C+	Rape 3 (9A.44.060)	D+
A-	Rape of a Child 1 (9A.44.073)	B+
B	Rape of a Child 2 (9A.44.076)	C+
B	Incest 1 (9A.64.020(1))	C
C	Incest 2 (9A.64.020(2))	D
D+	<del>((Public Indecency))</del> <u>Indecent Exposure</u> (Victim <14) (9A.88.010)	E
E	<del>((Public Indecency))</del> <u>Indecent Exposure</u>	

	(Victim 14 or over) (9A.88.010)	E
B+	Promoting Prostitution 1 (9A.88.070)	C+
C+	Promoting Prostitution 2 (9A.88.080)	D+
E	O & A (Prostitution) (9A.88.030)	E
B+	Indecent Liberties (9A.44.100)	C+
B+	Child Molestation 1 (9A.44.083)	C+
C+	Child Molestation 2 (9A.44.086)	C
<b>Theft, Robbery, Extortion, and Forgery</b>		
B	Theft 1 (9A.56.030)	C
C	Theft 2 (9A.56.040)	D
D	Theft 3 (9A.56.050)	E
B	Theft of Livestock (9A.56.080)	C
C	Forgery ( <del>(9A.56.020))</del> (9A.60.020)	D
A	Robbery 1 (9A.56.200)	B+
B+	Robbery 2 (9A.56.210)	C+
B+	Extortion 1 (9A.56.120)	C+
C+	Extortion 2 (9A.56.130)	D+
B	Possession of Stolen Property 1 (9A.56.150)	C
C	Possession of Stolen Property 2 (9A.56.160)	D
D	Possession of Stolen Property 3 (9A.56.170)	E
C	Taking Motor Vehicle Without Owner's Permission (9A.56.070)	D
<b>Motor Vehicle Related Crimes</b>		
E	Driving Without a License (46.20.021)	E
C	Hit and Run - Injury (46.52.020(4))	D
D	Hit and Run-Attended (46.52.020(5))	E
E	Hit and Run-Unattended (46.52.010)	E
C	Vehicular Assault (46.61.522)	D
C	Attempting to Elude Pursuing Police Vehicle (46.61.024)	D
E	Reckless Driving (46.61.500)	E
D	Driving While Under the Influence (46.61.515)	E
B+	Negligent Homicide by Motor Vehicle (46.61.520)	C+
D	Vehicle Prowling (9A.52.100)	E
C	Taking Motor Vehicle Without Owner's Permission (9A.56.070)	D
<b>Other</b>		
B	Bomb Threat (9.61.160)	C
C	Escape 1 <sup>1</sup> (9A.76.110)	C
C	Escape 2 <sup>1</sup> (9A.76.120)	C
D	Escape 3 (9A.76.130)	E
C	Failure to Appear in Court	

	(10.19.130)	D
E	Tampering with Fire Alarm Apparatus (9.40.100)	E
E	Obscene, Harassing, Etc., Phone Calls (9.61.230)	E
A	Other Offense Equivalent to an Adult Class A Felony	B+
B	Other Offense Equivalent to an Adult Class B Felony	C
C	Other Offense Equivalent to an Adult Class C Felony	D
D	Other Offense Equivalent to an Adult Gross Misdemeanor	E
E	Other Offense Equivalent to an Adult Misdemeanor	E
V	Violation of Order of Restitution, Community Supervision, or Confinement (13.40.200) <sup>2</sup>	V

<sup>1</sup>Escape 1 and 2 and Attempted Escape 1 and 2 are classed as C offenses and the standard range is established as follows:

- 1st escape or attempted escape during 12-month period - 4 weeks confinement
- 2nd escape or attempted escape during 12-month period - 8 weeks confinement
- 3rd and subsequent escape or attempted escape during 12-month period - 12 weeks confinement

<sup>2</sup>If the court finds that a respondent has violated terms of an order, it may impose a penalty of up to 30 days of confinement.

#### SCHEDULE B PRIOR OFFENSE INCREASE FACTOR

For use with all CURRENT OFFENSES occurring on or after July 1, 1989.

#### TIME SPAN

OFFENSE CATEGORY	0-12 Months	13-24 Months	25 Months or More
A+	.9	.9	.9
A	.9	.8	.6
A-	.9	.8	.5
B+	.9	.7	.4
B	.9	.6	.3
C+	.6	.3	.2
C	.5	.2	.2
D+	.3	.2	.1
D	.2	.1	.1
E	.1	.1	.1

Prior history - Any offense in which a diversion agreement or counsel and release form was signed, or any offense which has been adjudicated by court to be correct prior to the commission of the current offense(s).

**SCHEDULE C  
CURRENT OFFENSE POINTS**

For use with all CURRENT OFFENSES occurring on or after July 1, 1989.

**AGE**

OFFENSE CATEGORY	AGE					
	12 & Under	13	14	15	16	17
A+	STANDARD RANGE 180-224 WEEKS					
A	250	300	350	375	375	375
A-	150	150	150	200	200	200
B+	110	110	120	130	140	150
B	45	45	50	50	57	57
C+	44	44	49	49	55	55
C	40	40	45	45	50	50
D+	16	18	20	22	24	26
D	14	16	18	20	22	24
E	4	4	4	6	8	10

**JUVENILE SENTENCING STANDARDS  
SCHEDULE D-1**

This schedule may only be used for minor/first offenders. After the determination is made that a youth is a minor/first offender, the court has the discretion to select sentencing option A, B, or C. In addition, the court may select option D. A disposition order for a minor/first offender may not include an order of confinement except pursuant to option D.

The court shall not order option D if the court imposes a manifest injustice under option C and commits the juvenile to the department of social and health services.

**MINOR/FIRST OFFENDER**

**OPTION A  
STANDARD RANGE**

Points	Community Supervision	Community Service Hours	Fine
1-9	((0-3)) <u>0-12</u> months	and/or 0-8	and/or 0-\$10
10-19	((0-3)) <u>0-12</u> months	and/or 0-8	and/or 0-\$10
20-29	((0-3)) <u>0-12</u> months	and/or 0-16	and/or 0-\$10
30-39	((0-3)) <u>0-12</u> months	and/or 8-24	and/or 0-\$25
40-49	((3-6)) <u>0-12</u> months	and/or 16-32	and/or 0-\$25
50-59	((3-6)) <u>0-12</u> months	and/or 24-40	and/or 0-\$25
60-69	((6-9)) <u>0-12</u> months	and/or 32-48	and/or 0-\$50
70-79	((6-9)) <u>0-12</u> months	and/or 40-55	and/or 0-\$50
80-89	((9-12)) <u>0-12</u> months	and/or 48-64	and/or 10-\$100
90-109	((9-12)) <u>0-12</u> months	and/or 56-72	and/or 10-\$100

OR

**OPTION B  
STATUTORY OPTION**

0-12 Months Community Supervision  
0-150 Hours Community Service  
0-100 Fine

A term of community supervision with a maximum of 150 hours, \$100.00 fine, and 12 months supervision.

OR

**OPTION C  
MANIFEST INJUSTICE**

When a term of community supervision would effectuate a manifest injustice, another disposition may be imposed. When a judge imposes a sentence of confinement exceeding 30 days, the court shall sentence the juvenile to a maximum term and the provisions of RCW (~~(13.40.030(5))~~) 13.40.030(2), as now or hereafter amended, shall be used to determine the range.

AND

**OPTION D  
SUBSTANCE ABUSE TREATMENT**

In addition to any disposition entered under option A, B, or C, following adjudication for an offense, but prior to disposition, the court may order the child to be evaluated for a substance abuse problem to determine whether inpatient or outpatient treatment for substance abuse is necessary. If the court finds that the child suffers from a substance abuse problem the court may order the child to participate in an outpatient treatment program as a condition of community supervision. If the evaluation recommends that the child be placed in treatment for a substance abuse problem, the court may order inpatient treatment if the commitment criteria are met for involuntary commitment of minors to inpatient drug and alcohol treatment pursuant to RCW 70.96A.140. The maximum period of time the court may order the offender into inpatient treatment is ninety days as a term of the disposition order for the offense. Placement in inpatient treatment or participation in outpatient treatment is subject to available funds.

Nothing in option D prevents the court from referring the juvenile to inpatient or outpatient treatment services that the juvenile may obtain on a voluntary basis. In addition, if the juvenile agrees to enter into inpatient or outpatient treatment on a voluntary basis, the court may include the agreement as part of the court's order on disposition. Failure to enter into treatment pursuant to the terms of the agreement entered in the disposition shall not be grounds to impose sanctions for a violation of the disposition under RCW 13.40.200 but shall be grounds for the court to modify the disposition order and, if appropriate, order the juvenile into treatment on an involuntary basis pursuant to the commitment provisions of option D.

**JUVENILE SENTENCING STANDARDS  
SCHEDULE D-2**

This schedule may only be used for middle offenders. After the determination is made that a youth is a middle offender, the court has the discretion to select sentencing option A, B, or C.

**MIDDLE OFFENDER**

**OPTION A  
STANDARD RANGE**

Points	Community Supervision	Community Service Hours	Fine	Confinement Days Weeks
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1-9	<del>((0-3))</del> <u>0-12</u> months	and/or 0-8	and/or 0-\$10	and/or 0
10-19	<del>((0-3))</del> <u>0-12</u> months	and/or 0-8	and/or 0-\$10	and/or 0
20-29	<del>((0-3))</del> <u>0-12</u> months	and/or 0-16	and/or 0-\$10	and/or 0
30-39	<del>((0-3))</del> <u>0-12</u> months	and/or 8-24	and/or 0-\$25	and/or <del>((2-4))</del> <u>0-10</u>
40-49	<del>((3-6))</del> <u>0-12</u> months	and/or 16-32	and/or 0-\$25	and/or <del>((2-4))</del> <u>0-10</u>
50-59	<del>((3-6))</del> <u>0-12</u> months	and/or 24-40	and/or 0-\$25	and/or <del>((5-10))</del> <u>0-10</u>
60-69	<del>((6-9))</del> <u>0-12</u> months	and/or 32-48	and/or 0-\$50	and/or <del>((5-10))</del> <u>10-20</u>
70-79	<del>((6-9))</del> <u>0-12</u> months	and/or 40-56	and/or 0-\$50	and/or 10-20
80-89	<del>((9-12))</del> <u>0-12</u> months	and/or 48-64	and/or 0-\$100	and/or 10-20
90-109	<del>((9-12))</del> <u>0-12</u> months	and/or 56-72	and/or 0-\$100	and/or <del>((15-30))</del> <u>20-30</u>
110-129				8-12
130-149				13-16
150-199				21-28
200-249				30-40
250-299				52-65
300-374				80-100
375+				103-129

Middle offenders with more than 110 points do not have to be committed. They may be assigned community supervision under option B.

All A+ offenses 180-224 weeks

OR

**OPTION B  
STATUTORY OPTION**

0-12 Months Community Supervision  
0-150 Hours Community Service  
0-100 Fine

The court may impose a determinate disposition of community supervision and/or up to 30 days confinement; in which case, if confinement has been imposed, the court shall state either aggravating or mitigating factors as set forth in RCW 13.40.150, as now or hereafter amended.

OR

**OPTION C  
MANIFEST INJUSTICE**

If the court determines that a disposition under A or B would effectuate a manifest injustice, the court shall sentence the juvenile to a maximum term and the provisions of RCW ~~((13.40.030(5)))~~ 13.40.030(2), as now or hereafter amended, shall be used to determine range.

**AND  
OPTION D  
SUBSTANCE ABUSE TREATMENT**

In addition to any disposition entered under option A, B, or C, following adjudication for an offense, but prior to disposition, the court may order the child to be evaluated for a substance abuse problem to determine whether inpatient or outpatient treatment for substance abuse is necessary. If the court finds that the child suffers from a substance abuse problem the court may order the child to participate in an outpatient treatment program as a condition of community supervision. If the evaluation recommends that the child be placed in treatment for a substance abuse problem, the court may order inpatient treatment if the commitment criteria are met for involuntary commitment of minors to inpatient drug and alcohol treatment pursuant to RCW 70.96A.140. The maximum period of time the court may order the offender into inpatient treatment is ninety days as a term of the disposition order for the offense. Placement in inpatient treatment or participation in outpatient treatment is subject to available funds.

The court shall not order option D if the court commits the juvenile to the department of social and health services under an option A standard range commitment for middle offenders or under an option C manifest injustice. The court may order option D if the court imposes option B on a juvenile who may be committed to the department under the standard range.

Nothing in option D prevents the court from referring the juvenile to inpatient or outpatient treatment services that the juvenile may obtain on a voluntary basis. In addition, if the juvenile agrees to enter into inpatient or outpatient treatment on a voluntary basis, the court may include the agreement as part of the court's order on disposition. Failure to enter into treatment pursuant to the terms of the agreement entered in the disposition shall not be grounds to impose sanctions for a violation of the disposition under RCW 13.40.200 but shall be grounds for the court to modify the disposition order and, if appropriate, order the juvenile into treatment on an involuntary basis pursuant to the commitment provisions of option D.

#### JUVENILE SENTENCING STANDARDS SCHEDULE D-3

This schedule may only be used for serious offenders. After the determination is made that a youth is a serious offender, the court has the discretion to select sentencing option A or B.

#### SERIOUS OFFENDER OPTION A STANDARD RANGE

Points	Institution Time
0-129	8-12 weeks
130-149	13-16 weeks
150-199	21-28 weeks
200-249	30-40 weeks
250-299	52-65 weeks
300-374	80-100 weeks
375+	103-129 weeks
All A+ Offenses	180-224 weeks

OR

#### OPTION B MANIFEST INJUSTICE

A disposition outside the standard range shall be determined and shall be comprised of confinement or community supervision or a combination thereof. When a judge finds a manifest injustice and imposes a sentence of confinement exceeding 30 days, the court shall sentence the juvenile to a maximum term, and the provisions of RCW ((13.40.030(5))) 13.40.030(2), as now or hereafter amended, shall be used to determine the range.

#### SCHEDULE E DEADLY WEAPON DISPOSITION ENHANCEMENT



The following additional times shall be added to the determinate disposition under option A, B, or C in schedule D for middle and serious offenders if the court enters a finding that the offender or an accomplice was armed with a deadly weapon as defined in RCW 9.94A.125:

(1) 26 weeks if the offender is adjudicated for the commission of Rape 1 (RCW 9A.44.040), Robbery 1 (RCW 9A.56.200), or Kidnapping 1 (RCW 9A.40.020);

(2) 16 weeks if the offender is adjudicated for the commission of Burglary 1 (RCW 9A.52.020);

(3) 12 weeks if the offender is adjudicated for the commission of Assault 2 (RCW 9A.36.020 or 9A.36.021), 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), Theft of Livestock 1 or 2 (RCW 9A.56.080), or any drug offense.

**Sec. 106.** RCW 13.40.038 and 1986 c 288 s 7 are each amended to read as follows:

It is the policy of this state that all county juvenile detention facilities provide a humane, safe, and rehabilitative environment and that unadjudicated youth remain in the community whenever possible, consistent with public safety and the provisions of chapter 13.40 RCW.

The counties shall develop and implement detention intake standards and risk assessment standards to determine whether detention is warranted and if so whether the juvenile should be placed in secure or nonsecure detention to implement the goals of this section. Inability to pay for a less restrictive detention placement shall not be a basis for denying a respondent a less restrictive placement in the community. The detention and risk assessment standards shall be developed and implemented no later than December 31, 1992.

**Sec. 107.** RCW 13.40.050 and 1979 c 155 s 58 are each amended to read as follows:

(1) When a juvenile taken into custody is held in detention:

(a) An information, a community supervision modification or termination of diversion petition, or a parole modification petition shall be filed within seventy-two hours, Saturdays, Sundays, and holidays excluded, or the juvenile shall be released; and

(b) A detention hearing, a community supervision modification or termination of diversion petition, or a parole modification petition shall be held within seventy-two hours, Saturdays, Sundays, and holidays excluded, from the time of filing the information or petition, to determine whether continued detention is necessary under RCW 13.40.040.

(2) Upon filing an information, a community supervision modification, or termination of diversion petition as required under subsection (1)(a) of this section, the clerk of the court shall issue a summons directed to the parent, guardian, or custodian, and such other persons as appears to the court to be proper or necessary parties to the proceedings, requiring them to appear personally before the court at the time fixed for the hearing required under subsection (1)(b) of this section. The summons shall include notice of the ((detention)) hearing, stating the time, place, and purpose of the hearing, and stating the right to counsel((- shall be given to the parent, guardian, or custodian if such person can be found and)). Such notice shall also be given to the juvenile ((if over twelve years of age)) held in detention. When the custodian is summoned, the parent or guardian or both shall also be served with a summons.

(3) At the commencement of the detention hearing, the court shall advise the parties of their rights under this chapter and shall appoint counsel as specified in this chapter.

(4) The court shall, based upon the allegations in the information, determine whether the case is properly before it or whether the case should be treated as a diversion case under RCW 13.40.080. If the case is not properly before the court the juvenile shall be ordered released.

(5) Notwithstanding a determination that the case is properly before the court and that probable cause exists, a juvenile shall at the detention hearing be ordered released on the juvenile's personal recognizance pending further hearing unless the court finds detention is necessary under RCW 13.40.040 as now or hereafter amended.

(6) If detention is not necessary under RCW 13.40.040, as now or hereafter amended, the court shall impose the most appropriate of the following conditions or, if necessary, any combination of the following conditions:

(a) Place the juvenile in the custody of a designated person agreeing to supervise such juvenile;

(b) Place restrictions on the travel of the juvenile during the period of release;

(c) Require the juvenile to report regularly to and remain under the supervision of the juvenile court;

(d) Impose any condition other than detention deemed reasonably necessary to assure appearance as required;

((or))

(e) Place the juvenile under home monitoring; or

(f) Require that the juvenile return to detention during specified hours.

(7) If the parent, guardian, or custodian of the juvenile in detention is available, the court shall consult with them prior to a determination to further detain or release the juvenile or treat the case as a diversion case under RCW 13.40.080.

**Sec. 108.** RCW 13.40.070 and 1989 c 407 s 9 are each amended to read as follows:

(1) Complaints referred to the juvenile court alleging the commission of an offense shall be referred directly to the prosecutor. The prosecutor, upon receipt of a complaint, shall screen the complaint to determine whether:

(a) The alleged facts bring the case within the jurisdiction of the court; and

(b) On a basis of available evidence there is probable cause to believe that the juvenile did commit the offense.

(2) If the identical alleged acts constitute an offense under both the law of this state and an ordinance of any city or county of this state, state law shall govern the prosecutor's screening and charging decision for both filed and diverted cases.

(3) If the requirements of subsections (1) (a) and (b) of this section are met, the prosecutor shall either file an information in juvenile court or divert the case, as set forth in subsections (5), (6), and (7) of this section. If the prosecutor finds that the requirements of subsection (1) (a) and (b) of this section are not met, the prosecutor shall maintain a record, for one year, of such decision and the reasons therefor. In lieu of filing an information or diverting an offense a prosecutor may file a motion to modify community supervision where such offense constitutes a violation of community supervision.

(4) An information shall be a plain, concise, and definite written statement of the essential facts constituting the offense charged. It shall be signed by the prosecuting attorney and conform to chapter 10.37 RCW.

(5) Where a case is legally sufficient, the prosecutor shall file an information with the juvenile court if:

(a) An alleged offender is accused of a class A felony, a class B felony, an attempt to commit a class B felony, ~~((assault in the third degree, rape in the third degree))~~ a class C felony listed in RCW 9.94A.440(2) as a crime against persons, or any other offense listed in RCW 13.40.020(1) (b) or (c); or

(b) An alleged offender is accused of a felony and has a criminal history of at least one class A or class B felony, or two class C felonies, or at least two gross misdemeanors, or at least two misdemeanors and one additional misdemeanor or gross misdemeanor, or at least one class C felony and one misdemeanor or gross misdemeanor; or

(c) An alleged offender has previously been committed to the department; or

(d) An alleged offender has been referred by a diversion unit for prosecution or desires prosecution instead of diversion; or

~~((d))~~ (e) An alleged offender has three or more diversions on the alleged offender's criminal history ((within eighteen months of the current alleged offense)).

(6) Where a case is legally sufficient the prosecutor shall divert the case if the alleged offense is a misdemeanor or gross misdemeanor or violation and the alleged offense(s) in combination with the alleged offender's criminal history do not exceed two offenses or violations and do not include any felonies: PROVIDED, That if the alleged offender is charged with a related offense that must or may be filed under subsections (5) and (7) of this section, a case under this subsection may also be filed.

(7) Where a case is legally sufficient and falls into neither subsection (5) nor (6) of this section, it may be filed or diverted. In deciding whether to file or divert an offense under this section the prosecutor shall be guided only by the length, seriousness, and recency of the alleged offender's criminal history and the circumstances surrounding the commission of the alleged offense.

(8) Whenever a juvenile is placed in custody or, where not placed in custody, referred to a diversionary interview, the parent or legal guardian of the juvenile shall be notified as soon as possible concerning the allegation made against the juvenile and the current status of the juvenile. Where a case involves victims of crimes against persons or victims whose property has not been recovered at the time a juvenile is referred to a diversionary unit, the victim shall be notified of the referral and informed how to contact the unit.

(9) The responsibilities of the prosecutor under subsections (1) through (8) of this section may be performed by a juvenile court probation counselor for any complaint referred to the court alleging the commission of an offense which would not be a felony if committed by an adult, if the prosecutor has given sufficient written notice to the juvenile court that the prosecutor will not review such complaints.

(10) The prosecutor, juvenile court probation counselor, or diversion unit may, in exercising their authority under this section or RCW 13.40.080, refer juveniles to mediation or victim offender reconciliation programs. Mediation and victim offender reconciliation programs shall be voluntary for victims.

Sec. 109. RCW 13.40.080 and 1985 c 73 s 2 are each amended to read as follows:

(1) A diversion agreement shall be a contract between a juvenile accused of an offense and a diversionary unit whereby the juvenile agrees to fulfill certain conditions in lieu of prosecution. Such agreements may be entered into only after the prosecutor, or probation counselor pursuant to this chapter, has determined that probable cause exists to believe that a crime has been committed and that the juvenile committed it. Such agreements shall be entered into as expeditiously as possible.

(2) A diversion agreement shall be limited to:

(a) Community service not to exceed one hundred fifty hours, not to be performed during school hours if the juvenile is attending school;

(b) Restitution limited to the amount of actual loss incurred by the victim, and to an amount the juvenile has the means or potential means to pay;

(c) Attendance at up to ~~((two))~~ ten hours of counseling and/or up to ~~((ten))~~ twenty hours of educational or informational sessions at a community agency: PROVIDED, That the state shall not be liable for costs resulting from the diversionary unit exercising the option to permit diversion agreements to mandate attendance at up to ~~((two))~~ ten hours of counseling and/or up to ~~((ten))~~ twenty hours of educational or informational sessions; and

(d) A fine, not to exceed one hundred dollars. In determining the amount of the fine, the diversion unit shall consider only the juvenile's financial resources and whether the juvenile has the means to pay the fine. The diversion unit shall not consider the financial resources of the juvenile's parents, guardian, or custodian in determining the fine to be imposed.

(3) In assessing periods of community service to be performed and restitution to be paid by a juvenile who has entered into a diversion agreement, the court officer to whom this task is assigned shall consult with victims who have contacted the diversionary unit and, to the extent possible, involve members of the community. Such members of the community shall meet with the juvenile and advise the court officer as to the terms of the diversion agreement and shall supervise the juvenile in carrying out its terms.

(4) A diversion agreement may not exceed a period of six months ~~((for a misdemeanor or gross misdemeanor or one year for a felony))~~ and may include a period extending beyond the eighteenth birthday of the divertee. Any restitution assessed during its term may not exceed an amount which the juvenile could be reasonably expected to pay during this period. If additional time is necessary for the juvenile to complete restitution to the victim, the time period limitations of this subsection may be extended by an additional six months.

(5) The juvenile shall retain the right to be referred to the court at any time prior to the signing of the diversion agreement.

(6) Divertees and potential divertees shall be afforded due process in all contacts with a diversionary unit regardless of whether the juveniles are accepted for diversion or whether the diversion program is successfully completed. Such due process shall include, but not be limited to, the following:

(a) A written diversion agreement shall be executed stating all conditions in clearly understandable language;

(b) Violation of the terms of the agreement shall be the only grounds for termination;

(c) No divertee may be terminated from a diversion program without being given a court hearing, which hearing shall be preceded by:

(i) Written notice of alleged violations of the conditions of the diversion program; and

(ii) Disclosure of all evidence to be offered against the divertee;

(d) The hearing shall be conducted by the juvenile court and shall include:

(i) Opportunity to be heard in person and to present evidence;

(ii) The right to confront and cross-examine all adverse witnesses;

(iii) A written statement by the court as to the evidence relied on and the reasons for termination, should that be the decision; and

(iv) Demonstration by evidence that the divertee has substantially violated the terms of his or her diversion agreement.

(e) The prosecutor may file an information on the offense for which the divertee was diverted:

(i) In juvenile court if the divertee is under eighteen years of age; or

(ii) In superior court or the appropriate court of limited jurisdiction if the divertee is eighteen years of age or older.

(7) The diversion unit shall, subject to available funds, be responsible for providing interpreters when juveniles need interpreters to effectively communicate during diversion unit hearings or negotiations.

(8) The diversion unit shall be responsible for advising a divertee of his or her rights as provided in this chapter.

~~((8))~~ (9) The diversion unit may refer a juvenile to treatment programs or the department's family reconciliation services.

(10) The right to counsel shall inure prior to the initial interview for purposes of advising the juvenile as to whether he or she desires to participate in the diversion process or to appear in the juvenile court. The juvenile may be represented by counsel at any critical stage of the diversion process, including intake interviews and termination hearings. The juvenile shall be fully advised at the intake of his or her right to an attorney and of the relevant services an attorney can provide. For the purpose of this section, intake interviews mean all interviews regarding the diversion agreement process.

The juvenile shall be advised that a diversion agreement shall constitute a part of the juvenile's criminal history as defined by RCW 13.40.020~~((6))~~(9) as now or hereafter amended. A signed acknowledgment of such advisement shall be obtained from the juvenile, and the document shall be maintained by the diversionary unit together with the diversion agreement, and a copy of both documents shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language.

~~((9))~~ (11) When a juvenile enters into a diversion agreement, the juvenile court may receive only the following information for dispositional purposes:

- (a) The fact that a charge or charges were made;
- (b) The fact that a diversion agreement was entered into;
- (c) The juvenile's obligations under such agreement;
- (d) Whether the alleged offender performed his or her obligations under such agreement; and
- (e) The facts of the alleged offense.

~~((10))~~ (12) A diversionary unit may refuse to enter into a diversion agreement with a juvenile. When a diversionary unit refuses to enter a diversion agreement with a juvenile, it shall immediately refer such juvenile to the court for action and shall forward to the court the criminal complaint and a detailed statement of its reasons for refusing to enter into a diversion agreement. The diversionary unit shall also immediately refer the case to the prosecuting attorney for action if such juvenile violates the terms of the diversion agreement.

~~((11))~~ (13) A diversionary unit may, in instances where it determines that the act or omission of an act for which a juvenile has been referred to it involved no victim, or where it determines that the juvenile referred to it has no prior criminal history and is alleged to have committed an illegal act involving no threat of or instance of actual physical harm and involving not more than fifty dollars in property loss or damage and that there is no loss outstanding to the person or firm suffering such damage or loss, counsel and release or release such a juvenile without entering into a diversion agreement~~((: PROVIDED, That))~~. A diversion unit's authority to counsel and release a juvenile under this subsection shall include the authority to refer the juvenile to local treatment programs or the department's family reconciliation services. Any juvenile ~~((so handled))~~ released under this subsection shall be advised that the act or omission of any act for which he or she had been referred shall constitute a part of the juvenile's criminal history as defined by RCW 13.40.020~~((6))~~(9) as now or hereafter amended. A signed acknowledgment of such advisement shall be obtained from the juvenile, and the document shall be maintained by the unit, and a copy of the document shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language~~((: PROVIDED FURTHER, That))~~. A juvenile determined to be eligible by a diversionary unit for ~~((such))~~ release as provided in this subsection shall retain the same right to counsel and right to have his or her case referred to the court for formal action as any other juvenile referred to the unit.

~~((12))~~ (14) A diversion unit may supervise the fulfillment of a diversion agreement entered into before the juvenile's eighteenth birthday and which includes a period extending beyond the diveree's eighteenth birthday.

~~((13))~~ (15) If a fine required by a diversion agreement cannot reasonably be paid due to a change of circumstance, the diversion agreement may be modified at the request of the diveree and with the concurrence of the diversion unit to convert an unpaid fine into community service. The modification of the diversion agreement shall be in writing and signed by the diveree and the diversion unit. The number of hours of community service in lieu of a monetary penalty shall be converted at the rate of the prevailing state minimum wage per hour.

~~((14))~~ (16) Fines imposed under this section shall be collected and paid into the county general fund in accordance with procedures established by the juvenile court administrator under RCW 13.04.040 and may be used only for juvenile services. In the expenditure of funds for juvenile services, there shall be a maintenance of effort whereby counties exhaust existing resources before using amounts collected under this section.

Sec. 110. RCW 13.40.100 and 1979 c 155 s 62 are each amended to read as follows:

(1) Upon the filing of an information the alleged offender shall be notified by summons, warrant, or other method approved by the court of the next required court appearance.

(2) ~~((If notice is by summons,))~~ The clerk of the court shall also issue a summons directed to ~~((the juvenile, if the juvenile is twelve or more years of age, and another to))~~ the parents, guardian, or custodian, and such other persons as appear to the court to be proper or necessary parties to the proceedings, requiring them to appear personally before the court at the time fixed to hear the petition. Where the custodian is summoned, the parent or guardian or both shall also be served with a summons.

(3) A copy of the information shall be attached to each summons.

(4) The summons shall advise the parties of the right to counsel.

(5) The judge may endorse upon the summons an order directing the parents, guardian, or custodian having the custody or control of the juvenile to bring the juvenile to the hearing.

(6) If it appears from affidavit or sworn statement presented to the judge that there is probable cause for the issuance of a warrant of arrest or that the juvenile needs to be taken into custody pursuant to RCW 13.34.050, as now or hereafter amended, the judge may endorse upon the summons an order that an officer serving the summons shall at once take the juvenile into custody and take the juvenile to the place of detention or shelter designated by the court.

(7) Service of summons may be made under the direction of the court by any law enforcement officer or probation counselor.

(8) If the person summoned as herein provided fails without reasonable cause to appear and abide the order of the court, the person may be proceeded against as for contempt of court.

(9) When the clerk issues a summons to the parents, the clerk shall also serve with the summons a letter from the court directed to the parents. The letter shall encourage the parents to appear and participate in the juvenile court proceedings. The letter shall notify the parents that the parents: (a) Have a right to be advised of future court dates involving the juvenile if the parents appear at the next hearing; (b) have a right to give a statement to the court regarding the disposition to be imposed if the offender is found to have committed the offense; and (c) may obtain referrals for appropriate services from the court if the parent appears at the hearings. The letter shall notify the parent who is the assigned probation officer, if any, and if no probation officer is assigned, the letter shall provide a telephone number for the parent to use to call for information about hearings involving their child. If the child is in a detention facility, the letter shall provide the telephone number of the detention facility. The letter shall advise the parents that the court may hold the parent in contempt for failure to appear at the next hearing specified in the summons but that the court may excuse the parent's attendance for a reasonable cause. The letter shall also advise the parents that the court may refer the child and family to other agencies for appropriate services such as counseling, appropriate classes, the department's family reconciliation services, or to investigating agencies such as community mental health or drug and alcohol specialists or the attorney general for child protective services investigations.

The office of the administrator for the courts may develop a form letter for the court clerk's use.

Subject to available funds and time constraints, the court clerk shall make a reasonable effort to determine if the juvenile is a dependant of the state of Washington, in which case, the juvenile court may waive all or part of the requirement to send the letter to the parents. If the juvenile is the subject of a dependency provision, the court may waive all or a portion of the requirement to send a letter, but the court clerk shall advise the department of social and health services of the pending matter.

**Sec. 111.** RCW 13.40.130 and 1981 c 299 s 10 are each amended to read as follows:

(1) The respondent shall be advised of the allegations in the information and shall be required to plead guilty or not guilty to the allegation(s). The state or the respondent may make preliminary motions up to the time of the plea.

(2) If the respondent pleads guilty, the court may proceed with disposition or may continue the case for a dispositional hearing. If the respondent denies guilt, an adjudicatory hearing date shall be set.

(3) At the adjudicatory hearing it shall be the burden of the prosecution to prove the allegations of the information beyond a reasonable doubt.

(4) The court shall record its findings of fact and shall enter its decision upon the record. Such findings shall set forth the evidence relied upon by the court in reaching its decision.

(5) If the respondent is found not guilty he or she shall be released from detention.

(6) If the respondent is found guilty the court may immediately proceed to disposition or may continue the case for a dispositional hearing. Notice of the time and place of the continued hearing may be given in open court. If notice is not given in open court to a party, the party shall be notified by mail of the time and place of the continued hearing.

(7) The court following an adjudicatory hearing may request that a predisposition study be prepared to aid the court in its evaluation of the matters relevant to disposition of the case.

(8) The disposition hearing shall be held within fourteen days after the adjudicatory hearing or plea of guilty unless good cause is shown for further delay, or within twenty-one days if the juvenile is not held in a detention facility, unless good cause is shown for further delay.

(9) In sentencing an offender, the court shall use the disposition standards in effect on the date of the offense.

(10) The court may require the probation officer conducting the predisposition study ordered under subsection (7) of this section, to investigate whether the juvenile's parents require services to address family problems or substance abuse problems that may be adversely impacting the juvenile and may be contributing to the juvenile's involvement with delinquency. If the court orders the investigation, the probation officer shall, within available funds, conduct an investigation and make a recommendation to the court regarding referral to services or to other investigatory agencies.

**Sec. 112.** RCW 13.40.150 and 1990 c 3 s 605 are each amended to read as follows:

(1) In disposition hearings all relevant and material evidence, including oral and written reports, may be received by the court and may be relied upon to the extent of its probative value, even though such evidence may not be admissible in a hearing on the information. The youth or the youth's counsel and the prosecuting attorney shall be afforded an

opportunity to examine and controvert written reports so received and to cross-examine individuals making reports when such individuals are reasonably available, but sources of confidential information need not be disclosed. The prosecutor and counsel for the juvenile may submit recommendations for disposition.

(2) For purposes of disposition:

- (a) Violations which are current offenses count as misdemeanors;
- (b) Violations may not count as part of the offender's criminal history;
- (c) In no event may a disposition for a violation include confinement.

(3) Before entering a dispositional order as to a respondent found to have committed an offense, the court shall hold a disposition hearing, at which the court shall:

- (a) Consider the facts supporting the allegations of criminal conduct by the respondent;
- (b) Consider information and arguments offered by parties and their counsel;
- (c) Consider any predisposition reports;

(d) Consult with the respondent's parent, guardian, or custodian on the appropriateness of dispositional options under consideration and afford the respondent and the respondent's parent, guardian, or custodian an opportunity to speak in the respondent's behalf;

- (e) Allow the victim or a representative of the victim and an investigative law enforcement officer to speak;
- (f) Determine the amount of restitution owing to the victim, if any;
- (g) Determine whether the respondent is a serious offender, a middle offender, or a minor or first offender;
- (h) Consider whether or not any of the following mitigating factors exist:

(i) The respondent's conduct neither caused nor threatened serious bodily injury or the respondent did not contemplate that his or her conduct would cause or threaten serious bodily injury;

(ii) The respondent acted under strong and immediate provocation;

(iii) The respondent was suffering from a mental or physical condition that significantly reduced his or her culpability for the offense though failing to establish a defense;

(iv) Prior to his or her detection, the respondent compensated or made a good faith attempt to compensate the victim for the injury or loss sustained; and

(v) There has been at least one year between the respondent's current offense and any prior criminal offense;

(i) Consider whether or not any of the following aggravating factors exist:

(i) In the commission of the offense, or in flight therefrom, the respondent inflicted or attempted to inflict serious bodily injury to another;

(ii) The offense was committed in an especially heinous, cruel, or depraved manner;

(iii) The victim or victims were particularly vulnerable;

(iv) The respondent has a recent criminal history or has failed to comply with conditions of a recent dispositional order or diversion agreement;

(v) The current offense included a finding of sexual motivation pursuant to RCW 9.94A.127;

(vi) The respondent was the leader of a criminal enterprise involving several persons; and

(vii) There are other complaints which have resulted in diversion or a finding or plea of guilty but which are not included as criminal history.

(4) The following factors may not be considered in determining the punishment to be imposed:

(a) The sex of the respondent;

(b) The race or color of the respondent or the respondent's family;

(c) The creed or religion of the respondent or the respondent's family;

(d) The economic or social class of the respondent or the respondent's family; and

(e) Factors indicating that the respondent may be or is a dependent child within the meaning of this chapter.

(5) A court may not commit a juvenile to a state institution solely because of the lack of facilities, including treatment facilities, existing in the community.

NEW SECTION. Sec. 113. A new section is added to chapter 13.40 RCW to read as follows:

At the disposition hearing, the court shall consider any recommendations in the presentence report regarding referrals of the parents to services or agencies designed to address any family problems or any parental substance abuse problems that may be adversely impacting the juvenile and may be contributing to the juvenile's involvement with delinquency. The parents may respond to the recommendations at the disposition hearing. If the court determines that referral to other services or to another investigatory agency is appropriate the court shall enter findings of fact in the disposition order. The court shall make or cause appropriate referrals to be made. The referral of the parents to services or to other agencies shall not be a condition of the juvenile's disposition for the offense. A finding by the court that the parent's family problems or substance abuse problems may be adversely impacting the juvenile or may be contributing to the juvenile's involvement with delinquency shall not be a mitigating factor in setting the disposition.

The purpose of this section is solely to provide the court express authority to refer parents to services and other investigatory agencies. Nothing in this section shall be construed to require addition of new facilities, expansion of programs, or expenditure of funds beyond existing resources nor does it affect the department of social and health services', the counties', and private vendors' authority to determine the uses of those existing programs and facilities.

Sec. 114. RCW 13.40.200 and 1986 c 288 s 5 are each amended to read as follows:

(1) When a respondent fails to comply with an order of restitution, community supervision, penalty assessments, or confinement of less than thirty days, the court upon motion of the prosecutor or its own motion, may modify the order after a hearing on the violation.

(2) The hearing shall afford the respondent the same due process of law as would be afforded an adult probationer. The court may issue a summons or a warrant to compel the respondent's appearance. The state shall have the burden of proving by a preponderance of the evidence the fact of the violation. The respondent shall have the burden of showing that the violation was not a wilful refusal to comply with the terms of the order. If a respondent has failed to pay a fine, penalty assessments, or restitution or to perform community service hours, as required by the court, it shall be the respondent's burden to show that he or she did not have the means and could not reasonably have acquired the means to pay the fine, penalty assessments, or restitution or perform community service.

(3) (a) If the court finds that a respondent has wilfully violated the terms of an order pursuant to subsections (1) and (2) of this section, it may impose a penalty of up to thirty days' confinement. Penalties for multiple violations occurring prior to the hearing shall not be aggregated to exceed thirty days' confinement. Regardless of the number of times a respondent is brought to court for violations of the terms of a single disposition order, the combined total number of days spent by the respondent in detention shall never exceed the maximum term to which an adult could be sentenced for the underlying offense.

(b) If the violation of the terms of the order under (a) of this subsection is failure to pay fines, penalty assessments, complete community service, or make restitution, the term of confinement imposed under (a) of this subsection shall be assessed at a rate of one day of confinement for each twenty-five dollars or eight hours owed.

(4) If a respondent has been ordered to pay a fine or monetary penalty and due to a change of circumstance cannot reasonably comply with the order, the court, upon motion of the respondent, may order that the unpaid fine or monetary penalty be converted to community service. The number of hours of community service in lieu of a monetary penalty or fine shall be converted at the rate of the prevailing state minimum wage per hour. The monetary penalties or fines collected shall be deposited in the county general fund. A failure to comply with an order under this subsection shall be deemed a failure to comply with an order of community supervision and may be proceeded against as provided in this section.

(5) Nothing in this section prohibits filing of escape charges if the juvenile escapes from confinement except that no escape charges may be filed if the juvenile leaves an inpatient treatment facility without permission in violation of a court order pursuant to option D of RCW 13.40.0357. Failure to comply with an order pursuant to option D of RCW 13.40.0357 shall be a basis for modification under this section.

NEW SECTION. Sec. 115. A new section is added to chapter 13.40 RCW to read as follows:

The legislature finds that the purposes of this chapter are best implemented by regionally based facilities.

Consistent with this finding, the department, in cooperation and consultation with local communities and affected agencies, shall develop a plan to reduce its reliance on large institutional facilities for juvenile offenders committed to the department by redistributing a portion of its institutional beds to secure regionally based facilities. The department's plan shall: (1) Provide sufficient beds to house all committed offenders at security levels commensurate with the offender's risk to public safety; (2) redistribute to secure regional facilities up to two hundred forty beds from the five existing institutions for juvenile offenders between July 1, 1993, and June 30, 1997; (3) include a specific risk assessment tool for determining which offenders may be placed in various security levels which will ensure offenders posing the greatest risk are held in more secure settings than offenders posing lesser risk; (4) include a siting plan and schedule for the timely siting and development of smaller secure and semisecure regional facilities to ensure the most effective rehabilitation efforts; (5) include a specific plan ensuring offenders will be housed in regional facilities close to their home communities unless such placement is contrary to the best interests of the offender, their family, or public safety; (6) include a cost analysis of the construction and renovation, if any, and operation of the facilities.

The department shall submit the plan no later than September 1, 1992, to the appropriate policy and fiscal committees of the house of representatives and the senate. The department shall incorporate the plan into the department's budget proposal for the 1993-95 biennium. No reduction in secure beds shall occur until, and then only to the extent that, regional secure beds are substituted on at least a one-to-one ratio.

NEW SECTION. Sec. 116. The department of social and health services shall investigate mechanisms for increasing the use of federal funds throughout the juvenile justice system. The department shall identify ways to increase federal funding for these programs in concert with the office of financial management, the counties, and juvenile court

administrators. The department shall report the results of its investigation to the appropriate fiscal committees of the senate and house of representatives by December 1, 1992.

**Sec. 117.** RCW 2.56.030 and 1989 c 95 s 2 are each amended to read as follows:

The administrator for the courts shall, under the supervision and direction of the chief justice:

(1) Examine the administrative methods and systems employed in the offices of the judges, clerks, stenographers, and employees of the courts and make recommendations, through the chief justice, for the improvement of the same;

(2) Examine the state of the dockets of the courts and determine the need for assistance by any court;

(3) Make recommendations to the chief justice relating to the assignment of judges where courts are in need of assistance and carry out the direction of the chief justice as to the assignments of judges to counties and districts where the courts are in need of assistance;

(4) Collect and compile statistical and other data and make reports of the business transacted by the courts and transmit the same to the chief justice to the end that proper action may be taken in respect thereto;

(5) Prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and make recommendations in respect thereto;

(6) Collect statistical and other data and make reports relating to the expenditure of public moneys, state and local, for the maintenance and operation of the judicial system and the offices connected therewith;

(7) Obtain reports from clerks of courts in accordance with law or rules adopted by the supreme court of this state on cases and other judicial business in which action has been delayed beyond periods of time specified by law or rules of court and make report thereof to supreme court of this state;

(8) Act as secretary of the judicial conference referred to in RCW 2.56.060;

(9) Formulate and submit to the judicial council of this state recommendations of policies for the improvement of the judicial system;

(10) Submit annually, as of February 1st, to the chief justice and the judicial council, a report of the activities of the administrator's office for the preceding calendar year;

(11) Administer programs and standards for the training and education of judicial personnel;

(12) Examine the need for new superior court and district judge positions under a weighted caseload analysis that takes into account the time required to hear all the cases in a particular court and the amount of time existing judges have available to hear cases in that court. The results of the weighted caseload analysis shall be reviewed by the board for judicial administration and the judicial council, both of which shall make recommendations to the legislature by January 1, 1989. It is the intent of the legislature that weighted caseload analysis become the basis for creating additional district court positions, and recommendations should address that objective;

(13) Provide staff to the judicial retirement account plan under chapter 2.14 RCW;

(14) Attend to such other matters as may be assigned by the supreme court of this state;

(15) Develop a curriculum for a general understanding of child development, placement, and treatment resources, as well as specific legal skills and knowledge of relevant statutes including chapters 13.32A ~~((and))~~, 13.34, and 13.40 RCW, cases, court rules, interviewing skills, and special needs of the abused or neglected child. This curriculum shall be completed and made available to all juvenile court judges, court personnel, and service providers by July 1, 1988. The curriculum shall be updated yearly to reflect changes in statutes, court rules, or case law;

(16) Develop a curriculum for a general understanding of hate or bias crimes, as well as specific legal skills and knowledge of RCW 9A.36.080, relevant cases, court rules, and the special needs of malicious harassment victims. This curriculum shall be completed and made available to all superior court and court of appeals judges and to all justices of the supreme court by July 1, 1989.

**Sec. 118.** RCW 2.56.030 and 1992 c -- s 117 (section 117 of this act) are each amended to read as follows:

The administrator for the courts shall, under the supervision and direction of the chief justice:

(1) Examine the administrative methods and systems employed in the offices of the judges, clerks, stenographers, and employees of the courts and make recommendations, through the chief justice, for the improvement of the same;

(2) Examine the state of the dockets of the courts and determine the need for assistance by any court;

(3) Make recommendations to the chief justice relating to the assignment of judges where courts are in need of assistance and carry out the direction of the chief justice as to the assignments of judges to counties and districts where the courts are in need of assistance;

(4) Collect and compile statistical and other data and make reports of the business transacted by the courts and transmit the same to the chief justice to the end that proper action may be taken in respect thereto;

(5) Prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and make recommendations in respect thereto;



(6) Collect statistical and other data and make reports relating to the expenditure of public moneys, state and local, for the maintenance and operation of the judicial system and the offices connected therewith;

(7) Obtain reports from clerks of courts in accordance with law or rules adopted by the supreme court of this state on cases and other judicial business in which action has been delayed beyond periods of time specified by law or rules of court and make report thereof to supreme court of this state;

(8) Act as secretary of the judicial conference referred to in RCW 2.56.060;

(9) Formulate and submit to the judicial council of this state recommendations of policies for the improvement of the judicial system;

(10) Submit annually, as of February 1st, to the chief justice and the judicial council, a report of the activities of the administrator's office for the preceding calendar year;

(11) Administer programs and standards for the training and education of judicial personnel;

(12) Examine the need for new superior court and district judge positions under a weighted caseload analysis that takes into account the time required to hear all the cases in a particular court and the amount of time existing judges have available to hear cases in that court. The results of the weighted caseload analysis shall be reviewed by the board for judicial administration and the judicial council, both of which shall make recommendations to the legislature by January 1, 1989. It is the intent of the legislature that weighted caseload analysis become the basis for creating additional district court positions, and recommendations should address that objective;

(13) Provide staff to the judicial retirement account plan under chapter 2.14 RCW;

(14) Attend to such other matters as may be assigned by the supreme court of this state;

(15) Develop a curriculum for a general understanding of child development, placement, and treatment resources, as well as specific legal skills and knowledge of relevant statutes including chapters 13.32A, 13.34, and 13.40 RCW, cases, court rules, interviewing skills, and special needs of the abused or neglected child. This curriculum shall be completed and made available to all juvenile court judges, court personnel, and service providers by July 1, 1988. The curriculum shall be updated yearly to reflect changes in statutes, court rules, or case law;

(16) Develop a curriculum for a general understanding of hate or bias crimes, as well as specific legal skills and knowledge of RCW 9A.36.080, relevant cases, court rules, and the special needs of malicious harassment victims. This curriculum shall be completed and made available to all superior court and court of appeals judges and to all justices of the supreme court by July 1, 1989;

(17) Collect data as may be necessary to monitor any disparity in processing or disposing of cases involving juvenile offenders due to economic or racial factors that may result from implementation of chapter ..., Laws of 1992 (this act). Beginning December 1, 1993, the office of the administrator for the courts shall report annually to the legislature on economic or racial disproportionality in the rates of arrest, detention, trial, treatment, and disposition in the state's juvenile justice system. The report shall cover the preceding calendar year. The annual report shall identify the causes of the disproportionality and shall specifically point out any economic or racial disproportionality resulting from implementation of chapter ..., Laws of 1992 (this act).

Sec. 119. RCW 9.41.010 and 1983 c 232 s 1 are each amended to read as follows:

(1) "Short firearm" or "pistol" as used in this chapter means any firearm with a barrel less than twelve inches in length.

(2) "Crime of violence" as used in this chapter 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, burglary in the second degree, and robbery in the second degree;

(b) Any conviction or adjudication for a felony offense in effect at any time prior to July 1, 1976, which is comparable to a felony classified as a crime of violence in subsection (2)(a) of this section; and

(c) Any federal or out-of-state conviction or adjudication for an offense comparable to a felony classified as a crime of violence under subsection (2) (a) or (b) of this section.

(3) "Firearm" as used in this chapter means a weapon or device from which a projectile may be fired by an explosive such as gunpowder.

(4) "Commercial seller" as used in this chapter means a person who has a federal firearms license.

Sec. 120. RCW 9.41.040 and 1983 c 232 s 2 are each amended to read as follows:

(1) ~~((A person))~~ An adult or juvenile is guilty of the crime of unlawful possession of a short firearm or pistol, if, having previously been convicted or, as a juvenile, adjudicated in this state or elsewhere of a crime of violence or of a felony in which a firearm was used or displayed, the person owns or has in his possession any short firearm or pistol.

(2) Unlawful possession of a short firearm or pistol shall be punished as a class C felony under chapter 9A.20 RCW.

(3) As used in this section, a person has been "convicted or adjudicated" at such time as a plea of guilty has been accepted or a verdict of guilty has been filed, notwithstanding the pendency of any future proceedings including but not limited to sentencing or disposition, post-trial or post-factfinding motions, and appeals. A person shall not be precluded from possession under this section if the conviction or adjudication has been the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or adjudicated or the conviction or disposition has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(4) Except as provided in subsection (5) of this section, a person is guilty of the crime of unlawful possession of a short firearm or pistol if, after having been convicted or adjudicated of any felony violation of the uniform controlled substances act, chapter 69.50 RCW, or equivalent statutes of another jurisdiction, or after any period of confinement under RCW 71.05.320 or an equivalent statute of another jurisdiction, or following a record of commitment pursuant to chapter 10.77 RCW or equivalent statutes of another jurisdiction, he owns or has in his possession or under his control any short firearm or pistol.

(5) Notwithstanding subsection (1) of this section, a person convicted of an offense other than murder, manslaughter, robbery, rape, indecent liberties, arson, assault, kidnapping, extortion, burglary, or violations with respect to controlled substances under RCW 69.50.401(a) and 69.50.410, who received a probationary sentence under RCW 9.95.200, and who received a dismissal of the charge under RCW 9.95.240, shall not be precluded from ownership, possession, or control of a firearm as a result of the conviction.

Sec. 121. RCW 9.41.280 and 1989 c 219 s 1 are each amended to read as follows:

(1) It is unlawful for an elementary or secondary school student under the age of twenty-one knowingly to carry onto public or private elementary or secondary school premises:

- (a) Any firearm; or
- (b) Any dangerous weapon as defined in RCW 9.41.250; or
- (c) Any device commonly known as "nun-chu-ka sticks", consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means; or
- (d) Any device, commonly known as "throwing stars", which are multi-pointed, metal objects designed to embed upon impact from any aspect; or
- (e) Any air gun, including any air pistol or air rifle, designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas.

(2) Any such student violating subsection (1) (b) through (e) of this section is guilty of a gross misdemeanor. Any student violating subsection (1)(a) of this section is guilty of a class C felony.

Any violation of subsection (1) of this section constitutes grounds for expulsion.

(3) Subsection (1) of this section does not apply to:

- (a) Any student of a private military academy; or
- (b) Any student engaged in military activities, sponsored by the federal or state governments while engaged in official duties; or
- (c) Any student who is attending a convention or firearms safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed; or
- (d) Any student who possesses nun-chu-ka sticks, throwing stars, or other dangerous weapons to be used in martial arts classes conducted on the school premises; ~~((e))~~
- (e) Any student while the student is participating in a firearms or air gun competition approved by the school or school district;
- (f) Any student who has permission of the school authorities to bring the firearm to school for participation in school classes such as a woodworking class; or
- (g) Any student who keeps a hunting rifle or shotgun in a vehicle the student drives to the school premises if the student keeps the vehicle locked while unattended and does not remove the firearm from the vehicle while on the school premises without permission of the school authorities.

Sec. 122. RCW 13.04.011 and 1979 c 155 s 1 are each amended to read as follows:

For purposes of this title:

- (1) Except as specifically provided in RCW 13.40.020 and chapter 13.24 RCW, as now or hereafter amended, "juvenile," "youth," and "child" mean any individual who is under the chronological age of eighteen years;
- (2) "Juvenile offender" and "juvenile offense" have the meaning ascribed in RCW ~~((13.40.010 through 13.40.240))~~ 13.40.020;
- (3) "Court" when used without further qualification means the juvenile court judge(s) or commissioner(s);
- (4) "Parent" or "parents," except as used in chapter 13.34 RCW, as now or hereafter amended, means that parent or parents who have the right of legal custody of the child. "Parent" or "parents" as used in chapter 13.34 RCW, means

the biological or adoptive parents of a child unless the legal rights of that person have been terminated by judicial proceedings;

(5) "Custodian" means that person who has the legal right to custody of the child.

**NEW SECTION. Sec. 123.** A new section is added to chapter 28A.600 RCW to read as follows:

School districts may participate in the exchange of information with law enforcement and juvenile court officials to the extent permitted by federal law. When directed by court order or pursuant to any lawfully issued subpoena, a school district shall make student records and information available to law enforcement officials, probation officers, court personnel, and others legally entitled to the information. Parents and students shall be notified by the school district of all such orders or subpoenas in advance of compliance with them.

**NEW SECTION. Sec. 124.** RCW 13.40.010 and 1977 ex.s. c 291 s 55 are each repealed.

**"PART II - FAMILIES AT RISK"**

**NEW SECTION. Sec. 201.** A new section is added to chapter 28A.225 RCW to read as follows:

Each school within a school district shall inform the students and the parents of the students enrolled in the school about the compulsory education requirements under this chapter. The school shall distribute the information at least annually.

**Sec. 202.** RCW 28A.225.020 and 1986 c 132 s 2 are each amended to read as follows:

If a juvenile required to attend school under the laws of the state of Washington fails to attend school without valid justification (~~((recurrently or for an extended period of time))~~), the juvenile's school(~~((where appropriate))~~) shall:

(1) Inform the juvenile's custodial parent, parents or guardian by a notice in writing in English and, if different, in the primary language of the custodial parent, parents or guardian and by other means reasonably necessary to achieve notice of the fact that the juvenile has failed to attend school without valid justification (~~((recurrently or for an extended period of time))~~) after one unexcused absence;

(2) Schedule a conference or conferences with the custodial parent, parents or guardian and juvenile at a time and place reasonably convenient for all persons included for the purpose of analyzing the causes of the juvenile's absences; and

(3) Take steps to eliminate or reduce the juvenile's absences. These steps shall include, where appropriate, adjusting the juvenile's school program or school or course assignment, providing more individualized or remedial instruction, preparing the juvenile for employment with specific vocational courses or work experience, or both, and assisting the parent or student to obtain supplementary services that might eliminate or ameliorate the cause or causes for the absence from school.

**Sec. 203.** RCW 28A.225.090 and 1990 c 33 s 226 are each amended to read as follows:

Any person violating any of the provisions of either RCW 28A.225.010 or 28A.225.080 shall be fined not more than twenty-five dollars for each day of unexcused absence from school. However, a child found to be in violation of RCW 28A.225.010 shall be required to attend school and shall not be fined. If the child fails to comply with the court order to attend school, the court may order the child be punished by detention or may impose alternatives to detention such as community service hours or participation in dropout prevention programs or referral to a community truancy board, if available. Failure by a child to comply with an order issued under this section shall not be punishable by detention for a period greater than that permitted pursuant to a contempt proceeding against a child under chapter 13.32A RCW. It shall be a defense for a parent charged with violating RCW 28A.225.010 to show that he or she exercised reasonable diligence in attempting to cause a child in his or her custody to attend school or that the juvenile's school did not perform its duties as required in RCW 28A.225.020. Any fine imposed pursuant to this section may be suspended upon the condition that a parent charged with violating RCW 28A.225.010 shall participate with the school and the juvenile in a supervised plan for the juvenile's attendance at school or upon condition that the parent attend a conference or conferences scheduled by a school for the purpose of analyzing the causes of a child's absence.

Attendance officers shall make complaint for violation of the provisions of RCW 28A.225.010 through 28A.225.140 to a judge of the superior or district court.

**Sec. 204.** RCW 28A.225.150 and 1990 c 33 s 232 are each amended to read as follows:

The school district attendance officer shall report biannually to the educational service district superintendent, in the instance of petitions filed alleging a violation by a child under RCW 28A.225.030:

- (1) The number of petitions filed by a school district or by a parent;
- (2) The frequency of each action taken under RCW 28A.225.020 prior to the filing of such petition;
- (3) When deemed appropriate under RCW 28A.225.020, the frequency of delivery of supplemental services;

and

(4) Disposition of cases filed with the juvenile court, including the frequency of contempt orders issued to enforce a court's order under RCW 28A.225.090.

The educational service district superintendent shall compile such information and report annually to the superintendent of public instruction. The superintendent of public instruction shall compile such information and report to the committees of the house of representatives and the senate by ~~((January 1, 1988))~~ September 1 of each year.

**Sec. 205.** RCW 13.32A.130 and 1990 c 276 s 8 are each amended to read as follows:

A child admitted to a crisis residential center under this chapter who is not returned to the home of his or her parent or who is not placed in an alternative residential placement under an agreement between the parent and child, shall, except as provided for by RCW 13.32A.140 and 13.32A.160(2), reside in such placement under the rules and regulations established for the center for a period not to exceed ~~((seventy-two hours, excluding Saturdays, Sundays, and holidays,))~~ five consecutive days from the time of intake, except as otherwise provided by this chapter. Crisis residential center staff shall make a concerted effort to achieve a reconciliation of the family. If a reconciliation and voluntary return of the child has not been achieved within forty-eight hours ~~((, excluding Saturdays, Sundays and holidays,))~~ from the time of intake, and if the person in charge of the center does not consider it likely that reconciliation will be achieved within the ~~((seventy-two hour))~~ five-day period, then the person in charge shall inform the parent and child of (1) the availability of counseling services; (2) the right to file a petition for an alternative residential placement, the right of a parent to file an at-risk youth petition, and the right of the parent and child to obtain assistance in filing the petition; and (3) the right to request a review of any alternative residential placement: PROVIDED, That at no time shall information regarding a parent's or child's rights be withheld if requested: PROVIDED FURTHER, That the department shall develop and distribute to all law enforcement agencies and to each crisis residential center administrator a written statement delineating such services and rights. Every officer taking a child into custody shall provide the child and his or her parent(s) or responsible adult with whom the child is placed with a copy of such statement. In addition, the administrator of the facility or his or her designee shall provide every resident and parent with a copy of such statement.

**Sec. 206.** RCW 13.32A.140 and 1990 c 276 s 9 are each amended to read as follows:

The department shall file a petition to approve an alternative residential placement on behalf of a child under any of the following sets of circumstances:

(1) The child has been admitted to a crisis residential center or has been placed with a responsible person other than his or her parent, and:

(a) The parent has been notified that the child was so admitted or placed;

(b) ~~((Seventy-two hours, including Saturdays, Sundays, and holidays,))~~ Five consecutive days have passed since such notification;

(c) No agreement between the parent and the child as to where the child shall live has been reached;

(d) No petition requesting approval of an alternative residential placement has been filed by either the child or parent or legal custodian;

(e) The parent has not filed an at-risk youth petition; and

(f) The child has no suitable place to live other than the home of his or her parent.

(2) The child has been admitted to a crisis residential center and:

(a) ~~((Seventy-two hours, including Saturdays, Sundays, and holidays,))~~ Five consecutive days have passed since such placement;

(b) The staff, after searching with due diligence, have been unable to contact the parent of such child; and

(c) The child has no suitable place to live other than the home of his or her parent.

(3) An agreement between parent and child made pursuant to RCW 13.32A.090(2)(e) or pursuant to RCW 13.32A.120(1) is no longer acceptable to parent or child, and:

(a) The party to whom the arrangement is no longer acceptable has so notified the department;

(b) ~~((Seventy-two hours, including Saturdays, Sundays, and holidays,))~~ Five consecutive days have passed since such notification;

(c) No new agreement between parent and child as to where the child shall live has been reached;

(d) No petition requesting approval of an alternative residential placement has been filed by either the child or the parent;

(e) The parent has not filed an at-risk youth petition; and

(f) The child has no suitable place to live other than the home of his or her parent.

Under the circumstances of subsections (1), (2), or (3) of this section, the child shall remain in a licensed child care facility, including but not limited to a crisis residential center, or in any other suitable residence to be determined by the department until an alternative residential placement petition filed by the department on behalf of the child is reviewed by the juvenile court and is resolved by such court. The department may authorize emergency medical or dental care for a child placed under this section. The state, when the department files a petition for alternative residential placement under this section, shall be represented as provided for in RCW 13.04.093.

**Sec. 207.** RCW 13.32A.150 and 1990 c 276 s 10 are each amended to read as follows:

(1) Except as otherwise provided in this section the juvenile court shall not accept the filing of an alternative residential placement petition by the child or the parents or the filing of an at-risk youth petition by the parent, unless verification is provided that a family assessment has been completed by the department. The family assessment shall be aimed at family reconciliation and avoidance of the out-of-home placement of the child. If the department is unable to complete an assessment within two working days following a request for assessment the child or the parents may proceed under subsection (2) of this section or the parent may proceed under subsection (3) of this section.

(2) A child or a child's parent may file with the juvenile court a petition to approve an alternative residential placement for the child outside the parent's home. The department shall, when requested, assist either a parent or child in the filing of the petition. The petition shall only ask that the placement of a child outside the home of his or her parent be approved. The filing of a petition to approve such placement is not dependent upon the court's having obtained any prior jurisdiction over the child or his or her parent, and confers upon the court a special jurisdiction to approve or disapprove an alternative residential placement.

(3) A child's parent may file with the juvenile court a petition in the interest of a child alleged to be an at-risk youth. The department shall, when requested, assist the parent in filing the petition. The petition shall be filed in the county where the petitioning parent resides. The petition shall set forth the name, age, and residence of the child and the names and residence of the child's parents and shall allege that:

- (a) The child is an at-risk youth as defined in this chapter;
- (b) The petitioning parent has the right to legal custody of the child;
- (c) Court intervention and supervision are necessary to assist the parent to maintain the care, custody, and control of the child; and
- (d) Alternatives to court intervention have been attempted or there is good cause why such alternatives have not been attempted.

The petition shall set forth facts that support the allegations in this subsection and shall generally request relief available under this chapter. The petition need not specify any proposed disposition following adjudication of the petition. The filing of an at-risk youth petition is not dependent upon the court's having obtained any prior jurisdiction over the child or his or her parent and confers upon the court the special jurisdiction to assist the parent in maintaining parental authority and responsibility for the child. An at-risk youth petition may not be filed if the court has approved an alternative residential placement petition regarding the child or if the child is the subject of a proceeding under chapter 13.34 RCW. A petition may be accepted for filing only if alternatives to court intervention have been attempted (~~or if there is good cause why they were not attempted~~). Juvenile court personnel may screen all at-risk youth petitions and may refuse to allow the filing of any petition that lacks merit, fails to comply with the requirements of this section, or fails to allege sufficient facts in support of allegations in the petition.

**NEW SECTION. Sec. 208.** To the extent possible, the department of social and health services shall transfer children who are inappropriately housed in crisis residential centers to residential and treatment services designed to meet their specific, unique needs by June 30, 1993.

The department shall prepare a budget request for the 1993-95 biennium that ensures all children inappropriately housed in crisis residential centers are transferred to appropriate residential and treatment services. The budget request shall be included in the governor's proposed expenditure plan for the 1993-95 biennium.

**NEW SECTION. Sec. 209.** A new section is added to chapter 13.32A RCW to read as follows: The department of social and health services shall not administratively split-code staff responsible for family reconciliation services between separate and distinct functions, except in remote rural offices where to do otherwise proves impractical.

**NEW SECTION. Sec. 210.** A new section is added to chapter 13.32A RCW to read as follows: All placements into crisis residential centers shall be approved by and coordinated through the family reconciliation services supervisor. The department of social and health services shall establish uniform procedures for the use of crisis residential centers, which shall be adhered to by all family reconciliation services supervisors. The department shall ensure procedures established under this section will facilitate and complement law enforcement officer's existing responsibility to pick up and transport children to crisis residential centers and other places authorized by law under this chapter.

**Sec. 211.** RCW 74.13.032 and 1979 c 155 s 78 are each amended to read as follows:

- (1) The department shall establish, by contracts with private vendors, (~~not less than eight regional~~) crisis residential centers, which shall be structured group care facilities licensed under rules adopted by the department. Each (~~regional~~) center shall have (~~an average of at least four adult staff members and in no event less than~~) three adult staff members to every (~~eight~~) nine children. The staff shall be trained so that they may effectively counsel juveniles admitted to the centers, provide treatment, supervision, and structure to the juveniles, and carry out the responsibilities outlined in RCW 13.32A.090.

(2) The department shall, in addition to the (~~regional~~) facilities established under subsection (1) of this section, establish (~~not less than thirty~~) additional crisis residential centers pursuant to contract with licensed (~~private group care or~~) specialized foster home facilities. The staff at the facilities shall be trained so that they may effectively counsel juveniles admitted to the centers, provide treatment, supervision, and structure to the juveniles, and carry out the responsibilities stated in RCW 13.32A.090. The responsibilities stated in RCW 13.32A.090 may, in any of the centers, be carried out by the department.

Crisis residential facilities shall be operated as semi-secure facilities. A child placed in group care or specialized foster care facilities designated as crisis residential centers under this section, may be placed in a certified secure detention facility as authorized by RCW 74.13.034.

Sec. 212. RCW 74.13.033 and 1979 c 155 s 79 are each amended to read as follows:

(1) If a resident of a center becomes by his or her behavior disruptive to the facility's program, such resident may be immediately removed to a separate area within the facility and counseled on an individual basis until such time as the child regains his or her composure. The department may set rules and regulations establishing additional procedures for dealing with severely disruptive children on the premises, which procedures are consistent with the federal juvenile justice and delinquency prevention act of 1974 and regulations and clarifying instructions promulgated thereunder. Nothing in this section shall prohibit a center from referring any child who, as the result of a mental or emotional disorder, or intoxication by alcohol or other drugs, is suicidal, seriously assaultive or seriously destructive toward others, or otherwise similarly evidences an immediate need for emergency medical evaluation and possible care, (~~to a community mental health center~~) for evaluation pursuant to chapter 71.34 RCW ((72.23.070)) or to a mental health professional pursuant to chapter 71.05 RCW whenever such action is deemed appropriate and consistent with law.

(2) When the juvenile resides in this facility, all services deemed necessary to the juvenile's reentry to normal family life shall be made available to the juvenile as required by chapter 13.32A RCW. In providing these services, the facility shall:

- (a) Interview the juvenile as soon as possible;
- (b) Contact the juvenile's parents and arrange for a counseling interview with the juvenile and his or her parents as soon as possible;
- (c) Conduct counseling interviews with the juvenile and his or her parents, to the end that resolution of the child/parent conflict is attained and the child is returned home as soon as possible; and
- (d) Provide additional crisis counseling as needed, to the end that placement of the child in the crisis residential center will be required for the shortest time possible, but not to exceed (~~seventy-two hours~~) five consecutive days.

(3) A juvenile taking unauthorized leave from this residence may be apprehended and returned to it by law enforcement officers or other persons designated as having this authority as provided in RCW 13.32A.050. If returned to the facility after having taken unauthorized leave for a period of more than twenty-four hours a juvenile may be supervised by such a facility for a period, pursuant to this chapter, which, unless where otherwise provided, may not exceed (~~seventy-two hours~~) five consecutive days on the premises. Costs of housing juveniles admitted to crisis residential centers shall be assumed by the department for a period not to exceed (~~seventy-two hours~~) five consecutive days.

Sec. 213. RCW 74.13.034 and 1991 c 364 s 5 are each amended to read as follows:

(1) A child taken into custody and taken to a crisis residential center established pursuant to RCW 74.13.032(2) may, if the center is unable to provide appropriate treatment, supervision, and structure to the child, be taken at department expense to another crisis residential center (~~or the nearest regional crisis residential center~~). Placement in both centers shall not exceed (~~seventy-two hours~~) five consecutive days from the point of intake as provided in RCW 13.32A.130.

(2) A child taken into custody and taken to a crisis residential center established by this chapter may be placed physically by the department or the department's designee and, at departmental expense and approval, in a secure juvenile detention facility operated by the county in which the center is located for a maximum of (~~forty-eight~~) twenty-four hours, including Saturdays, Sundays, and holidays, if the child has taken unauthorized leave from the center and the person in charge of the center determines that the center cannot provide supervision and structure adequate to ensure that the child will not again take unauthorized leave. Juveniles placed in such a facility pursuant to this section may not, to the extent possible, come in contact with alleged or convicted juvenile or adult offenders.

(3) Any child placed in secure detention pursuant to this section shall, during the period of confinement, be provided with appropriate treatment by the department or the department's designee, which shall include the services defined in RCW 74.13.033(2). If the child placed in secure detention is not returned home or if an alternative living arrangement agreeable to the parent and the child is not made within twenty-four hours after the child's admission, the child shall be taken at the department's expense to a crisis residential center. Placement in the crisis residential center or centers plus placement in juvenile detention shall not exceed (~~seventy-two hours~~) five consecutive days from the point of intake as provided in RCW 13.32A.130.

(4) Juvenile detention facilities used pursuant to this section shall first be certified by the department to ensure that juveniles placed in the facility pursuant to this section are provided with living conditions suitable to the well-being of the child. Where space is available, juvenile courts, when certified by the department to do so, shall provide secure placement for juveniles pursuant to this section, at department expense.

(5) It is the intent of the legislature that by July 1, 1982, crisis residential centers, supplemented by community mental health programs and mental health professionals, will be able to respond appropriately to children admitted to centers under this chapter and will be able to respond to the needs of such children with appropriate treatment, supervision, and structure.

**Sec. 214.** RCW 74.13.035 and 1979 c 155 s 81 are each amended to read as follows:

Crisis residential centers shall compile yearly records which shall be transmitted to the department and which shall contain information regarding population profiles of the children admitted to the centers during each past calendar year. Such information shall include but shall not be limited to the following:

- (1) The number, age, and sex of children admitted to custody;
- (2) Who brought the children to the center;
- (3) Services provided to children admitted to the center;
- (4) The circumstances which necessitated the children being brought to the center;
- (5) The ultimate disposition of cases;
- (6) The number of children admitted to custody who ran away from the center and their ultimate disposition, if any;
- (7) Length of stay.

The department may require the provision of additional information and may require each center to provide all such necessary information in a uniform manner.

~~((A center may, in addition to being licensed as such, also be licensed as a family foster home or group care facility and may house on the premises juveniles assigned for foster or group care.))~~

**NEW SECTION. Sec. 215.** Sections 205, 206, 211, 213, and 214 of this act shall take effect July 1, 1993.

### "PART III - INVOLUNTARY COMMITMENT AND TREATMENT"

**Sec. 301.** RCW 74.04.055 and 1991 c 126 s 2 are each amended to read as follows:

In furtherance of the policy of this state to cooperate with the federal government in the programs included in this title the secretary shall issue such rules and regulations as may become necessary to entitle this state to participate in federal grants-in-aid, goods, commodities and services unless the same be expressly prohibited by this title. The secretary shall ensure that the department's services and programs are designed and implemented to maximize the allocation of federal funds to the state.

Any section or provision of this title which may be susceptible to more than one construction shall be interpreted in favor of the construction most likely to satisfy federal laws entitling this state to receive federal matching or other funds for the various programs of public assistance. If any part of this chapter is found to be in conflict with federal requirements which are a prescribed condition to the receipts of federal funds to the state, the conflicting part of this chapter is hereby inoperative solely to the extent of the conflict with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this chapter.

**Sec. 302.** RCW 71.34.010 and 1985 c 354 s 1 are each amended to read as follows:

It is the purpose of this ~~((legislation))~~ chapter to ensure that minors in need of mental health care and treatment receive an appropriate continuum of culturally relevant care and treatment, ((and to enable treatment decisions to be made in response to clinical needs and in accordance with sound professional judgment while also recognizing parents' rights to participate in treatment decisions for their minor children, and to protect minors against needless hospitalization and deprivations of liberty)) from prevention and early intervention to involuntary treatment. To facilitate the continuum of care and treatment to minors in out-of-home placements, all divisions of the department that provide mental health services to minors shall jointly plan and deliver those services.

It is also the purpose of this chapter to protect the rights of minors against needless hospitalization and deprivations of liberty and to enable treatment decisions to be made in response to clinical needs in accordance with sound professional judgment. The mental health care and treatment providers shall encourage the use of voluntary services and, whenever clinically appropriate, the providers shall offer less restrictive alternatives to inpatient treatment. Additionally, all mental health care and treatment providers shall ensure that minors' parents are given an opportunity to participate in the treatment decisions for their children. The mental health care and treatment providers shall, to the extent possible, offer services that involve minors' parents or family.

**Sec. 303.** RCW 71.34.020 and 1985 c 354 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Child psychiatrist" means a person having a license as a physician and surgeon in this state, who has had graduate training in child psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and who is board eligible or board certified in child psychiatry.

(2) "Children's mental health specialist" means:

(a) A mental health professional who has completed a minimum of one hundred actual hours, not quarter or semester hours, of specialized training devoted to the study of child development and the treatment of children; and

(b) A mental health professional who has the equivalent of one year of full-time experience in the treatment of children under the supervision of a children's mental health specialist.

(3) "Commitment" means a determination by a judge or court commissioner, made after a commitment hearing, that the minor is in need of inpatient diagnosis, evaluation, or treatment or that the minor is in need of less restrictive alternative treatment.

(4) "County-designated mental health professional" means a mental health professional designated by one or more counties to perform the functions of a county-designated mental health professional described in this chapter.

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

(6) "Evaluation and treatment facility" means a public or private facility or unit that is certified by the department to provide emergency, inpatient, residential, or outpatient mental health evaluation and treatment services for minors. A physically separate and separately-operated portion of a state hospital may be designated as an evaluation and treatment facility for minors. A facility which is part of or operated by the department or federal agency does not require certification. No correctional institution or facility, juvenile court detention facility, or jail may be an evaluation and treatment facility within the meaning of this chapter.

(7) "Evaluation and treatment program" means the total system of services and facilities coordinated and approved by a county or combination of counties for the evaluation and treatment of minors under this chapter.

(8) "Gravely disabled minor" means a minor who, as a result of a mental disorder, is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety, or manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety.

(9) "Inpatient treatment" means twenty-four-hour-per-day mental health care provided within a general hospital, psychiatric hospital, or residential treatment facility certified by the department as an evaluation and treatment facility for minors.

(10) "Less restrictive alternative" or "less restrictive setting" means outpatient treatment provided to a minor who is not residing in a facility providing inpatient treatment as defined in this chapter.

(11) "Likelihood of serious harm" means either: (a) A substantial risk that physical harm will be inflicted by an individual upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (b) a substantial risk that physical harm will be inflicted by an individual upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (c) a substantial risk that physical harm will be inflicted by an individual upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others. In assessing risk of harm, the frame of reference shall include all relevant history and shall not be limited to the minor's behavior when assessed by a mental health professional.

(12) "Mental disorder" means any organic, mental, or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions. The presence of alcohol abuse, drug abuse, juvenile criminal history, antisocial behavior, or mental retardation alone is insufficient to justify a finding of "mental disorder" within the meaning of this section. A mental disorder shall include any illness, impairment, or disorder identified as such by the American psychiatric association by and through its published Diagnostic and Statistical Manual as now in existence or hereafter revised.

(13) "Mental health professional" means a psychiatrist, psychologist, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary under this chapter.

(14) "Minor" means any person under the age of eighteen years.

(15) "Outpatient treatment" means any of the nonresidential services mandated under chapter 71.24 RCW and provided by licensed services providers as identified by RCW 71.24.025(3).

(16) "Parent" means:

(a) A biological or adoptive parent who has legal custody of the child, including either parent if custody is shared under a joint custody agreement; or

(b) A person or agency judicially appointed as legal guardian or custodian of the child.

(17) "Professional person in charge" means a physician or other mental health professional empowered by an evaluation and treatment facility with authority to make admission and discharge decisions on behalf of that facility.



(18) "Psychiatric nurse" means a registered nurse who has a bachelor's degree from an accredited college or university, and who has had, in addition, at least two years' experience in the direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional. "Psychiatric nurse" shall also mean any other registered nurse who has three years of such experience.

(19) "Psychiatrist" means a person having a license as a physician in this state who has completed residency training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and is board eligible or board certified in psychiatry.

(20) "Psychologist" means a person licensed as a psychologist under chapter 18.83 RCW.

(21) "Responsible other" means the minor, the minor's parent or estate, or any other person legally responsible for support of the minor.

(22) "Secretary" means the secretary of the department or secretary's designee.

(23) "Start of initial detention" means the time of arrival of the minor at the first evaluation and treatment facility offering inpatient treatment if the minor is being involuntarily detained at the time. With regard to voluntary patients, "start of initial detention" means the time at which the minor gives notice of intent to leave under the provisions of this chapter.

**NEW SECTION. Sec. 304.** A new section is added to chapter 71.34 RCW to read as follows:

For the purpose of encouraging the expansion of existing evaluation and treatment facilities and the creation of new facilities, the department shall endeavor to redirect federal Title XIX funds which are expended on out-of-state placements to fund placements within the state.

**NEW SECTION. Sec. 305.** A new section is added to chapter 71.34 RCW to read as follows:

The department shall ensure that the provisions of this chapter are applied by the counties in a consistent and uniform manner. The department shall also ensure that the county-designated mental health professionals are specifically trained in adolescent mental health issues, the mental health civil commitment laws, and the criteria for civil commitment.

**NEW SECTION. Sec. 306.** A new section is added to chapter 71.34 RCW to read as follows:

Whenever a county-designated mental health professional makes a determination under RCW 71.34.050 that a minor, thirteen years or older, does not meet the criteria for an involuntary detention at an evaluation and treatment facility, the county-designated mental health professional shall:

(1) Provide written notice to the minor's parent of the parent's right to file petitions and obtain services available under chapter 13.32A RCW;

(2) Provide written notice to the minor's parent of the parent's right to file a petition, as provided in section 307 of this act, to seek a review of the decision not to detain the minor at an evaluation and treatment facility;

(3) Provide a written evaluation to the minor's parent detailing the county-designated mental health professional's reasons for not detaining the minor at an evaluation and treatment facility. The evaluation shall include the specific facts investigated, the credibility of the person or persons providing the information, and the criteria for an involuntary detention; and

(4) Refer the minor and the parents to other available services.

**NEW SECTION. Sec. 307.** A new section is added to chapter 71.34 RCW to read as follows:

(1) Whenever a county-designated mental health professional makes a determination under RCW 71.34.050 that a minor, thirteen years of age or older, does not meet the criteria for an involuntary admission at an evaluation and treatment facility, the minor's parent may file a petition in the superior court seeking a review of the county-designated mental health professional's decision not to detain the minor.

(2) The following documents shall be filed with the petition:

(a) An affidavit of the parent which states the reasons why the parent disagrees with the evaluation conducted by the county-designated mental health professional and includes the specific facts alleged which indicate the need for the minor's detention;

(b) Any other relevant affidavits signed by persons with knowledge of the specific facts alleged that indicate the need for the minor's detention at an evaluation and treatment facility; and

(c) The county-designated mental health professional's written evaluation provided under section 306(3) of this act.

(3) If after reviewing the petition, affidavits, and supporting documentation, the court finds that the minor, as a result of a mental disorder, presents a likelihood of serious harm or is gravely disabled, the court shall issue a warrant for the detention of the minor at an evaluation and treatment facility. The warrant shall be served with a statement of the minor's rights as delineated in RCW 71.34.050(3), which includes the immediate right to an attorney.

(4) All other provisions contained in this chapter relating to the detention, evaluation, and treatment shall apply.

**NEW SECTION. Sec. 308.** A new section is added to chapter 70.96A RCW to read as follows:

The department shall ensure that the provisions of this chapter are applied by the counties in a consistent and uniform manner. The department shall also ensure that the county-designated chemical dependency specialists are specifically trained in adolescent chemical dependency issues, the chemical dependency commitment laws, and the criteria for commitment.

**NEW SECTION. Sec. 309.** A new section is added to chapter 70.96A RCW to read as follows:

Whenever a county-designated chemical dependency specialist makes a determination under RCW 70.96A.140 that a minor does not meet the criteria for a commitment to a chemical dependency program, the county-designated chemical dependency specialist shall:

- (1) Provide written notice to the minor's parent of the parent's right to file petitions and obtain services available under chapter 13.32A RCW;
- (2) Provide written notice to the minor's parent of the parent's right to file a petition, as provided in section 310 of this act, to seek a review of the decision not to commit the minor to a chemical dependency program;
- (3) Provide a written evaluation to the minor's parent detailing the county-designated chemical dependency specialist's reasons for not committing the minor in a chemical dependency program. The evaluation shall include the specific facts investigated, the credibility of the person or persons providing the information, and the criteria for a commitment to a chemical dependency treatment program; and
- (4) Refer the minor and the parents to other available services.

**NEW SECTION. Sec. 310.** A new section is added to chapter 70.96A RCW to read as follows:

(1) Whenever a county-designated chemical dependency specialist makes a determination under RCW 70.96A.140 that a minor does not meet the criteria for a commitment to a chemical dependency treatment program, the minor's parent may file a petition in the superior court seeking a review of the county-designated chemical dependency specialist's decision not to commit the minor.

(2) The following documents shall be filed with the petition:

- (a) An affidavit of the parent which states the reasons why the parent disagrees with the evaluation conducted by the county-designated chemical dependency specialist and includes the specific facts alleged that indicate the need for the minor's commitment;
- (b) Any other relevant affidavits signed by persons with knowledge of the specific facts alleged that indicate the need for the minor's commitment in a chemical dependency treatment program; and
- (c) The county-designated chemical dependency specialist's written evaluation provided under section 309(3) of this act.

(3) If after reviewing the petition, affidavits, and supporting documentation, the court finds by a preponderance of the evidence that the minor meets the criteria for commitment as set forth in RCW 70.96A.140(1), the court shall fix a date for a hearing as provided in RCW 70.96A.140(2). The petition and order for a hearing shall be served on the minor and on the county-designated chemical dependency specialist who wrote the evaluation that was filed with the court.

(4) All other provisions contained in this chapter relating to the hearing and commitment shall apply.

**NEW SECTION. Sec. 311.** The department of social and health services shall conduct a planning study of the children in its care to determine the appropriate level of residential and treatment services required by these children. The study shall be based on a statistically valid sample of all children in the department's care. The study shall also estimate the treatment needs of youth who have been evaluated for a mental disorder but were not involuntarily detained pursuant to chapter 71.34 RCW.

In conducting the study, the department shall utilize all existing studies to the extent possible. The department shall report the results of the study to the appropriate standing committees of the legislature by September 15, 1992. The department shall use the study results for designing future programs, treatment models, and for determining the reallocation of funds within the department. The department shall submit recommendations to the appropriate standing committees of the legislature on the necessary reallocation of funds, as indicated by the assessment results, by January 1, 1993.

#### "PART IV - MISCELLANEOUS"

**Sec. 401.** 1991 c 234 s 1 (uncodified) is amended to read as follows:

A juvenile issues task force is created to review the operation of the 1977 Juvenile Justice Act, the Family Reconciliation Act, the 1990 "at-risk" youth legislation, and to study related issues. The task force is charged with issuing a report and making recommendations to the legislature by December 15, ~~((1991))~~ 1992.

The task force shall consist of the following members:

- (1) Three co-chairs, one from the state senate appointed by the president of the senate; one from the state house of representatives appointed by the speaker of the house of representatives; and one appointed by the governor from among the members of the task force named in subsection (3) of this section.

(2) Eight legislators in addition to the two legislative cochairs selected under subsection (1) of this section, two each from the majority and minority caucuses of the senate and two each from the majority and minority caucuses of the house of representatives.

(3) The governor shall appoint the following members of the task force:

- (a) ~~((Three))~~ Two superior court judges;
- (b) ~~((Two))~~ One prosecuting attorney~~((s))~~;
- (c) ~~((Two))~~ One juvenile public defender~~((s))~~;
- (d) The secretary of social and health services or the secretary's designee;
- (e) ~~((Two))~~ One juvenile court administrator~~((s))~~;
- (f) One police chief or county sheriff;
- (g) ~~((One child psychologist;~~
- (h) ~~One child psychiatrist;~~
- (i) ~~((h))~~ Two directors of ~~((a))~~ youth service organizations;
- (j) ~~((h))~~ One person from the Washington council on crime and delinquency;
- (k) ~~((k))~~ One person from a parents' organization;
- (l) ~~((l))~~ One person from a crisis residential center;
- (m) ~~((m))~~ One juvenile court caseworker;
- (n) ~~((n))~~ One representative of the executive branch;
- (o) ~~One~~ Two members of the mental health treatment community; ~~((and~~
- (p) ~~((p))~~ One member from the substance abuse treatment community;
- (q) One member from the education system; and
- (r) One member from local government.

The department of social and health services shall fund the task force in an amount sufficient to meet its mission. The task force shall be staffed, to the extent possible, by staff available from the membership of the task force.

The governor shall ensure that the racial diversity of the task force membership appointed by the governor reflects the racial diversity of juveniles served under the Family Reconciliation Act, the 1977 Juvenile Justice Act, and the 1990 "at-risk" youth legislation.

The task force shall develop a statutory community-based planning, allocation, and service system for children and families, including at-risk youth, runaways, and families in conflict, and submit it to the appropriate legislative committees no later than December 1, 1992. The task force shall: (i) Identify which state agencies, programs, and services should be included in the system; (ii) identify the various youth populations to be served by the system; and (iii) determine how to coordinate this system with existing community-based planning and coordination requirements, including, but not limited to, chapter 326, Laws of 1991, and chapter 13.06 RCW.

Sec. 402. 1991 c 234 s 2 (uncodified) is amended to read as follows:

The department of social and health services, in cooperation with the commission on African American affairs, shall contract for an independent study of racial disproportionality in the juvenile justice system. The study shall identify key decision points in the juvenile justice system where race and/or ethnicity-based disproportionality exists in the treatment and incarceration of juvenile offenders. The study shall identify the causes of disproportionality, and propose new policies and procedures to address disproportionality.

~~((The department shall submit the study's preliminary findings and recommendations to the juvenile justice task force established under section 1 of this act by September 13, 1991.))~~ The final report shall be submitted to the appropriate committees of the legislature by December ~~((1, 1991))~~ 15, 1992.

The juvenile justice task force shall utilize the information on disproportionality in developing its report and recommendations to the legislature required under section ~~((1))~~ 401 of this act. ~~((If by June 30, 1991, the omnibus operating budget appropriations act for the 1991-93 biennium does not provide specific funding for this section, referencing this section by bill number and section, this section is null and void.))~~

NEW SECTION. Sec. 403. Part headings as used in this act do not constitute any part of the law.

NEW SECTION. Sec. 404. 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. 405. The purpose of this act is solely to provide authority for the counties and the department of social and health services to provide services within existing funds and current programs and facilities unless otherwise specifically funded by June 30, 1992, by reference to this bill and section number, in the supplemental omnibus appropriations act for the 1992. Nothing in this act shall be construed to require the addition of new facilities nor affect the department of social and health services' nor county authority for the uses of existing programs and funding.

NEW SECTION. **Sec. 406.** Sections 103, 105, 107, 111, 118, 305, 306, 307, 308, 309, and 310 of this act shall take effect July 1, 1993.

The department of social and health services, the department of community development, and the office of the administrator for the courts, shall prepare a budget request for the 1993-95 biennium to implement sections 103, 105, 107, 111, 118, 305, 306, 307, 308, 309, and 310 of this act. The budget request shall be included in the governor's expenditure plan for the 1993-95 biennium.

On page 16, beginning on line 20 of the title amendment, after "insert" strike the remainder of the title amendment and insert "amending RCW 28A.300.040, 43.63A.065, 43.70.020, 13.40.020, 13.40.027, 13.40.0357, 13.40.038, 13.40.050, 13.40.070, 13.40.080, 13.40.100, 13.40.130, 13.40.150, 13.40.200, 2.56.030, 2.56.030, 9.41.010, 9.41.040, 9.41.280, 13.04.011, 28A.225.020, 28A.225.090, 28A.225.150, 13.32A.130, 13.32A.140, 13.32A.150, 74.13.032, 74.13.033, 74.13.034, 74.13.035, 74.04.055, 71.34.010, and 71.34.020; amending 1991 c 234 s 1 (uncodified); amending 1991 c 234 s 2 (uncodified); adding new sections to chapter 74.14A RCW; adding a new section to chapter 43.20A RCW; adding a new section to chapter 50.08 RCW; adding a new chapter to Title 70 RCW; adding new sections to chapter 13.40 RCW; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.225 RCW; adding new sections to chapter 13.32A RCW; adding new sections to chapter 71.34 RCW; adding new sections to chapter 70.96A RCW; creating new sections; repealing RCW 13.40.010; prescribing penalties; and providing effective dates."

Mr. Ebersole spoke in favor of adoption of the amendment to the committee amendment and it was adopted.

Ms. H. Myers moved adoption of the following amendment to the committee amendment by Representatives H. Myers, Brumsickle, Leonard and Bowman:

On page 16, after line 9 of the amendment, insert the following:

NEW SECTION. **Sec. 15.** (1) The legislature finds that a significant number of school age children in the state of Washington are not under the care and supervision of an adult during the hours before and after school while their parents work or are engaged in job training and professional preparation programs. The legislature finds that these children are at risk and that the provision of before-and-after-school child care will promote not only the safety and welfare of these children, but their ability to learn and develop into healthy and productive citizens.

(2) It is the intent of the legislature to promote the growth, development, and safety of school age children by supporting the establishment of high quality before-and-after-school child care programs, in partnership with local governments and the private sector.

**Sec. 16.** RCW 74.13.085 and 1989 c 381 s 2 are each amended to read as follows:

It shall be the policy of the state of Washington to:

(1) Recognize the family as the most important social and economic unit of society and support the central role parents play in child rearing. All parents are encouraged to care for and nurture their children through the traditional methods of parental care at home. However, there has been a dramatic increase in participation of women in the workforce which has made the availability of quality, affordable child care a critical concern for the state and its citizens. There are not enough child care services and facilities to meet the needs of working parents, the costs of care are often beyond the resources of working parents, and child care facilities are not located conveniently to work places and neighborhoods. Parents are encouraged to participate fully in the effort to improve the quality of child care services.

(2) Promote a variety of culturally and developmentally appropriate child care settings and services of the highest possible quality in accordance with the basic principle of continuity of care. These settings and services shall include, but not be limited to, family day care homes, (~~mini-centers~~) centers and before-and-after-school child care programs located in or near public school((s)) buildings.

(3) Promote the growth, development and safety of children by working with community groups including providers and parents to establish standards for quality service, training of child care providers, fair and equitable monitoring, and salary levels commensurate with provider responsibilities and support services.

(4) Promote equal access to quality, affordable, socio-economically integrated child care for all children and families.

(5) Facilitate broad community and private sector involvement in the provision of quality child care services to foster economic development and assist industry.

NEW SECTION. **Sec. 17.** A new section is added to chapter 74.13 RCW to read as follows:

(1) Within available federal funds the department may award before-and-after-school child care facility grants subject to the following conditions and limitations:

(a) Before-and-after-school child care facility grant requests may be for expanding existing before-and-after-school child care programs or establishing new programs located in or near public elementary schools.

(b) Grantees under this section may include public school districts, educational service districts, or other governmental or nongovernmental not-for-profit organizations.

(c) Grants may be used for any of the following purposes:

(i) Planning and design of facilities and programs;

(ii) Equipment, supplies, and materials of a noncapital nature, including but not limited to toys, office supplies, art supplies, and kitchen utensils; and

(iii) Operating expenses for the first six months of operation of a new before-and-after-school child care program.

(d) A grant under this section may be used to support no more than seventy-five percent of the costs of establishing a before-and-after-school child care program. A grantee may meet the local matching requirement under this subsection through contributions by private or public entities of materials, supplies, in-kind services, or physical facilities.

(2) The child care coordinating committee established under RCW 74.13.090 shall establish standards and criteria for the review and awarding of grants. The committee shall include relevant information regarding grants awarded under this section in the annual report to the legislature.

**NEW SECTION. Sec. 18.** A new section is added to chapter 41.04 RCW to read as follows:

In order to implement the state's child care policy established by RCW 41.04.385, the director of personnel shall:

(1) Provide technical assistance to state agencies for addressing employee child care needs;

(2) Conduct periodic needs assessments to determine the demand for specific child care services and facilities by state employees and to determine the availability and costs of child care services accessible to employees within a surveyed community. In lieu of conducting new needs assessments, the department may use similar assessments completed by other organizations, provided that the assessments conform to standards established by the department;

(3) Assist state employees with establishing nonprofit employee organizations to contract for the provision of child care services;

(4) Develop, in consultation with the department of general administration, model contracts for agencies to use when contracting with nonprofit employee organizations to use state-owned or state-leased buildings for child care services;

(5) Develop, in consultation with the departments of general administration, social and health services, and the office of financial management, model contracts and quality standards for nonprofit employee organizations to use when contracting with child care providers;

(6) Inform state employees of the child care and family services available to them through state programs, policies, or merit system rules;

(7) Assist state agencies and employees with developing alternatives to state employee child care centers for meeting child care needs;

(8) In consultation with the state employee child care advisory committee, establish general policies for the distribution of state employee child care facility grants by the department of social and health services;

(9) Conduct research and develop pilot programs to measure changes in employee productivity, recruitment, retention, and absenteeism, associated with state-supported child care services; and

(10) Establish policies, subject to the approval of the director of financial management, for the development of partnerships with private employers for the provision of child care services.

The policies established under this section shall apply to all state agencies subject to chapter 41.06 RCW that provide, or assist with the provision of, child care services for state employees. The cost of department of personnel services provided to agencies exempted by RCW 41.06.070 from the provisions of chapter 41.06 RCW shall be reimbursed in accordance with RCW 41.06.080.

**NEW SECTION. Sec. 19.** A new section is added to chapter 41.04 RCW to read as follows:

The director of personnel shall attempt to develop a program of flexible child care and family policies and services so that state employees may choose among those that best meet their needs.

**NEW SECTION. Sec. 20.** By June 30, 1993, the director of personnel shall provide a plan for the development of a child care program that includes objective, quantifiable, and measurable standards and goals to be achieved. Such goals shall be established in consultation with the state employee child care advisory committee.

The director shall report to the governor by September 1996 describing the results achieved through the child care program compared to original performance standards and goals.

**Sec. 21.** RCW 41.04.370 and 1984 c 162 s 1 are each amended to read as follows:

The legislature recognizes that ~~((on-site))~~ supporting child ~~((day))~~ care for employees of public and private organizations is a worthwhile pursuit. To further the goals of affordable, accessible, and quality child care for working parents, the

legislature intends to ~~((establish a))~~ provide for the development of self-supporting child care ((demonstration project)) programs for employees of state government. ~~((The legislature recognizes that appropriate child day care services may enhance productivity and lower absenteeism among state employees.))~~

Sec. 22. RCW 41.04.375 and 1984 c 162 s 2 are each amended to read as follows:

Subsequent to the completion of needs assessments indicating a demand for additional accessible center-based child care, and at the request of the director of personnel, the department of general administration shall identify ((an amount of)) the availability of suitable space ((in state-owned or state-leased buildings in the Olympia area)) for use as child ((day)) care centers for the children of state employees.

If suitable space is identified in state-owned or state-leased buildings, the department of general administration shall establish a ((fair)) rental rate for ((the)) organizations to pay for the space used by persons who are not state employees.

Sec. 23. RCW 41.04.380 and 1984 c 162 s 3 are each amended to read as follows:

~~((4))~~ After the department of personnel ((shall conduct)) has conducted a needs assessment under section 18 of this act to determine the need for and interest in child ((day)) care facilities for the children of state employees;

~~((2) The department of personnel shall determine the number of children which may participate in the demonstration project required under RCW 41.04.370 through 41.04.380; and~~

~~(3) If the)) and the assessment has indicated a need for additional child care services accessible to state employees; and suitable space ((is)) has been determined to be available, the department of personnel ((shall)) may assist state employees with establishing nonprofit organizations in order to contract with one or more ((organizations)) providers to operate child ((day)) care facilities ((for the children identified under this section. Such facilities may be located in one or more buildings as identified under RCW 41.04.375)).~~

Subject to the approval of the director of financial management, suitable space for child care centers may be provided to nonprofit organizations of state employees without charge or at reduced charge for rent or services solely for the purpose of reducing employee child care costs.

NEW SECTION. Sec. 24. A new section is added to chapter 41.04 RCW to read as follows:

In order to qualify for services under RCW 41.04.380, state employee child care organizations shall be organized under chapter 24.03 RCW. Such organizations shall be subject to the policies established under section 18 of this act when contracting for space in state-owned or state-leased buildings.

Sec. 25. RCW 41.04.385 and 1986 c 135 s 1 are each amended to read as follows:

The legislature finds that (1) demographic, economic, and social trends underlie a critical and increasing demand for child ((day)) care in the state of Washington; (2) working parents and their children benefit when the employees' child care needs have been resolved; ~~((and))~~ (3) the state of Washington should serve as a model employer by creating a supportive atmosphere, to the extent feasible, in which its employees may meet their child ((day)) care needs; and (4) the state of Washington should encourage the development of partnerships between state agencies, state employees, state employee labor organizations, and private employers to expand the availability of affordable quality child care. The legislature finds further that resolving employee child ((day)) care concerns not only benefits the employees and their children, but may benefit the employer by reducing absenteeism, increasing employee productivity, improving morale, and enhancing the employer's position in recruiting and retaining employees. Therefore, the legislature declares that it is the policy of the state of Washington to assist state employees by creating a supportive atmosphere in which they may meet their child ((day)) care needs.

Sec. 26. RCW 43.88.160 and 1991 c 358 s 4 are each amended to read as follows:

This section sets forth the major fiscal duties and responsibilities of officers and agencies of the executive branch. The regulations issued by the governor pursuant to this chapter shall provide for a comprehensive, orderly basis for fiscal management and control, including efficient accounting and reporting therefor, for the executive branch of the state government and may include, in addition, such requirements as will generally promote more efficient public management in the state.

(1) Governor; director of financial management. The governor, through the director of financial management, shall devise and supervise a modern and complete accounting system for each agency to the end that all revenues, expenditures, receipts, disbursements, resources, and obligations of the state shall be properly and systematically accounted for. The accounting system shall include the development of accurate, timely records and reports of all financial affairs of the state. The system shall also provide for central accounts in the office of financial management at the level of detail deemed necessary by the director to perform central financial management. The director of financial management shall adopt and periodically update an accounting procedures manual. Any agency maintaining its own accounting and reporting system shall comply with the updated accounting procedures manual and the rules of the director adopted under this chapter. An agency may receive a waiver from complying with this requirement if the waiver is approved by the director. Waivers expire at the end of the fiscal biennium for which they are granted. The director shall

forward notice of waivers granted to the appropriate legislative fiscal committees. The director of financial management may require such financial, statistical, and other reports as the director deems necessary from all agencies covering any period.

(2) The director of financial management is responsible for quarterly reporting of primary operating budget drivers such as applicable workloads, caseload estimates, and appropriate unit cost data. These reports shall be transmitted to the legislative fiscal committees or by electronic means to the legislative evaluation and accountability program committee. Quarterly reports shall include actual monthly data and the variance between actual and estimated data to date. The reports shall also include estimates of these items for the remainder of the budget period.

(3) The director of financial management shall report at least annually to the appropriate legislative committees regarding the status of all appropriated capital projects, including transportation projects, showing significant cost overruns or underruns. If funds are shifted from one project to another, the office of financial management shall also reflect this in the annual variance report. Once a project is complete, the report shall provide a final summary showing estimated start and completion dates of each project phase compared to actual dates, estimated costs of each project phase compared to actual costs, and whether or not there are any outstanding liabilities or unsettled claims at the time of completion.

(4) In addition, the director of financial management, as agent of the governor, shall:

(a) Make surveys and analyses of agencies with the object of determining better methods and increased effectiveness in the use of manpower and materials; and the director shall authorize expenditures for employee training to the end that the state may benefit from training facilities made available to state employees;

(b) Establish policies allowing state agencies to contract for specialized child care services including resources and referral, sick child care, and after-hour care;

(c) Report to the governor with regard to duplication of effort or lack of coordination among agencies;

~~((e))~~ (d) Review any pay and classification plans, and changes thereunder, developed by any agency for their fiscal impact: PROVIDED, That none of the provisions of this subsection shall affect merit systems of personnel management now existing or hereafter established by statute relating to the fixing of qualifications requirements for recruitment, appointment, or promotion of employees of any agency. The director shall advise and confer with agencies including appropriate standing committees of the legislature as may be designated by the speaker of the house and the president of the senate regarding the fiscal impact of such plans and may amend or alter said plans, except that for the following agencies no amendment or alteration of said plans may be made without the approval of the agency concerned: Agencies headed by elective officials;

~~((d))~~ (e) Fix the number and classes of positions or authorized man years of employment for each agency and during the fiscal period amend the determinations previously fixed by the director except that the director shall not be empowered to fix said number or said classes for the following: Agencies headed by elective officials;

~~((e))~~ (f) Provide for transfers and repayments between the budget stabilization account and the general fund as directed by appropriation and RCW 43.88.525 through 43.88.540;

~~((f) Promulgate regulations))~~ (g) Adopt rules to effectuate provisions contained in ~~((subsections))~~ (a) through ~~((e) hereof))~~ (f) of this subsection.

(5) The treasurer shall:

(a) Receive, keep, and disburse all public funds of the state not expressly required by law to be received, kept, and disbursed by some other persons: PROVIDED, That this subsection shall not apply to those public funds of the institutions of higher learning which are not subject to appropriation;

(b) Disburse public funds under the treasurer's supervision or custody by warrant or check;

(c) Keep a correct and current account of all moneys received and disbursed by the treasurer, classified by fund or account;

(d) Perform such other duties as may be required by law or by regulations issued pursuant to this law.

It shall be unlawful for the treasurer to issue any warrant or check for public funds in the treasury except upon forms duly prescribed by the director of financial management. Said forms shall provide for authentication and certification by the agency head or the agency head's designee that the services have been rendered or the materials have been furnished; or, in the case of loans or grants, that the loans or grants are authorized by law; or, in the case of payments for periodic maintenance services to be performed on state owned equipment, that a written contract for such periodic maintenance services is currently in effect and copies thereof are on file with the office of financial management; and the treasurer shall not be liable under the treasurer's surety bond for erroneous or improper payments so made: PROVIDED, That when services are lawfully paid for in advance of full performance by any private individual or business entity other than as provided for by RCW 42.24.035, such individual or entity other than central stores rendering such services shall make a cash deposit or furnish surety bond coverage to the state as shall be fixed in an amount by law, or if not fixed by law, then in such amounts as shall be fixed by the director of the department of general administration but in no case shall such required cash deposit or surety bond be less than an amount which will fully

indemnify the state against any and all losses on account of breach of promise to fully perform such services: AND PROVIDED FURTHER, That no payments shall be made in advance for any equipment maintenance services to be performed more than three months after such payment. Any such bond so furnished shall be conditioned that the person, firm or corporation receiving the advance payment will apply it toward performance of the contract. The responsibility for recovery of erroneous or improper payments made under this section shall lie with the agency head or the agency head's designee in accordance with regulations issued pursuant to this chapter. Nothing in this section shall be construed to permit a public body to advance funds to a private service provider pursuant to a grant or loan before services have been rendered or material furnished.

(6) The state auditor shall:

(a) Report to the legislature the results of current post audits that have been made of the financial transactions of each agency; to this end the auditor may, in the auditor's discretion, examine the books and accounts of any agency, official or employee charged with the receipt, custody or safekeeping of public funds. The current post audit of each agency may include a section on recommendations to the legislature as provided in (c) of this subsection.

(b) Give information to the legislature, whenever required, upon any subject relating to the financial affairs of the state.

(c) Make the auditor's official report on or before the thirty-first of December which precedes the meeting of the legislature. The report shall be for the last complete fiscal period and shall include at least the following:

Determinations as to whether agencies, in making expenditures, complied with the laws of this state: PROVIDED, That nothing in this section may be construed to grant the state auditor the right to perform performance audits. A performance audit for the purpose of this section is the examination of the effectiveness of the administration, its efficiency, and its adequacy in terms of the programs of departments or agencies as previously approved by the legislature. The authority and responsibility to conduct such an examination shall be vested in the legislative budget committee as prescribed in RCW 44.28.085.

(d) Be empowered to take exception to specific expenditures that have been incurred by any agency or to take exception to other practices related in any way to the agency's financial transactions and to cause such exceptions to be made a matter of public record, including disclosure to the agency concerned and to the director of financial management. It shall be the duty of the director of financial management to cause corrective action to be taken promptly, such action to include, as appropriate, the withholding of funds as provided in RCW 43.88.110.

(e) Promptly report any irregularities to the attorney general.

(7) The legislative budget committee may:

(a) Make post audits of the financial transactions of any agency and management surveys and program reviews as provided for in RCW 44.28.085. To this end the committee may in its discretion examine the books, accounts, and other records of any agency, official, or employee.

(b) Give information to the legislature or any legislative committee whenever required upon any subject relating to the performance and management of state agencies.

(c) Make a report to the legislature which shall include at least the following:

(i) Determinations as to the extent to which agencies in making expenditures have complied with the will of the legislature and in this connection, may take exception to specific expenditures or financial practices of any agencies; and

(ii) Such plans as it deems expedient for the support of the state's credit, for lessening expenditures, for promoting frugality and economy in agency affairs and generally for an improved level of fiscal management.

Sec. 27. RCW 74.13.090 and 1989 c 381 s 3 are each amended to read as follows:

(1) There is established a child care coordinating committee to provide coordination and communication between state agencies responsible for child care and early childhood education services. The child care coordinating committee shall be composed of not less than seventeen nor more than thirty-three members who shall include:

(a) One representative each from the department of social and health services, the department of community development, the office of the superintendent of public instruction, and any other agency having responsibility for regulation, provision, or funding of child care services in the state;

(b) One representative from the department of labor and industries;

(c) One representative from the department of trade and economic development;

(d) One representative from the department of revenue;

(e) One representative from the employment security department;

(f) One representative from the department of personnel;

(g) One representative from the department of health;

(h) At least one representative of family home child care providers and one representative of center care providers;



- ~~((g))~~ (i) At least one representative of early childhood development experts;
- ~~((h))~~ (j) At least one representative of school districts and teachers involved in the provision of child care and preschool programs;
- ~~((i))~~ (k) At least one parent education specialist;
- ~~((j))~~ (l) At least one representative of resource and referral programs;
- ~~((k))~~ (m) One pediatric or other health professional;
- ~~((l))~~ (n) At least one representative of college or university child care providers;
- ~~((m))~~ (o) At least one representative of a citizen group concerned with child care;
- ~~((n))~~ (p) At least one representative of a labor organization;
- ~~((o))~~ (q) At least one representative of a head start - early childhood education assistance program agency;
- ~~((p))~~ (r) At least one employer who provides child care assistance to employees;
- ~~((q))~~ (s) Parents of children receiving, or in need of, child care, half of whom shall be parents needing or receiving subsidized child care and half of whom shall be parents who are able to pay for child care.

The named state agencies shall select their representative to the child care coordinating committee. The department of social and health services shall select the remaining members, considering recommendations from lists submitted by professional associations and other interest groups until such time as the committee adopts a member selection process. The department shall use any federal funds which may become available to accomplish the purposes of RCW 74.13.085 through 74.13.095.

The committee shall elect officers from among its membership and shall adopt policies and procedures specifying the lengths of terms, methods for filling vacancies, and other matters necessary to the ongoing functioning of the committee. The secretary of social and health services shall appoint a temporary chair until the committee has adopted policies and elected a chair accordingly. Child care coordinating committee members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(2) To the extent possible within available funds, the child care coordinating committee shall:

(a) Serve as an advisory coordinator for all state agencies responsible for early childhood or child care programs for the purpose of improving communication and interagency coordination;

(b) Annually review state programs and make recommendations to the agencies and the legislature which will maximize funding and promote furtherance of the policies set forth in RCW 74.13.085. Reports shall be provided to all appropriate committees of the legislature by December 1 of each year. At a minimum the committee shall:

(i) Review and propose changes to the child care subsidy system in its December 1989 report; and

(ii) Review alternative models for child care service systems, in the context of the policies set forth in RCW 74.13.085, and recommend to the legislature a new child care service structure; ~~((and~~

~~((iii) Review options and make recommendations on the feasibility of establishing an allocation for day care facilities when constructing state buildings;))~~

(c) Review department of social and health services administration of the child care expansion grant program described in RCW 74.13.095;

(d) Review rules regarding child care facilities and services for the purpose of identifying those which unnecessarily obstruct the availability and affordability of child care in the state;

(e) Advise and assist the child care resource coordinator in implementing his or her duties under RCW 74.13.0903; ~~((and))~~

(f) Establish a state employee child care advisory subcommittee to (i) provide coordination among state agencies that assist employees with child care services, advise the director of the department of personnel regarding the development of child care programs, services, and policies, and enhance communication among state agencies regarding the state's child care services, programs, and policies; (ii) assist the department of personnel in developing strategies for child care partnerships between state agencies and private employers; (iii) advise the department of personnel in establishing policies for the distribution of state employee child care facility grants; and (iv) assist the department of social and health services with the allocation of such grants; and

(g) Perform other functions to improve the quantity and quality of child care in the state, including compliance with existing and future prerequisites for federal funding.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 16, line 21 of the title amendment, after "43.63A.065," strike "and 43.70.020" and insert "43.70.020, 74.13.085, 41.04.370, 41.04.375, 41.04.380, 41.04.385, 43.88.160, and 74.13.090"

On page 16, line 23 of the title amendment, after "50.08 RCW;" insert "adding a new section to chapter 74.13 RCW; adding new sections to chapter 41.04 RCW;"

Ms. H. Myers spoke in favor of adoption of the amendment to the committee amendment and it was adopted.

The committee amendment as amended was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Leonard spoke in favor of passage of the bill as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6248 as amended by the House, and the bill passed by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute Senate Bill No. 6248 as amended by the House, having received the constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 6494** by Senate Committee on Energy & Utilities (originally sponsored by Senators Thorsness and Jesernig)

Modifying sublease and rent requirements concerning the ninety-nine-year lease of Hanford reservation land.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 28, 1992.) Committee on Appropriations recommendations: Majority do pass Energy & Utilities amendment as further amended by Appropriations. (For committee amendments, see Journal, 50th Day, March 2, 1992.)

Mr. Grant moved the adoption of the committee amendment, by the Committee on Energy & Utilities. Representatives Grant and May spoke in favor of adoption of the committee amendment by Energy and Utilities, and it was adopted.

Ms. Spanel moved adoption of the committee amendment by Appropriations to the committee amendment by Energy & Utilities. Ms. Spanel spoke in favor of adoption, and it was adopted.

Mr. May spoke in favor of adoption of the amendment by Committee on Energy & Utilities as amended by the Committee on Appropriations, and it was adopted.

With consent of the House, the rules suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### POINT OF INQUIRY

Representative Bray: Would Representative Grant yield to a question?

Representative Grant: Yes, I yield to Representative Bray's question?

Representative Bray: Representative Grant, is it the intent of Substitute Senate Bill No. 6494 not to in any way affect the written agreement between the state and Benton County to forward to Benton county all rent payment--minus the sum of the state's rent payment to the federal government--that U.S. Ecology pays and will pay throughout the remainder of its sublease.

Representative Grant: Yes, Representative Bray. The intent of Substitute Senate Bill No. 6494 is not to in any way compromise, influence or affect the current agreement between the state and Benton County for Benton county to receive all rent payments--minus the state's rent payment to the federal government--that U.S. Ecology will make throughout the remainder of its sublease. Substitute Senate Bill 6494 exempts all agreements and contracts currently in-force concerning rental payments U.S. Ecology will make and only applies to rental payments made by new parties subleasing any of the remaining state leased land on the Hanford Reservation.

Representative Bray: Thank you Representative Grant for clarifying the legislative intent of Substitute Senate Bill 6494.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6494 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luvan, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute Senate Bill No. 6494 as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6093, by Senators Barr, Murray, Anderson and Bauer

Providing pesticide-sensitive individuals notification of urban pesticide applications.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 28, 1992.)

Mr. Heavey moved adoption of committee amendment.

Ms. Rayburn moved adoption of the following amendment by Representatives Rayburn and Lisk to the committee amendments:

On page 1, line 4 of the committee amendment, after "line 2" insert ", and insert "The pesticide sensitivity of an individual shall be certified by a physician who holds a valid license to practice medicine in this state.""

Representatives Rayburn, Ballard, Moyer and Lisk spoke in favor of adoption of the amendment, Representatives Prentice, Heavey and D. King spoke against adoption. Mr. Heavey again spoke against.

The Speaker, being in doubt, called upon the House to divide. The result of the division was: Yeas - 50, Nays 46. The amendment to the committee amendment was adopted.

The amendment as amended was adopted.

Mr. Heavey moved adoption of the committee amendment by Commerce & Labor. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Heavey spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the rules 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. 6093 as amended by the House, and the bill passed the House by the following vote: Yeas - 92, Nays - 4, Absent - 0, Excused - 2.

Voting yea: Representatives Appelwick, Ballard, Basich, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, and Mr. Speaker - 92.

Voting nay: Representatives Anderson, Beck, Schmidt, Zellinsky - 04.

Excused: Representatives Sommers, D., Vance - 02.

Engrossed Senate Bill No. 6093 as amended by the House, having received the constitutional majority, was declared passed.

#### STATEMENTS FOR THE JOURNAL

I inadvertently voted "no" on final passage of Engrossed Senate Bill No. 6093, when I meant to vote "yes".

KAREN SCHMIDT, 23rd District

I inadvertently voted "no" on final passage of Engrossed Senate Bill No. 6093, when I meant to vote "yes".

PAUL ZELLINSKY, 23rd District

ENGROSSED SUBSTITUTE SENATE BILL NO. 5728, by Senate Committee on Environment & Natural Resources (originally sponsored by Senators Amondson, Vognild, Owen, Bauer, Stratton, McCaslin, West and Johnson)

Requiring that threshold determination must be completed within fifteen to thirty days.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 47th Day, February 28, 1992.)

Ms. Rust moved that we not adopt the committee amendment and spoke in favor. It was not adopted.

Ms. Rust moved adoption of the following amendment by Representatives Rust, Hargrove and Heavey:

Strike everything after the enacting clause and insert:

NEW SECTION. Sec. 1. There is added to chapter 43.21C RCW a new section to read as follows:

(1) Except as provided in subsection (2) of this section, the responsible official shall make a threshold determination on a completed application within ninety days after the application and supporting documentation are complete. The applicant may request an additional thirty days for the threshold determination. The governmental entity responsible for making the threshold determination shall by rule, resolution, or ordinance adopt standards, consistent with rules adopted by the department to implement this chapter, for determining when an application and supporting documentation are complete.

(2) This section shall not apply to a city, town, or county that by ordinance adopted prior to April 1, 1992 has adopted procedures to integrate permit and land use decisions with the requirements of this chapter.

NEW SECTION. Sec. 2. Section 1 of this act shall take effect September 1, 1992."

On page 1, line 1 of the title, after "act;", strike the remainder of the title and insert "adding a new section to chapter 43.21C RCW; and providing an effective date."

Representatives Rust and Horn spoke in favor of adoption of the amendment and it was adopted.

With consent of the House, the rules suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Horn spoke in favor of final passage of the bill.

#### POINT OF INQUIRY

Representative Heavey: Would Representative Rust yield to a question?

Representative Rust: Yes, I yield to Representative Heavey's question?

Representative Heavey: Representative Rust, is it correct to say that Engrossed Substitute Senate Bill No. 5728, as amended by the House, does not affect any of the substantive environmental protection provided by the State Environmental Policy Act.

Representative Rust: Yes, Representative Heavey, the bill merely establishes a time frame that the public and applicants can rely on for completion of the first stage of Environmental review under the State Environmental Policy Act.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5728 as amended by the House, and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Brekke - 01.

Excused: Representatives Sommers, D., Vance - 02.

Engrossed Substitute Senate Bill No. 5728 as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6328, by Senate Committee on Higher Education (originally sponsored by Senators Rinehart and Saling)

Changing bid procedures for public institutions of higher education.

The bill was read the second time.

With consent of the House, the rules 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. 6328, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute Senate Bill No. 6328, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5151, by Senators Hayner, Niemi, Thorsness, Nelson and Roach; by request of Department of Corrections

Requiring that the death penalty be carried out by lethal injection.

The bill was read the second time.

Mr. Anderson moved adoption of the following amendment:

On page 2, after line 14, insert the following:

Sec. 2. RCW 10.95.030 and 1981 c 138 s 3 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, any person convicted of the crime of aggravated first degree murder shall be sentenced to life imprisonment without possibility of release or parole. A person sentenced to life imprisonment under this section shall not have that sentence suspended, deferred, or commuted by any judicial officer and the ~~((board of prison terms and paroles))~~ indefinite sentence review board or its successor may not parole such prisoner nor reduce the period of confinement in any manner whatsoever including but not limited to any sort of good-time calculation. The department of social and health services or its successor or any executive official may not permit such prisoner to participate in any sort of release or furlough program.

(2) If, pursuant to a special sentencing proceeding held under RCW 10.95.050, the trier of fact finds that there are not sufficient mitigating circumstances to merit leniency, the sentence shall be death. In no case, however, shall a person be sentenced to death if the person was mentally retarded at the time the crime was committed, under the definition of mental retardation set forth in (a) of this subsection. A diagnosis of mental retardation shall be documented by a licensed psychiatrist or licensed psychologist expert in the diagnosis and evaluation of mental retardation. The defense must establish mental retardation by a preponderance of the evidence.

(a) "Mentally retarded" means the individual has: (i) significantly subaverage general intellectual functioning; (ii) existing concurrently with deficits in adaptive behavior; and (iii) both significantly subaverage general intellectual functioning and deficits in adaptive behavior were manifested during the developmental period.

(b) "General intellectual functioning" means the results obtained by assessment with one or more of the individually administered general intelligence tests developed for the purpose of assessing intellectual functioning.

(c) "Significantly subaverage general intellectual functioning" means intelligence quotient seventy or below.

(d) "Adaptive behavior" means the effectiveness or degree with which individuals meet the standards of personal independence and social responsibility expected for age and cultural group.

(e) "Developmental period" means the period of time between conception and the eighteenth birthday.

Sec. 3. RCW 10.95.070 and 1981 c 138 s 7 are each amended to read as follows:

In deciding the question posed by RCW 10.95.060(4), the jury, or the court if a jury is waived, may consider any relevant factors, including but not limited to the following:

(1) Whether the defendant has or does not have a significant history, either as a juvenile or an adult, of prior criminal activity;

(2) Whether the murder was committed while the defendant was under the influence of extreme mental disturbance;

(3) Whether the victim consented to the act of murder;

(4) Whether the defendant was an accomplice to a murder committed by another person where the defendant's participation in the murder was relatively minor;

(5) Whether the defendant acted under duress or domination of another person;

(6) Whether, at the time of the murder, the capacity of the defendant to appreciate the wrongfulness of his or her conduct or to conform his or her conduct to the requirements of law was substantially impaired as a result of mental disease or defect. However, a person found to be mentally retarded under RCW 10.95.030(2) may in no case be sentenced to death;

(7) Whether the age of the defendant at the time of the crime calls for leniency; and

(8) Whether there is a likelihood that the defendant will pose a danger to others in the future.

Sec. 4. RCW 10.95.130 and 1981 c 138 s 13 are each amended to read as follows:

(1) The sentence review required by RCW 10.95.100 shall be in addition to any appeal. The sentence review and an appeal shall be consolidated for consideration. The defendant and the prosecuting attorney may submit briefs within the time prescribed by the court and present oral argument to the court.

(2) With regard to the sentence review required by this act, the supreme court of Washington shall determine:

(a) Whether there was sufficient evidence to justify the affirmative finding to the question posed by RCW 10.95.060(4); and

(b) Whether the sentence of death is excessive or disproportionate to the penalty imposed in similar cases, considering both the crime and the defendant. For the purposes of this subsection, "similar cases" means cases reported in the Washington Reports or Washington Appellate Reports since January 1, 1965, in which the judge or jury considered the imposition of capital punishment regardless of whether it was imposed or executed, and cases in which reports have been filed with the supreme court under RCW 10.95.120; ~~((and))~~

(c) Whether the sentence of death was brought about through passion or prejudice; and

(d) Whether the defendant was mentally retarded within the meaning of RCW 10.95.030(2).

Sec. 5. RCW 10.95.140 and 1981 c 138 s 14 are each amended to read as follows:

Upon completion of a sentence review:

(1) The supreme court of Washington shall invalidate the sentence of death and remand the case to the trial court for resentencing in accordance with RCW 10.95.090 if:

(a) The court makes a negative determination as to the question posed by RCW 10.95.130(2)(a); or

(b) The court makes an affirmative determination as to ~~((either))~~ any of the questions posed by RCW 10.95.130(2)(b) ~~((or))~~ (c), or (d).

(2) The court shall affirm the sentence of death and remand the case to the trial court for execution in accordance with RCW 10.95.160 if:

(a) The court makes an affirmative determination as to the question posed by RCW 10.95.130(2)(a); and

(b) The court makes a negative determination as to the questions posed by RCW 10.95.130(2)(b) ~~((and))~~ (c), and (d).

On page 1, line 1 of the title, after "10.95.180" insert ", 10.95.030, 10.95.070, 10.95.130, and 10.95.140"

#### POINT OF ORDER

Mr. Padden state your point of order. Mr. Speaker, I ask for a ruling on the scope and object of this amendment.

#### MOTION

Mr. Ebersole moved that the House defer further consideration of Engrossed Senate Bill No. 5151, and that the bill hold its place on the second reading calendar. The motion was carried.

The Speaker resumed the chair.

#### MOTION

Mr. Ebersole moved that the House immediately consider Substitute Senate Bill No. 5953 on the regular second reading calendar. The motion was carried.



SUBSTITUTE SENATE BILL NO. 5953, by Senate Committee on Education (originally sponsored by Senator Bailey)

Improving the school system.

The bill was read the second time.

#### MOTION

Mr. Ebersole moved that the House defer further consideration on Substitute Senate Bill No. 5953 and it hold its place. The motion was carried.

#### MOTION

Mr. Ebersole moved that the House immediately consider the Suspension Calendar, beginning with Substitute Senate Bill No. 6354.

SUBSTITUTE SENATE BILL NO. 6354, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Craswell, Barr, Pelz, Murray, Moore, West, Hayner, Newhouse, Williams, Metcalf, A. Smith, Vognild, McDonald, Stratton, Bauer, Oke and Roach)

Providing an exception to the nursing home prospective cost-related reimbursement system dual certification requirement.

The bill was read the second time.

Mr. Braddock moved that the committee recommendation be adopted and the bill be advanced to third reading and final passage. The motion was carried.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6354, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute Senate Bill No. 6354, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6396, by Senators von Reichbauer, Pelz, Erwin, Moore, Vognild and Conner

Making certain unauthorized insurance brokers personally liable for contracts of insurance.

The bill was read the second time.

Mr. Braddock moved that the committee recommendation be adopted and the bill be advanced to third reading and final passage. The motion was carried

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6396, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Senate Bill No. 6396, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6444, by Senators Madsen and Sellar

Regarding membership on boards for television reception improvement districts.

The bill was read the second time.

Mr. Dellwo moved, that the committee recommendation be adopted and the bill be advanced to third reading and final passage. The motion was carried.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6444, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Senate Bill No. 6444, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6451, by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Vognilid and Rasmussen)

Limiting surety liability.

The bill was read the second time.

Mr. Dellwo moved that the committee recommendation be adopted and the bill be advanced to third reading and final passage. The motion was carried.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6451, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 2.

Substitute Senate Bill No. 6451, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6452, by Senators Snyder and Conner

Expanding the uses of the proceeds from the county or city special excise tax on lodging to include special event promotional infrastructures.

The bill was read the second time.

Mr. Wang moved that the committee recommendation be adopted (For committee amendment see Journal, 47th Day, February 28, 1992.) and the bill be advanced to third reading and final passage. The motion was carried.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6452 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 2.

Senate Bill No. 6452 as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8024, by Senate Committee on Environment & Natural Resources ( originally sponsored by Senators Conner, Owen, Snyder, Jesernig, and Anderson)

Petitioning congress for the right to salvage downed timber in the Olympic National Forest.

The bill was read the second time.

Ms. Belcher moved that the committee recommendation be adopted (For committee amendment see Journal, 47th Day, February 28, 1992.) and the bill be advanced to third reading and final passage. The motion was carried.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Joint Memorial No. 8024, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 2.

Substitute Senate Joint Memorial No. 8024 as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that we resume consideration of Substitute Senate Bill No. 5953, on the regular second reading calendar.

Mr. Peery moved adoption of the following amendment, by Representatives Peery, Brough, Betrozoff and G. Fisher:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the educational needs of students when they leave the public school system has increased dramatically in the past two decades. If young people are to prosper in our democracy and if our nation is to grow economically, it is imperative that the overall level of learning achieved by students be significantly increased.

To achieve this higher level of learning, the legislature finds that the state of Washington needs to develop a performance-based school system. Instead of maintaining burdensome state accountability laws and rules that dictate educational offerings, the state needs to hold schools accountable for their performance based on what their students learn.

The legislature further finds moving toward a performance-based accountability system will require repealing state laws and rules that inhibit the freedom of school boards and professional educators to carry out their work, and also will require that significantly more decisions be made at the school district and school building levels. In addition, it will

be necessary to set high expectations for students, to identify what is expected of all students, and to develop a rigorous academic assessment system to determine if these expectations have been achieved.

The legislature further finds that the governor's council on education reform and funding will, by December 1992, identify broad student learning goals. Subject to decisions made by the 1993 legislature, the legislature finds that it is critical that an organization be established to continue the council's work in identifying necessary student skills and knowledge, to develop student assessment and school accountability systems, and to take other steps necessary to develop a performance-based education system.

The legislature further finds that there is a need for high quality professional development as the state implements a performance-based system. Professional development must be available to schools and school districts to maintain quality control and to assure access to proven research on effective teaching.

"PART I  
ENHANCING THE TEACHING PROFESSION"

**Sec. 101.** RCW 28A.410.040 and 1990 c 33 s 406 are each amended to read as follows:

~~((4))~~ The state board of education shall adopt rules providing that, except as provided in this section, all individuals qualifying for an initial-level teaching certificate after August 31, 1992, shall possess a baccalaureate degree in the arts, sciences, and/or humanities and have fulfilled the requirements for teacher certification pursuant to RCW 28A.305.130 (1) and (2). ~~((The state board of education shall develop and adopt rules establishing baccalaureate degree equivalency standards for certification of vocational instructors performing instructional duties and acquiring initial level certification after August 31, 1992.))~~ However, candidates for grades preschool through eight certificates shall have fulfilled the requirements for a major as part of their baccalaureate degree. If the major is in early childhood education, elementary education, or special education, the candidate must have at least thirty quarter hours or twenty semester hours in one academic field.

~~((2))~~ The state board of education shall study the impact of eliminating the major in education under subsection (1) of this section and submit a report to the legislature by January 15, 1990. The report shall include a recommendation on whether the major in education under subsection (1) of this section should be eliminated.

~~(3)~~ The initial certificate shall be valid for two years.

~~(4)~~ Certificate holders may renew the certificate for a three year period by providing proof of acceptance and enrollment in an approved masters degree program. A second renewal, for a period of two years, may be granted upon recommendation of the degree granting institution and if the certificate holder can demonstrate substantial progress toward the completion of the masters degree and that the degree will be completed within the two year extension period. Under no circumstances may an initial certificate be valid for a period of more than seven years.

**Sec. 102.** RCW 28A.410.050 and 1989 c 29 s 2 are each amended to read as follows:

~~((1))~~ The state board of education shall implement rules providing that all teachers performing instructional duties and acquiring professional level certificate status after August 31, 1992, shall possess, as a requirement of professional status, a masters degree in teaching, or a masters degree in the arts, sciences, and/or humanities.

~~(2))~~ The state board of education shall develop and adopt rules establishing baccalaureate and masters degree equivalency standards for vocational instructors performing instructional duties and acquiring ~~((professional level))~~ certification after August 31, 1992.

**Sec. 103.** RCW 28A.405.220 and 1990 c 33 s 391 are each amended to read as follows:

Notwithstanding the provisions of RCW 28A.405.210, every person employed by a school district in a teaching or other nonsupervisory certificated position shall be subject to nonrenewal of employment contract as provided in this section during the first two years of employment by such district, unless the employee has previously completed at least two years of certificated employment in another school district in the state of Washington, in which case the employee shall be subject to nonrenewal of employment contract pursuant to this section during the first year of employment with the new district. Employees as defined in this section shall hereinafter be referred to as "provisional employees".

In the event the superintendent of the school district determines that the employment contract of any provisional employee should not be renewed by the district for the next ensuing term such provisional employee shall be notified thereof in writing on or before May 15th preceding the commencement of such school term, which notification shall state the reason or reasons for such determination. Such notice shall be served upon the provisional employee personally, or by certified or registered mail, or by leaving a copy of the notice at the place of his or her usual abode with some person of suitable age and discretion then resident therein. The determination of the superintendent shall be subject to the evaluation requirements of RCW 28A.405.100.

Every such provisional employee so notified, at his or her request made in writing and filed with the superintendent of the district within ten days after receiving such notice, shall be given the opportunity to meet informally with the superintendent for the purpose of requesting the superintendent to reconsider his or her decision. Such meeting

shall be held no later than ten days following the receipt of such request, and the provisional employee shall be given written notice of the date, time and place of meeting at least three days prior thereto. At such meeting the provisional employee shall be given the opportunity to refute any facts upon which the superintendent's determination was based and to make any argument in support of his or her request for reconsideration.

Within ten days following the meeting with the provisional employee, the superintendent shall either reinstate the provisional employee or shall submit to the school district board of directors for consideration at its next regular meeting a written report recommending that the employment contract of the provisional employee be nonrenewed and stating the reason or reasons therefor. A copy of such report shall be delivered to the provisional employee at least three days prior to the scheduled meeting of the board of directors. In taking action upon the recommendation of the superintendent, the board of directors shall consider any written communication which the provisional employee may file with the secretary of the board at any time prior to that meeting.

The board of directors shall notify the provisional employee in writing of its final decision within ten days following the meeting at which the superintendent's recommendation was considered. The decision of the board of directors to nonrenew the contract of a provisional employee shall be final and not subject to appeal.

This section applies to any person employed by a school district in a teaching or other nonsupervisory certificated position after June 25, 1976. This section provides the exclusive means for nonrenewing the employment contract of a provisional employee and no other provision of law shall be applicable thereto, including, without limitation, RCW 28A.405.210 and chapter 28A.645 RCW.

NEW SECTION. Sec. 104. The state board of education, in conjunction with the governor's council on education reform and funding, shall study the current requirements for the certification of teachers and administrators, and shall prepare a report to the legislature that includes options for improving the current certification system. The report, at a minimum, shall analyze postinitial certification requirements, including the continuing education, endorsement, and the fifth-year requirements, and shall analyze the merits of requiring teachers and administrators to develop personal education plans after they have obtained their initial certificates. The report shall be submitted to the appropriate committees of the house of representatives and senate by December 1, 1992.

NEW SECTION. Sec. 105. Section 103 of this act shall take effect July 1, 1992.

## "PART II COMMISSION ON STUDENT LEARNING"

NEW SECTION. Sec. 201. A new section is added to chapter 28A.630 RCW to read as follows:  
Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 201 and 202 of this act.

(1) "Academic assessment system" or "assessment system" means a series of academic examinations and performance-based assessments developed by the commission on student learning to determine if students have mastered the essential academic learning requirements.

(2) "Essential academic learning requirements" means the academic and technical knowledge and skills identified by the commission on student learning, as reviewed and amended by the legislature and state board of education, that students are expected to know and be able to do at specified intervals in their schooling. The essential academic learning requirements, at a minimum, shall include knowledge and skills in reading, writing, speaking, science, history, geography, mathematics, and critical thinking.

NEW SECTION. Sec. 202. A new section is added to chapter 28A.630 RCW to read as follows:

(1) The governor's council on education reform and funding shall submit its proposed student learning goals to the appropriate committees of the legislature by December 1, 1992. If both houses of the legislature do not adopt a joint memorial or legislation ratifying, or ratifying with amendment, the student learning goals by July 1, 1993, section 202 and sections 501 through 507 of this act shall be null and void.

(2) The Washington commission on student learning is hereby established. The primary purposes of the commission are to identify what all students need to know and be able to do based on the student learning goals of the governor's council on education reform and funding, to develop student assessment and school accountability systems, and to take other steps necessary to develop a performance-based education system. The commission shall include three members of the state board of education, three members appointed by the governor before July 1, 1992, and three members appointed no later than February 1, 1993, by the governor elected in the November 1992 election. In making the appointments, educators, business leaders, and parents shall be represented, and nominations from state-wide education, business, and parent organizations shall be requested. Efforts shall be made to ensure that the commission reflects the cultural diversity of the state's K-12 student population and that the major geographic regions in the state are represented. Appointees shall be qualified individuals who are supportive of educational restructuring, who have a

positive record of service, and who will devote sufficient time to the responsibilities of the commission to ensure that the objectives of the commission are achieved.

(3) The commission shall begin its substantive work subject to subsection (1) of this section.

(4) The commission shall establish technical advisory committees. Membership of the technical advisory committees shall include, but not necessarily be limited to, professionals from the office of the superintendent of public instruction and the state board of education, and other state and local educational practitioners and student assessment specialists.

(5) The commission, with the assistance of the technical advisory committees, shall:

(a) Identify what all elementary and secondary students need to know and be able to do. At a minimum, these essential academic learning requirements shall include reading, writing, speaking, science, history, geography, mathematics, and critical thinking. In developing these essential academic learning requirements, the commission shall incorporate the student learning goals identified by the council on education reform and funding;

(b) By December 1, 1995, present to the state board of education and superintendent of public instruction a state-wide academic assessment system for use in the elementary grades designed to determine if each student has mastered the essential academic learning requirements identified in (a) of this subsection. The academic assessment system shall include a variety of methodologies, including performance-based measures. The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who do not master the essential academic learning requirements. Mastery of each component of the essential academic learning requirements shall be required before students progress in subsequent components of the essential academic learning requirements. The state board of education and superintendent of public instruction shall implement the elementary academic assessment system beginning in the 1996-97 school year, unless the legislature takes action to delay or prevent implementation of the assessment system and essential academic learning requirements. The state board of education and superintendent of public instruction may modify the academic assessment system, as needed, in subsequent school years;

(c) By December 1, 1996, present to the state board of education and superintendent of public instruction a state-wide academic assessment system for use in the secondary grades designed to determine if each student has mastered the essential academic learning requirements identified for secondary students in (a) of this subsection. The academic assessment system shall use a variety of methodologies, including performance-based measures, to determine if students have mastered the essential academic learning requirements, and shall lead to a certificate of mastery. The certificate of mastery shall be required for graduation. The assessment system shall be designed so that the results are used by educators to evaluate instructional practices, and to initiate appropriate educational support for students who do not master the essential academic learning requirements. The commission shall recommend to the state board of education whether the certificate of mastery should take the place of the graduation requirements or be required for graduation in addition to graduation requirements. The state board of education and superintendent of public instruction shall implement the secondary academic assessment system beginning in the 1997-98 school year, unless the legislature takes action to delay or prevent implementation of the assessment system and essential academic learning requirements. The state board of education and superintendent of public instruction may modify the assessment system, as needed, in subsequent school years;

(d) Consider methods to address the unique needs of special education students when developing the assessments in (b) and (c) of this subsection;

(e) Develop strategies that will assist educators in helping students master the essential academic learning requirements;

(f) Establish a center the primary role of which is to plan, implement, and evaluate a high quality professional development process. The quality schools center shall: Have an advisory council composed of educators, parents, and community and business leaders; use best practices research regarding instruction, management, curriculum development, and assessment; coordinate its activities with the office of the superintendent of public instruction and the state board of education; employ and contract with individuals who have a commitment to quality reform; prepare a six-year plan to be updated every two years; and be able to accept resources and funding from private and public sources;

(g) Develop recommendations for the repeal or amendment of federal, state, and local laws, rules, budgetary language, regulations, and other factors that inhibit schools from adopting strategies designed to help students achieve the essential academic learning requirements;

(h) Develop recommendations on the time, support, and resources, including technical assistance, needed by schools and school districts to help students achieve the essential academic learning requirements. These recommendations shall include an estimate for the legislature, superintendent of public instruction, and governor on the expected cost of implementing the elementary and secondary academic assessment systems during the 1995-97 biennium and beyond;

(i) Develop recommendations for consideration by the higher education coordinating board for adopting college and university entrance requirements that would assist schools in adopting strategies designed to help students achieve the essential academic learning requirements;

(j) By December 1, 1996, recommend to the legislature, state board of education, and superintendent of public instruction a state-wide accountability system to evaluate accurately and fairly the level of learning occurring in individual schools and school districts. The commission also shall recommend to the legislature steps that should be taken to assist school districts and schools in which learning is significantly below expected levels of performance as measured by the academic assessment systems established under this section;

(k) Report annually by December 1st to the legislature and the state board of education on the progress, findings, and recommendations of the commission; and

(l) Complete other tasks, as appropriate.

(6) The commission shall coordinate its activities with the state board of education and the office of the superintendent of public instruction.

(7) The commission shall seek advice broadly from the public and all interested educational organizations in the conduct of its work, including holding periodic regional public hearings.

(8) The commission shall select an entity to provide staff support and the office of financial management shall contract with that entity. The commission may direct the office of financial management to enter into subcontracts with school districts, teachers, higher education faculty, state agencies, business organizations, and other individuals and organizations to assist the commission in its deliberations.

(9) Members of the commission shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 203. Section 202 of this act shall expire September 1, 1998.

### "PART III SCHOOL BOARD POWERS"

NEW SECTION. Sec. 301. A new section is added to chapter 28A.320 RCW to read as follows:

(1) The board of directors of each school district may exercise the following:

(a) The broad discretionary power to determine and adopt written policies not in conflict with other law that provide for the development and implementation of programs, activities, services, or practices that the board determines will:

(i) Promote the education of kindergarten through twelfth grade students in the public schools; or

(ii) Promote the effective, efficient, or safe management and operation of the school district;

(b) Such powers as are expressly authorized by law; and

(c) Such powers as are necessarily or fairly implied in the powers expressly authorized by law.

(2) Before adopting a policy under subsection (1)(a) of this section, the school district board of directors shall comply with the notice requirements of the open public meetings act, chapter 42.30 RCW, and shall in addition include in that notice a statement that sets forth or reasonably describes the proposed policy. The board of directors shall provide a reasonable opportunity for public written and oral comment and consideration of the comment by the board of directors.

Sec. 302. RCW 28A.305.140 and 1990 c 33 s 267 are each amended to read as follows:

~~((The state board of education may grant waivers to school districts from the provisions of)) (1) The self-study process requirements under RCW 28A.320.200, the teacher classroom contact requirements under RCW 28A.150.260(4), and the program hour offerings requirements under RCW 28A.150.200 through 28A.150.220 ((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)) shall be waived for school districts or individual schools within a district if the school district submits to the state board of education a plan for restructuring its educational program, or the educational program of individual schools within the district that includes:~~

~~(a) Specific standards for increased student learning that the district expects to achieve;~~

~~(b) How the district plans to achieve the higher standards, including timelines for implementation;~~

~~(c) How the district plans to determine if the higher standards are met;~~

~~(d) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan;~~



(e) Evidence that opportunities were provided for parents and citizens to be involved in the development of the plan; and

(f) Identification of the state requirements that will be waived.

(2) Waivers granted by the state board of education under this section shall be renewed every three years upon the state board of education receiving a renewal request from the school district board of directors. Before filing the request, the school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers. The request to the state board of education shall include information regarding the activities and programs implemented as a result of the waivers, whether the higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.

(3) If a school district intends to waive the program hour offerings under RCW 28A.150.220, it shall make available to students enrolled in kindergarten at least a total instructional offering of four hundred fifty hours. Each school district also shall make available to students enrolled in grades one through twelve at least a district-wide annual average total instructional hour offering of one thousand hours. A school district may schedule the last thirty instructional hours of any school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student, and all such students may be claimed as full-time equivalent students to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260. The state board of education may define alternatives to classroom instructional time for students in grades nine through twelve enrolled in alternative learning experiences. The state board of education shall establish rules to determine annual average instructional hours for districts having fewer than twelve grades. The program shall include instruction in the essential academic learning requirements under section 202 of this act and other subjects and activities the school district determines to be appropriate.

(4) "Instructional hours" means those hours students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district, inclusive of intermissions for class changes, recess, and teacher/parent-guardian conferences that are planned and scheduled by the district for the purpose of discussing students' educational needs or progress, and exclusive of time actually spent for meals.

Sec. 303. RCW 28A.150.260 and 1991 c 116 s 10 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:

(1) 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:

- (a) Certificated instructional staff and their related costs;
- (b) Certificated administrative staff and their related costs;
- (c) Classified staff and their related costs;
- (d) Nonsalary costs;
- (e) Extraordinary costs of remote and necessary schools and small high schools, including costs of additional certificated and classified staff; and
- (f) The attendance of students pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district.

(2)(a) 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. The formula shall be for allocation purposes only. While the legislature intends that the allocations for additional instructional staff be used to increase the ratio of such staff to students, nothing in this section shall require districts to reduce the number of administrative staff below existing levels.

(b) ~~((Commencing with the 1988-89 school year,))~~ The formula adopted by the legislature shall reflect the following ratios at a minimum: (i) Forty-nine certificated instructional staff to one thousand annual average full time equivalent students enrolled in grades kindergarten through three; (ii) forty-six certificated instructional staff to one thousand annual average full time equivalent students in grades four through twelve; (iii) four certificated administrative staff to one thousand annual average full time equivalent students in grades kindergarten through twelve; and (iv) sixteen and sixty-seven one-hundredths classified personnel to one thousand annual average full time equivalent students enrolled in grades kindergarten through twelve.

(c) 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.150.220 and 28A.150.100. 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.150.350, enrolled on the first school day of each month and shall exclude full time equivalent handicapped students recognized for the purposes of allocation of state funds for programs under RCW 28A.155.010 through 28A.155.100. 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.

(3)(a) Certificated instructional staff shall include those persons employed by a school district who are nonsupervisory employees within the meaning of RCW 41.59.020(8): 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.

(b) Certificated administrative staff shall include all those persons who are chief executive officers, chief administrative officers, confidential employees, supervisors, principals, or assistant principals within the meaning of RCW 41.59.020(4).

(4) 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.150.220(((6))) (4) 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.))~~ Waivers from contact hours may be requested under RCW 28A.305.140.

NEW SECTION. Sec. 304. RCW 28A.320.210 and 1990 c 33 s 334, 1988 c 256 s 1, 1987 c 505 s 9, 1986 c 137 s 1, 1984 c 278 s 3, 1977 ex.s. c 305 s 1, & 1975-'76 2nd ex.s. c 90 s 1 are each repealed.

"PART IV  
STUDENT ASSESSMENT AND LEARNING OPPORTUNITIES"

NEW SECTION. Sec. 401. A new section is added to chapter 28A.230 RCW to read as follows:

(1) If students' scores on the test or assessments under RCW 28A.230.190, 28A.230.230, and 28A.230.240 indicate that students need help in identified areas, the school district shall adjust the curriculum in the identified areas.

(2) Each school district shall notify the parents of each student of their child's performance on the test and assessments conducted under this chapter.

Sec. 402. RCW 28A.230.090 and 1990 1st ex.s. c 9 s 301 are each amended to read as follows:

(1) The state board of education shall establish high school graduation requirements or equivalencies for students ~~((who commence the ninth grade subsequent to July 1, 1985, that meet or exceed the following:~~

<u>SUBJECT</u>	<u>CREDITS</u>
English	3
Mathematics	2
Social Studies	
United States history	

<del>and government</del>	<del>1</del>
Washington state	
<del>history and government</del>	<del>1/2</del>
Contemporary world	
<del>history, geography,</del>	
<del>and problems</del>	<del>1</del>
Science (1 credit	
<del>must be in</del>	
<del>laboratory science)</del>	<del>2</del>
Occupational Education	1
Physical Education	2
Electives	5 1/2
Total	18

~~(2) For the purposes of this section one credit is equivalent to one year of study.~~

~~(3) The Washington state history and government requirement may be fulfilled by students in grades seven or eight or both. Students who have completed the Washington state history and government requirement in grades seven or eight or both shall be considered to have fulfilled the Washington state history and government requirement.~~

~~(4) A candidate for graduation must have in addition earned a minimum of 18 credits including all required courses. These credits shall consist of the state requirements listed above and such additional requirements and electives as shall be established by each district).~~

~~((5)) (2) In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.~~

~~((6)) (3) Pursuant to any foreign language requirement established by the state board of education or a local school district, or both, for purposes of high school graduation, students who receive instruction in sign language shall be considered to have satisfied the state or local school district foreign language graduation requirement.~~

~~((7)) (4) If requested by the student and his or her family, a student who has completed high school courses ((while in seventh and eighth grade)) before attending high school shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:~~

~~(a) The course was taken with high school students, if the academic level of the course exceeds the requirements for seventh and eighth grade classes, and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or~~

~~(b) The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.~~

~~((8)) (5) Students who have taken and successfully completed high school courses under the circumstances in subsection ((7)) (4) of this section shall not be required to take an additional competency examination or perform any other additional assignment to receive credit. Subsection ((7)) (4) of this section shall also apply to students enrolled in high school on April 11, 1990, who took the courses ((while they were in seventh and eighth grade)) before attending high school.~~

NEW SECTION. Sec. 403. RCW 28A.230.110 and 1990 c 33 s 240 & 1985 c 384 s 4 are each repealed.

"PART V

BASIC EDUCATION AMENDMENTS--EFFECTIVE 1998"

Sec. 501. RCW 28A.150.210 and 1977 ex.s. c 359 s 2 are each amended to read as follows:

The goal of the Basic Education Act for the schools of the state of Washington set forth in this ((1977 amendatory act)) chapter shall be to provide students with the opportunity to ((achieve those skills which are generally recognized as requisite to learning. Those skills shall include the ability:

(1) To distinguish, interpret and make use of words, numbers and other symbols, including sound, colors, shapes and textures;

(2) To organize words and other symbols into acceptable verbal and nonverbal forms of expression, and numbers into their appropriate functions;

(3) To perform intellectual functions such as problem solving, decision making, goal setting, selecting, planning, predicting, experimenting, ordering and evaluating; and

~~(4) To use various muscles necessary for coordinating physical and mental functions))~~ master the essential academic learning requirements necessary for their roles as citizens and potential participants in the economic marketplace and in the marketplace of ideas identified by the commission established in section 202 of this act.

NEW SECTION. Sec. 502. A new section is added to chapter 28A.150 RCW to read as follows:

Unless the context clearly requires otherwise, the definition in this section applies throughout RCW 28A.150.200 through 28A.150.295.

"Instructional hours" means those hours students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district, inclusive of intermissions for class changes, recess, and teacher/parent-guardian conferences that are planned and scheduled by the district for the purpose of discussing students' educational needs or progress, and exclusive of time actually spent for meals.

Sec. 503. RCW 28A.150.220 and 1990 c 33 s 105 are each amended to read as follows:

(1) ~~((For the purposes of this section and RCW 28A.150.250 and 28A.150.260:~~

~~(a) The term "total program hour offering" shall mean those hours when students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district, inclusive of intermissions for class changes, recess and teacher/parent guardian conferences which are planned and scheduled by the district for the purpose of discussing students' educational needs or progress, and exclusive of time actually spent for meals.~~

~~(b) "Instruction in work skills" shall include instruction in one or more of the following areas: Industrial arts, home and family life education, business and office education, distributive education, agricultural education, health occupations education, vocational education, trade and industrial education, technical education and career education.~~

~~(2)) Satisfaction of the basic education ((goal)) program requirements identified in RCW 28A.150.210 shall be considered to be implemented by the following program ((requirements)):~~

~~(a) Each school district shall make available to students enrolled in kindergarten at least a total ((program)) instructional offering of four hundred fifty hours. The program shall include ((reading, arithmetic, language skills)) instruction in the essential academic learning requirements under section 202 of this act and such other subjects and such activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such program;~~

~~(b) Each school district shall make available to students enrolled in grades one through ((three)) twelve, at least a district-wide annual average total ((program)) instructional hour offering of ((two thousand seven hundred)) one thousand hours. ((A minimum of ninety five percent of the total program hour offerings)) The state board of education may define alternatives to classroom instructional time for students in grades nine through twelve enrolled in alternative learning experiences. The state board of education shall establish rules to determine annual average instructional hours for districts including fewer than twelve grades. The program shall ((be in the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education. The remaining five percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades;~~

~~(c) Each school district shall make available to students in grades four through six at least a total program hour offering of two thousand nine hundred seventy hours. A minimum of ninety percent of the total program hour offerings shall be in the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education. The remaining ten percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades;~~

~~(d) Each school district shall make available to students in grades seven through eight, at least a total program hour offering of one thousand nine hundred eighty hours. A minimum of eighty five percent of the total program hour offerings shall be in the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education. A minimum of ten percent of the total program hour offerings shall be in the area of work skills. The remaining five percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades;~~

~~(e) Each school district shall make available to students in grades nine through twelve at least a total program hour offering of four thousand three hundred twenty hours. A minimum of sixty percent of the total program hour offerings shall be in the basic skills areas of language arts, foreign language, mathematics, social studies, science, music, art, health and physical education. A minimum of twenty percent of the total program hour offerings shall be in the area of work skills. The remaining twenty percent of the total program hour offerings may include traffic safety or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's~~

students in such grades, with not less than one half thereof in basic skills and/or work skills: ~~PROVIDED, That each school district shall have the option of including grade nine within the program hour offering requirements of grades seven and eight so long as such requirements for grades seven through nine are increased to two thousand nine hundred seventy hours and such requirements for grades ten through twelve are decreased to three thousand two hundred forty hours.~~

~~(3) In order to provide flexibility to the local school districts in the setting of their curricula, and in order to maintain the intent of this legislation, which is to stress the instruction of basic skills and work skills, any local school district may establish minimum course mix percentages that deviate by up to five percentage points above or below those minimums required by subsection (2) of this section, so long as the total program hour requirement is still met)) include the essential academic learning requirements under section 202 of this act and such other subjects and such activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such group.~~

~~((4)) (2) Nothing contained in subsection ((2)) (1) of this section shall be construed to require individual students to attend school for any particular number of hours per day or to take any particular courses.~~

~~((5)) (3) Each school district's kindergarten through twelfth grade basic educational program shall be accessible to all students who are five years of age, as provided by RCW 28A.225.160, and less than twenty-one years of age and shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten: PROVIDED, That effective May 1, 1979, a school district may schedule the last five school days of the one hundred and eighty day school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student, and all such students may be claimed as a full time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260.~~

~~((6)) (4) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW 28A.150.250 and 28A.150.260, and such related supplemental program approval requirements as the state board may establish(= PROVIDED, That each school district board of directors shall establish the basis and means for determining and monitoring the district's compliance with the basic skills and work skills percentage and course requirements of this section. The certification of the board of directors and the superintendent of a school district that the district is in compliance with such basic skills and work skills requirements may be accepted by the superintendent of public instruction and the state board of education.~~

~~(7) Handicapped education programs, vocational technical institute programs, state institution and state residential school programs, all of which programs are conducted for the common school age, kindergarten through secondary school program students encompassed by this section, shall be exempt from the basic skills and work skills percentage and course requirements of this section in order that the unique needs, abilities or limitations of such students may be met.~~

~~(8) Any school district may petition the state board of education for a reduction in the total program hour offering requirements for one or more of the grade level groupings specified in this section. The state board of education shall grant all such petitions that are accompanied by an assurance that the minimum total program hour offering requirements in one or more other grade level groupings will be exceeded concurrently by no less than the number of hours of the reduction).~~

Sec. 504. RCW 28A.150.290 and 1990 c 33 s 111 are each amended to read as follows:

(1) The superintendent of public instruction shall have the power and duty to make such rules and regulations as are necessary for the proper administration of this chapter and RCW 28A.160.150 through 28A.160.220, 28A.300.170, and 28A.500.010 not inconsistent with the provisions thereof, and in addition to require such reports as may be necessary to carry out his or her duties under this chapter and RCW 28A.160.150 through 28A.160.220, 28A.300.170, and 28A.500.010.

(2) The superintendent of public instruction shall have the authority to make rules and regulations which establish the terms and conditions for allowing school districts to receive state basic education moneys as provided in RCW 28A.150.250 when said districts are unable to fulfill for one or more schools as officially scheduled the requirement of a full school year of one hundred eighty days or the annual average total ~~((program)) instructional~~ hour offering ~~(= teacher contact hour, or course mix and percentage requirements))~~ imposed by RCW 28A.150.220 and 28A.150.260 due to one or more of the following conditions:

(a) An unforeseen natural event, including, but not necessarily limited to, a fire, flood, explosion, storm, earthquake, epidemic, or volcanic eruption that has the direct or indirect effect of rendering one or more school district facilities unsafe, unhealthy, inaccessible, or inoperable; and

(b) An unforeseen mechanical failure or an unforeseen action or inaction by one or more persons, including negligence and threats, that (i) is beyond the control of both a school district board of directors and its employees and (ii) has the direct or indirect effect of rendering one or more school district facilities unsafe, unhealthy, inaccessible, or inoperable. Such actions, inactions or mechanical failures may include, but are not necessarily limited to, arson, vandalism, riots, insurrections, bomb threats, bombings, delays in the scheduled completion of construction projects, and the discontinuance or disruption of utilities such as heating, lighting and water: PROVIDED, That an unforeseen action or inaction shall not include any labor dispute between a school district board of directors and any employee of the school district.

A condition is foreseeable for the purposes of this subsection to the extent a reasonably prudent person would have anticipated prior to August first of the preceding school year that the condition probably would occur during the ensuing school year because of the occurrence of an event or a circumstance which existed during such preceding school year or a prior school year. A board of directors of a school district is deemed for the purposes of this subsection to have knowledge of events and circumstances which are a matter of common knowledge within the school district and of those events and circumstances which can be discovered upon prudent inquiry or inspection.

(3) The superintendent of public instruction shall make every effort to reduce the amount of paperwork required in administration of this chapter and RCW 28A.160.150 through 28A.160.220, 28A.300.170, and 28A.500.010; to simplify the application, monitoring and evaluation processes used; to eliminate all duplicative requests for information from local school districts; and to make every effort to integrate and standardize information requests for other state education acts and federal aid to education acts administered by the superintendent of public instruction so as to reduce paperwork requirements and duplicative information requests.

Sec. 505. RCW 28A.195.010 and 1990 c 33 s 176 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))~~ ensure the health and safety of all the students in the state and to ~~((insure))~~ ensure 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))~~ instructional hour offerings as prescribed in RCW 28A.150.220.

(2) ~~((The school day shall be the same as that required in RCW 28A.150.030 and 28A.150.220, except that the percentages of total program hour offerings as prescribed in RCW 28A.150.220 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))~~ (3) An approved private school may operate an extension program for parents, guardians, or persons having legal custody of a child to teach children in their custody. The extension program shall require at a minimum that:

(a) The parent, guardian, or custodian be under the supervision of an employee of the approved private school who is certified under chapter 28A.410 RCW;

(b) The planning by the certified person and the parent, guardian, or person having legal custody include objectives consistent with this subsection and subsections (1), ~~((2))~~ (4), (5), and (6) ~~((and (7)))~~ of this section;

(c) The certified person spend a minimum average each month of one contact hour per week with each student under his or her supervision who is enrolled in the approved private school extension program;

(d) Each student's progress be evaluated by the certified person; and

(e) The certified employee shall not supervise more than thirty students enrolled in the approved private school's extension program.

~~((5))~~ (4) Appropriate measures shall be taken to safeguard all permanent records against loss or damage.

~~((6))~~ (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. A residential dwelling of the parent, guardian, or custodian shall be deemed to be an adequate physical facility when a parent, guardian, or person having legal custody is instructing his or her child under subsection ~~((4))~~ (3) of this section.

~~((7))~~ (6) Private school curriculum shall include, but not be limited to, instruction ~~((6))~~ in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units ~~((for meeting))~~ so that students are able to master the essential academic learning requirements under section 202 of this act and meet state board of education graduation requirements.

~~((8))~~ (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 provided in subsection ~~((7) above provided)~~ (6) of this section, 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.

NEW SECTION. Sec. 506. RCW 28A.320.200 and 1990 c 33 s 333, 1989 c 83 s 1, 1988 c 256 s 2, & 1985 c 349 s 2 are each repealed.

Sec. 507. RCW 28A.150.260 and 1992 c ... s 303 (section 303 of this act) 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:

(1) 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:

- (a) Certificated instructional staff and their related costs;
- (b) Certificated administrative staff and their related costs;
- (c) Classified staff and their related costs;
- (d) Nonsalary costs;
- (e) Extraordinary costs of remote and necessary schools and small high schools, including costs of additional certificated and classified staff; and
- (f) The attendance of students pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district.

(2)(a) 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. The formula shall be for allocation purposes only. While the legislature intends that the allocations for additional instructional staff be used to increase the ratio of such staff to students, nothing in this section shall require districts to reduce the number of administrative staff below existing levels.

(b) The formula adopted by the legislature shall reflect the following ratios at a minimum: (i) Forty-nine certificated instructional staff to one thousand annual average full time equivalent students enrolled in grades kindergarten through three; (ii) forty-six certificated instructional staff to one thousand annual average full time equivalent students in grades four through twelve; (iii) four certificated administrative staff to one thousand annual average full time equivalent students in grades kindergarten through twelve; and (iv) sixteen and sixty-seven one-hundredths classified personnel to one thousand annual average full time equivalent students enrolled in grades kindergarten through twelve.

(c) 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.150.220 and 28A.150.100. 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.150.350, enrolled on the first school day of each month and shall exclude full time equivalent handicapped students recognized for the purposes of allocation of state funds for programs under RCW 28A.155.010 through 28A.155.100. 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.

(3)(a) Certificated instructional staff shall include those persons employed by a school district who are nonsupervisory employees within the meaning of RCW 41.59.020(8): 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.

(b) Certificated administrative staff shall include all those persons who are chief executive officers, chief administrative officers, confidential employees, supervisors, principals, or assistant principals within the meaning of RCW 41.59.020(4).

~~((4) 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.150.220(4) 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. Waivers from contact hours may be requested under RCW 28A.305.140.))~~

NEW SECTION. Sec. 508. Section 302 of this act shall expire September 1, 1998. However, this section shall not take effect if, by September 1, 1998, a law is enacted stating that a school accountability and academic assessment system is not in place.

NEW SECTION. Sec. 509. Sections 501 through 507 of this act shall take effect September 1, 1998. However, these sections shall not take effect if, by September 1, 1998, a law is enacted stating that a school accountability and academic assessment system is not in place.

#### "PART VI MISCELLANEOUS"

NEW SECTION. Sec. 601. Part headings as used in this act constitute no part of the law.

NEW SECTION. Sec. 602. 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.410.040, 28A.410.050, 28A.405.220, 28A.305.140, 28A.150.260, 28A.230.090, 28A.150.210, 28A.150.220, 28A.150.290, 28A.195.010, and 28A.150.260; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.230 RCW; adding a new section to chapter 28A.150 RCW; creating new sections; repealing RCW 28A.320.200 and 28A.230.110; providing effective dates; and providing an expiration date."

Mr. Peery spoke in favor of adoption of the amendment.

#### MOTION

Mr. Ebersole moved that the House make a special order of business at 4:59 p.m. of Engrossed Senate Bill No. 6273. The motion was carried.



The amendment to Substitute Senate Bill No. 5953, was adopted. With consent of the House, the bill be advance to third reading and final passage.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5953 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Fomer, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 2.

Substitute Senate Bill No. 5953 as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6319, by Senators Niemi, West and Bailey

Modifying placement responsibilities for persons in the state mental health system.

The bill was read the second time.

With consent of the House, move to defer consideration of Engrossed Senate Bill No. 6319.

ENGROSSED SENATE BILL NO. 6273, by Senators Patterson, Snyder and Barr

Clarifying the department of agricultures's authority.

The bill was read second time.

Ms. Rayburn moved that the committee recommendation be adopted. (For committee amendment see Journal, 47th Day, February 28, 1992.) The motion was carried.

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

On page 1, line 9, strike "county,"

On page 1, line 22, strike "county,"

Ms. Prentice spoke in favor of adoption of the amendments, Representatives Rayburn and Nealey spoke against. The amendments were not adopted.

Mr. Wang moved adoption of the following amendment to the committee amendment:

On page 1, line 9 of the amendment, strike "city, town, county, special purpose district, or any other unit of local government in this state" and insert "special purpose district"

On page 1, line 22 of the amendment, strike "city, town, county, special purpose district, or any other unit of local government in this state" and insert "special purpose district"

Mr. Wang spoke in favor of adoption of the amendment, Representatives Rayburn and Nealey spoke against. The amendments were not adopted.

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

On page 1, at the beginning of line 9 of the amendment, insert "(1)"

On page 1, line 9 of the amendment, after "17.21.305" insert "and subsection (2) of this section"

On page 1, after line 19 of the amendment, insert:

"(2) A city, town, county, special purpose district, or any other unit of local government in this state may adopt an ordinance, rule, regulation, or statute regarding pesticide use near schools and local parks."

On page 1, at the beginning of line 22 of the amendment, insert "(1)"

On page 1, line 22 of the amendment, after "17.21.305" insert "and subsection (2) of this section"

On page 2, after line 4 of the amendment, insert:

"(2) A city, town, county, special purpose district, or any other unit of local government in this state may adopt an ordinance, rule, regulation, or statute regarding pesticide use near schools and local parks."

Ms. G. Cole spoke in favor of the adoption of the amendments, Ms. Rayburn spoke against. Ms. Rust spoke in favor and Mr. Nealey spoke against. The amendments were not adopted.

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

On page 1, line 9 of the amendment, strike "city, town"

On page 1, line 22 of the amendment, strike "city, town"

Ms. Prentice spoke in favor of the adoption of the amendments, Representatives Rayburn and Nealey spoke against. Representatives Nelson and Rust spoke in favor of adoption of the amendments.

The Speaker, being in doubt, called upon the House to divide. The result of the division was: Yeas - 42, Nays - 54. The amendment to the committee amendment was not adopted.

Ms. Belcher moved the following amendments by Representatives Belcher, Nelson and Fraser to the committee amendment:

On page 1, at the beginning of line 9 of the amendment, insert "(1)"

On page 1, line 9 of the amendment, after "17.21.305" insert "and subsection (2) of this section"

On page 1, after line 19 of the amendment, insert:

"(2) A city, town, county, special purpose district, or any other unit of local government in this state may adopt an ordinance, rule, regulation, or statute regarding pesticide use in order to protect critical areas designated under RCW 36.70A.170."

On page 1, at the beginning of line 22 of the amendment, insert "(1)"

On page 1, line 22 of the amendment, after "17.21.305" insert "and subsection (2) of this section"

On page 2, after line 4 of the amendment, insert:

"(2) A city, town, county, special purpose district, or any other unit of local government in this state may adopt an ordinance, rule, regulation, or statute regarding pesticide use in order to protect critical areas designated under RCW 36.70A.170."

Ms. Belcher spoke in favor of adoption of the amendment. Representatives Rayburn and Nealey spoke against adoption.

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

ROLL CALL

The Clerk call the roll on adoption of the amendments on page 1, lines 9, 19, 22 and page 2, line 4 by Representatives Belcher and others to the committee amendment to Engrossed Senate Bill No. 6273, and the amendments were adopted by the following vote: Yeas - 48, Nays - 46, Absent - 2, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Belcher, Braddock, Brekke, Cantwell, Carlson, Casada, Cole, G., Ebersole, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Haugen, Heavey, Hine, Horn, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Meyers, R., Nelson, Ogden, Orr, Paris, Prentice, Pruitt, Roland, Rust, Scott, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley - 48.

Voting nay: Representatives Ballard, Basich, Beck, Betrozoff, Bowman, Bray, Broback, Brough, Brumsickle, Chandler, Cooper, Day, Dorn, Edmondson, Fuhrman, Grant, Hargrove, Hochstatter, Insee, Johnson P., Lisk, Ludwig, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Padden, Peery, Prince, Rasmussen, Rayburn, Riley, Schmidt, Sheldon, Silver, Wood, Wynne, Zellinsky, and Mr. Speaker - 46.

Absent: Representatives Dellwo, O'Brien - 02.

Excused: Representatives Sommers, D., Vance - 02.

Ms. Belcher moved the following amendments by Representatives Belcher, Nelson and Fraser to the committee amendment:

On page 1, at the beginning of line 9 of the amendment, insert "(1)"

On page 1, line 9 of the amendment, after "17.21.305" insert "and subsection (2) of this section"

On page 1, after line 19 of the amendment, insert:

"(2) A city, town, county, special purpose district, or any other unit of local government in this state may adopt an ordinance, rule, regulation, or statute regarding pesticide use in order to protect drinking water supplies."

On page 1, at the beginning of line 22 of the amendment, insert "(1)"

On page 1, line 22 of the amendment, after "17.21.305" insert "and subsection (2) of this section"

On page 2, after line 4 of the amendment, insert:

"(2) A city, town, county, special purpose district, or any other unit of local government in this state may adopt an ordinance, rule, regulation, or statute regarding pesticide use in order to protect drinking water supplies."

Ms. Belcher spoke in favor of adoption of the amendment. Representatives Rayburn and Nealey spoke against adoption. Ms. Fraser spoke in favor.

Mr. Pruitt demanded electric roll call vote, and the demand was sustained.

ROLL CALL

The Clerk call the roll on adoption of the amendments on page 1, lines 9, 19, 22 and page 2, line 4 by Representatives Belcher and others to the committee amendment to Engrossed Senate Bill No. 6273, the amendments were adopted by the following vote:

Yeas - 73, Nays - 23, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Carlson, Casada, Cole, G., Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Hargrove, Haugen, Heavey, Hine, Horn, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, May, Meyers, R., Mielke, Miller, Mitchell, Myers, H., Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Pruitt, Roland, Rust, Schmidt, Scott, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 73.

Voting nay: Representatives Ballard, Cantwell, Chandler, Cooper, Day, Fuhrman, Grant, Hochstatter, Insee, Johnson P., Lisk, McLean, Morris, Morton, Moyer, Nealey, Neher, Prince, Rasmussen, Rayburn, Riley, Sheldon, and Mr. Speaker - 23.

Excused: Representatives Sommers, D., Vance - 02.

Ms. Spanel moved adoption of the following amendments to the committee amendments:

On page 1, line 9 of the amendment, after "17.21.305" insert "and subsection (2) of this section"

On page 1, after line 19 of the amendment, insert:

"(2) A city, town, county, special purpose district, or any other unit of local government in this state may adopt an ordinance, rule, regulation, or statute regarding pesticide use in order to protect shellfish growing areas."

On page 1, at the beginning of line 22 of the amendment, insert "(1)"

On page 1, line 22 of the amendment, after "17.21.305" insert "and subsection (2) of this section"

On page 2, after line 4 of the amendment, insert:

"(2) A city, town, county, special purpose district, or any other unit of local government in this state may adopt an ordinance, rule, regulation, or statute regarding pesticide use in order to protect shellfish growing areas."

Ms. Spanel spoke in favor of adoption of the amendments, Ms. Rayburn spoke against, Mr. Jones spoke in favor of adoption of the amendments and Mr. Nealey spoke against.

Mr. R. King demanded an electric roll call vote, and the demand was sustained.

#### ROLL CALL

The Clerk call the roll on adoption of the amendments on page 1, lines 9, 19, 22 and page 2, line 4 by Representative Spanel to the committee amendment to Engrossed Senate Bill No. 6273, the amendments were adopted by the following vote: Yeas - 73, Nays - 23, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Dellwo, Dorn, Ebersole, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Hargrove, Haugen, Heavey, Hine, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, May, Meyers, R., Mielke, Miller, Mitchell, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Prentice, Pruitt, Roland, Rust, Schmidt, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luvan, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 73.

Voting nay: Representatives Ballard, Chandler, Cooper, Day, Edmondson, Fuhrman, Grant, Hochstatter, Lisk, McLean, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Peery, Prince, Rasmussen, Rayburn, Riley, Scott, and Mr. Speaker - 23.

Excused: Representatives Sommers, D., Vance - 02.

Mr. Carlson moved adoption of the amendments, by Representatives Carlson, Forner, Ferguson, Leonard and Prentice to the committee amendment:

On page 1, line 9, after "Except" insert "as may be necessary to protect a designated sole source aquifer and"

On page 1, line 22, after "Except" insert "as may be necessary to protect a designated sole source aquifer and"

Mr. Carlson spoke in favor of adoption of the amendment, Mr. Nealey spoke against. The amendment was adopted.

Ms. R. Fisher moved adoption of the following amendment to the committee amendment:

On page 1, line 13, strike "transportation,"

Ms. R. Fisher spoke in favor of adoption of the amendment, Ms. Rayburn spoke against.

The Speaker, being in doubt, called upon the House to divide. The result of the division was: Yeas - 49, Nays - 47. The amendment to the committee amendment was adopted.

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

On page 1, line 19 of the amendment, after "of this act." insert "This section does not apply to any ordinance, rule, regulation, or statute adopted to protect puget sound water quality."

On page 2, line 4 of the amendment, after "of this act." insert "This section does not apply to any ordinance, rule, regulation, or statute adopted to protect puget sound water quality."

Ms. Rust spoke in favor of adoption of the amendments, Ms. Rayburn spoke against.

Ms. Brough demanded electric roll call vote, and the demand was sustained.

#### ROLL CALL

The Clerk call the roll on adoption of the amendments on page 1, line 19 and page 2, line 4 by Representative Rust to the committee amendment to Engrossed Senate Bill No. 6273, the amendments were adopted by the following vote: Yeas - 68, Nays - 27, Absent - 1, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Belcher, Betrozoff, Braddock, Bray, Brekke, Broback, Brough, Cantwell, Carlson, Casada, Cole, G., Dellwo, Dorn, Ebersole, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Haugen, Heavey, Hine, Horn, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, May, Meyers, R., Mielke, Miller, Mitchell, Myers, H., Nelson, O'Brien, Orr, Padden, Paris, Peery, Prentice, Pruitt, Roland, Rust, Schmidt, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 68.

Voting nay: Representatives Basich, Bowman, Brumsickle, Chandler, Cooper, Day, Edmondson, Fuhrman, Grant, Hargrove, Hochstatter, Johnson P., Lisk, Ludwig, McLean, Morris, Morton, Moyer, Nealey, Neher, Ogden, Prince, Rasmussen, Rayburn, Riley, Scott, Sheldon - 27.

Absent: Representative and Mr. Speaker - 01.

Excused: Representatives Sommers, D., Vance - 02.

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

On page 1, line 19 of the amendment, after "of this act." insert "This section does not apply to any ordinance, rule, regulation, or statute designed to protect a city, county, state, or national park."

On page 2, line 4 of the amendment, after "of this act." insert "This section does not apply to any ordinance, rule, regulation, or statute adopted to protect a city, county, state, or national park."

Ms. Prentice spoke in favor of adoption of the amendments, Representatives Nealey and Rayburn spoke against. The amendments were not adopted.

Mr. R. King moved adoption of the following amendments, by Representatives R. King and Spanel to the committee amendment:

On page 1, line 19 of the amendment, after "of this act." insert "This section does not apply to any ordinance, rule, regulation, or statute adopted to protect commercial or sports fisheries."

On page 2, line 4 of the amendment, after "of this act." insert "This section does not apply to any ordinance, rule, regulation, or statute adopted to protect commercial or sports fisheries."

Mr. R. King spoke in favor of the adoption of the amendments, Ms. Rayburn spoke against.

Ms. Spanel demanded an electric roll call vote, and the demand was sustained.

#### ROLL CALL

The Clerk call the roll on adoption of the amendments on page 1, line 19 and page 2, line 4 by Representatives R. King and Spanel to the committee amendment to Engrossed Senate Bill No.

6273, the amendments were adopted by the following vote: Yeas - 70, Nays - 26, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Betrozoff, Bowman, Braddock, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Dellwo, Ebersole, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Haugen, Heavey, Hine, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, May, Meyers, R., Mielke, Miller, Mitchell, Myers, H., Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Pruitt, Roland, Rust, Schmidt, Scott, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 70.

Voting nay: Representatives Ballard, Beck, Bray, Chandler, Cooper, Day, Dorn, Edmondson, Fuhrman, Grant, Hargrove, Hochstatter, Lisk, Ludwig, McLean, Morris, Morton, Moyer, Nealey, Neher, Prince, Rasmussen, Rayburn, Riley, Sheldon, and Mr. Speaker - 26.

Excused: Representatives Sommers, D., Vance - 02.

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

On page 1, line 19, after "act." insert "This section shall not apply to counties planning under RCW 36.70A or to cities within those counties."

Ms. Leonard spoke in favor of the adoption of the amendment, Ms. Rayburn spoke against. The amendment was not adopted.

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

On page 1, line 19 of the amendment, after "act.", insert "This section shall not apply to lands designated as an aquifer protection district under chapter 36.36 RCW."

On page 2, line 4, after "act.", insert "This section shall not apply to lands designated as an aquifer protection district under chapter 36.36 RCW."

Ms. Haugen spoke in favor of the adoption of the amendment, Ms. Rayburn spoke against. It was not adopted.

The Clerk read the following amendment, by Representative Anderson to the committee amendment:

On page 2, after line 4 of the amendment, insert "NEW SECTION. Sec. 3. There is appropriated to the department of agriculture from the general fund for the biennium ending June 30, 1993, the sum of one million dollars, or so much thereof as shall be necessary to carry out the purposes of sections 1 and 2 of this act."

On page 2, line 15 of the amendment to the title, after "17.21 RCW" insert "providing an appropriation;"

With consent of the House, Representative Anderson withdrew the amendment to the committee amendment.

Mr. Jones moved adoption of the following amendments, by Representatives Jones and Nelson to the committee amendment:

On page 2, after line 4, insert "NEW SECTION. Sec. 3. A new section is added to 17.21 RCW to read as follows:

The department shall require all pesticide applications to provide a two hundred foot buffer for all private residences and all lands designated as critical areas under RCW 36.70A."

Renumber all sections consecutively and correct internal references accordingly.

On page 2, line 15 of the title amendment, after "15.58 RCW;" strike all material through "emergency" on line 16, and insert "adding new sections to chapter 17.21 RCW; providing an expiration

date; and declaring an emergency"

Mr. Jones spoke in favor of adoption of the amendment, Representatives Rayburn and Nealey spoke against. The amendments were not adopted.

Mr. Horn moved adoption of the following amendment, by Representative Horn, Carlson and R. Johnson to the committee amendment:

On page 3, line 19, after "effect" strike "immediately" and insert "May 1, 1992"

Mr. Horn spoke in favor of adoption of the amendment, Mr. Nealey spoke against. The amendment was not adopted.

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

On page 1, after line 6 of the amendment, strike the remainder of the amendment and insert:

NEW SECTION. Sec. 1. A new section is added to chapter 15.58 RCW to read as follows:

A city, town, county, special purpose district, or any other unit of local government in this state may adopt an ordinance, rule, regulation, or statute regarding pesticide sale or use, including: Registration, advertising and marketing, distribution, storage, transportation, disposal, disclosure of confidential information, or product composition.

NEW SECTION. Sec. 2. A new section is added to chapter 17.21 RCW to read as follows:

A city, town, county, special purpose district, or any other unit of local government in this state may adopt an ordinance, rule, regulation, or statute regarding pesticide sale or use, including: Method and manner of application, notification of use, applicator training and certification, or storage.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 13 of the amendment to the title, after "pesticides;" strike the remainder of the amendment to the title and insert "adding a new section to chapter 15.58 RCW; adding a new section to chapter 17.21 RCW; and declaring an emergency."

Ms. Prentice spoke in favor of adoption of the amendment, Ms. Rayburn spoke against.

Ms. Fraser demanded an electric roll call vote, the demand was sustained.

Mr. Nealey spoke against adoption of the amendment.

### ROLL CALL

The Clerk call the roll on adoption of the amendment on page 1, line 6 by Representative Prentice to the committee amendment to Engrossed Senate Bill No. 6273, the amendment was not adopted by the following vote: Yeas - 27, Nays - 69, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Belcher, Braddock, Brekke, Cole, G., Fisher, G., Fisher, R., Fraser, Heavey, Hine, Jacobsen, Jones, King, R., Kohl, J., Leonard, Locke, Meyers, R., Nelson, Orr, Prentice, Pruitt, Rust, Spanel, Valle, Wang, Wineberry - 27.

Voting nay: Representatives Ballard, Basich, Beck, Betrozoff, Bowman, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Forner, Franklin, Fuhrman, Grant, Hargrove, Haugen, Hochstatter, Horn, Inslee, Johnson P., Johnson R., Kremen, Lisk, Ludwig, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Padden, Paris, Peery, Prince, Rasmussen, Rayburn, Riley, Roland, Schmidt, Scott, Sheldon, Silver, Sommers, H., Sprenkle, Tate, Van Luven, Wilson, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 69.

Excused: Representatives Sommers, D., Vance - 02.

Mr. R. Johnson moved adoption of the following amendment by Representative R. Johnson, Chandler and Haugen to the committee amendment:

On page 1, after line 6 of the amendment, strike the remainder of the amendment and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 15.58 RCW to read as follows:

(1) Except as provided in subsections (2) and (5) of this section, no city, town, or county may regulate the use of pesticides: On lands designated as being agricultural or forest lands under RCW 36.70A.170; on land classified as farm and agricultural land under chapter 84.34 RCW; on land regarding which pesticide use is regulated under chapter 76.09 RCW; or on a right of way or easement for a state highway or for a privately or governmentally owned public utility.

(2) A city, town, or county may regulate the use of pesticides on lands, rights of way, or easements listed in subsection (1) of this section only for the purpose of: Implementing the requirements of the rules of the state's department of health or state board of health for protecting drinking water supplies; or providing compliance with water quality standards established by the state's department of ecology by rule.

(3) Before proposing an ordinance to regulate pesticides, a city, town, or county shall consult with the state's departments of agriculture, ecology, and health.

(4) Except as provided in subsection (5) of this section, no unit of local government in this state other than a city, town, or county may regulate pesticides.

(5) The provisions of this section do not prohibit a unit of local government from managing or regulating pesticides on property in which the unit of government has any legal or equitable ownership interest or leasehold interest.

NEW SECTION. Sec. 2. A new section is added to chapter 17.21 RCW to read as follows:

(1) Except as provided in subsections (2) and (5) of this section, no city, town, or county may regulate the use of pesticides: On lands designated as being agricultural or forest lands under RCW 36.70A.170; on land classified as farm and agricultural land under chapter 84.34 RCW; on land regarding which pesticide use is regulated under chapter 76.09 RCW; or on a right of way or easement for a state highway or for a privately or governmentally owned public utility.

(2) A city, town, or county may regulate the use of pesticides on lands, rights of way, or easements listed in subsection (1) of this section only for the purpose of: Implementing the requirements of the rules of the state's department of health or state board of health for protecting drinking water supplies; or providing compliance with water quality standards established by the state's department of ecology by rule.

(3) Before proposing an ordinance to regulate pesticides, a city, town, or county shall consult with the state's departments of agriculture, ecology, and health.

(4) Except as provided in subsection (5) of this section, no unit of local government in this state other than a city, town, or county may regulate pesticides.

(5) The provisions of this section do not prohibit a unit of local government from managing or regulating pesticides on property in which the unit of government has any legal or equitable ownership interest or leasehold interest.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 4. This act shall expire on July 1, 1994.

#### POINT OF ORDER

Mr. R. King: Thank you Mr. Speaker. This amendment was not on the desk a sufficient amount of time for the members to prepare amendments to it. We have adopted a series of amendments, by over whelming majority in some instances that we will be denied to have votes on, if we just vote on this amendment with out an opportunity to resubmit amendments that had been adopted.

Mr. Braddock ask for a ruling on the scope and object of this amendment.

#### SPEAKER'S RULING

The Speaker: Representative Braddock, the Speaker has examined Engrossed Senate Bill No. 6273 and the striking amendment. The bill clearly deals with the authority of local governments to regulate the use of pesticides, the amendment by Representative R. Johnson clearly deals with



use of local governments to regulate pesticides. I do not see any new subjects, it is clearly perfecting the original bill. Your point Representative Braddock is not well taken.

Mr. R. Johnson spoke in favor of the adoption of the amendment, Ms. Prentice spoke against.

Ms. Rayburn demanded an electric roll call vote, and the demand was sustained.

Representatives Belcher, Rust and Fraser spoke against adoption of the amendment, Representatives Rayburn and Chandler spoke in favor. Ms. H. Sommers spoke against, Mr. R. Johnson again spoke in favor of adoption. Mr. Nealey spoke in favor. Mr. Braddock spoke against. Mr. R. Meyers spoke in favor. Ms. G. Cole spoke against.

### ROLL CALL

The Clerk call the roll on adoption of the amendment on page 1, line 6 by Representative R. Johnson and others to the committee amendment to Engrossed Senate Bill No. 6273, the amendment was adopted by the following vote: Yeas - 58, Nays - 38, Absent - 0, Excused - 2.

Voting yea: Representatives Ballard, Basich, Beck, Betrozoff, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, Fuhrman, Grant, Hargrove, Haugen, Hochstatter, Horn, Inslee, Johnson R., Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Padden, Paris, Peery, Prince, Rasmussen, Rayburn, Riley, Roland, Scott, Sheldon, Silver, Tate, Van Luven, Wilson, Wood, Wynne, and Mr. Speaker - 58.

Voting nay: Representatives Anderson, Appelwick, Belcher, Bowman, Braddock, Brekke, Carlson, Cole, G., Ebersole, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Heavey, Hine, Jacobsen, Johnson P., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Nelson, Orr, Prentice, Pruitt, Rust, Schmidt, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Winsley, Zellinsky - 38.

Excused: Representatives Sommers, D., Vance - 02.

### STATEMENT FOR THE JOURNAL

My intent was to vote "yes" on the amendment by R. Johnson to Engrossed Senate Bill No. 6273.

PEGGY JOHNSON, 35th District

Mr. Ebersole moved, the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

The Speaker called upon Representative R. Meyers to preside.

Ms. Spanel spoke against final passage, Ms. Rayburn spoke in favor. Representatives Rust and Prentice spoke against passage and Mr. Basich spoke in favor.

### ROLL CALL

The Clerk called the roll on final passage of Engrossed Senate Bill No. 6273, as amended by the House, and the bill passed the House by the following vote: Yeas - 58, Nays - 38, Absent - 0, Excused - 2.

Voting yea: Representatives Ballard, Basich, Beck, Betrozoff, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, Fuhrman, Grant, Hargrove, Hochstatter, Horn, Inslee, Johnson P., Johnson R., Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Ogden, Padden, Paris, Peery, Prince, Rasmussen, Rayburn, Riley, Roland, Scott, Sheldon, Silver, Tate, Van Luven, Wilson, Winsley, Wood, Wynne, and Mr. Speaker - 58.

Voting nay: Representatives Anderson, Appelwick, Belcher, Bowman, Braddock, Brekke, Carlson, Cole, G., Ebersole, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Haugen, Heavey, Hine, Jacobsen, Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Nelson, O'Brien, Orr, Prentice, Pruitt, Rust, Schmidt, Sommers, H., Spanel, Sprengle, Valle, Wang, Wineberry, Zellinsky - 38.

Excused: Representatives Sommers, D., Vance - 02.

Engrossed Senate Bill No. 6273, as amended by the House, having received the constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

March 6, 1992

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 1664,  
 ENGROSSED HOUSE BILL NO. 2260,  
 SUBSTITUTE HOUSE BILL NO. 2302,  
 SUBSTITUTE HOUSE BILL NO. 2348,  
 HOUSE BILL NO. 2417,  
 SUBSTITUTE HOUSE BILL NO. 2555,  
 HOUSE BILL NO. 2682,  
 SUBSTITUTE HOUSE BILL NO. 2873,  
 HOUSE BILL NO. 2961,

and the same are herewith transmitted.

W.D. Naismith, Deputy Secretary,

There being no objection, the House advanced to the eleventh order of business.

#### MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Saturday, March 7, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Saturday, March 7, 1992

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 D. Sommers and Vance. On motion of Mr. Mielke, Representatives D. Sommers and Vance were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Katie Gray and Angela Pollock. Prayer was offered by Reverend Robert Cassis Minister of South Sound Presbyterian Church of Olympia.

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

MESSAGE FROM THE SENATE

March 6, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2299,  
HOUSE BILL NO. 2350,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 5, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1631,  
SUBSTITUTE HOUSE BILL NO. 2212,  
SUBSTITUTE HOUSE BILL NO. 2263,  
HOUSE BILL NO. 2374,  
SUBSTITUTE HOUSE BILL NO. 2639,  
ENGROSSED HOUSE BILL NO. 2821,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2842,  
SUBSTITUTE HOUSE BILL NO. 2867,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

The Speaker (Mr. O'Brien presiding) called upon Representative R. Meyers to preside.

There being no objection, the House advanced to the fourth order of business.

#### INTRODUCTIONS AND FIRST READING

SCR 8428 by Senator Hayner

Amending Engrossed House Concurrent Resolution No. 4426.

#### MOTION

On motion of Mr. Ebersole, the rules were suspended and Senate Concurrent Resolution No. 8428, was advanced to second reading and read the second time in full. The motion was carried. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ebersole and Miller spoke in favor of passage of the resolution.

The Speaker stated the question before the House, is the adoption of Senate Concurrent Resolution No. 8428. It was adopted.

#### MESSAGE FROM THE SENATE

March 7, 1992

MR. SPEAKER:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8428,  
and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MESSAGE FROM THE SENATE

March 7, 1992

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2896,  
and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate adopted the attached amendment to Substitute House Bill No. 2695 but failed to pass the bill.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) A student's ability to learn can be adversely impacted by a number of factors, including but not limited to: Lack of parent involvement and support; child abuse and neglect; poverty, including parental unemployment or underemployment; family transiency and homelessness; drug and alcohol abuse; poor health and nutrition; crime; and negative peer influence. Such factors can be manifested in behavior such as underachievement and failure, absenteeism and truancy, drug and alcohol abuse, delinquency, suicide, disruption of the classroom learning environment, dropping out, and, later in life, unemployment, a need for public assistance, treatment or institutionalization for mental health reasons, involvement with the judicial system, and possible imprisonment for criminal convictions.

(2) The legislature finds that:

(a) Prevention and intervention services at the elementary school level can offer early identification, support, and follow-up of each child's special interests, creative talents, and particular abilities as well as identification of and cooperative assistance with learning, emotional, environmental, social, or physical obstacles to normal child growth and development; and

(b) Counseling and related prevention and intervention services at the elementary school level can contribute to enhancement of the classroom environment for students and teachers, and better enable students to realize their academic and personal potential.

(3) The legislature finds that early intervention and prevention services should be provided through a comprehensive system that uses school-based and community-based service providers.

(4) The purpose of this act is to establish the fair start program to assist school districts in developing comprehensive programs for prevention and intervention services. School districts must collaborate with community-based service providers in developing the fair start program and must enter into written agreements with community-based service providers to deliver appropriate services to elementary students. Services provided may include, but are not limited to, school counseling, school-based social services, case management, referrals, family support efforts, mental health services, and health services.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 2 through 9 of this act.

(1) "Early grades," "elementary grades," and "elementary level" mean kindergarten through grade six and may include preschool age children served by the school district.

(2) "Elementary grades prevention and intervention program" means a program of early detection, prevention, and intervention of learning, emotional, environmental, social, or physical problems of elementary students.

(3) "Superintendent" means the superintendent of public instruction.

NEW SECTION. Sec. 3. (1) From funds appropriated by the legislature, the superintendent shall establish the fair start program to assist school districts in providing prevention and intervention programs for elementary grade students. The fair start program shall not become a part of the state's basic program of education obligation as set forth under Article IX of the state Constitution.

(2) The superintendent shall distribute funds equitably to all school districts based on the districts' enrollment in grades kindergarten through six. Fair start funds shall not be used to replace funding for activities existing on the effective date of this section. However, any district providing elementary students with prevention and intervention services on the effective date of this section that loses the source of funding for those services for reasons beyond the control of the district, may use fair start funds to continue or enhance the level of prevention and intervention services.

(3) Funds from the fair start program shall not be used for providing services, referrals, or information regarding abortions, contraceptives, or birth control.

(4) Two or more school districts may cooperatively administer a prevention and intervention program for elementary grades students. An educational service district may administer a prevention and intervention program on behalf of one or more school districts.

NEW SECTION. Sec. 4. (1) School districts and educational service districts accepting fair start funds shall submit not later than June 1, 1993, the following information to the superintendent of public instruction:

(a) District goals relating to prevention and early intervention services for elementary students and the district's plan, based on the goals, for providing prevention and early intervention services to students. To ensure delivery of appropriate services to students through a coordinated network of service providers, districts shall document that community-based public or private human service providers, district level and building level staff and administrators, and parents participated in developing the goals and plan;

(b) Documentation of any written interagency agreement or contract between school districts or educational service districts, and public or private community-based human service providers to provide prevention and early intervention services to students;

(c) Procedures for notifying parents or guardians regarding the referral of students for prevention and intervention services and liability issues relating to providing prevention and intervention services to students outside school buildings;

(d) Use of grant funds for prevention and intervention-related inservice purposes including, as necessary and appropriate, multicultural inservice training; and

(e) Other information as requested by the superintendent.

(2) To the greatest extent possible, the delivery of prevention and early intervention services to students:

(a) Shall not be duplicative of other programs;

(b) Shall be consistent with applicable children's mental health delivery system developed under chapter 71.36

RCW;

(c) Shall emphasize the most efficient and cost-effective use of fair start funds; and

(d) Shall be provided on a twelve-month basis.

(3) When using school personnel to provide prevention and intervention services, school districts are encouraged to utilize paraprofessionals.

(4) School districts and educational service districts accepting fair start funds shall enter into written interagency agreements with community-based service providers to deliver appropriate services to elementary students.

NEW SECTION. Sec. 5. Nothing under sections 2 through 9 of this act precludes a district from incorporating a primary intervention program model, a children's mental health delivery system developed under chapter 71.36 RCW, or a family support worker model as part of the district's fair start program.

NEW SECTION. Sec. 6. The superintendent shall develop specific measures to evaluate the success of the grant projects and the fair start program. The department of social and health services shall provide the superintendent with information the superintendent may use in developing measures to evaluate the fair start program and projects.

NEW SECTION. Sec. 7. The superintendent of public instruction shall adopt rules as necessary under chapter 34.05 RCW to implement sections 3 through 9 of this act. The rules shall permit school districts to provide prevention and intervention services through the local educational service district.

NEW SECTION. Sec. 8. The department of social and health services shall, to the extent practical, assist with the development of school district elementary grades prevention and intervention programs by rotating or loaning department employees to schools to serve as prevention and early intervention service providers.

NEW SECTION. Sec. 9. (1) School districts and educational service districts shall submit biennially to the superintendent a report on their fair start programs. The reports shall include updated information as required in section 4(1) of this act. The reports shall be submitted not later than June 1, 1994, and in even-numbered years thereafter.

(2) The superintendent shall submit biennially a report to the governor and the legislature on the fair start program established under section 3 of this act. The first report shall be submitted not later than December 30, 1993. Subsequent reports shall be submitted not later than December 30, 1994, and in even-numbered years thereafter. The reports shall include information on school district efforts to maximize the use of community-based service providers and to provide services on a twelve-month basis.

NEW SECTION. Sec. 10. Sections 2 through 9 of this act are each added to chapter 28A.600 RCW.

On page 1, line 1 of the title, after "program;" strike the remainder of the title and insert "adding new sections to chapter 28A.600 RCW; and creating a new section."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1150 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 53.12.010 and 1991 c 363 s 128 are each amended to read as follows:

The powers of the port district shall be exercised through a port commission consisting of three members. ~~((In any port district with boundaries that are coterminous with the boundaries of a county with a population of five hundred thousand or more the members shall be residents of the county in which the port district is located. In all other port districts, three commissioner districts, numbered consecutively, having approximately equal population and boundaries following ward and precinct lines, shall be described in the petition for the formation of the port district, and one commissioner shall be elected from each of said commissioner districts.))~~ Every port district that is not coextensive with a county having a population of five hundred thousand or more shall be divided into three commissioner districts each having approximately equal population. Where a port district is coextensive with the boundaries of a county that has a population of less than five hundred thousand and the county has three county legislative authority districts, the port district commissioner districts shall be the county legislative authority districts. In other instances where a port district is divided into commissioner districts, the petition proposing the formation of such a port district shall describe three commissioner districts each having approximately the same population and the commissioner districts shall be altered as provided in chapter 53.16 RCW.

Commissioner districts shall be used as follows: (1) Only a registered voter who resides in a commissioner district may be a candidate for, or hold office as, a commissioner of the commissioner district; and (2) only the voters of a commissioner district may vote at a primary election to nominate candidates for a commissioner of the commissioner district. Voters of the entire port district may vote at a general election to elect a person as a commissioner of the commissioner district.

In port districts having additional commissioners as authorized by RCW 53.12.120 ~~((and)),~~ 53.12.130, and section 6 of this act, the powers of the port district shall be exercised through a port commission consisting of five members constituted as provided therein.

Sec. 2. RCW 53.12.172 and 1979 ex.s. c 126 s 34 are each amended to read as follows:

In every ~~((such))~~ port district the term of office of each port commissioner shall be four years in each port district that is county-wide with a population of one hundred thousand or more, or either six or four years in all other port districts as provided in section 3 of this act, and until ((his or her)) a successor is elected and qualified((- and one commissioner shall be elected at the time of the general election in each odd numbered year for the term of six years beginning in accordance with RCW 29.04.170: PROVIDED, That the terms of office of the port commissioners shall be staggered in any district hereafter organized as follows: (1) The candidate residing in the first commissioner district receiving the highest number of votes in the port district at the election organizing the district shall hold office until a successor assumes office who is elected from the election held in the sixth year after the organizational election, if such organizational election was held in an odd numbered year, or from the election held in the fifth year after the organizational election if such organizational election was held in an even numbered year; (2) the candidate residing in the second commissioner district receiving the highest number of votes in the port district at such organizational election shall hold office until a successor assumes office who is elected from the election held in the fourth year after the organizational election, if such organizational election was held in an odd numbered year, or from the election held in the third year after the organizational election if such organizational election was held in an even numbered year; and (3) the candidate residing in the third commissioner district receiving the highest number of votes in the port district at such organizational election shall hold office until a successor assumes office who is elected from the election held in the second year after the organizational election, if such organizational election was held in an odd numbered year, or from the election held in the first year after the organizational election if such organizational election was held in an even numbered year)) and assumes office in accordance with RCW 29.04.170. The initial port commissioners shall be elected at the same election as when the ballot proposition is submitted to voters authorizing the creation of the port district. If the port district is created the persons elected at this election shall serve as the initial port commission. No primary shall be held. The person receiving the greatest number of votes for commissioner from each commissioner district shall be elected as the commissioner of that district.

The terms of office of the initial port commissioners shall be staggered as follows in a port district that is county-wide with a population of one hundred thousand or more: (1) The two persons who are elected receiving the two greatest numbers of votes shall be elected to four-year terms of office if the election is held in an odd-numbered year, or three-year terms of office if the election is held in an even-numbered year, and shall hold office until successors are elected and qualified and assume office in accordance with RCW 29.04.170; and (2) the other person who is elected shall be elected to a two-year term of office if the election is held in an odd-numbered year, or a one-year term of office if the election is held in an even-numbered year, and shall hold office until a successor is elected and qualified and assumes office in accordance with RCW 29.04.170. The terms of office of the initial port commissioners in all other port districts shall be staggered as follows: (a) The person who is elected receiving the greatest number of votes shall be elected to a six-year term of office if the election is held in an odd-numbered year or to a five-year term of office if the election is held in an even-numbered year, and shall hold office until a successor is elected and qualified and assumes office in accordance with RCW 29.04.170; (b) the person who is elected receiving the next greatest number of votes shall be elected to a four-year term of office if the election is held in an odd-numbered year or to a three-year term of office if the election is held in an even-numbered year, and shall hold office until a successor is elected and qualified and assumes office in accordance with RCW 29.04.170; and (c) the other person who is elected shall be elected to a two-year term of office if the election is held in an odd-numbered year or a one-year term of office if the election is held in an even-numbered year, and shall hold office until a successor is elected and qualified and assumes office in accordance with RCW 29.04.170.

The initial port commissioners shall take office immediately after being elected and qualified, but the length of their terms shall be calculated from the first day in January in the year following their elections.

NEW SECTION. Sec. 3. A new section is added to chapter 53.12 RCW to read as follows:  
A ballot proposition to reduce the terms of office of port commissioners from six years to four years shall be submitted to the voters of any port district that otherwise would have commissioners with six-year terms of office upon either resolution of the port commissioners or petition of voters of the port district proposing the reduction in terms of office, which petition has been signed by voters of the port district equal in number to at least ten percent of the number of voters in the port district voting at the last district general election. The petition shall be submitted to the county auditor. If the petition was signed by sufficient valid signatures, the ballot proposition shall be submitted at the next district general election that occurs sixty or more days after the adoption of the resolution or submission of the petition.

If the ballot proposition reducing the terms of office of port commissioners is approved by a simple majority vote of the voters voting on the proposition, the commissioner or commissioners who are elected at that election shall be elected to four-year terms of office. The terms of office of the other commissioners shall not be reduced, but each successor shall be elected to a four-year term of office.

NEW SECTION. Sec. 4. A new section is added to chapter 53.12 RCW to read as follows:  
Port commissioners of county-wide port districts with populations of one hundred thousand or more who are holding office as of the effective date of this act shall retain their positions for the remainder of their terms until their successors are elected and qualified, and assume office in accordance with RCW 29.04.170. Their successors shall be elected to four-year terms of office except as otherwise provided in RCW 53.12.130.

NEW SECTION. Sec. 5. A new section is added to chapter 53.12 RCW to read as follows:  
All elections relating to a port district shall conform with general election law, except as expressly provided in Title 53 RCW.

NEW SECTION. Sec. 6. A new section is added to chapter 53.12 RCW to read as follows:  
A candidate for the office of port commissioner may withdraw his or her declaration of candidacy at any time before the close of business on the Thursday following the last day for candidates to file by filing, with the officer with whom the declaration of candidacy was filed, a signed request that his or her name not be printed on the ballot. There shall be no withdrawal period for declarations of candidacy filed during special filing periods. The filing officer may permit the withdrawal of a filing for the office of port commissioner at the request of the candidate at any time before a primary if the primary ballots for that election have not been ordered. No filing fee may be refunded to any candidate who withdraws under this section. Notice of the deadline for withdrawal of candidacy and that the filing fee is not refundable shall be given to each candidate at the time he or she files.

NEW SECTION. Sec. 7. A new section is added to chapter 53.12 RCW to read as follows:  
A ballot proposition shall be submitted to the voters of any port district authorizing an increase in the number of port commissioners to five whenever a petition requesting such an increase has been submitted to the county auditor of the county in which the port district is located that has been signed by voters of the port district at least equal in number to ten percent of the number of voters in the port district who voted at the last general election. The ballot proposition shall be submitted at the next general election occurring sixty or more days after the petition was submitted.



At the next general election following the election in which an increase in the number of port commissioners was authorized, candidates for the two additional port commissioner positions shall be elected as provided in RCW 53.12.130.

Sec. 8. RCW 53.12.120 and 1982 c 219 s 1 are each amended to read as follows:

When the population of a port district reaches five hundred thousand, in accordance with the latest United States regular or special census or with the official state population estimate, there shall be submitted to the voters of the district, at the next general election or at a special port election called for that purpose, the proposition of increasing the number of commissioners to five. At any general election thereafter, the same proposition may be submitted by resolution of the port commissioners, by filing a certified copy of the resolution with the county auditor at least four months prior to the general election. If the proposition is ~~((adopted))~~ approved by the voters, the commission in that port district shall consist of five commissioners ~~((in positions numbered as specified in RCW 53.12.035, the additional commissioners to take office five days after the election))~~.

Sec. 9. RCW 53.12.130 and 1965 c 51 s 8 are each amended to read as follows:

Two additional port commissioners shall be elected at the ((same)) next general election ((the names of the candidates for the additional port commissioner positions numbered four and five shall be printed on the ballot and voted on, but the election of such additional commissioners shall be contingent upon the adoption of the proposition for a commission of five members)) following the election at which voters authorized the increase in port commissioners to five members. The two additional positions shall be numbered positions four and five. A primary shall be held to nominate candidates where necessary. The ((candidate for each additional numbered position)) person receiving the highest number of votes for each position shall be elected((,)) to that position and shall take office ((five days after the election)) immediately after qualification as defined under RCW 29.01.135. In a port district where commissioners are elected to four-year terms of office, the additional commissioner thus elected receiving the highest number of votes shall ((hold office for six years and the other shall hold office for four years from the date provided by law for port commissioners to next commence their terms of office)) be elected to a four-year term of office and the other additional commissioner thus elected shall be elected to a term of office of two years, if the election were held in an odd-numbered year, or the additional commissioner thus elected receiving the highest number of votes shall be elected to a term of office of three years and the other shall be elected to a term of office of one year, if the election were held in an even-numbered year. In a port district where the commissioners are elected to six-year terms of office, the additional commissioner thus elected receiving the highest number of votes shall be elected to a six-year term of office and the other additional commissioner shall be elected to a four-year term of office, if the election is held in an odd-numbered year, or the additional commissioner receiving the highest number of votes shall be elected to a term of office of five-years and the other shall be elected to a three-year term of office, if the election is held in an even-numbered year. The length of terms of office shall be computed from the first day of January in the year following this election.

A successor to a commissioner holding position four or five whose term is about to expire, shall be elected at the general election next preceding such expiration, for a term of either six or four years, depending on the length of terms of office to which commissioners of that port district are elected. Positions four and five shall not be associated with a commissioner district and the elections to both nominate candidates for those positions and elect commissioners for these positions shall be held on a port district-wide basis.

NEW SECTION. Sec. 10. A new section is added to chapter 53.16 RCW to read as follows:

In a port district that is not coterminous with a county that has three county legislative authority districts and that has port commissioner districts, the port commission may redraw the commissioner district boundaries as provided in chapter 29.70 RCW at any time and submit the redrawn boundaries to the county auditor. The new commissioner districts shall be used at the next election at which a port commissioner is regularly elected that occurs at least one hundred eighty days after the redrawn boundaries have been submitted. Each commissioner district shall encompass as nearly as possible one-third of the population of the port district.

Sec. 11. RCW 53.16.030 and 1933 c 145 s 4 are each amended to read as follows:

Any change of boundary lines provided for in this chapter shall not affect the term for which a commissioner shall hold office at the time the change is made((, and the requirement of two years' residence within the commissioner district for eligibility for office of port commissioner shall not apply to incumbent commissioners seeking election at any port district election held within three years of the change of such district boundaries: PROVIDED, That at the time of nomination the incumbent commissioner resides in the commissioners district for which he seeks election)).

Sec. 12. RCW 53.12.260 and 1985 c 330 s 3 are each amended to read as follows:

(1) Each commissioner of a port district shall receive fifty dollars per day or portion thereof spent (a) in actual attendance at official meetings of the port district commission, or (b) in performance of other service in behalf of the district((: PROVIDED, That no commissioner shall receive compensation to exceed five thousand eight hundred dollars for any calendar year: PROVIDED FURTHER, That no commissioner of a port district shall receive compensation to exceed

~~four thousand eight hundred dollars for any calendar year if the port district had gross operating income of less than twenty-five million dollars in the preceding calendar year)). The total per diem compensation of a port commissioner shall not exceed four thousand eight hundred dollars in a year, or six thousand dollars in any year for a port district with gross operating income of twenty-five million or more in the preceding calendar year.~~

(2) Port commissioners shall receive additional compensation as follows: (a) Each commissioner of a port district with gross operating revenues of twenty-five million dollars or more in the preceding calendar year shall receive a salary of five hundred dollars per month; and (b) each commissioner of a port district with gross operating revenues of from one million dollars to less than twenty-five million dollars in the preceding calendar year shall receive a salary of two hundred dollars per month.

(3) In lieu of the compensation specified in this section, a port commission may set compensation to be paid to commissioners.

(4) For any commissioner who has not elected to become a member of public employees retirement system before May 1, 1975, the compensation provided pursuant to this section shall not be considered salary for purposes of the provisions of any retirement system created pursuant to the general laws of this state nor shall attendance at such meetings or other service on behalf of the district constitute service as defined in RCW 41.40.010(9): PROVIDED, That in the case of a port district when commissioners are receiving compensation and contributing to the public employees retirement system, these benefits shall continue in full force and effect notwithstanding the provisions of RCW 53.12.260 and 53.12.265.

Sec. 13. RCW 41.04.190 and 1983 1st ex.s. c 37 s 1 are each amended to read as follows:

The cost of ~~((any such group))~~ a policy or plan to ~~((any such))~~ a public agency or body ~~((shall))~~ is not ~~((be deemed))~~ additional compensation to the employees or elected ~~((county))~~ officials covered thereby~~((, and))~~. The elected officials to whom this section applies include but are not limited to commissioners elected under chapters 28A.315, 52.14, 53.12, 54.12, 56.12, 57.12, 70.44, and 87.03 RCW, as well as any county elected officials who are provided insurance coverage under RCW 41.04.180. Any officer authorized to disburse such funds may pay in whole or in part to ~~((any such))~~ an insurance carrier or health care service contractor the amount of the premiums due ~~((pursuant to any such))~~ under the contract.

NEW SECTION. Sec. 14. The following acts or parts of acts are each repealed:

- (1) RCW 53.12.020 and 1991 c 363 s 129, 1986 c 262 s 2, 1965 c 51 s 2, 1959 c 175 s 1, & 1959 c 17 s 4;
- (2) RCW 53.12.035 and 1991 c 363 s 130, 1990 c 59 s 108, 1965 c 51 s 3, & 1959 c 175 s 9;
- (3) RCW 53.12.050 and 1959 c 17 s 5;
- (4) RCW 53.12.057 and 1965 c 51 s 6;
- (5) RCW 53.12.060 and 1990 c 259 s 19, 1959 c 175 s 6, 1927 c 204 s 1, & 1913 c 62 s 3;
- (6) RCW 53.12.172 and 1979 ex.s. c 126 s 34 & 1951 c 68 s 2;
- (7) RCW 53.12.180 and 1935 c 133 s 8;
- (8) RCW 53.12.190 and 1935 c 133 s 10;
- (9) RCW 53.12.200 and 1935 c 133 s 9;
- (10) RCW 53.12.220 and 1979 ex.s. c 126 s 35, 1941 c 45 s 2, & 1925 ex.s. c 113 s 2; and
- (11) RCW 53.16.010 and 1969 ex.s. c 9 s 1 & 1957 c 69 s 2.

On page 1, line 1 of the title, after "districts;" strike the remainder of the title and insert "amending RCW 53.12.010, 53.12.172, 53.12.120, 53.12.130, 53.16.030, 53.12.260, and 41.04.190; adding new sections to chapter 53.12 RCW; adding a new section to chapter 53.16 RCW; and repealing RCW 53.12.020, 53.12.035, 53.12.050, 53.12.057, 53.12.060, 53.12.172, 53.12.180, 53.12.190, 53.12.200, 53.12.220, and 53.16.010."

#### MOTION

Ms. Haugen moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1150. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1150 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1150, as amended by the Senate, and the bill passed the House by the following vote: Yeas - 94, Nays - 2, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Belcher, Ferguson - 02.

Excused: Representatives Sommers, D., Vance - 02.

Engrossed Substitute House Bill No. 1150 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 2, 1992

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1392 with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 18.06.010 and 1991 c 3 s 4 are each amended to read as follows:

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))~~ Oriental medical theory; and
  - (k) Point injection therapy (aquapuncture).
- (2) "Acupuncturist" means a person certified under this chapter.
- (3) "Department" means the department of health.
- (4) "Secretary" means the secretary of health or the secretary's designee.

NEW SECTION. Sec. 2. A new section is added to chapter 18.06 RCW to read as follows:

Nothing in this chapter shall be construed to prohibit or restrict:

(1) The practice licensed, certified, or registered under the laws of this state and performing services within such individual's authorized scope of practice;

(2) The practice by an individual employed by the government of the United States while engaged in the performance of duties prescribed by the laws of the United States;

(3) The practice by a person who is a regular student in an educational program approved by the secretary, and whose performance of services is pursuant to a regular course of instruction or assignments from an instructor and under the general supervision of the instructor;

(4) 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 secretary or in an educational seminar 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.

**Sec. 3.** RCW 18.06.080 and 1991 c 3 s 10 are each amended to read as follows:

(1) The secretary 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 secretary may select. The examination shall be a written examination ~~((in English))~~ and may include a practical examination.

(2) The secretary shall develop or approve a ~~((license))~~ certification examination in the subjects that the secretary 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))~~ microbiology, biochemistry, pathology, hygiene, and acupuncture. All application papers shall be deposited with the secretary and there retained for at least one year, when they may be destroyed.

(3) If the examination is successfully passed, the secretary shall confer on such candidate the title of Certified Acupuncturist.

**Sec. 4.** RCW 18.06.120 and 1991 c 3 s 12 are each amended to read as follows:

(1) Every person certified in acupuncture shall register with the secretary annually and pay an annual renewal registration fee determined by the secretary as provided in RCW 43.70.250 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 secretary. A person whose practice is exclusively out-of-state or who is on sabbatical shall be granted an inactive certification status and pay a reduced registration fee. The reduced fee shall be set by the secretary under RCW 43.70.250.

(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 secretary; (b) payment to the state of a penalty fee determined by the secretary as provided in RCW 43.70.250; 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 secretary, by rule, provides.

(4) All fees collected under this section and RCW ~~((18.06.060))~~ 18.06.070 shall be credited to the health professions account as required under RCW 43.70.320.

**NEW SECTION. Sec. 5.** The following acts or parts of acts are each repealed:

(1) RCW 18.06.030 and 1991 c 3 s 6 and 1985 c 326 s 3;

(2) RCW 18.06.040 and 1985 c 326 s 4;

(3) RCW 18.06.910 and 1990 c 297 s 15; and

(4) RCW 18.06.911 and 1990 c 297 s 16.

On page 1, line 1 of the title, after "acupuncture;" strike the remainder of the title and insert "amending RCW 18.06.010, 18.06.080, and 18.06.120; adding a new section to chapter 18.06 RCW; and repealing RCW 18.06.030, 18.06.040, 18.06.910, and 18.06.911."

## MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to Substitute House Bill No. 1392. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 1392 as amended by the Senate.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1392 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 1392 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed HOUSE BILL NO. 1732 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 35.20.270 and 1977 ex.s. c 108 s 1 are each amended to read as follows:

(1) The position of warrant ~~((server))~~ officer is hereby created ~~((within the courts created by chapter 35.20 RCW))~~ and shall be maintained by the city within the city police department. The number and qualifications of ~~((said))~~ warrant ~~((servers))~~ officers shall be fixed by ordinance, and their compensation shall be paid by the city.

(2) ~~((Said))~~ Warrant ~~((servers))~~ officers shall be vested only with the special authority to make arrests authorized by ~~((the))~~ warrants ~~((which they have been directed to serve by courts created by chapter 35.20 RCW))~~ and other arrests as are authorized by ordinance.

(3) All criminal and civil process issuing out of courts created under this title shall be directed to the chief of police of the city served by the court and/or to the sheriff of the county in which the court is held and/or the warrant ~~((servers of the court))~~ officers and be by them executed according to law in any county of this state.

(4) No process of courts created under this title shall be executed outside the corporate limits of the city served by the court unless the person authorized by ~~((said))~~ the process ~~((shall))~~ first contacts the applicable law enforcement agency in whose jurisdiction the process is to be served.

(5) Upon a defendant being arrested in another city or county the cost of arresting or serving process thereon shall be borne by the court issuing ~~((said))~~ the process including the cost of returning the defendant from any county of the state to the city.

(6) ~~((Said))~~ Warrant ~~((servers))~~ officers shall not be entitled to death, disability, or retirement benefits pursuant to chapter 41.26 RCW on the basis of service as a warrant ~~((server))~~ officer as described in this section.

On page 1, line 1 of the title, after "servers;" strike the remainder of the title and insert "and amending RCW 35.20.270."  
and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

### MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to House Bill No. 1732. The motion was carried.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Bill No. 1732 as amended by the Senate.

Representatives Appelwick and Padden spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1732 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

House Bill No. 1732 as amended by the Senate, having received the constitutional majority, was declared passed.

### SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2055 with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 43.43.842 and 1989 c 334 s 11 are each amended to read as follows:

(1) The secretary of social and health services and the secretary of health shall adopt additional requirements for the licensure or relicensure of agencies or facilities which provide care and treatment to vulnerable adults. These additional requirements shall ensure that any person associated with a licensed agency or facility having direct contact with a

vulnerable adult shall not have been: ~~((1))~~ (a) Convicted of a crime against persons as defined in RCW 43.43.830, except as provided in this section; ~~((2))~~ (b) convicted of crimes relating to financial exploitation ~~((of a vulnerable adult))~~ as defined in RCW 43.43.830, except as provided in this section; ~~((3))~~ (c) found in any disciplinary board final decision to have abused a vulnerable adult under RCW 43.43.830; or ~~((4))~~ (d) the subject in a protective proceeding under chapter 74.34 RCW.

(2) The rules adopted under this section shall permit the licensee to consider the criminal history of an applicant for employment in a licensed facility when the applicant has one or more convictions for a past offense and:

(a) The offense was simple assault, assault in the fourth degree, or the same offense as it may be renamed, and three or more years have passed between the most recent conviction and the date of application for employment;

(b) The offense was prostitution, or the same offense as it may be renamed, and three or more years have passed between the most recent conviction and the date of application for employment;

(c) The offense was theft in the third degree, or the same offense as it may be renamed, and three or more years have passed between the most recent conviction and the date of application for employment;

(d) The offense was theft in the second degree, or the same offense as it may be renamed, and five or more years have passed between the most recent conviction and the date of application for employment;

(e) The offense was forgery, or the same offense as it may be renamed, and five or more years have passed between the most recent conviction and the date of application for employment.

The offenses set forth in (a) through (e) of this subsection do not automatically disqualify an applicant from employment by a licensee. Nothing in this section may be construed to require the employment of any person against a licensee's judgment.

In consultation with law enforcement personnel, the secretary of social and health services and the secretary of health shall investigate the conviction record and the protection proceeding record information under chapter 43.43 RCW of each agency or facility and its staff under their respective jurisdictions seeking licensure or relicensure. The ~~((secretary))~~ secretaries shall use the information solely for the purpose of determining eligibility for licensure or relicensure. Criminal justice agencies shall provide the ~~((secretary))~~ secretaries such information as they may have and that the ~~((secretary))~~ secretaries may require for such purpose.

On page 1, line 1 of the title, after "checks;" strike the remainder of the title and insert "and amending RCW 43.43.842."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to Substitute House Bill No. 2055. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2055 as amended by the Senate.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2055 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 93, Nays - 3, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Morton, Padden, Silver - 03.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2055 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2262, with the following amendment(s):

On page 5, line 1, after "person was" strike "convicted" and insert "charged"

#### MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2262. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2262 as amended by the Senate.

Mr. Appelwick 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. 2262 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.



Engrossed Substitute House Bill No. 2262 as amended by the Senate, having received the constitutional majority, was declared passed.

### SENATE AMENDMENTS TO HOUSE BILL

March 4, 1992

MR. SPEAKER:

The Senate has passed ENGROSSED HOUSE BILL NO. 2316 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 43.131.329 and 1988 c 288 s 11 are each amended to read as follows:

The international marketing program for agricultural commodities and trade at Washington State University shall be terminated on June 30, ~~((1992))~~ 1996, as provided in RCW 43.131.330.

Sec. 2. RCW 43.131.330 and 1988 c 288 s 12 are each amended to read as follows:

The following acts, or parts of acts, as now existing or as hereafter amended, are each repealed, effective June 30, ~~((1993))~~ 1997:

- (1) Section 1, chapter 57, Laws of 1984, section 1, chapter 39, Laws of 1985 and RCW 28B.30.535;
- (2) Section 2, chapter 57, Laws of 1984, section 2, chapter 39, Laws of 1985, section 3, chapter 195, Laws of 1987, section 14, chapter 505, Laws of 1987 and RCW 28B.30.537;
- (3) Section 3, chapter 57, Laws of 1984, section 3, chapter 39, Laws of 1985 and RCW 28B.30.539;
- (4) Section 6, chapter 57, Laws of 1984, section 4, chapter 39, Laws of 1985 and RCW 28B.30.541; and
- (5) Section 7, chapter 57, Laws of 1984, section 5, chapter 39, Laws of 1985 and RCW 28B.30.543.

NEW SECTION. Sec. 3. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1992, in the omnibus appropriations act, this act shall be null and void.

On page 1, line 2 of the title, after "trade;" strike the remainder of the title and insert "amending RCW 43.131.329 and 43.131.330; and creating a new section."

### MOTION

Ms. Rayburn moved that the House do concur in the Senate amendments to Engrossed House Bill No. 2316. The motion was carried.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2316 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2316 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley,

Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Engrossed House Bill No. 2316 as amended by the Senate, having received the constitutional majority, was declared passed.

### SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2359 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature finds that improving the quality of education is essential to improving the ability of students to prosper in a changing work force. Today's employers have a tremendous need for technically skilled people whether they are graduating from high school, a community college, a four-year university, or a technical college.

(2) The legislature further finds that student motivation can be greatly increased by demonstration of practical application of course work content and relevancy to student career interests.

(3) The legislature further finds that our rapidly changing work force demands improving basic competencies and skills by challenging and motivating our students to compete in a global economy.

(4) The legislature further finds that students should have access to both academic and vocational education in accordance with their interests, needs, and abilities. The elimination of rigid tracking into educational programs will increase students post high school options and expose students to a wide range of vocational and academic opportunities.

(5) The purpose of sections 2 through 12 of this act is to equip students with increased academic and vocational education opportunities through the establishment of academic and vocational integration development projects geographically distributed throughout the state.

NEW SECTION. Sec. 2. There is established in the office of the superintendent of public instruction an academic and vocational integration development program which shall fund and coordinate pilot projects to develop model secondary school projects. The projects shall combine academic and vocational education into a single instructional system that is responsive to the educational needs of all students in secondary schools. Goals of the projects within the program shall include at a minimum:

(1) Integration of vocational and academic instructional curriculum into a single curriculum;

(2) Emphasis on increased vocational, personal, and academic guidance and counseling for students as an essential component of the student's high school experience;

(3) Active participation of educators in the planning, implementation, and operation of the project, including increased opportunities for professional development and in-service training; and

(4) Active participation by employers, private and public community service providers, parents, and community members in the development and operation of the project.

NEW SECTION. Sec. 3. The superintendent of public instruction shall develop a process for schools or school districts to apply to participate in the academic and vocational integration development program. The office of the superintendent of public instruction shall review and select projects for grant awards, and monitor and evaluate the academic and vocational integration development program.

NEW SECTION. Sec. 4. The superintendent of public instruction shall appoint a ten-member task force on academic and vocational integration. The task force shall include at least one representative from the work force training and education coordinating board. The task force shall advise the superintendent of public instruction in the development of the process for applying to participate in the academic and vocational integration development program, in the review and selection of projects under section 3 of this act, and the monitoring and evaluation of the projects.

NEW SECTION. Sec. 5. Initial applications to participate in the academic and vocational integration development program shall be submitted by the school district board of directors to the superintendent of public instruction not later than June 1, 1992. Subject to available funding, additional applications may be submitted for

consideration by November 1 of subsequent years. The superintendent of public instruction shall distribute the initial award grants by July 30, 1992. The initial academic and vocational integration development projects shall commence with the 1992-93 school year. Each application shall include a proposed plan that:

- (1) Enumerates specific activities to be carried out as part of the pilot school's project;
- (2) Commits all parties to work cooperatively during the term of the pilot project;
- (3) Includes budget plans for the project and additional anticipated sources of funding, including private grants and contributions, if any;
- (4) Identifies the evaluation and accountability processes to be used to measure school-wide student and project performance;
- (5) Identifies and justifies any request for waiver of specific state statutes or administrative rules;
- (6) Includes a written statement that school directors and administrators are willing to exempt the school or schools from specifically identified local rules, as needed;
- (7) Includes a written statement that the school directors and the local bargaining agents will modify those portions of their local agreements as applicable for the schools' projects; and
- (8) Includes evidence that the school district employs a certified vocational education administrator.

NEW SECTION. Sec. 6. (1) The superintendent of public instruction shall administer sections 1 through 12 of this act.

(2) The academic and vocational integration development projects may be conducted for up to six years, if funds are provided.

NEW SECTION. Sec. 7. (1) The superintendent of public instruction may accept, receive, and administer for the purposes of sections 1 through 12 of this act such gifts, grants, and contributions as may be provided from public and private sources for the purposes of sections 1 through 12 of this act.

(2) The academic and vocational integration development program account is hereby established in the custody of the state treasurer. The superintendent of public instruction shall deposit in the account all moneys received under this section. Moneys in the account may be spent only for the purposes of sections 1 through 12 of this act. Disbursements from this account shall be on the authorization of the superintendent of public instruction or the superintendent's designee. The account is subject to the allotment procedure provided under chapter 43.88 RCW, but no appropriation is required for disbursements.

NEW SECTION. Sec. 8. (1) The state board of education, where appropriate, or the superintendent of public instruction, where appropriate, may grant waivers to pilot project districts consistent with law if necessary to implement a pilot project proposal.

(2) State rules dealing with public health, safety, and civil rights, including accessibility by the handicapped, shall not be waived. A school district may request the state board of education or the superintendent of public instruction to ask the United States department of education or other federal agencies to waive certain federal regulations necessary to fully implement the proposed pilot project.

NEW SECTION. Sec. 9. (1) The superintendent of public instruction, in coordination with the state board for community and technical colleges, the work force training and education coordinating board, and the higher education coordinating board, shall provide technical assistance to selected schools and shall develop a process that coordinates and facilitates linkages among participating school districts, technical colleges, and colleges and universities.

(2) The superintendent of public instruction and the state board of education may adopt rules under chapter 34.05 RCW as necessary to implement its duties under sections 1 through 12 of this act.

NEW SECTION. Sec. 10. (1) The superintendent of public instruction shall report to the legislature on the progress of the schools for the academic and vocational integration development program by December 15 of each odd-numbered year.

(2) Each school district selected to participate in the academic and vocational integration development program shall submit an annual report to the superintendent of public instruction on the progress of the pilot project as a condition of receipt of continued funding.

NEW SECTION. Sec. 11. The superintendent of public instruction, through the state clearinghouse for education information, shall collect and disseminate to all school districts and other interested parties information about the academic and vocational integration development pilot projects.

NEW SECTION. Sec. 12. Sections 1 through 12 of this act may be known and cited as the academic and vocational integration development program.

NEW SECTION. Sec. 13. Sections 1 through 12 of this act are each added to chapter 28A.630 RCW.

NEW SECTION. Sec. 14. Sections 1 through 12 of this act shall expire June 30, 1999.

NEW SECTION. Sec. 15. 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. 16. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. The rules under this act shall meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 17. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 2 of the title, after "education;" strike the remainder of the title and insert "adding new sections to chapter 28A.630 RCW; creating a new section; providing an expiration date; and declaring an emergency." and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

### MOTION

Mr. G. Fisher moved that the House do concur in the Senate amendments to Substitute House Bill No. 2359. The motion was carried.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2359 as amended by the Senate.

Mr. G. Fisher spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2359 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2359 as amended by the Senate, having received the constitutional majority, was declared passed.

### SENATE AMENDMENTS TO HOUSE BILL

March 2, 1992

MR. SPEAKER:

The Senate has passed HOUSE BILL NO. 2368 with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 2.48.200 and 1975 1st ex.s. c 19 s 3 are each amended to read as follows:

No person shall practice law who holds a commission as judge in any court of record, or as sheriff(~~(s)~~) or coroner(~~(s)~~ or ~~deputy sheriff~~); nor shall the clerk of the supreme court, the court of appeals, or of the superior court or any deputy thereof practice in the court of which he or she is clerk or deputy clerk: PROVIDED, It shall be unlawful for a deputy prosecuting attorney, or for the employee, partner, or agent of a prosecuting attorney, or for an attorney occupying offices with a prosecuting attorney, to appear for an adverse interest in any proceeding in which a prosecuting attorney is appearing, or to appear in any suit, action or proceeding in which a prosecuting attorney is prohibited by law from appearing, but nothing herein shall prohibit a prosecuting attorney or a deputy prosecuting attorney from appearing in any action or proceeding for an interest divergent from that represented in the same action or proceeding by another attorney or special attorney in or for the same office, so long as such appearances are pursuant to the duties of prosecuting attorneys as set out in RCW 36.27.020 and such appearances are consistent with the code of professional responsibility or other code of ethics adopted by the Washington state supreme court, but nothing herein shall preclude a judge or justice of a court of this state from finishing any business (~~(by him)~~) undertaken in a court of the United States prior to (~~his~~) him or her becoming a judge or justice.

Sec. 2. RCW 36.28.110 and 1963 c 4 s 36.28.110 are each amended to read as follows:

No sheriff (~~or deputy sheriff~~) shall appear or practice as attorney in any court, except in their own defense.

On page 1, line 1 of the title, after "sheriffs;" strike the remainder of the title and insert "and amending RCW 2.48.200 and 36.28.110."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to House Bill No. 2368. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Bill No. 2368 as amended by the Senate.

Representatives Appelwick and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2368 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

House Bill No. 2368 as amended by the Senate, having received the constitutional majority, was declared passed.

SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2373 with the following amendment(s):

On page 6, after line 20, insert the following:

Sec. 2. RCW 9.41.040 and 1983 c 232 s 2 are each amended to read as follows:

(1) A person is guilty of the crime of unlawful possession of a short firearm or pistol, if, having previously been convicted in this state or elsewhere of a crime of violence or of a felony in which a firearm was used or displayed, the person owns or has in his possession any short firearm or pistol.

(2) Unlawful possession of a short firearm or pistol shall be punished as a class C felony under chapter 9A.20 RCW.

(3) As used in this section, a person has been "convicted" at such time as a plea of guilty has been accepted or a verdict of guilty has been filed, notwithstanding the pendency of any future proceedings including but not limited to sentencing, post-trial motions, and appeals. A person shall not be precluded from possession if the conviction has been the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or the conviction has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(4) Except as provided in subsection (5) of this section, a person is guilty of the crime of unlawful possession of a short firearm or pistol if, after having been convicted of any felony violation of the uniform controlled substances act, chapter 69.50 RCW, or equivalent statutes of another jurisdiction, ~~((or after any period of confinement under RCW 71.05.320 or an equivalent statute of another jurisdiction, or following a record of commitment pursuant to chapter 10.77 RCW or equivalent statutes of another jurisdiction, he))~~ the person owns or has in his or her possession or under his or her control any short firearm or pistol.

(5) Notwithstanding subsection (1) of this section, a person convicted of an offense other than murder, manslaughter, robbery, rape, indecent liberties, arson, assault, kidnapping, extortion, burglary, or violations with respect to controlled substances under RCW 69.50.401(a) and 69.50.410, who received a probationary sentence under RCW 9.95.200, and who received a dismissal of the charge under RCW 9.95.240, shall not be precluded from ownership, possession, or control of a firearm as a result of the conviction.

(6)(a) A person who has been committed by court order for treatment of mental illness under RCW 71.05.320 or chapter 10.77 RCW, or equivalent statutes of another jurisdiction, may not possess, in any manner, a firearm as defined in RCW 9.41.010.

(b) At the time of commitment, the court shall specifically state to the person under (a) of this subsection and give the person notice in writing that the person is barred from possession of firearms.

(c) The secretary of social and health services shall develop appropriate rules to create an approval process under this subsection. The rules must provide for the immediate restoration of the right to possess a firearm upon a showing in a court of competent jurisdiction that a person no longer is required to participate in an inpatient or outpatient treatment program, and is no longer required to take medication to treat any condition related to the commitment. Unlawful possession of a firearm under this subsection shall be punished as a class C felony under chapter 9A.20 RCW.

Sec. 3. RCW 71.05.240 and 1987 c 439 s 5 are each amended to read as follows:

If a petition is filed for fourteen day involuntary treatment or ninety days of less restrictive alternative treatment, the court shall hold a probable cause hearing within seventy-two hours of the initial detention of such person as determined in RCW 71.05.180, as now or hereafter amended. If requested by the detained person or his or her attorney, the hearing may be postponed for a period not to exceed forty-eight hours. The hearing may also be continued subject to the conditions set forth in RCW 71.05.210 or subject to the petitioner's showing of good cause for a period not to exceed twenty-four hours.

At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that such person, as the result of mental disorder, presents a likelihood of serious harm to others or himself or herself, or is gravely

disabled, and, after considering less restrictive alternatives to involuntary detention and treatment, finds that no such alternatives are in the best interests of such person or others, the court shall order that such person be detained for involuntary treatment not to exceed fourteen days in a facility certified to provide treatment by the department of social and health services. If the court finds that such person, as the result of a mental disorder, presents a likelihood of serious harm to others or himself or herself, or is gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive course of treatment for not to exceed ninety days.

The court shall specifically state to such person and give such person notice in writing that if involuntary treatment beyond the fourteen day period or beyond the ninety days of less restrictive treatment is to be sought, such person will have the right to a full hearing or jury trial as required by RCW 71.05.310. The court shall also provide written notice that the person is barred from the possession of firearms.

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.

On page 1, line 1 of the title, after "permit;" strike the remainder of the title and insert "amending RCW 9.41.070, 9.41.040, and 71.05.240; and prescribing penalties."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Substitute House Bill No. 2373. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2373 as amended by the Senate.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2373 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2373 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2457 with the following amendment(s):

On page 2, line 2, after "restricted" strike "by other means as to the hours of operation" and insert "as to the hours of the day or day or days of the week"

On page 2, after line 5, insert the following:

"Sec. 2. RCW 46.61.655 and 1990 c 250 s 56 are each amended to read as follows:

(1) No vehicle shall be driven or moved on any public highway unless such 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. 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 therefor.

(2) No person may operate on any public highway any vehicle with any load unless the load and such covering as required thereon by subsection (3) of this section is securely fastened to prevent the covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.

(3) Any vehicle operating on a paved public highway with a load of dirt, sand, or gravel susceptible to being dropped, spilled, leaked, or otherwise escaping therefrom shall be covered so as to prevent spillage. Covering of such loads is not required if six inches of freeboard is maintained within the bed.

(4) Any vehicle with deposits of mud, rocks, or other debris on the vehicle's body, fenders, frame, undercarriage, wheels, or tires shall be cleaned of such material before the operation of the vehicle on a paved public highway.

(5) The state patrol may make necessary rules to carry into effect the provisions of this section, applying such provisions to specific conditions and loads and prescribing means, methods, and practices to effectuate such provisions.

(6) Nothing in this section may be construed to prohibit a public maintenance vehicle from dropping sand on a highway to enhance traction, or sprinkling water or other substances to clean or maintain a highway.

(7) This section does not apply to waste products falling from vehicles hauling live farm animals when crossing a ferry capable only of transporting fewer than twenty-five vehicles."

On page 1, line 2 of the title, after "7.48.305" insert "and 46.61.655"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Ms. Rayburn moved that the House do concur in the Senate amendments to Substitute House Bill No. 2457. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2457 as amended by the Senate.



## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2457 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 94, Nays - 2, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Fraser, Wang - 02.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2457 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed **SUBSTITUTE HOUSE BILL NO. 2495** with the following amendment(s):

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** The legislature finds that maintaining the viability of health care service delivery in rural areas of Washington is a primary goal of state health policy. The legislature also finds that most hospitals located in rural Washington are operated by public hospital districts authorized under chapter 70.44 RCW and declares that it is not cost-effective, practical, or desirable to provide quality health and hospital care services in rural areas on a competitive basis because of limited patient volume and geographic isolation. It is the intent of this act to foster the development of cooperative and collaborative arrangements among rural public hospital districts by specifically authorizing cooperative agreements and contracts for these entities under the interlocal cooperation act.

**NEW SECTION. Sec. 2.** A new section is added to chapter 70.44 RCW to read as follows:

Unless the context clearly requires otherwise, the definition in this section applies throughout section 3 of this act.

"Rural public hospital district" means a public hospital district authorized under chapter 70.44 RCW whose geographic boundaries do not include a city with a population greater than thirty thousand.

**NEW SECTION. Sec. 3.** A new section is added to chapter 70.44 RCW to read as follows:

In addition to other powers granted to public hospital districts by chapter 39.34 RCW, rural public hospital districts may enter into cooperative agreements and contracts with other rural public hospital districts in order to provide for the health care needs of the people served by the hospital districts. These agreements and contracts are specifically authorized to include:

- (1) Allocation of health care services among the different facilities owned and operated by the districts;
- (2) Combined purchases and allocations of medical equipment and technologies;
- (3) Joint agreements and contracts for health care service delivery and payment with public and private entities;

and

(4) Other cooperative arrangements consistent with the intent of chapter ---, Laws of 1992 (this act). The provisions of chapter 39.34 RCW shall apply to the development and implementation of the cooperative contracts and agreements.

**Sec. 4.** RCW 39.34.030 and 1990 c 33 s 568 are each amended to read as follows:

(1) Any power or powers, privileges or authority exercised or capable of exercise by a public agency of this state may be exercised and enjoyed jointly with any other public agency of this state having the power or powers, privilege or

authority, and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States permit such joint exercise or enjoyment. Any agency of the state government when acting jointly with any public agency may exercise and enjoy all of the powers, privileges and authority conferred by this chapter upon a public agency.

(2) Any two or more public agencies may enter into agreements with one another for joint or cooperative action pursuant to the provisions of this chapter: PROVIDED, That any such joint or cooperative action by public agencies which are educational service districts and/or school districts shall comply with the provisions of RCW 28A.320.080. Appropriate action by ordinance, resolution or otherwise pursuant to law of the governing bodies of the participating public agencies shall be necessary before any such agreement may enter into force.

(3) Any such agreement shall specify the following:

(a) Its duration;

(b) The precise organization, composition and nature of any separate legal or administrative entity created thereby together with the powers delegated thereto, provided such entity may be legally created. Such entity may include a nonprofit corporation organized pursuant to chapter 24.03 or 24.06 RCW whose membership is limited solely to the participating public agencies or a partnership organized pursuant to chapter 25.04 RCW whose partners are limited solely to participating public agencies and the funds of any such corporation or partnership shall be subject to audit in the manner provided by law for the auditing of public funds;

(c) Its purpose or purposes;

(d) The manner of financing the joint or cooperative undertaking and of establishing and maintaining a budget therefor;

(e) The permissible method or methods to be employed in accomplishing the partial or complete termination of the agreement and for disposing of property upon such partial or complete termination;

(f) Any other necessary and proper matters.

(4) In the event that the agreement does not establish a separate legal entity to conduct the joint or cooperative undertaking, the agreement shall, in addition to items (a), (c), (d), (e) and (f) enumerated in subdivision (3) hereof, contain the following:

(a) Provision for an administrator or a joint board responsible for administering the joint or cooperative undertaking. In the case of a joint board, public agencies party to the agreement shall be represented;

(b) The manner of acquiring, holding and disposing of real and personal property used in the joint or cooperative undertaking. Any joint board is authorized to establish a special fund with a state, county, city, or district treasurer servicing an involved public agency designated "Operating fund of ..... joint board".

(5) No agreement made pursuant to this chapter shall relieve any public agency of any obligation or responsibility imposed upon it by law except that to the extent of actual and timely performance thereof by a joint board or other legal or administrative entity created by an agreement made hereunder, ~~((said))~~ the performance may be offered in satisfaction of the obligation or responsibility.

(6) Financing of joint projects by agreement shall be as provided by law.

Sec. 5. RCW 39.34.040 and 1967 c 239 s 5 are each amended to read as follows:

Prior to its entry into force, an agreement made pursuant to this chapter shall be filed with the ~~((city clerk and))~~ county auditor and with the secretary of state. In the event that an agreement entered into pursuant to this chapter is between or among one or more public agencies of this state and one or more public agencies of another state or of the United States ~~((said))~~ the agreement shall have the status of an interstate compact, but in any case or controversy involving performance or interpretation thereof or liability thereunder, the public agencies party thereto shall be real parties in interest and the state may maintain an action to recoup or otherwise make itself whole for any damages or liability which it may incur by reason of being joined as a party therein. Such action shall be maintainable against any public agency or agencies whose default, failure of performance, or other conduct caused or contributed to the incurring of damage or liability by the state.

Sec. 6. RCW 39.34.050 and 1967 c 239 s 6 are each amended to read as follows:

In the event that an agreement made pursuant to this chapter shall deal in whole or in part with the provision of services or facilities with regard to which an officer or agency of the state government has constitutional or statutory powers of control, the agreement shall, as a condition precedent to its entry into force, be submitted to the state officer or agency having such power of control ~~((and))~~. The agreement shall be approved or disapproved by ~~((him or it as to all matters within his or its jurisdiction))~~ the state officer or agency with regard to matters within his, her, or its jurisdiction within ninety days after receipt of the agreement. If a state officer or agency fails to act within the ninety-day time limit, the agreement shall be deemed approved by that state officer or agency.

Sec. 7. RCW 39.34.060 and 1967 c 239 s 7 are each amended to read as follows:

Any public agency entering into an agreement pursuant to this chapter may appropriate funds and may sell, lease, give, or otherwise supply property, personnel, and services to the administrative joint board or other legal or administrative entity created to operate the joint or cooperative undertaking (~~by providing such personnel or services therefor as may be within its legal power to furnish~~)).

On page 1, line 1 of the title, after "governments;" strike the remainder of the title and insert "amending RCW 39.34.030, 39.34.040, 39.34.050, and 39.34.060; adding new sections to chapter 70.44 RCW; and creating a new section."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Haugen moved that the House do concur in the Senate amendments to Substitute House Bill No. 2495. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2495 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. 2495 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2495, having received the constitutional majority, was declared passed.

#### SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed HOUSE BILL NO. 2554 with the following amendment(s):

On page 3, line 6, after "make" strike "them" and insert "~~((them))~~ an erotic publication or the contents of an erotic sound recording"

On page 4, after line 14, insert the following:

Sec. 4. RCW 9.68.070 and 1969 ex.s. c 256 s 15 are each amended to read as follows:

In any prosecution for violation of RCW 9.68.060, it shall be a defense that:

- (1) If the violation pertains to a motion picture or sound recording, the minor was accompanied by a parent, parent's spouse, or guardian; or
- (2) Such minor exhibited to the defendant a draft card, driver's license, birth certificate, or other official or an apparently official document purporting to establish such minor was over the age of eighteen years; or
- (3) Such minor was accompanied by a person who represented himself to be a parent, or the spouse of a parent, or a guardian of such minor, and the defendant in good faith relied upon such representation.

On page 1, line 2 of the title, after "9.68.060," strike "and 9.68.090" and insert "9.68.090, and 9.68.070"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to House Bill No. 2554. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Bill No. 2554 as amended by the Senate.

Representatives Appelwick and Padden spoke in favor of passage of the bill. Mr. Riley spoke against. Mr. R. King spoke in favor. Mr. Wineberry spoke against. Mr. Appelwick again spoke in favor. Mr. Basich spoke in favor.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2554, as amended by the Senate, and the bill passed the House by the following vote: Yeas - 89, Nays - 7, Absent - 0, Excused - 2.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wilson, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Anderson, Braddock, Fisher, R., Kohl, J., Riley, Wang, Wineberry - 07.

Excused: Representatives Sommers, D., Vance - 02.

House Bill No. 2554 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENT TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2594 with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. SHORT TITLE. This chapter shall be known as the state wildlife and recreation lands management act.

NEW SECTION. Sec. 2. FINDINGS AND PURPOSE. (1) The legislature finds that:

(a) The state of Washington owns and maintains a wide variety of fish and wildlife habitat, natural areas, parks, and other recreation lands;

(b) The state of Washington is responsible for managing these lands for the benefit of the citizens, wildlife, and other natural resources of the state;

(c) The state of Washington has recently significantly enhanced its efforts to acquire critical habitat, natural areas, parks, and other recreation lands and to transfer suitable lands from school trust to conservation and park purposes;

(d) Recent unprecedented population growth has greatly increased the threat to the state's fish and wildlife habitat and the demands placed on the lands under (a) of this subsection;

(e) The importance of this habitat and these lands to the state is continuing to increase as more people depend on them to satisfy their needs and more plant and animal species require state-owned lands for their survival;

(f) By itself, public ownership cannot guarantee that resources will be protected, or that appropriate recreational opportunities will be provided;

(g) Only through ongoing, responsible management can fish and wildlife habitat, sensitive ecosystems, and recreational values be protected;

(h) The operation and maintenance funding for state-owned fish and wildlife habitat, natural areas, parks, and other recreation lands has not kept pace with increasing demands placed upon such lands;

(i) Many needed operation and maintenance projects have been deferred due to insufficient funding, resulting in increased costs when the projects are finally undertaken; and

(j) An increase in operation and maintenance funding is necessary to bring state-owned lands and facilities up to acceptable standards and to protect the state's investment in its fish and wildlife habitat, natural areas, parks, and other recreation lands.

(2) Therefore, it is the policy of the state to provide adequate and continuing funding for operation and maintenance needs of state-owned fish and wildlife habitat, natural areas, parks, and other recreation lands to protect the state's investment in such lands, and it is the purpose of this chapter to create a mechanism for doing so.

NEW SECTION. Sec. 3. DEFINITIONS. The definitions set forth in this section apply throughout this chapter.

(1) "Basic stewardship" means the costs associated with holding and protecting property to maintain the functions for which the property was acquired. It includes, but is not limited to, costs associated with statutorily required in-lieu property taxes, weed and pest control, fire protection, fence maintenance, cultural and archaeological site protection, basic research related to maintenance of natural area preserves and natural resource conservation areas, basic resource and environmental protection, and meeting applicable legal requirements.

(2) "Improved or developed resources" means the costs associated with the built or manipulated environment. It includes, but is not limited to, costs associated with maintaining buildings, grounds, roads, trails, water access sites, and utility systems. Also included are improvements to habitat such as bank stabilization, range rehabilitation, and food and water sources.

(3) "Human use management" means the costs associated with visitor management, education, and protection.

(4) "Administration" means state agency costs necessary to support subsections (1) through (3) of this section. It includes, but is not limited to, budget and accounting, personnel support services, volunteer programs, and training.

NEW SECTION. Sec. 4. STATE WILDLIFE AND RECREATION LANDS MANAGEMENT ACCOUNT.

There is created the state wildlife and recreation lands management account in the state treasury.

(1) Moneys accumulated under this chapter shall be used exclusively for the purposes specified in this chapter. Those purposes are to support operation and maintenance activities and costs associated with owning and managing state fish and wildlife habitat, natural areas such as natural area preserves and natural resource conservation areas, parks, and other recreation lands and include:

- (a) Basic stewardship;
- (b) Improved or developed resources;
- (c) Human use management; and
- (d) Administration.

Land acquisition, facility development or replacement, major renovation projects, improvement or rehabilitation projects normally funded through the capital budget, and operation and maintenance of state fish hatcheries are excluded.

(2) No expenditures may be made from this account without legislative appropriation.

NEW SECTION. Sec. 5. ALLOCATION AND DISTRIBUTION OF MONEYS. (1) Moneys appropriated

for this chapter from the state wildlife and recreation lands management account shall be expended in the following manner:

- (a) Not less than thirty percent for basic stewardship;
- (b) Not less than twenty percent for improved or developed resources;
- (c) Not less than fifteen percent for human use management; and
- (d) Not more than fifteen percent for administration.
- (e) The remaining twenty to thirty-five percent shall be considered unallocated.

(2) In the event that moneys appropriated for this chapter to the state wildlife and recreation lands management account under the initial allocation prove insufficient to meet basic stewardship needs, the unallocated amount shall be used to fund basic stewardship needs.

(3) Each eligible agency is not required to meet this specific percentage distribution. However, funding across agencies should meet these percentages during each biennium.

(4) It is intended that moneys disbursed from this account not replace existing operation and maintenance funding levels from other state sources.

(5) Agencies eligible to receive funds from this account are the departments of fisheries, natural resources, and wildlife, and the state parks and recreation commission.

(6) Moneys appropriated for this chapter from the state wildlife and recreation lands management account shall be distributed in the following manner:

- (a) Not less than twenty-five percent to the state parks and recreation commission.
- (b) Not less than twenty-five percent to the department of natural resources.
- (c) Not less than twenty-five percent to the department of wildlife.
- (d) The remaining funds shall be allocated to eligible agencies based upon an evaluation of remaining unfunded

needs.

(7) The office of financial management shall review eligible state agency requests and make recommendations on the allocation of funds provided under this chapter as part of the governor's operating budget request to the legislature.

NEW SECTION. Sec. 6. STATE WILDLIFE AND RECREATION LANDS MANAGEMENT TASK FORCE.

(1) A state wildlife and recreation lands management task force is hereby created to develop recommendations regarding a new long-term funding source or sources to meet the requirements of this chapter. The task force shall investigate possible opportunities for the use of future appropriations for habitat conservation and outdoor recreation lands under chapter 43.98A RCW in meeting major operations and maintenance funding needs. The task force shall also report on funding needed to assist counties with the required police, fire protection, and other local services provided to protect state-owned fish and wildlife habitat, natural areas, parks, and other recreation lands.

(2)(a) The task force shall be composed of seven voting members, appointed by the governor, representing different regions of the state.

(b) The task force shall include as ex officio, nonvoting members, one member from each of the departments of fisheries, wildlife, and natural resources, the state parks and recreation commission, and the office of financial management appointed by the respective directors. The president of the senate and the speaker of the house of representatives shall each appoint one nonvoting member from each caucus of their respective legislative bodies.

(3) The chair of the task force shall be a citizen member and shall be chosen by the governor.

(4) The task force appointments shall be made by May 15, 1992.

(5) The task force shall provide for public involvement in the development of the recommendations.

(6) The interagency committee for outdoor recreation and the office of financial management shall provide staff support and technical assistance to the task force. All participant agencies and the department of revenue shall cooperate in the development of the recommendations and shall provide relevant information as needed.

(7) A report and recommendations shall be submitted to the governor and standing committees of the legislature by September 15, 1992.

NEW SECTION. Sec. 7. SEVERABILITY. 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. CAPTIONS NOT LAW. Section headings as used in this act do not constitute any part of the law.

NEW SECTION. Sec. 9. Sections 1 through 5 and 7 of this act shall constitute a new chapter in Title 43 RCW.

On page 1, line 4 of the title, after "lands;" strike the remainder of the title and insert "adding a new chapter to Title 43 RCW; and creating new sections."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Belcher moved that the House do concur in the Senate amendments to Substitute House Bill No. 2594. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2594 as amended by the Senate.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2594 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2594 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENT TO HOUSE BILL

March 4 1992

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2643 with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 46.01.140 and 1991 c 339 s 16 are each amended to read as follows:

(1) The county auditor, if appointed by the director of licensing shall carry out the provisions of this title relating to the licensing of vehicles and the issuance of vehicle license number plates under the direction and supervision of the director and may with the approval of the director appoint assistants as special deputies and recommend subagents to accept applications and collect fees for vehicle licenses and transfers and to deliver vehicle license number plates.

(2) A county auditor appointed by the director may request that the director appoint subagencies within the county. Upon authorization of the director, the auditor shall advertise a request for proposals and use the process for soliciting vendors under RCW 39.04.190(2), except that the provision requiring the contract to be awarded to the lowest responsible bidder shall not apply. The auditor shall submit all proposals to the director, and shall recommend the appointment of one or more subagents who have applied through the request for proposal process. The director has final appointment authority.

(3)(a) A county auditor who is appointed as an agent by the department shall enter into a standard contract provided by the director, developed with the advice of the title and registration advisory committee.

(b) A subagent appointed under subsection (2) of this section shall enter into a standard contract with the county auditor, developed with the advice of the title and registration advisory committee. The director shall provide the standard contract to county auditors.

(c) The contracts provided for in (a) and (b) of this subsection must contain at a minimum provisions that:

(i) Describe the responsibilities, and where applicable, the liability, of each party relating to the service expectations and levels, equipment to be supplied by the department, and equipment maintenance;

(ii) Require the specific type of insurance or bonds so that the state is protected against any loss of collected motor vehicle tax revenues or loss of equipment;

(iii) Specify the amount of training that will be provided by the state, the county auditor, or subagents;

(iv) Describe allowable costs that may be charged to motor vehicle licensing activities as provided for in (d) of this subsection;

(v) Describe the causes and procedures for termination of the contract, which may include mediation and binding arbitration.

(d) The department shall develop procedures that will standardize and prescribe allowable costs that may be assigned to motor vehicle licensing activities performed by county auditors.

(e) The contracts may include any provision that the director deems necessary to ensure acceptable service and the full collection of motor vehicle tax revenues.

(f) The director may waive any provisions of the contract deemed necessary in order to ensure that readily accessible service is provided to the citizens of the state.

(4)(a) At any time any application is made to the director, the county auditor, or other agent pursuant to any law dealing with licenses, registration, or the right to operate any vehicle upon the public highways of this state, excluding applicants already paying such fee under RCW 46.16.070 or 46.16.085, the applicant shall pay to the director, county auditor, or other agent a fee of two dollars for each application in addition to any other fees required by law.

(b) Counties that do not cover the expenses of motor vehicle licensing activities may submit to the department a request for cost-coverage moneys. The request must be submitted on a form developed by the department. The department shall develop procedures to verify whether a request is reasonable. Payment shall be made on requests found to be allowable from the licensing services account.

(c) Applicants for certificates of ownership, including applicants paying fees under RCW 46.16.070 or 46.16.085, shall pay to the director, county auditor, or other agent a fee of three dollars in addition to any other fees required by law.

~~(These)~~ (d) The fees under (a) and (c) of this subsection, if paid to the county auditor as agent of the director, or if paid to a subagent of the county auditor, shall be paid to the county treasurer in the same manner as other fees



collected by the county auditor and credited to the county current expense fund. If the fee is paid to another agent of the director, the fee shall be used by the agent to defray his or her expenses in handling the application.

~~((3))~~ (5) A subagent ~~(is entitled to an additional service charge of two dollars. However, from July 1, 1991, through June 30, 1992, subagents)~~ shall collect a service fee of (a) five dollars and fifty cents for changes in a certificate of ownership, with or without registration renewal, or verification of record and preparation of an affidavit of lost title other than at the time of the title application or transfer and (b) two dollars and twenty-five cents for registration renewal only, issuing a transit permit, or any other service under this section.

~~((4))~~ (6) If the fee is collected by the state patrol as agent for the director, the fee so collected shall be certified to the state treasurer and deposited to the credit of the state patrol highway account. If the fee is collected by the department of transportation as agent for the director, the fee shall be certified to the state treasurer and deposited to the credit of the motor vehicle fund. All such fees collected by the director or branches of his office shall be certified to the state treasurer and deposited to the credit of the highway safety fund.

(7) Any county revenues that exceed the cost of providing motor vehicle licensing activities in a county, calculated in accordance with the procedures in subsection (3)(d) of this section, shall be expended as determined by the county legislative authority during the process established by law for adoption of county budgets.

(8) The director may adopt rules to implement this section.

Sec. 2. RCW 46.01.230 and 1987 c 302 s 2 are each amended to read as follows:

(1) The department of licensing is authorized to accept checks and money orders for payment of drivers' licenses, certificates of ownership and registration, motor vehicle excise taxes, gross weight fees, and other fees and taxes collected by the department, in accordance with regulations adopted by the director. The director's regulations shall duly provide for the public's convenience consistent with sound business practice and shall encourage the annual renewal of vehicle registrations by mail to the department, authorizing checks and money orders for payment. Such regulations shall contain provisions for cancellation of any registrations, licenses, or permits paid for by checks or money orders which are not duly paid and for the necessary accounting procedures in such cases: PROVIDED, That any bona fide purchaser for value of a vehicle shall not be liable or responsible for any prior uncollected taxes and fees paid, pursuant to this section, by a check which has subsequently been dishonored: AND PROVIDED FURTHER, That no transfer of ownership of a vehicle may be denied to a bona fide purchaser for value of a vehicle if there are outstanding uncollected fees or taxes for which a predecessor paid, pursuant to this section, by check which has subsequently been dishonored nor shall the new owner be required to pay any fee for replacement vehicle license number plates that may be required pursuant to RCW 46.16.270 as now or hereafter amended.

(2) It is a traffic infraction to fail to surrender within ten days to the department or any authorized agent of the department any certificate, license, or permit after being notified by certified mail that such certificate, license, or permit has been canceled pursuant to this section.

(3) Whenever registrations, licenses, or permits have been paid for by checks that have been dishonored by nonacceptance or nonpayment, a reasonable handling fee may be assessed for each such instrument. Notwithstanding provisions of any other laws, county auditors, agents, and subagents, appointed or approved by the director pursuant to RCW 46.01.140, may collect restitution, and where they have collected restitution may retain the reasonable handling fee. The amount of the reasonable handling fee may be set by rule by the director.

(4) In those counties where the county auditor has been appointed an agent of the director under RCW 46.01.140, the auditor shall continue to process mail-in registration renewals until directed otherwise by legislative authority.

NEW SECTION. Sec. 3. A new section is added to chapter 46.01 RCW to read as follows:

The title and registration advisory committee is created within the department. The committee consists of the director or a designee, who shall serve as chair, the assistant director for vehicle services, the administrator of title and registration services, two members from each of the house and senate transportation committees, two county auditors nominated by the Washington association of county officials, and two representatives of subagents nominated by an association of vehicle subagents. The committee shall meet at least twice a year, and may meet as often as is necessary.

The committee's purpose is to foster communication between the legislature, the department, county auditors, and subagents. The committee shall make recommendations when requested by the legislative transportation committee, or on its own initiative, about revisions to fee structures, implications of fee revisions on cost sharing, and the development of standard contracts provided for in RCW 46.01.140(3). The committee shall make recommendations about fee revisions to the legislative transportation committee by January 1, 1996.

Sec. 4. RCW 46.16.060 and 1987 1st ex.s. c 9 s 3 are each amended to read as follows:

(1) Except for vehicles already so taxed in RCW 46.16.070 and 46.16.085 or as otherwise specifically provided by law for the licensing of vehicles, there shall be paid and collected annually for each registration year or fractional part thereof and upon each vehicle a license fee of twenty-three dollars, but effective with initial motor vehicle registrations that

expire in January, 1989, and thereafter, the license fee shall be twenty-seven dollars and seventy-five cents; however, if the vehicle was previously licensed in this state and has not been registered in another jurisdiction in the intervening period, the renewal license fee shall be nineteen dollars, but effective with vehicle license renewals that expire in January, 1989, and thereafter, the renewal license fee shall be twenty-three dollars and seventy-five cents. On all new and renewal license fees, an additional fifty cents shall be collected and remitted to the department for deposit into the department of licensing services account of the motor vehicle fund. The proceeds of such fees shall be distributed in accordance with RCW 46.68.030. The fee for licensing each house-moving dolly which is used exclusively for moving buildings or homes on the highway under special permit as provided for in chapter 46.44 RCW shall be twenty-five dollars, but effective with licenses that expire in January, 1989, and thereafter, the fee shall be twenty-nine dollars and seventy-five cents, and no other fee shall be charged for the load carried thereon.

(2) The department of licensing, county auditors, and other authorized agents shall collect for any registration year any increase in the fees authorized by this section for the months of that registration year in which any such increase is effective in the same manner and at the same time as such fees for that registration year would otherwise be collected as provided by law.

NEW SECTION. Sec. 5. A new section is added to chapter 46.68 RCW to read as follows:

The department of licensing services account is created in the motor vehicle fund. All receipts from service fees received under RCW 46.01.140(4)(b) shall be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for information and service delivery systems for the department, and for reimbursement of county licensing activities.

On page 1, line 1 of the title, after "activities;" strike the remainder of the title and insert "amending RCW 46.01.140, 46.01.230, and 46.16.060; adding a new section to chapter 46.01 RCW; and adding a new section to chapter 46.68 RCW."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. R. Fisher moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2643. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2643 as amended by the Senate.

Mr. Cooper 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. 2643 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 81, Nays - 15, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Betrozoff, Braddock, Bray, Brekke, Brough, Cantwell, Carlson, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, May, Meyers, R., Miller, Mitchell, Morris, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Valle, Van Luven, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 81.

Voting nay: Representatives Ballard, Bowman, Broback, Brumsickle, Casada, Forner, Fuhrman, Lisk, Ludwig, McLean, Mielke, Morton, Padden, Tate, Wilson - 15.

Excused: Representatives Sommers, D., Vance - 02.

Engrossed Substitute House Bill No. 2643 as amended by the Senate, having received the constitutional majority, was declared passed.

### SENATE AMENDMENTS TO HOUSE BILL

March 4, 1992

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2660 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 46.16.006 and 1983 c 27 s 1 are each amended to read as follows:

(1) The term "registration year" for the purposes of chapters 46.16, 82.44, and 82.50 RCW means the effective period of a vehicle license issued by the department. Such year commences at 12:01 a.m. on the date of the calendar year designated by the department and ends at 12:01 a.m. on the same date of the next succeeding calendar year. If a vehicle license previously issued in this state has ~~((been))~~ expired ~~((for more than thirty days))~~ and is renewed with a different registered owner, a new registration year is deemed to commence upon the date the expired license is renewed in order that the renewed license be useable for a full twelve-month period.

(2) Each registration year may be divided into twelve registration months. Each registration month commences on the day numerically corresponding to the day of the calendar month on which the registration year begins, and terminates on the numerically corresponding day of the next succeeding calendar month.

(3) Where the term "last day of the month" is used in chapters 46.16, 82.44, and 82.50 RCW in lieu of a specified day of any calendar month it means the last day of such calendar month or months irrespective of the numerical designation of that day.

(4) If the final day of a registration year or month falls on a Saturday, Sunday, or legal holiday, such period extends through the end of the next business day.

Sec. 2. RCW 46.70.090 and 1991 c 140 s 1 are each amended to read as follows:

(1) The department shall issue a vehicle dealer license plate which shall be attached to the rear of the vehicle only and which is capable of distinguishing the classification of the dealer, to vehicle dealers properly licensed pursuant to this chapter and shall, upon application, issue manufacturer's license plates to manufacturers properly licensed pursuant to this chapter.

(2) The department shall ~~((not issue a vehicle dealer license plate to any vehicle dealer selling fewer than five vehicles annually))~~ issue to a vehicle dealer up to three vehicle dealer license plates. After the ~~((first))~~ third dealer plate is issued, the department shall limit the number of dealer plates to six percent of the vehicles sold during the preceding license period. For an original license the vehicle dealer license applicant shall estimate the first year's sales. The director or director's designee may waive these dealer plate issuance restrictions for a vehicle dealer if the waiver both serves the purposes of this chapter and is essential to the continuation of the business. The director shall adopt rules to implement this waiver.

(3) Motor vehicle dealer license plates may be used:

(a) To demonstrate motor vehicles held for sale when operated by an individual holding a valid operator's license, if a dated demonstration permit, valid for no more than seventy-two hours, is carried in the vehicle at all times it is operated by any such individual.

(b) On motor vehicles owned, held for sale, and which are in fact available for sale by the firm when operated by an officer of the corporation, partnership, or proprietorship or by their spouses, or by a bona fide full-time employee of the firm, if a card so identifying any such individual is carried in the vehicle at all times it is operated by such individual. Any such vehicle so operated may be used to transport the dealer's own tools, parts, and equipment of a total weight not to exceed five hundred pounds.

(c) On motor vehicles being tested for repair.

(d) On motor vehicles being moved to or from a motor vehicle dealer's place of business for sale.

- (e) On motor vehicles being moved to or from motor vehicle service and repair facilities before sale.
  - (f) On motor vehicles being moved to or from motor vehicle exhibitions within the state of Washington, if any such exhibition does not exceed a period of twenty days.
- (4) Mobile home and travel trailer dealer license plates may be used:
- (a) On units hauled to or from the place of business of the manufacturer and the place of business of the dealer or to and from places of business of the dealer.
  - (b) On mobile homes hauled to a customer's location for set-up after sale.
  - (c) On travel trailers held for sale to demonstrate the towing capability of the vehicle if a dated demonstration permit, valid for not more than seventy-two hours, is carried with the vehicle at all times.
  - (d) On mobile homes being hauled from a customer's location if the requirements of RCW 46.44.170 and 46.44.175 are met.
  - (e) On any motor vehicle owned by the dealer which is used only to move vehicles legally bearing mobile home and travel trailer dealer license plates of the dealer so owning any such motor vehicle.
  - (f) On vehicles being moved to or from vehicle exhibitions within the state of Washington, if any such exhibition does not exceed a period of twenty days.
- (5) Miscellaneous vehicle dealer license plates may be used:
- (a) To demonstrate any miscellaneous vehicle: PROVIDED, That:
    - (i) No such vehicle may be demonstrated on a public highway unless the customer has an appropriate endorsement on his driver's license, if such endorsement is required to operate such vehicle; and
    - (ii) A dated demonstration permit, valid for no more than seventy-two hours, is carried with the vehicle at all times it is operated by any such individual.
  - (b) On vehicles owned, held for sale, and which are in fact available for sale, by the firm when operated by an officer of the corporation, partnership, or proprietorship or by a bona fide full-time employee of the firm, if a card so identifying such individual is carried in the vehicle at all times it is operated by him.
  - (c) On vehicles being tested for repair.
  - (d) On vehicles being transported to or from the place of business of the manufacturer and the place of business of the dealer or to and from places of business of the dealer.
  - (e) On vehicles on which any other item sold or to be sold by the dealer is transported from the place of business of the manufacturer to the place of business of the dealer or to and from places of business of the dealer if such vehicle and such item are purchased or sold as one package.
- (6) Manufacturers properly licensed pursuant to this chapter may apply for and obtain manufacturer license plates and may be used:
- (a) On vehicles being moved to or from the place of business of a manufacturer to a vehicle dealer within this state who is properly licensed pursuant to this chapter.
  - (b) To test vehicles for repair.
- (7) Vehicle dealer license plates and manufacturer license plates shall not be used for any purpose other than set forth in this section and specifically shall not be:
- (a) Used on any vehicle not within the class for which the vehicle dealer or manufacturer license plates are issued unless specifically provided for in this section.
  - (b) Loaned to any person for any reason not specifically provided for in this section.
  - (c) Used on any vehicles for the transportation of any person, produce, freight, or commodities unless specifically provided for in this section, except there shall be permitted the use of such vehicle dealer license plates on a vehicle transporting commodities in the course of a demonstration over a period not to exceed seventy-two consecutive hours from the commencement of such demonstration, if a representative of the dealer is present and accompanies such vehicle during the course of the demonstration.
  - (d) Used on any vehicle sold to a resident of another state to transport such vehicle to that other state in lieu of a trip permit or in lieu of vehicle license plates obtained from that other state.
  - (e) Used on any new vehicle unless the vehicle dealer has provided the department a current service agreement with the manufacturer or distributor of that vehicle as provided in RCW 46.70.041(1)(k).
- (8) In addition to or in lieu of any sanction imposed by the director pursuant to RCW 46.70.101 for unauthorized use of vehicle dealer license plates or manufacturer license plates, the director may order that any or all vehicle dealer license plates or manufacturer license plates issued pursuant to this chapter be confiscated for such period as he deems appropriate.

Sec. 3. RCW 82.80.020 and 1991 c 318 s 13 are each amended to read as follows:

(1) The legislative authority of a county may fix and impose an additional fee, not to exceed fifteen dollars per vehicle, for each vehicle that is subject to license fees under RCW 46.16.060 and is determined by the department of licensing to be registered within the boundaries of the county.

(2) The department of licensing shall administer and collect the fee. The department shall deduct a percentage amount, as provided by contract, not to exceed two percent of the taxes collected, for administration and collection expenses incurred by it. The remaining proceeds shall be remitted to the custody of the state treasurer for monthly distribution under RCW 82.80.080.

(3) The proceeds of this fee shall be used strictly for transportation purposes in accordance with RCW 82.80.070.

(4) A county imposing this fee shall delay the effective date at least six months from the date the ordinance is enacted to allow the department of licensing to implement administration and collection of the fee.

(5) The legislative authority of a county may develop and initiate ~~((a refund))~~ an exemption process of the fifteen dollar fee ~~((to))~~ for the registered owners of vehicles residing within the boundaries of the county who ~~((are sixty-one years old or older at the time of payment of the fee and whose household income for the previous calendar year is eighteen thousand dollars or less or who has a physical disability and who has paid the fifteen dollar additional fee))~~ meet the standards for the property tax exemption under RCW 84.36.381.

On page 1, line 1 of the title, after "licenses;" strike the remainder of the title and insert "and amending RCW 46.16.006, 46.70.090, and 82.80.020."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. R. Fisher moved that the House do concur in the Senate amendments to Substitute House Bill No. 2660. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2660 as amended by the Senate.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2660 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2660 as amended by the Senate, having received the constitutional majority, was declared passed.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2686, with the following amendment(s):

On page 2, line 20, after "department" strike "shall" and insert "may"

On page 4, line 26, after "department" strike "shall" and insert "may"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Mr. Heavey moved that the House do concur in the Senate amendments to Substitute House Bill No. 2686. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2686 as amended by the Senate.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2686 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Fomer, Franklin, Fraser, Fuhman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslée, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2686 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2702 with the following amendment(s):

On page 2, after line 18, insert the following:

"(3) It shall be a defense to the crime of stalking that the defendant is a licensed private detective acting within the capacity of his or her license as provided by chapter 18.165 RCW."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 7, line 1, after "defined by" strike "RCW 9A.46.020" and insert "RCW 9A.46.060"

On page 7, line 12, after "defined by" strike "RCW 9.94A.020" and insert "RCW 9A.46.060"

On page 7, line 24, after "defined by" strike "RCW 9A.46.020" and insert "RCW 9A.46.060"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Engrossed Substitute Bill No. 2702. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2702 as amended by the Senate.

Representatives Appelwick and 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. 2702 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 1, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Wynne - 01.

Excused: Representatives Sommers, D., Vance - 02.

Engrossed Substitute House Bill No. 2702 as amended by the Senate, having received the constitutional majority, was declared passed.

### SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed HOUSE BILL NO. 2727 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 82.48.020 and 1987 c 220 s 6 are each amended to read as follows:

An annual excise tax is hereby imposed for the privilege of using any aircraft in the state. A current certificate of air worthiness with a current inspection date from the appropriate federal agency and/or the purchase of aviation fuel shall constitute the necessary evidence of aircraft use or intended use. The tax shall be collected annually or under a staggered collection schedule as required by the secretary by rule. No additional tax shall be imposed under this chapter upon any aircraft upon the transfer of ownership thereof, if the tax imposed by this chapter with respect to such aircraft has already been paid for the year in which transfer of ownership occurs. Persons who are required to register aircraft under chapter 47.68 RCW and who register aircraft in another state or foreign country and avoid the Washington aircraft excise tax are liable for such unpaid excise tax. The department of revenue may assess and collect the unpaid excise tax under chapter 82.32 RCW, including the penalties and interest provided in chapter 82.32 RCW. A violation of this chapter is a misdemeanor punishable as provided in chapter 9A.20 RCW.

Sec. 2. RCW 82.48.090 and 1989 c 378 s 25 are each amended to read as follows:

In case a claim is made by any person that the person has paid an erroneously excessive amount of excise tax under this chapter, the person may apply to the department of transportation for a refund of the claimed excessive amount together with interest at the rate specified in RCW 82.32.060. The department of transportation shall review such application, and if it determines that an excess amount of tax has actually been paid by the taxpayer, such excess amount and interest at the rate specified in RCW 82.32.060 shall be refunded to the taxpayer by means of a voucher approved by the department of transportation and by the issuance of a state warrant drawn upon and payable from such funds as the legislature may provide for that purpose. No refund shall be allowed, however, unless application for the refund is filed with the department of transportation within ninety days after the claimed excessive excise tax was paid and the amount of the overpayment exceeds five dollars.

Sec. 3. RCW 82.49.010 and 1983 2nd ex.s. c 3 s 42 are each amended to read as follows:

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. Persons who are required under chapter 88.02 RCW to register a vessel in this state and who register the vessel in another state or foreign country and avoid the Washington watercraft excise tax are liable for such unpaid excise tax. The department of revenue may assess and collect the unpaid excise tax under chapter 82.32 RCW, including the penalties and interest provided in chapter 82.32 RCW.

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. 4. RCW 82.49.065 and 1989 c 68 s 3 are each amended to read as follows:

Whenever any person has paid a vessel license fee, and with the fee has paid an excise tax imposed under this chapter, and the director of licensing determines that the payor is entitled to a refund of the entire amount of the license fee as provided by law, then the payor shall also be entitled to a refund of the entire excise tax collected under this chapter together with interest at the rate specified in RCW 82.32.060. If the director determines that any person is entitled to a refund of only a part of the license fee paid, the payor shall be entitled to a refund of the difference, if any, between the excise tax collected and that which should have been collected together with interest at the rate specified in RCW



82.32.060. The state treasurer shall determine the amount of such refund by reference to the applicable excise tax schedule prepared by the department of revenue in cooperation with the department of licensing.

If no claim is to be made for the refund of the license fee, or any part of the fee, but claim is made by any person that he or she has paid an erroneously excessive amount of excise tax, the department of licensing shall determine in the manner generally provided in this chapter the amount of such excess, if any, that has been paid and shall certify to the state treasurer that the person is entitled to a refund in that amount together with interest at the rate specified in RCW 82.32.060.

If due to error a person has been required to pay an excise tax pursuant to this chapter and a license fee under chapter 88.02 RCW which amounts to an overpayment of ten dollars or more, such person shall be entitled to a refund of the entire amount of such overpayment, together with interest at the rate specified in RCW 82.32.060, regardless of whether a refund of the overpayment has been requested. If due to error the department or its agents has failed to collect the full amount of the license fee and excise tax due, which underpayment is in the amount of ten dollars or more, the department shall charge and collect such additional amount as will constitute full payment of the tax and any penalties or interest at the rate specified in RCW 82.32.050.

If the department approves the claim, it shall notify the state treasurer to that effect and the treasurer shall make such approved refunds and the other refunds provided for in this section from the general fund and shall mail or deliver the same to the person entitled to the refund.

Any person who makes a false statement under which he or she obtains a refund to which he or she is not entitled under this section is guilty of a gross misdemeanor.

**Sec. 5.** RCW 82.50.400 and 1990 c 42 s 320 are each amended to read as follows:

An annual excise tax is imposed on the owner of any travel trailer or camper for the privilege of using such travel trailer or camper in this state. The excise tax hereby imposed shall be due and payable to the department of licensing or its agents at the time of registration of a travel trailer or camper. Whenever an application is made to the department of licensing or its agents for a license for a travel trailer or camper there shall be collected, in addition to the amount of the license fee or renewal license fee, the amount of the excise tax imposed by this chapter, and no dealer's license or license plates, and no license or license plates for a travel trailer or camper may be issued unless such tax is paid in full. No additional tax shall be imposed under this chapter upon any travel trailer or camper upon the transfer of ownership thereof, if the tax imposed by this chapter with respect to such travel trailer or camper has already been paid for the registration year or fractional part thereof in which such transfer occurs. Persons who are required to license travel trailers or campers under chapter 46.16 RCW and who license travel trailers or campers in another state or foreign country to avoid the Washington travel trailer or camper tax are liable for such unpaid excise tax. The department of revenue may assess and collect the unpaid excise tax under chapter 82.32 RCW, including the penalties and interest provided in chapter 82.32 RCW.

**Sec. 6.** RCW 82.50.170 and 1989 c 378 s 26 and 1989 c 68 s 4 are each reenacted and amended to read as follows:

In case a claim is made by any person that the person has erroneously paid the tax or a part thereof or any charge hereunder, the person may apply in writing to the department of licensing for a refund of the amount of the claimed erroneous payment within thirteen months of the time of payment of the tax on such a form as is prescribed by the department of licensing. The department of licensing shall review such application for refund, and, if it determines that an erroneous payment has been made by the taxpayer, it shall certify the amount to be refunded to the state treasurer that such person is entitled to a refund in such amount together with interest at the rate specified in RCW 82.32.060, and the treasurer shall make such approved refund together with interest at the rate specified in RCW 82.32.060 herein provided for from the general fund and shall mail or deliver the same to the person entitled thereto.

If due to error a person has been required to pay an excise tax under this chapter and a vehicle license fee under Title 46 RCW which amounts to an overpayment of ten dollars or more, such person shall be entitled to a refund of the entire amount of such overpayment, together with interest at the rate specified in RCW 82.32.060, regardless of whether a refund of the overpayment has been requested. If due to error the department or its agents has failed to collect the full amount of the license fee and excise tax due, which underpayment is in the amount of ten dollars or more, the department shall charge and collect such additional amount as will constitute full payment of the tax and any penalties or interest at the rate specified in RCW 82.32.050.

Any person making any false statement in the claim herein mentioned, under which the person obtains any amount of refund to which the person is not entitled under the provisions of this section, shall be guilty of a gross misdemeanor.

NEW SECTION. **Sec. 7.** This act shall take effect July 1, 1992.

On page 1, line 2 of the title, after "taxes;" strike the remainder of the title and insert "amending RCW 82.48.020, 82.48.090, 82.49.010, 82.49.065, and 82.50.400; reenacting and amending RCW 82.50.170; prescribing penalties; and providing an effective date."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Wang moved that the House do concur in the Senate amendments to House Bill No. 2727. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Bill No. 2727 as amended by the Senate.

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

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2727 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

House Bill No. 2727 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

#### MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2747, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. As used in sections 6 and 7 of this act:

(1) "Artesian water" means bottled water from a well tapping a confined aquifer in which the water level stands above the water table. "Artesian water" shall meet the requirements of "natural water."

(2) "Bottled water" means water that is placed in a sealed container or package and is offered for sale for human consumption or other consumer uses.

(3) "Carbonated water" or "sparkling water" means bottled water containing carbon dioxide.

(4) "Department" means the department of agriculture.

(5) "Distilled water" means bottled water that has been produced by a process of distillation and meets the definition of purified water in the most recent edition of the United States Pharmacopeia.

(6) "Drinking water" means bottled water obtained from an approved source that has at minimum undergone treatment consisting of filtration, activated carbon or particulate, and ozonization or an equivalent disinfection process, or that meets the requirements of the federal safe drinking water act of 1974 as amended and complies with all department of health rules regarding drinking water.

(7) "Mineral water" means bottled water that contains not less than five hundred parts per million total dissolved solids. "Natural mineral water" shall meet the requirements of "natural water."

(8) "Natural water" means bottled spring, mineral, artesian, or well water that is derived from an underground formation and may be derived from a public water system as defined in RCW 70.119A.020 only if that supply has a single source such as an actual spring, artesian well, or pumped well, and has not undergone any treatment that changes its original chemical makeup except ozonization or an equivalent disinfection process.

(9) "Plant operator" means a person who owns or operates a bottled water plant.

(10) "Purified water" means bottled water produced by distillation, deionization, reverse osmosis, or other suitable process and that meets the definition of purified water in the most recent edition of the United States Pharmacopeia. Water that meets this definition and is vaporized, then condensed, may be labeled "distilled water."

(11) "Spring water" means water derived from an underground formation from which water flows naturally to the surface of the earth. "Spring water" shall meet the requirements of "natural water."

(12) "Water dealer" means a person who imports bottled water or causes bulk water to be transported for bottling for human consumption or other consumer uses.

(13) "Well water" means water from a hole bored, drilled, or otherwise constructed in the ground that taps the water of an aquifer. "Well water" shall meet the requirements of "natural water."

Sec. 2. RCW 69.04.008 and 1945 c 257 s 9 are each amended to read as follows:

The term "food" means (1) articles used for food or drink for ~~((man))~~ people or other animals, (2) bottled water, (3) chewing gum, and ~~((3))~~ (4) articles used for components of any such article.

Sec. 3. RCW 69.07.010 and 1991 c 137 s 2 are each amended to read as follows:

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;

(3) "Food" means any substance used for food or drink by any person, including ice, bottled water, and any ingredient used for components of any such substance regardless of the quantity of such component;

(4) "Sale" means selling, offering for sale, holding for sale, preparing for sale, trading, bartering, offering a gift as an inducement for sale of, and advertising for sale in any media;

(5) "Food processing" means the handling or processing of any food in any manner in preparation for sale for human consumption: PROVIDED, That it shall not include fresh fruit or vegetables merely washed or trimmed while being prepared or packaged for sale in their natural state;

(6) "Food processing plant" includes but is not limited to any premises, plant, establishment, building, room, area, facilities and the appurtenances thereto, in whole or in part, where food is prepared, handled or processed in any manner for distribution or sale for resale by retail outlets, restaurants, and any such other facility selling or distributing to the ultimate consumer: PROVIDED, That, as set forth herein, establishments processing foods in any manner for resale shall be considered a food processing plant as to such processing;

(7) "Food service establishment" shall mean any fixed or mobile restaurant, coffee shop, cafeteria, short order cafe, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern, bar, cocktail lounge, night club, roadside stand, industrial-feeding establishment, retail grocery, retail food market, retail meat market, retail bakery, private, public, or nonprofit organization routinely serving food, catering kitchen, commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.

For the purpose of this chapter any custom cannery or processing plant where raw food products, food, or food products are processed for the owner thereof, or the food processing facilities are made available to the owners or persons

in control of raw food products or food or food products for processing in any manner, shall be considered to be food processing plants;

(8) "Person" means an individual, partnership, corporation, or association.

Sec. 4. RCW 43.20.050 and 1989 1st ex.s. c 9 s 210 and 1989 c 207 s 1 are each reenacted and amended to read as follows:

(1) The state board of health shall provide a forum for the development of health policy in Washington state. It is authorized to recommend to the secretary means for obtaining appropriate citizen and professional involvement in all health policy formulation and other matters related to the powers and duties of the department. It is further empowered to hold hearings and explore ways to improve the health status of the citizenry.

(a) At least every five years, the state board shall convene regional forums to gather citizen input on health issues.

(b) Every two years, in coordination with the development of the state biennial budget, the state board shall prepare the state health report that outlines the health priorities of the ensuing biennium. The report shall:

(i) Consider the citizen input gathered at the health forums;

(ii) Be developed with the assistance of local health departments;

(iii) Be based on the best available information collected and reviewed according to RCW 43.70.050 and recommendations from the council;

(iv) Be developed with the input of state health care agencies. At least the following directors of state agencies shall provide timely recommendations to the state board on suggested health priorities for the ensuing biennium: The secretary of social and health services, the health care authority administrator, the insurance commissioner, the administrator of the basic health plan, the superintendent of public instruction, the director of labor and industries, the director of ecology, and the director of agriculture;

(v) Be used by state health care agency administrators in preparing proposed agency budgets and executive request legislation;

(vi) Be submitted by the state board to the governor by June 1 of each even-numbered year for adoption by the governor. The governor, no later than September 1 of that year, shall approve, modify, or disapprove the state health report.

(c) In fulfilling its responsibilities under this subsection, the state board shall create ad hoc committees or other such committees of limited duration as necessary. Membership should include legislators, providers, consumers, bioethicists, medical economics experts, legal experts, purchasers, and insurers, as necessary.

(2) In order to protect public health, the state board of health shall:

(a) Adopt rules ~~((and regulations))~~ necessary to assure safe and reliable public drinking water and to protect the public health. Such rules ~~((and regulations))~~ shall establish requirements regarding:

(i) The design and construction of public water system facilities, including proper sizing of pipes and storage for the number and type of customers;

(ii) Drinking water quality standards, monitoring requirements, and laboratory certification requirements;

(iii) Public water system management and reporting requirements;

(iv) Public water system planning and emergency response requirements;

(v) Public water system operation and maintenance requirements; ~~((and))~~

(vi) Water quality, reliability, and management of existing but inadequate public water systems; and

(vii) Quality standards for the source or supply, or both source and supply, of water for bottled water plants.

(b) Adopt rules ~~((and regulations))~~ and standards for prevention, control, and abatement of health hazards and nuisances related to the disposal of wastes, solid and liquid, including but not limited to sewage, garbage, refuse, and other environmental contaminants; adopt standards and procedures governing the design, construction, and operation of sewage, garbage, refuse and other solid waste collection, treatment, and disposal facilities;

(c) Adopt rules ~~((and regulations))~~ controlling public health related to environmental conditions including but not limited to heating, lighting, ventilation, sanitary facilities, cleanliness and space in all types of public facilities including but not limited to food service establishments, schools, institutions, recreational facilities and transient accommodations and in places of work;

(d) Adopt rules ~~((and regulations))~~ for the imposition and use of isolation and quarantine;

(e) Adopt rules ~~((and regulations))~~ for the prevention and control of infectious and noninfectious diseases, including food and vector borne illness, and rules ~~((and regulations))~~ governing the receipt and conveyance of remains of deceased persons, and such other sanitary matters as admit of and may best be controlled by universal rule; and

(f) Adopt rules for accessing existing data bases for the purposes of performing health related research.

(3) The state board may delegate any of its rule-adopting authority to the secretary and rescind such delegated authority.

(4) All local boards of health, health authorities and officials, officers of state institutions, police officers, sheriffs, constables, and all other officers and employees of the state, or any county, city, or township thereof, shall enforce all rules (~~and regulations~~) adopted by the state board of health. In the event of failure or refusal on the part of any member of such boards or any other official or person mentioned in this section to so act, he shall be subject to a fine of not less than fifty dollars, upon first conviction, and not less than one hundred dollars upon second conviction.

(5) The state board may advise the secretary on health policy issues pertaining to the department of health and the state.

NEW SECTION. Sec. 5. A new section is added to chapter 70.119A RCW to read as follows:

In such cases where a bottled water plant operator or water dealer knows or has reason to believe that a contaminant is present in the source water because of spill, release of a hazardous substance, or otherwise, and the contaminant's presence would create a potential health hazard to consumers, the plant operator or water dealer must report such an occurrence to the state's department of health.

NEW SECTION. Sec. 6. All bottled water must conform to applicable federal and state labeling laws and be labeled in compliance with the following standards:

(1) Mineral water may be labeled "mineral water." Bottled water to which minerals are added shall be labeled so as to disclose that minerals are added, and may not be labeled "natural mineral water."

(2) Spring water may be labeled "spring water" or "natural spring water."

(3) Water containing carbon dioxide that emerges from the source and is bottled directly with its entrapped gas or from which the gas is mechanically separated and later reintroduced at a level not higher than naturally occurring in the water may bear on its label the words "naturally carbonated" or "naturally sparkling."

(4) Bottled water that contains carbon dioxide other than that naturally occurring in the source of the product shall be labeled with the words "carbonated," "carbonation added," or "sparkling" if the carbonation is obtained from a natural or manufactured source.

(5) Well water may be labeled "well water" or "natural well water."

(6) Artesian water may be labeled "artesian water" or "natural artesian water."

(7) Purified water may be labeled "purified water" and the method of preparation shall be stated on the label, except that purified water produced by distillation may be labeled as "distilled water."

(8) Drinking water may be labeled "drinking water."

(9) The use of the word "spring," or any derivative of "spring" other than in a trademark, trade name, or company name, to describe water that is not spring water is prohibited.

(10) A product meeting more than one of the definitions in section 1 of this act may be identified by any of the applicable product types defined in section 1 of this act, except where otherwise specifically prohibited.

(11) Supplemental printed information and graphics may appear on the label but shall not imply properties of the product or preparation methods that are not factual.

NEW SECTION. Sec. 7. Bottled soft drinks, soda, or seltzer products commonly recognized as soft drinks and identified on the product identity panel with a common or usual name other than one of those specified in section 1 of this act are exempt from the requirements of section 6 of this act. Water that is not in compliance with the requirements of section 6 of this act may not be identified, labeled, or advertised as "artesian water," "bottled water," "distilled water," "natural water," "purified water," "spring water," or "well water."

NEW SECTION. Sec. 8. Sections 1, 6, and 7 of this act are each added to chapter 69.07 RCW.

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 "water;" strike the remainder of the title and insert "amending RCW 69.04.008 and 69.07.010; reenacting and amending RCW 43.20.050; adding new sections to chapter 69.07 RCW; and adding a new section to chapter 70.119A RCW."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Rayburn moved that the House do concur in the Senate amendments to Substitute House Bill No. 2747. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2747 as amended by the Senate.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2747 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2747 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2796, with the following amendment(s):

On page 3, line 12 after "receive" strike "state notices of intent and" and insert "notices of intent to commence drilling a well, receive"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Ms. Rust moved that the House do concur in the Senate amendments to Substitute House Bill No. 2796. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2796 as amended by the Senate.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2796 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 1, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Mitchell - 01.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2796 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2814 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. STATE STRATEGIC INFORMATION TECHNOLOGY PLAN AND PERFORMANCE REPORT. (1) The department shall prepare a state strategic information technology plan which shall establish a state-wide mission, goals, and objectives for the use of information technology. The plan shall be developed in accordance with the standards and policies established by the board and shall be submitted to the board for review, modification as necessary, and approval. The department shall seek the advice of the board in the development of this plan.

The plan approved under this section shall be updated as necessary and submitted to the governor and the chairs and ranking minority members of the appropriations committees of the senate and the house of representatives.

(2) The department shall prepare a biennial state performance report on information technology based on agency performance reports required under section 2 of this act and other information deemed appropriate by the department. The report shall include, but not be limited to:

- (a) An evaluation of performance relating to information technology;
- (b) An assessment of progress made toward implementing the state strategic information technology plan;
- (c) An analysis of the success or failure, feasibility, progress, costs, and timeliness of implementation of major information technology projects under section 4 of this act;
- (d) Identification of benefits, cost avoidance, and cost savings generated by major information technology projects developed under section 4 of this act; and

(e) An inventory of state information services, equipment, and proprietary software.

Copies of the report shall be distributed biennially to the governor and the chairs and ranking minority members of the appropriations committees of the senate and the house of representatives.

**NEW SECTION. Sec. 2. AGENCY STRATEGIC INFORMATION TECHNOLOGY PLAN AND PERFORMANCE REPORT.** (1) Each agency shall develop an agency strategic information technology plan which establishes agency goals and objectives regarding the development and use of information technology. Plans shall include, but not be limited to, the following:

(a) A statement of the agency's mission, goals, and objectives for information technology;

(b) An explanation of how the agency's mission, goals, and objectives for information technology support and conform to the state strategic information technology plan developed under section 1 of this act;

(c) Projects and resources required to meet the objectives of the plan; and

(d) Where feasible, estimated schedules and funding required to implement identified projects.

(2) Plans developed under subsection (1) of this section shall be submitted to the department for review and forwarded along with the department's recommendations to the board for review and approval. The board may reject, require modification to, or approve plans as deemed appropriate by the board. Plans submitted under this subsection shall be updated and submitted for review and approval as necessary.

(3) Each agency shall prepare and submit to the department a biennial performance report. The report shall include:

(a) An evaluation of the agency's performance relating to information technology;

(b) An assessment of progress made toward implementing the agency strategic information technology plan;

and

(c) An inventory of agency information services, equipment, and proprietary software.

(4) The department, with the approval of the board, shall establish standards, elements, form, and format for plans and reports developed under this section.

(5) The board may exempt any agency from any or all of the requirements of this section.

**NEW SECTION. Sec. 3. REVIEW OF FUNDING REQUESTS FOR INFORMATION TECHNOLOGY.**

Upon request of the office of financial management, the department shall evaluate agency budget requests for major information technology projects identified under section 4 of this act. The department shall submit recommendations for funding all or part of such requests to the office of financial management.

The department, with the advice and approval of the office of financial management, shall establish criteria for the evaluation of agency budget requests under this section. Criteria shall include, but not be limited to: Feasibility of the proposed projects, consistency with state and agency strategic information technology plans, consistency with agency goals and objectives, costs, and benefits.

**NEW SECTION. Sec. 4. PLANNING AND FUNDING OF MAJOR INFORMATION TECHNOLOGY PROJECTS.** (1) The department, with the approval of the board, shall establish standards and policies governing the planning, implementation, and evaluation of major information technology projects. The standards and policies shall:

(a) Establish criteria to identify projects which are subject to this section. Such criteria shall include, but not be limited to, significant anticipated cost, complexity, or state-wide significance of the project; and

(b) Establish a model process and procedures which agencies shall follow in developing and implementing project plans. Agencies may propose, for approval by the department, a process and procedures unique to the agency. The department may accept or require modification of such agency proposals or the department may reject such agency proposals and require use of the model process and procedures established under this subsection. Any process and procedures developed under this subsection shall require (i) distinct and identifiable phases upon which funding may be based, (ii) user validation of products through system demonstrations and testing of prototypes and deliverables, and (iii) other elements identified by the board.

Project plans and any agreements established under such plans shall be approved and mutually agreed upon by the director, the director of financial management, and the head of the agency proposing the project.

The director may terminate a major project if the director determines that the project is not meeting or is not expected to meet anticipated performance standards.

(2) The office of financial management shall establish policies and standards governing the funding of projects developed under this section. The policies and standards shall provide for:

(a) Funding of a project under terms and conditions mutually agreed to by the director, the director of financial management, and the head of the agency proposing the project. However, the office of financial management may require incremental funding of a project on a phase-by-phase basis whereby funds for a given phase of a project may be released only when the office of financial management determines, with the advice of the department, that the previous phase is satisfactorily completed;



(b) Acceptance testing of products to assure that products perform satisfactorily before they are accepted and final payment is made; and

(c) Other elements deemed necessary by the office of financial management.

(3) The department shall evaluate projects at three stages of development as follows: (a) Initial needs assessment; (b) feasibility study including definition of scope, development of tasks and timelines, and estimated costs and benefits; and (c) final project implementation plan based upon available funding.

Copies of project evaluations conducted under this subsection shall be submitted to the office of financial management and the chairs, ranking minority members, and staff coordinators of the appropriations committees of the senate and house of representatives.

NEW SECTION. Sec. 5. In the case of institutions of higher education, the provisions of this act apply to business and administrative applications but do not apply to academic and research applications.

Sec. 6. RCW 43.105.017 and 1990 c 208 s 2 are each amended to read as follows:

It is the intent of the legislature that:

- (1) State government use voice, data, and video telecommunications technologies to:
  - (a) Transmit and increase access to live, interactive classroom instruction and training;
  - (b) Provide for interactive public affairs presentations, including a public forum for state and local issues;
  - (c) Facilitate communications and exchange of information among state and local elected officials and the general public;
  - (d) Enhance state-wide communications within state agencies; and
  - (e) Through the use of telecommunications, reduce time lost due to travel to in-state meetings;
- (2) Information be shared and administered in a coordinated manner, except when prevented by agency responsibilities for security, privacy, or confidentiality;
- (3) The primary responsibility for the management and use of information, information systems, telecommunications, equipment, software, and services rests with each agency head;
- (4) Resources be used in the most efficient manner and services be shared when cost-effective;
- (5) A structure be created to:
  - (a) Plan and manage telecommunications and computing networks;
  - (b) Increase agencies' awareness of information sharing opportunities; and
  - (c) Assist agencies in implementing such possibilities;
- (6) An acquisition process for equipment, proprietary software, and related services be established that meets the needs of the users, considers the exchange of information, and promotes fair and open competition;
- (7) To the greatest extent possible, major information technology projects be implemented on an incremental basis;
- (8) The state maximize opportunities to exchange and share data and information by moving toward implementation of open system architecture based upon interface standards providing for application and data portability and interoperability;
- (9) To the greatest extent possible, the state recognize any price performance advantages which may be available in midrange and personal computing architecture;
- (10) The state improve recruitment, retention, and training of professional staff;
- ~~((8))~~ (11) Plans, proposals, and acquisitions for information services be reviewed from a financial and management perspective as part of the budget process; and

~~((9))~~ (12) State government adopt policies and procedures that maximize the use of existing video telecommunications resources, coordinate and develop video telecommunications in a manner that is cost-effective and encourages shared use, and ensure the appropriate use of video telecommunications to fulfill identified needs.

NEW SECTION. Sec. 7. A new section is added to chapter 43.88 RCW to read as follows:

FUNDING MAJOR INFORMATION TECHNOLOGY PROJECTS. The director of financial management shall establish policies and standards governing the funding of major information technology projects as required under section 4(2) of this act.

Sec. 8. RCW 43.105.032 and 1987 c 504 s 4 are each amended to read as follows:

There is hereby created the Washington state information services board. The board shall be composed of nine members. Seven members shall be appointed by the governor, ~~((and serving at the governor's pleasure as follows: Three representatives from cabinet agencies,))~~ one of which shall be a representative ~~((from))~~ of higher education, one of which shall be a representative ~~((from a noncabinet executive))~~ of an agency under a state-wide elected official other than the governor, and ~~((two representatives from))~~ one of which shall be a representative of the private sector. One member shall represent the judicial branch and be appointed by the chief justice of the supreme court. One member shall represent the legislative branch and shall be selected by the president of the senate and the speaker of the house of representatives.

These members shall constitute the membership of the board with full voting rights. Members of the board shall serve at the pleasure of the appointing authority. The director shall be an ex officio, nonvoting member of the board. The board shall select a chairperson from among its members.

Vacancies shall be filled in the same manner that the original appointments were made.

A majority of the members of the board shall constitute a quorum for the transaction of business.

Members of the board shall be compensated for service on the board 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.

Sec. 9. RCW 43.105.047 and 1987 c 504 s 6 are each amended to read as follows:

There is created the department of information services. The department shall be headed by a director appointed by the governor with the consent of the senate. The director shall serve at the governor's pleasure and shall receive such salary as determined by the governor. The director shall:

- (1) Appoint a confidential secretary and such deputy and assistant directors as needed to administer the department. However, the total number of deputy and assistant directors shall not exceed four;
- (2) Maintain and fund a planning component separate from the services component of the department;
- (3) Appoint, after consulting with the board, the assistant director for the planning component;
- (4) Appoint such professional, technical, and clerical assistants and employees as may be necessary to perform the duties imposed by this chapter;

~~((4))~~ (5) Report to the governor and the board any matters relating to abuses and evasions of this chapter; and

~~((5))~~ (6) Recommend statutory changes to the governor and the board.

Sec. 10. RCW 43.105.052 and 1990 c 208 s 7 are each amended to read as follows:

The department shall:

- (1) Perform all duties and responsibilities the board delegates to the department, including but not limited to:
  - (a) The review of agency acquisition plans and requests; and
  - (b) Implementation of state-wide and interagency policies, standards, and guidelines;
- (2) Make available information services to state agencies and local governments on a full cost-recovery basis.

These services may include, but are not limited to:

- (a) Telecommunications services for voice, data, and video;
- (b) Mainframe computing services;
- (c) Support for departmental and microcomputer evaluation, installation, and use;
- (d) Equipment acquisition assistance, including leasing, brokering, and establishing master contracts;
- (e) Facilities management services for information technology equipment, equipment repair, and maintenance service;
- (f) ~~((Negotiate [Negotiation]))~~ Negotiation with local cable companies and local governments to provide for connection to local cable services to allow for access to these public and educational channels in the state;
- (g) Office automation services;
- (h) System development services; and
- (i) Training.

These services are for discretionary use by customers and customers may elect other alternatives for service if those alternatives are more cost-effective or provide better service. Agencies may be required to use the backbone network portions of the telecommunications services during an initial start-up period not to exceed three years;

(3) Establish rates and fees for services provided by the department to assure that the services component of the department is self-supporting. A billing rate plan shall be developed for a two-year period to coincide with the budgeting process. The rate plan shall be subject to review at least annually by the customer oversight committees. The rate plan shall show the proposed rates by each cost center and will show the components of the rate structure as mutually determined by the department and the customer oversight committees. The same rate structure will apply to all user agencies of each cost center. The rate plan and any adjustments to rates shall be approved by the office of financial management. The services component shall not subsidize the operations of the planning component;

(4) With the advice of the information services board and agencies, develop ~~((and publish state-wide goals and objectives at least biennially))~~ a state strategic information technology plan and performance reports as required under section 1 of this act;

(5) Develop plans for the department's achievement of state-wide goals and objectives set forth in the state strategic information technology plan required under section 1 of this act. These plans shall address such services as telecommunications, central and distributed computing, local area networks, office automation, and end user computing. The department shall seek the advice of customer oversight committees and the board in the development of these plans;

(6) Under direction of the information services board and in collaboration with the department of personnel, the higher education personnel board, and other agencies as may be appropriate, develop training plans and coordinate training programs that are responsive to the needs of agencies;

(7) Identify opportunities for the effective use of information services and coordinate appropriate responses to those opportunities;

(8) Assess agencies' projects, acquisitions, plans, or overall information processing performance as requested by the board, agencies, the director of financial management, or the legislature. Agencies may be required to reimburse the department for agency-requested reviews;

(9) Develop planning, budgeting, and expenditure reporting requirements, in conjunction with the office of financial management, for agencies to follow;

(10) Assist the office of financial management with budgetary and policy review of agency plans for information services;

(11) Provide staff support from the planning component to the board for:

(a) Meeting preparation, notices, and minutes;

(b) Promulgation of policies, standards, and guidelines adopted by the board;

(c) Supervision of studies and reports requested by the board;

(d) Conducting reviews and assessments as directed by the board;

(12) Be the lead agency in coordinating video telecommunications services for all state agencies and develop, pursuant to board policies, standards and common specifications for leased and purchased telecommunications equipment. The department shall not evaluate the merits of school curriculum, higher education course offerings, or other education and training programs proposed for transmission and/or reception using video telecommunications resources. Nothing in this section shall abrogate or abridge the legal responsibilities of licensees of telecommunications facilities as licensed by the federal communication commission on March 27, 1990; and

(13) Perform all other matters and things necessary to carry out the purposes and provisions of this chapter.

Sec. 11. RCW 43.105.057 and 1990 c 208 s 13 are each amended to read as follows:

The department of information services and the information services board, respectively, shall adopt rules as necessary under chapter 34.05 RCW to implement the provisions of (~~RCW 43.105.005, 43.105.017, 43.105.032, 43.105.041, 43.105.052, and section 5 of this act~~) this chapter.

Sec. 12. RCW 43.131.353 and 1987 c 504 s 22 are each amended to read as follows:

The information services board and the department of information services and their powers and duties shall be terminated on June 30, (~~1994~~) 1996, as provided in RCW 43.131.354.

Sec. 13. RCW 43.131.354 and 1987 c 504 s 24 are each amended to read as follows:

~~(Chapter 43.105 RCW shall expire June 30, 1995.~~

~~Section 7, chapter 504, Laws of 1987 and RCW 41.06.094, as now or hereafter amended, are each repealed, effective June 30, 1995.)~~

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1997:

(1) RCW 41.06.094 and 1987 c 504 s 7;

(2) RCW 43.88.-- and 1992 c -- s 7 (section 7 of this act);

(3) RCW 43.105.005 and 1990 c 208 s 1 & 1987 c 504 s 1;

(4) RCW 43.105.017 and 1992 c -- s 6, 1990 c 208 s 2, & 1987 c 504 s 2 (section 6 of this act);

(5) RCW 43.105.020 and 1990 c 208 s 3, 1987 c 504 s 3, 1973 1st ex.s. c 219 s 3, & 1967 ex.s. c 115 s 2;

(6) RCW 43.105.032 and 1992 c-- s 8, 1987 c 504 s 4, 1984 c 287 s 86, 1975-'76 2nd ex.s. c 34 s 128, & 1973 1st ex.s. c 219 s 5 (section 8 of this act);

(7) RCW 43.105.041 and 1990 c 208 s 6, 1987 c 504 s 5, 1983 c 3 s 115, & 1973 1st ex.s. c 219 s 6;

(8) RCW 43.105.047 and 1992 c -- s 9 & 1987 c 504 s 6 (section 9 of this act);

(9) RCW 43.105.052 and 1992 c -- s 10, 1990 c 208 s 7, & 1987 c 504 s 8 (section 10 of this act);

(10) RCW 43.105.055 and 1987 c 504 s 9;

(11) RCW 43.105.057 and 1992 c -- s 11 & 1990 c 208 s 13 (section 11 of this act);

(12) RCW 43.105.060 and 1987 c 504 s 10, 1973 1st ex.s. c 219 s 9, & 1967 ex.s. c 115 s 6;

(13) RCW 43.105.070 and 1969 ex.s. c 212 s 4;

(14) RCW 43.105.080 and 1987 c 504 s 11, 1983 c 3 s 116, & 1974 ex.s. c 129 s 1;

(15) RCW 43.105.900 and 1973 1st ex.s. c 219 s 10;

(16) RCW 43.105.901 and 1987 c 504 s 25;

(17) RCW 43.105.902 and 1987 c 504 s 26;

(18) RCW 43.105.-- and 1992 c -- s 1 (section 1 of this act);

- (19) RCW 43.105.--- and 1992 c -- s 2 (section 2 of this act);  
(20) RCW 43.105.--- and 1992 c -- s 3 (section 3 of this act);  
(21) RCW 43.105.--- and 1992 c -- s 4 (section 4 of this act); and  
(22) RCW 43.105.--- and 1992 c -- s 5 (section 5 of this act).

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 5 of this act are each added to chapter 43.105 RCW.

NEW SECTION. Sec. 16. Captions used in this act do not constitute any part of the law.

NEW SECTION. Sec. 17. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 1 of the title, after "resources;" strike the remainder of the title and insert "amending RCW 43.105.017, 43.105.032, 43.105.047, 43.105.052, 43.105.057, 43.131.353, and 43.131.354; adding a new section to chapter 43.88 RCW; adding new sections to chapter 43.105 RCW; creating a new section; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. H. Sommers moved that the House do concur in the Senate amendments to Substitute House Bill No. 2814. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2814 as amended by the Senate.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2814 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2814 as amended by the Senate, having received the constitutional majority, was declared passed.

SENATE AMENDMENTS TO HOUSE BILL

February 28, 1992

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2831 with the following amendment(s):

On page 12, line 7 after "and" strike "any other" and insert "shall include"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Mr. Heavey moved that the House do concur in the Senate amendments to Substitute House Bill No. 2831. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2831 as amended by the Senate.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2831 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2831 as amended by the Senate, having received the constitutional majority, was declared passed.

SENATE AMENDMENTS TO HOUSE BILL

March 4, 1992

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2833 with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that by encouraging the use of reclaimed water while assuring the health and safety of all Washington citizens and the protection of its environment, the state of Washington will continue to use water in the best interests of present and future generations.

To facilitate the opportunity to use reclaimed water as soon as is practicable, the legislature encourages the cooperative efforts of the public and private sectors and the use of pilot projects to effectuate the goals of this chapter. The legislature further directs the department of health and the department of ecology to coordinate efforts towards developing an efficient and streamlined process for creating and implementing processes for the use of reclaimed water.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Greywater" means sewage having the consistency and strength of residential domestic type wastewater. Greywater includes wastewater from sinks, showers, and laundry fixtures, but does not include toilet or urinal waters.

(2) "Land application" means application of treated effluent for purposes of irrigation or landscape enhancement for residential, business, and governmental purposes.

(3) "Person" means any state, individual, public or private corporation, political subdivision, governmental subdivision, governmental agency, municipality, copartnership, association, firm, trust estate, or any other legal entity whatever.

(4) "Reclaimed water" means effluent derived in any part from sewage from a wastewater treatment system that has been adequately and reliably treated, so that as a result of that treatment, it is suitable for a direct beneficial use or a controlled use that would not otherwise occur.

(5) "Sewage" means water-carried human wastes, including kitchen, bath, and laundry waste from residences, buildings, industrial and commercial establishments, or other places, together with such ground water infiltration, surface waters, or industrial wastewater as may be present.

(6) "User" means any person who uses reclaimed water.

(7) "Wastewater" means water and wastes discharged from homes, businesses, and industry to the sewer system.

NEW SECTION. Sec. 3. (1) The department of ecology shall, in coordination with the department of health, develop interim standards for pilot projects under subsection (3) of this section on or before July 1, 1992, for the use of reclaimed water in land applications.

(2) The department of health shall, in coordination with the department of ecology, develop interim standards for pilot projects under subsection (3) of this section on or before November 15, 1992, for the use of reclaimed water in commercial and industrial activities.

(3) The department of ecology and the department of health shall assist interested parties in the development of pilot projects to aid in achieving the purposes of this chapter.

NEW SECTION. Sec. 4. (1) The department of health shall, in coordination with the department of ecology, adopt a single set of standards, procedures, and guidelines on or before August 1, 1993, for the industrial and commercial use of reclaimed water.

(2) The department of health may issue a reclaimed water permit for industrial and commercial uses of reclaimed water to the generator of reclaimed water who may then distribute the water, subject to provisions in the permit governing the location, rate, water quality, and purposes of use.

(3) The department of health in consultation with the advisory committee established in section 6 of this act, shall develop recommendations for a fee structure for permits issued under subsection (2) of this section. Fees shall be established in amounts to fully recover, and not exceed, expenses incurred by the department of health in processing permit applications and modifications, monitoring and evaluating compliance with permits, and conducting inspections and supporting the reasonable overhead expenses that are directly related to these activities. Permit fees may not be used for research or enforcement activities. The department of health shall not issue permits under this section until a fee structure has been established.

(4) A permit under this section for use of reclaimed water may be issued only to a municipal, quasi-municipal, or other governmental entity or to the holder of a waste discharge permit issued under chapter 90.48 RCW.

(5) The authority and duties created in this section are in addition to any authority and duties already provided in law with regard to sewage and wastewater collection, treatment, and disposal for the protection of health and safety of the state's waters. Nothing in this section limits the powers of the state or any political subdivision to exercise such authority.

NEW SECTION. Sec. 5. (1) The department of ecology shall, in coordination with the department of health, adopt a single set of standards, procedures, and guidelines, on or before August 1, 1993, for land applications of reclaimed water.

(2) A permit is required for any land application of reclaimed water. The department of ecology may issue a reclaimed water permit under chapter 90.48 RCW to the generator of reclaimed water who may then distribute the water, subject to provisions in the permit governing the location, rate, water quality, and purpose of use. The department of ecology shall not issue more than one permit for any individual land application of reclaimed water to a single generator.

(3) In cases where the department of ecology determines, in land applications of reclaimed water, that a significant risk to the public health exists, the department shall refer the application to the department of health for review and consultation and the department of health may require fees appropriate for review and consultation from the applicant pursuant to RCW 43.70.250.

(4) A permit under this section for use of reclaimed water may be issued only to a municipal, quasi-municipal, or other governmental entity or to the holder of a waste discharge permit issued under chapter 90.48 RCW.

(5) The authority and duties created in this section are in addition to any authority and duties already provided in law. Nothing in this section limits the powers of the state or any political subdivision to exercise such authority.

NEW SECTION. Sec. 6. (1) The department of health shall, before May 1, 1992, form an advisory committee, in coordination with the department of ecology and the department of agriculture, which will provide technical assistance in the development of standards, procedures, and guidelines required by this chapter. Such committee shall be composed of individuals from the public wastewater utilities, landscaping enhancement industry, commercial and industrial application community, and any other persons deemed technically helpful by the department of health.

(2) The department of health shall report to the joint select committee on water resource policy by December 1, 1992, on the fee structure which has been recommended under section 4(3) of this act and review fees authorized under section 5(3) of this act.

NEW SECTION. Sec. 7. The secretary of health has all of the enforcement powers granted to the secretary of health under chapter 43.70 RCW to enforce this chapter.

NEW SECTION. Sec. 8. Any person lawfully using reclaimed water before the effective date of this act may continue to do so and is not required to comply with the standards, procedures, and guidelines under chapter 90.-- RCW (sections 1 through 8 of this act) before July 1, 1995.

NEW SECTION. Sec. 9. Sections 1 through 8 of this act shall constitute a new chapter in Title 90 RCW.

NEW SECTION. Sec. 10. The department of health shall report to the legislature on progress, compliance, and overall participation in the use of reclaimed water in the state of Washington and, to the extent possible, on the resulting savings of water. The report shall also review and evaluate all uses of reclaimed water as of the effective date of this act, with recommendations as to the application of standards, procedures, and guidelines by the department of health to such existing uses, including guidelines and government agency approvals necessary to assure an adequate supply of safe, high quality food products for both domestic and export markets. The report shall further consider potential uses of greywater, including potential health impacts, and provide recommendations for such uses. The department of health shall prepare the report in coordination with the department of ecology, state building code council, and state board of health. The report under this subsection is due August 1, 1994.

NEW SECTION. Sec. 11. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 1 of the title, after "reclamation;" strike the remainder of the title and insert "adding a new chapter to Title 90 RCW; creating a new section; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Belcher moved that the House do concur in the Senate amendments to Substitute House Bill No. 2833. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2833 as amended by the Senate.

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

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2833 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2833 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed HOUSE BILL NO. 2844 with the following amendment(s):  
On page 2, line 5, after "storage" strike "charges" and insert "deficiency claims"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Ms. R. Fisher moved that the House do concur in the Senate amendments to House Bill No. 2844. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Bill No. 2844 as amended by the Senate.



## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2844 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprénkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Heavey - 01.

Excused: Representatives Sommers, D., Vance - 02.

House Bill No. 2844 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2865 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 76.48.020 and 1979 ex.s. c 94 s 1 are each amended to read as follows:

Unless otherwise required by the context, as used in this chapter:

(1) "Christmas trees" shall mean any evergreen trees or the top thereof, commonly known as Christmas trees, with limbs and branches, with or without roots, including fir, pine, spruce, cedar, and other coniferous species.

(2) "Native ornamental trees and shrubs" shall mean any trees or shrubs which are not nursery grown and which have been removed from the ground with the roots intact.

(3) "Cut or picked evergreen foliage," commonly known as brush, shall mean evergreen boughs, huckleberry, salal, fern, Oregon grape, rhododendron, and other cut or picked evergreen products.

(4) "Cedar products" shall mean cedar shakeboards, shake and shingle bolts, and rounds one to three feet in length.

(5) "Cedar salvage" shall mean cedar chunks, slabs, stumps, and logs having a volume greater than one cubic foot and being harvested or transported from areas not associated with the concurrent logging of timber stands (a) under a forest practices application approved or notification received by the department of natural resources, or (b) under a contract or permit issued by an agency of the United States government.

(6) "Processed cedar products" shall mean cedar shakes, shingles, fence posts, hop poles, pickets, stakes, or rails; or rounds less than one foot in length.

(7) "Cedar processor" shall mean any person who purchases and/or takes or retains possession of cedar products or cedar salvage, for later sale in the same or modified form, following their removal and delivery from the land where harvested.

(8) "Cascara bark" shall mean the bark of a Cascara tree.

(9) "Wild edible mushrooms" means edible mushrooms not cultivated or propagated by artificial means.

(10) "Specialized forest products" shall mean Christmas trees, native ornamental trees and shrubs, cut or picked evergreen foliage, cedar products, cedar salvage, processed cedar products, wild edible mushrooms, and Cascara bark.

((40)) (11) "Person" shall include the plural and all corporations foreign or domestic, copartnerships, firms, and associations of persons.

((11)) (12) "Harvest" shall mean to separate, by cutting, prying, picking, peeling, breaking, pulling, splitting, or otherwise removing, a specialized forest product (a) from its physical connection with or contact with the land or vegetation upon which it was or has been growing, or (b) from the position in which it has been lying upon such land.

((12)) (13) "Transportation" means the physical conveyance of specialized forest products outside or off of a harvest site, including but not limited to conveyance by a motorized vehicle designed for use on improved roadways, or by vessel, barge, raft, or other waterborne conveyance. "Transportation" also means any conveyance of specialized forest products by helicopter.

((13)) (14) "Landowner" means, with regard to any real property, the private owner thereof, the state of Washington or any political subdivision thereof, the federal government, or any person who by deed, contract, or lease has authority to harvest and sell forest products of the property. "Landowner" does not include the purchaser or successful high bidder at any public or private timber sale.

((14)) (15) "Authorization" means a properly completed preprinted form authorizing the transportation or possession of Christmas trees, which form contains the information required by RCW 76.48.080, and a sample of which is filed before the harvesting occurs with the sheriff of the county in which the harvesting is to occur.

((15)) (16) "Harvest site" means each location where one or more persons are engaged in harvesting specialized forest products close enough to each other that communication can be conducted with an investigating law enforcement officer in a normal conversational tone.

((16)) (17) "Specialized forest products permit" shall mean a printed document in a form specified by the department of natural resources, or true copy thereof, signed by a landowner or his duly authorized agent or representative (herein referred to as "permitters"), and validated by the county sheriff, authorizing a designated person (herein referred to as "permittee"), who shall also have signed the permit, to harvest and/or transport a designated specialized forest product from land owned or controlled and specified by the permitter, located in the county where such permit is issued.

((17)) (18) "Sheriff" means, for the purpose of validating specialized forest products permits, the county sheriff, deputy sheriff, or an authorized employee of the sheriff's office.

((18)) (19) "True copy" means a replica of a validated specialized forest products permit as reproduced by a copy machine capable of effectively reproducing the information contained on the permittee's copy of the specialized forest products permit. A copy is made true by the permittee or the permittee and permitter signing in the space provided on the face of the copy. A true copy will be effective until the expiration date of the specialized forest products permit unless the permittee or the permittee and permitter specify an earlier date. A permitter may require the actual signatures of both the permittee and permitter for execution of a true copy by so indicating in the space provided on the original copy of the specialized forest products permit. A permittee, or, if so indicated, the permittee and permitter, may condition the use of the true copy to harvesting only, transportation only, possession only, or any combination thereof.

Sec. 2. RCW 76.48.060 and 1979 ex.s. c 94 s 5 are each amended to read as follows:

A specialized forest products permit validated by the county sheriff shall be obtained by any person prior to harvesting from any lands, including his or her own, more than five Christmas trees, more than five ornamental trees or shrubs, more than five pounds of cut or picked evergreen foliage, any cedar products, cedar salvage, processed cedar products, or more than five pounds of Cascara bark, or more than three United States gallons of a single species of wild edible mushroom and not more than an aggregate total of nine United States gallons of wild edible mushrooms, plus one wild edible mushroom. Specialized forest products permit forms shall be provided by the department of natural resources, and shall be made available through the office of the county sheriff to permittees or permitters in reasonable quantities. A permit form shall be completed in triplicate for each permitter's property on which a permittee harvests specialized forest products. A properly completed permit form shall be mailed or presented for validation to the sheriff of the county in which the specialized forest products are to be harvested. Before a permit form is validated by the sheriff, sufficient personal identification may be required to reasonably identify the person mailing or presenting the permit form and the sheriff may conduct such other investigations as deemed necessary to determine the validity of the information alleged on the form. When the sheriff is reasonably satisfied as to the truth of such information, the form shall be validated with the sheriff's validation stamp provided by the department of natural resources. Upon validation, the form shall become the specialized forest products permit authorizing the harvesting, possession and/or transportation of specialized forest products, subject to any other conditions or limitations which the permitter may specify. Two copies of the permit shall be given or mailed to the permitter, or one copy shall be given or mailed to the permitter and the other copy given or mailed to the permittee. The original permit shall be retained in the office of the county sheriff validating the permit. In the event a single land ownership is situated in two or more counties, a specialized forest product permit shall be completed as to the land situated in each county. While engaged in harvesting of specialized forest products, permittees, or their agents or employees, must have readily available at each harvest site a valid permit or true copy of the permit.

Sec. 3. RCW 76.48.070 and 1979 ex.s. c 94 s 6 are each amended to read as follows:

(1) Except as provided in RCW 76.48.100 and 76.48.075, it shall be unlawful for any person (a) to possess, and/or (b) to transport within the state of Washington, subject to any other conditions or limitations specified in the specialized forest products permit by the permittor, more than five Christmas trees, more than five native ornamental trees or shrubs, more than five pounds of cut or picked evergreen foliage, any processed cedar products, or more than five pounds of Cascara bark, or more than three gallons of a single species of wild edible mushrooms and not more than an aggregate total of nine gallons of wild edible mushrooms, plus one wild edible mushroom without having in his or her possession a written authorization, sales invoice, bill of lading, or specialized forest products permit or a true copy thereof evidencing his or her title to or authority to have possession of specialized forest products being so possessed or transported.

(2) It shall be unlawful for any person (a) to possess and/or (b) to transport within the state of Washington any cedar products or cedar salvage without having in his or her possession a specialized forest products permit or a true copy thereof evidencing his or her title to or authority to have possession of the materials being so possessed or transported.

On page 1, line 1 of the title, after "mushrooms," strike the remainder of the title and insert "and amending RCW 76.48.020, 76.48.060, and 76.48.070." and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Belcher moved that the House do concur in the Senate amendments to Substitute House Bill No. 2865. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2865 as amended by the Senate.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2865 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprengle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Substitute House Bill No. 2865 as amended by the Senate, having received the constitutional majority, was declared passed.

JOURNAL OF THE HOUSE  
SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928 with the following amendment(s):

On page 19, line 24, after "viii" insert "preserve visual quality along highway, road, and street corridors or scenic vistas, (ix)"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Mr. Wang moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2928. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2928 as amended by the Senate.

Mr. Wang 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. 2928 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Tate, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Sommers, D., Vance - 02.

Engrossed Substitute House Bill No. 2928 as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

MOTION

On motion of Mr. Dorn, the House adjourned until 2:00 p.m., Sunday, March 8, 1992.

FIFTY-FIFTH DAY, MARCH 7, 1992

1941

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

## FIFTY-SIXTH DAY

## AFTERNOON SESSION

House Chamber, Olympia, Sunday, March 8, 1992

The House was called to order at 2:00 p. m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Betrozoff, Ferguson, R. Meyers, D. Sommers, Vance, Van Luven and Zellinsky. On motion of Mr. Mielke, Representatives Betrozoff, Ferguson, D. Sommers, Vance and Van Luven were excused. On motion of Ms. G. Cole, Representatives R. Meyers and Zellinsky were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Mark Longbrake and Kelvin McDaniel. Prayer was offered by Representative Clyde Ballard.

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

## MESSAGE FROM THE SENATE

March 3, 1992

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 6078,  
SENATE BILL NO. 6133,  
SENATE BILL NO. 6134,  
SUBSTITUTE SENATE BILL NO. 6135,  
SUBSTITUTE SENATE BILL NO. 6138,  
SENATE BILL NO. 6140,  
SUBSTITUTE SENATE BILL NO. 6141,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6174,  
SUBSTITUTE SENATE BILL NO. 6186,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MESSAGE FROM THE SENATE

March 4, 1992

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5105,  
SUBSTITUTE SENATE BILL NO. 5425,  
SUBSTITUTE SENATE BILL NO. 5465,  
SENATE BILL NO. 6010,  
ENGROSSED SENATE BILL NO. 6027,  
ENGROSSED SENATE BILL NO. 6028,  
SENATE BILL NO. 6074,  
SUBSTITUTE SENATE BILL NO. 6076,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 4, 1992

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 6276,  
SENATE BILL NO. 6357,  
SENATE CONCURRENT RESOLUTION NO. 8422,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 5, 1992

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 6032,  
ENGROSSED SENATE BILL NO. 6103,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6132,  
SUBSTITUTE SENATE BILL NO. 6146,  
ENGROSSED SENATE BILL NO. 6184,  
SUBSTITUTE SENATE BILL NO. 6193,  
SENATE BILL NO. 6199,  
SENATE BILL NO. 6212,  
ENGROSSED SENATE BILL NO. 6213,

SENATE BILL NO. 6226,  
SUBSTITUTE SENATE BILL NO. 6241,  
SENATE BILL NO. 6270,  
SENATE BILL NO. 6295,  
SUBSTITUTE SENATE BILL NO. 6306,  
SUBSTITUTE SENATE BILL NO. 6327,  
SENATE BILL NO. 6329,  
SUBSTITUTE SENATE BILL NO. 6330,  
SENATE BILL NO. 6339,  
SENATE BILL NO. 6351,  
SENATE BILL NO. 6457,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 6, 1992

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 6070,  
SUBSTITUTE SENATE BILL NO. 6386,  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6347,  
ENGROSSED SENATE BILL NO. 6427,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FORM THE SENATE

March 7, 1992

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 6328,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

The Speaker resumed the chair.



## SIGNED BY THE SPEAKER

The Speaker announced he signed the following bills:

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1932,  
SUBSTITUTE HOUSE BILL NO. 2394,  
HOUSE BILL NO. 2633,  
SUBSTITUTE HOUSE BILL NO. 2672,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2990,  
SENATE BILL NO. 5105,  
SUBSTITUTE SENATE BILL NO. 5425,  
SUBSTITUTE SENATE BILL NO. 5465,  
SENATE BILL NO. 6010,  
ENGROSSED SENATE BILL NO. 6027,  
ENGROSSED SENATE BILL NO. 6028,  
SENATE BILL NO. 6032,  
SENATE BILL NO. 6070,  
SENATE BILL NO. 6074,  
SUBSTITUTE SENATE BILL NO. 6076,  
SENATE BILL NO. 6078,  
ENGROSSED SENATE BILL NO. 6103,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6132,  
SENATE BILL NO. 6133,  
SENATE BILL NO. 6134,  
SUBSTITUTE SENATE BILL NO. 6135,  
SUBSTITUTE SENATE BILL NO. 6138,  
SENATE BILL NO. 6140,  
SUBSTITUTE SENATE BILL NO. 6141,  
SUBSTITUTE SENATE BILL NO. 6146,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6174,  
ENGROSSED SENATE BILL NO. 6184,  
SUBSTITUTE SENATE BILL NO. 6186,  
SUBSTITUTE SENATE BILL NO. 6193,  
SENATE BILL NO. 6199,  
SENATE BILL NO. 6212,  
ENGROSSED SENATE BILL NO. 6213,  
SENATE BILL NO. 6226,  
SUBSTITUTE SENATE BILL NO. 6241,  
SENATE BILL NO. 6270,  
SENATE BILL NO. 6276,  
SENATE BILL NO. 6295,  
SUBSTITUTE SENATE BILL NO. 6300,  
SUBSTITUTE SENATE BILL NO. 6306,  
SUBSTITUTE SENATE BILL NO. 6327,  
SUBSTITUTE SENATE BILL NO. 6328,  
SENATE BILL NO. 6329,  
SUBSTITUTE SENATE BILL NO. 6330,  
SENATE BILL NO. 6339,  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6347,

SENATE BILL NO. 6351,  
 SENATE BILL NO. 6357,  
 SUBSTITUTE SENATE BILL NO. 6386,  
 ENGROSSED SENATE BILL NO. 6427,  
 SENATE BILL NO. 6457,  
 SENATE CONCURRENT RESOLUTION NO. 8422,

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1481 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 70.122.010 and 1979 c 112 s 2 are each amended to read as follows:

The legislature finds that adult persons have the fundamental right to control the decisions relating to the rendering of their own ~~((medical))~~ health care, including the decision to have life-sustaining ~~((procedures))~~ treatment withheld or withdrawn in instances of a terminal condition or permanent unconscious condition.

The legislature further finds that modern medical technology has made possible the artificial prolongation of human life beyond natural limits.

The legislature further finds that, in the interest of protecting individual autonomy, such prolongation of ~~((life))~~ the process of dying for persons with a terminal condition or permanent unconscious condition may cause loss of patient dignity, and unnecessary pain and suffering, while providing nothing medically necessary or beneficial to the patient. The legislature further believes that physicians and nurses should not withhold or unreasonably diminish pain medication for patients in a terminal condition where the primary intent of providing such medication is to alleviate pain and maintain or increase the patient's comfort.

The legislature further finds that there exists considerable uncertainty in the medical and legal professions as to the legality of terminating the use or application of life-sustaining ~~((procedures))~~ treatment where the patient having the capacity to make health care decisions has voluntarily ~~((and in sound mind))~~ evidenced a desire that such ~~((procedures))~~ treatment be withheld or withdrawn.

In recognition of the dignity and privacy which patients have a right to expect, the legislature hereby declares that the laws of the state of Washington shall recognize the right of an adult person to make a written directive instructing such person's physician to withhold or withdraw life-sustaining ~~((procedures))~~ treatment in the event of a terminal condition or permanent unconscious condition. The legislature also recognizes that a person's right to control his or her health care may be exercised by an authorized representative who validly holds the person's durable power of attorney for health care.

Sec. 2. RCW 70.122.020 and 1979 c 112 s 3 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions contained in this section shall apply throughout this chapter.

(1) "Adult person" means a person who has attained the age of majority as defined in RCW 26.28.010 and 26.28.015, and who has the capacity to make health care decisions.

(2) "Attending physician" means the physician selected by, or assigned to, the patient who has primary responsibility for the treatment and care of the patient.

~~((2))~~ (3) "Directive" means a written document voluntarily executed by the declarer ~~((in accordance with the requirements))~~ generally consistent with the guidelines of RCW 70.122.030.

~~((3))~~ (4) "Health facility" means a hospital as defined in RCW ~~((70.38.020(7)))~~ 70.41.020(2) or a nursing home as defined in RCW ~~((70.38.020(8)))~~ 18.51.010, a home health agency or hospice agency as defined in RCW 70.126.010, or a boarding home as defined in RCW 18.20.020.

~~((4))~~ (5) "Life-sustaining ~~((procedure))~~ treatment" means any medical or surgical ~~((procedure or intervention which utilizes))~~ intervention that uses mechanical or other artificial means, including artificially provided nutrition and

hydration, to sustain, restore, or ~~((supplant))~~ replace a vital function, which, when applied to a qualified patient, would serve only to ~~((artificially))~~ prolong the ~~((moment of death and where, in the judgment of the attending physician, death is imminent whether or not such procedures are utilized))~~ process of dying. "Life-sustaining ~~((procedure))~~ treatment" shall not include the administration of medication or the performance of any medical ~~((procedure))~~ or surgical intervention deemed necessary solely to alleviate pain.

(6) "Permanent unconscious condition" means an incurable and irreversible condition in which the patient is medically assessed within reasonable medical judgment as having no reasonable probability of recovery from an irreversible coma or a persistent vegetative state.

~~((5))~~ (7) "Physician" means a person licensed under chapters 18.71 or 18.57 RCW.

~~((6))~~ (8) "Qualified patient" means an adult person who is a patient diagnosed ~~((and certified))~~ in writing to ~~((be afflicted with))~~ have a terminal condition by ~~((two physicians one of whom shall be))~~ the patient's attending physician, who ~~((have))~~ has personally examined the patient, or a patient who is diagnosed in writing to be in a permanent unconscious condition in accordance with accepted medical standards by two physicians, one of whom is the patient's attending physician, and both of whom have personally examined the patient.

~~((7))~~ (9) "Terminal condition" means an incurable and irreversible condition caused by injury, disease, or illness, ~~((which, regardless of the application of life sustaining procedures, would))~~ that, within reasonable medical judgment, ~~((produce))~~ will cause death within a reasonable period of time in accordance with accepted medical standards, and where the application of life-sustaining ~~((procedures))~~ treatment serves only to ~~((postpone the moment of death of the patient))~~ prolong the process of dying.

~~((8))~~ "Adult person" means a person attaining the age of majority as defined in RCW 26.28.010 and 26.28.015.)

Sec. 3. RCW 70.122.030 and 1979 c 112 s 4 are each amended to read as follows:

(1) Any adult person may execute a directive directing the withholding or withdrawal of life-sustaining ~~((procedures))~~ treatment in a terminal condition or permanent unconscious condition. The directive shall be signed by the declarer in the presence of two witnesses not related to the declarer by blood or marriage and who would not be entitled to any portion of the estate of the declarer upon declarer's decease under any will of the declarer or codicil thereto then existing or, at the time of the directive, by operation of law then existing. In addition, a witness to a directive shall not be the attending physician, an employee of the attending physician or a health facility in which the declarer is a patient, or any person who has a claim against any portion of the estate of the declarer upon declarer's decease at the time of the execution of the directive. The directive, or a copy thereof, shall be made part of the patient's medical records retained by the attending physician, a copy of which shall be forwarded by the custodian of the records to the health facility ~~((upon the withdrawal of life sustaining procedures))~~ when the withholding or withdrawal of life-support treatment is contemplated. The directive ~~((shall))~~ may be ~~((essentially))~~ in the following form, but in addition may include other specific directions:

~~((DIRECTIVE TO PHYSICIANS))~~

Health Care Directive

Directive made this \_\_\_\_ day of \_\_\_\_\_ (month, year).

I \_\_\_\_\_, ~~((being of sound mind))~~ having the capacity to make health care decisions, willfully, and voluntarily make known my desire that my ~~((life))~~ dying shall not be artificially prolonged under the circumstances set forth below, and do hereby declare that:

(a) If at any time I should ~~((have an incurable injury, disease, or illness certified))~~ be diagnosed in writing to be in a terminal condition by ~~((two physicians))~~ the attending physician, or in a permanent unconscious condition by two physicians, and where the application of life-sustaining ~~((procedures))~~ treatment would serve only to artificially prolong the ~~((moment of my death and where my physician determines that my death is imminent whether or not life-sustaining procedures are utilized))~~ process of my dying, I direct that such ~~((procedures))~~ treatment be withheld or withdrawn, and that I be permitted to die naturally. I understand by using this form that a terminal condition means an incurable and irreversible condition caused by injury, disease, or illness, that would within reasonable medical judgment cause death within a reasonable period of time in accordance with accepted medical standards, and where the application of life-sustaining treatment would serve only to prolong the process of dying. I further understand in using this form that a permanent unconscious condition means an incurable and irreversible condition in which I am medically assessed within reasonable medical judgment as having no reasonable probability of recovery from an irreversible coma or a persistent vegetative state.

(b) In the absence of my ability to give directions regarding the use of such life-sustaining ~~((procedures))~~ treatment, it is my intention that this directive shall be honored by my family and physician(s) as the final expression of my legal right to refuse medical or surgical treatment and I accept the consequences ~~((from))~~ of such refusal. If another person is appointed to make these decisions for me, whether through a durable power of attorney or otherwise, I request that the person be guided by this directive and any other clear expressions of my desires.

- (c) If I am diagnosed to be in a terminal condition or in a permanent unconscious condition (check one):  
I DO want to have artificially provided nutrition and hydration.  
I DO NOT want to have artificially provided nutrition and hydration.
- (d) If I have been diagnosed as pregnant and that diagnosis is known to my physician, this directive shall have no force or effect during the course of my pregnancy.
- ~~((d))~~ (e) I understand the full import of this directive and I am emotionally and mentally ~~((competent))~~ capable to make the health care decisions contained in this directive.
- (f) I understand that before I sign this directive, I can add to or delete from or otherwise change the wording of this directive and that I may add to or delete from this directive at any time and that any changes shall be consistent with Washington state law or federal constitutional law to be legally valid.
- (g) It is my wish that every part of this directive be fully implemented. If for any reason any part is held invalid it is my wish that the remainder of my directive be implemented.

Signed.....

City, County, and State of Residence

The declarer has been personally known to me and I believe him or her to be ~~((of sound mind))~~ capable of making health care decisions.

Witness.....

Witness.....

(2) Prior to ~~((effectuating a directive))~~ withholding or withdrawing life-sustaining treatment, the diagnosis of a terminal condition by ~~((two physicians))~~ the attending physician or the diagnosis of a permanent unconscious state by two physicians shall be ~~((verified))~~ entered in writing~~((, attached to the directive,))~~ and made a permanent part of the patient's medical records.

(3) A directive executed in another political jurisdiction is valid to the extent permitted by Washington state law and federal constitutional law.

NEW SECTION. Sec. 4. If a qualified patient capable of making health care decisions indicates that he or she wishes to die at home, the patient shall be discharged as soon as reasonably possible. The health care provider or facility has an obligation to explain the medical risks of an immediate discharge to the qualified patient. If the provider or facility complies with the obligation to explain the medical risks of an immediate discharge to a qualified patient, there shall be no civil or criminal liability for claims arising from such discharge.

NEW SECTION. Sec. 5. Any physician, health care provider acting under the direction of a physician, or health facility and its personnel who participate in good faith in the withholding or withdrawal of life-sustaining treatment from a qualified patient in accordance with the requirements of this chapter, shall be immune from legal liability, including civil, criminal, or professional conduct sanctions, unless otherwise negligent.

Sec. 6. RCW 70.122.060 and 1979 c 112 s 7 are each amended to read as follows:

(1) Prior to ~~((effectuating a))~~ the withholding or withdrawal of life-sustaining ~~((procedures))~~ treatment from a qualified patient pursuant to the directive, the attending physician shall make a reasonable effort to determine that the directive complies with RCW 70.122.030 and, if the patient is ~~((mentally competent))~~ capable of making health care decisions, that the directive and all steps proposed by the attending physician to be undertaken are currently in accord with the desires of the qualified patient.

(2) The attending physician or health facility shall inform a patient or patient's authorized representative of the existence of any policy or practice that would preclude the honoring of the patient's directive at the time the physician or facility becomes aware of the existence of such a directive. If the patient, after being informed of such policy or directive, chooses to retain the physician or facility, the physician or facility with the patient or the patient's representative shall prepare a written plan to be filed with the patient's directive that sets forth the physician's or facilities' intended actions should the patient's medical status change so that the directive would become operative. The physician or facility under this subsection has no obligation to honor the patient's directive if they have complied with the requirements of this subsection, including compliance with the written plan required under this subsection.

(3) The directive shall be conclusively presumed, unless revoked, to be the directions of the patient regarding the withholding or withdrawal of life-sustaining ~~((procedures))~~ treatment. No physician, ~~((and no licensed))~~ health facility, or health personnel acting in good faith ~~((under the direction of a physician,))~~ with the directive or in accordance with the written plan in subsection (2) of this section shall be criminally or civilly liable for failing to effectuate the directive of the qualified patient pursuant to this subsection. ~~((If the physician refuses to effectuate the directive, such physician shall make a good faith effort to transfer the qualified patient to another physician who will effectuate the directive of the qualified patient.))~~

(4) No nurse, physician, or other health care practitioner may be required by law or contract in any circumstances to participate in the withholding or withdrawal of life-sustaining treatment if such person objects to so

doing. No person may be discriminated against in employment or professional privileges because of the person's participation or refusal to participate in the withholding or withdrawal of life-sustaining treatment.

Sec. 7. RCW 70.122.070 and 1979 c 112 s 8 are each amended to read as follows:

(1) The withholding or withdrawal of life-sustaining (~~((procedures))~~) treatment from a qualified patient pursuant to the patient's directive in accordance with the provisions of this chapter shall not, for any purpose, constitute a suicide or a homicide.

(2) The making of a directive pursuant to RCW 70.122.030 shall not restrict, inhibit, or impair in any manner the sale, procurement, or issuance of any policy of life insurance, nor shall it be deemed to modify the terms of an existing policy of life insurance. No policy of life insurance shall be legally impaired or invalidated in any manner by the withholding or withdrawal of life-sustaining (~~((procedures))~~) treatment from an insured qualified patient, notwithstanding any term of the policy to the contrary.

(3) No physician, health facility, or other health provider, and no health care service plan, insurer issuing disability insurance, self-insured employee welfare benefit plan, or nonprofit hospital service plan, shall require any person to execute a directive as a condition for being insured for, or receiving, health care services.

Sec. 8. RCW 70.122.080 and 1979 c 112 s 10 are each amended to read as follows:

The act of withholding or withdrawing life-sustaining (~~((procedures))~~) treatment, when done pursuant to a directive described in RCW 70.122.030 and which (~~((causes))~~) results in the death of the declarer, shall not be construed to be an intervening force or to affect the chain of proximate cause between the conduct of (~~((any person))~~) anyone that placed the declarer in a terminal condition or a permanent unconscious condition and the death of the declarer.

Sec. 9. RCW 70.122.090 and 1979 c 112 s 9 are each amended to read as follows:

Any person who willfully conceals, cancels, defaces, obliterates, or damages the directive of another without such declarer's consent shall be guilty of a gross misdemeanor. Any person who falsifies or forges the directive of another, or willfully conceals or withholds personal knowledge of a revocation as provided in RCW 70.122.040 with the intent to cause a withholding or withdrawal of life-sustaining (~~((procedures))~~) treatment contrary to the wishes of the declarer, and thereby, because of any such act, directly causes life-sustaining (~~((procedures))~~) treatment to be withheld or withdrawn and death to thereby be hastened, shall be subject to prosecution for murder in the first degree as defined in RCW 9A.32.030.

Sec. 10. RCW 70.122.100 and 1979 c 112 s 11 are each amended to read as follows:

Nothing in this chapter shall be construed to condone, authorize, or approve mercy killing or physician-assisted suicide, or to permit any affirmative or deliberate act or omission to end life other than to permit the natural process of dying.

NEW SECTION. Sec. 11. This chapter shall not be construed as providing the exclusive means by which individuals may make decisions regarding their health treatment, including but not limited to, the withholding or withdrawal of life-sustaining treatment, nor limiting the means provided by case law more expansive than this act.

NEW SECTION. Sec. 12. Any person or health facility may assume that a directive complies with this chapter and is valid.

NEW SECTION. Sec. 13. A directive executed anytime before the effective date of this act which generally complies with this act is effective under this act.

NEW SECTION. Sec. 14. A new section is added to chapter 43.70 RCW to read as follows:

The department of health shall adopt guidelines and protocols for how emergency medical personnel shall respond when summoned to the site of an injury or illness for the treatment of a person who has signed a written directive or durable power of attorney requesting that he or she not receive futile emergency medical treatment.

NEW SECTION. Sec. 15. RCW 70.122.050 and 1979 c 112 s 6 are each repealed.

NEW SECTION. Sec. 16. Sections 4, 5, and 11 through 13 of this act are each added to chapter 70.122 RCW.

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.

On page 1, line 1 of the title, after "act;" strike the remainder of the title and insert "amending RCW 70.122.010, 70.122.020, 70.122.030, 70.122.060, 70.122.070, 70.122.080, 70.122.090, and 70.122.100; adding a new section to chapter 43.70 RCW; adding new sections to chapter 70.122 RCW; and repealing RCW 70.122.050."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to Substitute House Bill No. 1481. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. Appelwick) stated the question before the House to be final passage of Substitute House Bill No. 1481 as amended by the Senate.

Mr. May spoke in favor of passage of the bill as amended by the Senate. Mr. Padden spoke against. Representatives Edmondson, Prentice, Braddock and Hine spoke in favor. Representatives Casada and Morton spoke against. Mr. Anderson spoke in favor. Mr. Padden again spoke against.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1481, as amended by the Senate and the bill passed the House by the following vote: Yeas - 74, Nays - 16, Absent - 1, Excused - 7.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Haugen, Hine, Horn, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, May, McLean, Miller, Mitchell, Morris, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, H., Spanel, Valle, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, and Mr. Speaker - 74.

Voting nay: Representatives Ballard, Carlson, Casada, Chandler, Fuhrman, Hargrove, Heavey, Hochstatter, Johnson P., Lisk, Mielke, Morton, Padden, Paris, Silver, Tate - 16.

Absent: Representative Sprenkle - 01.

Excused: Representatives Betzoff, Ferguson, Meyers, R., Sommers, D., Vance, Van Luven, Zellinsky - 07.

Substitute House Bill No. 1481 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2293 with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 18.04.015 and 1983 c 234 s 2 are each amended to read as follows:

(1) It is the policy of this state and the purpose of this chapter:

((4)) (a) To promote the dependability of information which is used for guidance in financial transactions or for accounting for or assessing the status or performance of commercial and noncommercial enterprises, whether public, private or governmental; and

((2)) (b) To protect the public interest by requiring that:

~~((a))~~ (i) Persons ~~(engaged in the practice of public accounting be qualified)~~ who hold themselves out to the public as certified public accountants who offer to perform, or perform for clients, professional services, including but not limited to one or more kinds of services involving the use of accounting or auditing skills, including the issuance of "audit reports," "review reports," or "compilation reports" on financial statements, or one or more kinds of management advisory, or consulting services, the preparation of tax returns, or the furnishing of advice on tax matters, perform such services in a competent and professional manner;

~~((b))~~ (ii) A public authority ~~be established that is~~ competent to prescribe and assess the qualifications of certified public accountants ~~(be established)~~, including certificate holders who are not licensed for the practice of public accounting;

~~((c))~~ (iii) Persons other than certified public accountants refrain from using the words "audit," "review," and "compilation" when designating a report customarily prepared by someone knowledgeable in accounting; and

~~((d))~~ (iv) The use of accounting titles likely to confuse the public be prohibited.

(2) A purpose of chapter ..., Laws of 1992 (this act), revising provisions of chapter 234, Laws of 1983, is to clarify the authority of the board of accountancy with respect to the activities of persons holding certificates under this chapter. Furthermore, it is not the intent of chapter ..., Laws of 1992 (this act) to in any way restrict or limit the activities of persons not holding certificates under this chapter except as otherwise specifically restricted or limited by chapter 234, Laws of 1983.

Sec. 2. RCW 18.04.025 and 1986 c 295 s 1 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 board of accountancy created by RCW 18.04.035.

(2) "Certified public accountant" or "CPA" means a person holding a certified public accountant certificate ~~(issued under this chapter or the accountancy act of any state)~~.

(3) "State" includes the states of the United States, the District of Columbia, Puerto Rico, Guam, and the United States Virgin Islands.

(4) ~~((Opinions))~~ Reports on financial statements ~~((are))~~ means any reports or opinions prepared by certified public accountants, based on ~~((examinations))~~ services performed in accordance with generally accepted auditing standards, standards for attestation engagements, or standards for accounting and review services as to whether the presentation of information used for guidance in financial transactions or for accounting for or assessing the status or performance of commercial and noncommercial enterprises, whether public, private, or governmental, conforms with generally accepted accounting principles or other comprehensive bases of accounting.

(5) The "practice of public accounting" means performing ~~((services as one skilled in the knowledge and practice of public accounting and preparing reports designated as "audit reports," "review reports," and "compilation reports."))~~ or offering to perform by a person or firm holding itself out to the public as a licensee, for a client or potential client, one or more kinds of services involving the use of accounting or auditing skills, including the issuance of "audit reports," "review reports," or "compilation reports" on financial statements, or one or more kinds of management advisory, or consulting services, or the preparation of tax returns, or the furnishing of advice on tax matters. The "practice of public accounting" shall not include practices that are permitted under the provisions of RCW 18.04.350(6) by persons or firms not required to be licensed under this chapter.

(6) "Firm" means a sole proprietorship, a corporation, or a partnership.

(7) "CPE" means continuing professional education.

(8) "Certificate" means a certificate as a certified public accountant issued under this chapter, or a corresponding certificate issued by another state or foreign jurisdiction that is recognized in accordance with the reciprocity provisions of RCW 18.04.180 and section 18 of this act.

(9) "Licensee" means the holder of ~~((a certificate who also holds))~~ a valid license issued under this chapter.

(10) "License" means a biennial license to practice public accountancy issued to an individual or firm under this chapter.

(11) "Quality assurance review" means a process established by and conducted at the direction of the board of study, appraisal, or review of one or more aspects of the professional work of a person or firm in the practice of public accountancy, by a person or persons who hold certificates and who are not affiliated with the person or firm being reviewed.

(12) "Quality review" means a study, appraisal, or review of one or more aspects of the professional work of a person or firm in the practice of public accountancy, by a person or persons who hold certificates and who are not affiliated with the person or firm being reviewed, including a peer review, or any internal review or inspection intended to comply with quality control policies and procedures, but not including the "quality assurance review" under subsection (11) of this section.

(13) "Review committee" means any person carrying out, administering or overseeing a quality review authorized by the reviewee.

(14) "Rule" means any rule adopted by the board under authority of this chapter.

(15) "Holding out" means any representation to the public by the use of restricted titles as set forth in RCW 18.04.345 by a person or firm that the person or firm is a certified public accountant and that the person or firm offers to perform any professional services to the public as a certified public accountant. "Holding out" shall not affect or limit a person not required to hold a certificate under this chapter or a person or firm not required to hold a license under this chapter from engaging in practices identified in RCW 18.04.350(6).

Sec. 3. RCW 18.04.035 and 1986 c 295 s 2 are each amended to read as follows:

(1) There is created a board of accountancy for the state of Washington to be known as the Washington state board of accountancy. The board shall consist of ~~((five))~~ seven members appointed by the governor. Members of the board shall include four persons who hold valid certified public accountant certificates and have been in public practice as certified public accountants in this state continuously for the previous ten years and two persons who have held a valid certified public accountant's certificate in this state for at least ten years. The ~~((fifth))~~ seventh member shall be the public member and shall be a person who is qualified to judge whether the qualifications, activities, and professional practice of those regulated under this chapter conform with standards to protect the public interest.

(2) The members of the board of accountancy shall be appointed by the governor to a term of three years. Vacancies occurring during a term shall be filled by appointment for the unexpired term. Upon the expiration of a member's term of office, the member shall continue to serve until a successor has been appointed and has assumed office. The governor shall remove from the board any member whose certificate or license to practice has been revoked or suspended and may, after hearing, remove any member of the board for neglect of duty or other just cause. No person who has served two successive complete terms is eligible for reappointment. Appointment to fill an unexpired term is not considered a complete term. In order to stagger their terms, of the two new appointments made to the board upon the effective date of this act, the first appointed member shall serve a term of two years initially.

Sec. 4. RCW 18.04.045 and 1986 c 295 s 3 are each amended to read as follows:

(1) The board shall annually elect a ~~((chairman))~~ chair, a ~~((vice chairman))~~ vice-chair, and a secretary from its members.

~~((2))~~ (2) (The board may adopt and amend rules under chapter 34.05 RCW for the orderly conduct of its affairs and for the administration of this chapter.

~~((3))~~ A majority of the board constitutes a quorum for the transaction of business.

~~((4))~~ (3) The board shall have a seal which shall be judicially noticed.

~~((5))~~ (4) The board shall keep records of its proceedings, and of any proceeding in court arising from or founded upon this chapter. Copies of these records certified as correct under the seal of the board are admissible in evidence as tending to prove the content of the records.

~~((6))~~ (5) The governor shall appoint an executive director of the board, who shall serve at the pleasure of the governor. The executive director may employ such personnel as is appropriate for carrying out the purposes of this chapter. The executive director shall hold a Washington CPA certificate. The board may ~~((employ personnel and))~~ arrange for such volunteer assistance as it requires to perform its duties. Individuals or committees assisting the board ~~((under this subsection (6)))~~ constitute volunteers for purposes of chapter 4.92 RCW.

~~((7))~~ Each member of the board shall receive compensation as provided under RCW 18.04.080.

~~((8))~~ (6) The board shall file an annual report of its activities with the governor. The report shall include, but not be limited to, a statement of all receipts and disbursements. Upon request, the board shall mail a copy of each annual report to any member of the public.

(7) In making investigations concerning alleged violations of the provisions of this chapter and in all proceedings under RCW 18.04.295 or chapter 34.05 RCW, the board chair, or a member of the board, or a board designee acting in the chair's place, may administer oaths or affirmations to witnesses appearing before the board, subpoena witnesses and compel their attendance, take testimony, and require that documentary evidence be submitted.

(8) The board may review the publicly available professional work of licensees on a general and random basis, without any requirement of a formal complaint or suspicion of impropriety on the part of any particular licensee. If as a result of such review the board discovers reasonable grounds for a more specific investigation, the board may proceed under its investigative and disciplinary rules.

Sec. 5. RCW 18.04.055 and 1986 c 295 s 4 are each amended to read as follows:

The board may adopt and amend rules under chapter 34.05 RCW for the orderly conduct of its affairs. The board shall prescribe rules consistent with this chapter as necessary to implement this chapter. Included may be:

(1) Rules of procedure to govern the conduct of matters before the board;



(2) Rules of professional conduct for all certificate and license holders, in order to establish and maintain high standards of competence and ~~((integrity in the profession))~~ ethics of certified public accountants including rules dealing with independence, integrity, objectivity, and freedom from conflicts of interest;

(3) Rules specifying actions and circumstances deemed to constitute holding oneself out as a licensee in connection with the practice of public accountancy;

(4) Rules specifying the manner and circumstances of the use of the titles "certified public accountant" and "CPA", by holders of certificates who do not also hold licenses under this chapter;

(5) Educational requirements to ~~((set for an))~~ take the certified public accountant examination or for the issuance of the certificate or license of certified public accountant;

~~((4))~~ (6) Rules designed to ensure that certified public accountants' ~~((opinions))~~ reports on financial statements meet the definitional requirements for that term as specified in RCW 18.04.025;

~~((5))~~ (7) Requirements for continuing professional education to maintain or improve the professional competence of certificate and license holders as a condition to maintaining their certificate or license to practice under RCW 18.04.215;

~~((6-Regulations))~~ (8) Rules governing sole proprietors, partnerships, and corporations practicing public accounting including, but not limited to, rules concerning their style, name, title, and affiliation with any other organization, and establishing reasonable practice standards to protect the public interest;

~~((7))~~ (9) The board may by rule implement a quality assurance review program as a means to monitor licensees' quality of practice and compliance with professional standards. The board may exempt from such program, licensees who undergo periodic ~~((peer))~~ quality reviews in programs of the American Institute of Certified Public Accountants, National Association of State Boards of Accountancy, or other programs recognized and approved by the board ~~((by rule.))~~;

~~((8))~~ (10) The board may by rule require firms to obtain professional liability insurance if in the board's discretion such insurance provides additional and necessary protection for the public; and

~~((9))~~ (11) Any other rule which the board finds necessary or appropriate to implement this chapter.

Sec. 6. RCW 18.04.065 and 1983 c 234 s 24 are each amended to read as follows:

The board shall set its fees at a level adequate to pay the costs of administering this chapter. Beginning in the 1993-95 biennium, all fees for certified public accountants' licenses, certificates, renewals of licenses, renewals of certificates, and delinquent filings received under the authority of this chapter shall be deposited in the certified public accountants' account created by RCW 18.04.105. Appropriation from such account shall be made only for the cost of administering the provisions of this chapter.

Sec. 7. RCW 18.04.105 and 1991 sp.s. c 13 s 20 are each amended to read as follows:

(1) The certificate of "certified public accountant" shall be granted by the board to any person:

(a) Who is of good character. Good character, for purposes of this section, means lack of a history of dishonest or felonious acts. The board may refuse to grant a certificate on the ground of failure to satisfy this requirement only if there is a substantial connection between the lack of good character of the applicant and the professional responsibilities of a ~~((licensee))~~ certified public accountant and if the finding by the board of lack of good character is supported by a preponderance of evidence. When an applicant is found to be unqualified for a certificate because of a lack of good character, the board shall furnish the applicant a statement containing the findings of the board and a notice of the applicant's right of appeal;

(b) Who has met ~~((such))~~ the educational standards established by rule as the board determines to be appropriate; ~~((and))~~

The board may, in its discretion, waive the educational requirements for any person if it is satisfied through review of documentation of successful completion of an equivalency examination that the person's educational qualifications are an acceptable substitute for the requirements of (b) of this subsection; and

(c) Who has passed a written examination ~~((in accounting, auditing, and related subjects the board determines to be appropriate)).~~

(2) The examination described in subsection (1)(c) of this section shall be ~~((held by the board and shall take place as often as the board determines to be desirable, but at least once a year. The board may use all or any part of the examination or grading service of the American Institute of Certified Public Accountants or National Association of State Boards of Accountancy to assist it in performing its duties under this chapter))~~ in writing, shall be held twice a year, and shall test the applicant's knowledge of the subjects of accounting and auditing, and other related fields the board may specify by rule. The time for holding the examination is fixed by the board and may be changed from time to time. The board shall prescribe by rule the methods of applying for and taking the examination, including methods for grading papers and determining a passing grade required of an applicant for a certificate. The board shall to the extent possible see to it that the grading of the examination, and the passing grades, are uniform with those applicable to all other states.

The board may make use of all or a part of the uniform certified public accountant examination and advisory grading service of the American Institute of Certified Public Accountants and may contract with third parties to perform administrative services with respect to the examination as the board deems appropriate to assist it in performing its duties under this chapter.

~~(3) ((The board may, by rule, provide for granting credit to a person for satisfactory completion of a written examination in any one or more of the subjects specified in subsection (1)(c) of this section given by the licensing authority in any other state. These rules shall include requirements the board determines to be appropriate in order that any examination approved as a basis for any credit shall, in the judgment of the board, be at least as thorough as the most recent examination given by the board at the time credit is granted))~~ An applicant is required to pass all sections of the examination provided for in subsection (2) of this section in order to qualify for a certificate. If at a given sitting of the examination an applicant passes two or more but not all sections, then the applicant shall be given credit for those sections that he or she passed, and need not take those sections again: PROVIDED, That:

(a) The applicant took all sections of the examination at that sitting;

(b) The applicant attained a minimum grade of fifty on each section not passed at that sitting;

(c) The applicant passes the remaining sections of the examination within six consecutive examinations given after the one at which the first sections were passed;

(d) At each subsequent sitting at which the applicant seeks to pass additional sections, the applicant takes all sections not yet passed; and

(e) In order to receive credit for passing additional sections in a subsequent sitting, the applicant attains a minimum grade of fifty on sections written but not passed on the sitting.

~~(4) ((The board may, by rule, prescribe the terms and conditions under which a person who passes the examination in one or more of the subjects indicated in subsection (1)(c) of this section may be reexamined in only the remaining subjects, giving credit for the subjects previously passed. It may also provide by rule for a reasonable waiting period for a person's reexamination in a subject he or she has failed. A person is entitled to any number of reexaminations, subject to this subsection and any other rules adopted by the board.~~

~~(5) A person passing the examination in any one or more subjects specified in subsection (1)(c) of this section shall meet the educational requirements of subsection (1)(b) of this section in effect on the date the person successfully completes the requirements of subsection (1)(c) of this section. The board may provide, by rule, for exceptions to prevent what it determines to be undue hardship to applicants))~~ The board may waive or defer any of the requirements of subsection (3) of this section for candidates transferring conditional CPA exam credits from other states or for qualifying reciprocity certification applicants who met the conditioning requirements of the state or foreign jurisdiction issuing their original certificate.

~~((6))~~ (5) The board shall charge each applicant an examination fee for the initial examination under subsection (1) of this section, or for reexamination under subsection ((4)) (3) of this section for each subject in which the applicant is reexamined. The applicable fee shall be paid by the person at the time he or she applies for examination, reexamination, or evaluation of educational qualifications. Fees for examination, reexamination, or evaluation of educational qualifications shall be determined by the board under chapter 18.04 RCW. There is established in the state treasury an account to be known as the certified public accountants' account. All fees received from candidates to take any or all sections of the certified public accountant examination shall be used only for costs related to the examination.

~~((7))~~ (6) Persons who on June 30, 1986, held certified public accountant certificates previously issued under the laws of this state shall not be required to obtain additional certificates under this chapter, but shall otherwise be subject to this chapter. Certificates previously issued shall, for all purposes, be considered certificates issued under this chapter and subject to its provisions.

~~((8) Persons who held qualifications as licensed public accountants but who do not hold annual permits to practice on July 1, 1983, are not entitled to engage in the practice of public accounting under this chapter. No person shall use the term "licensed public accountant" or the designation "LPA."~~

~~((9))~~ (7) A certificate of a "certified public accountant" under this chapter is issued on a biennial basis with renewal subject to requirements of continuing professional education and payment of fees, prescribed by the board.

~~((10))~~ (8) The board shall adopt rules providing for continuing professional education for certified public accountants. The rules shall:

(a) Provide that a certified public accountant ((holding a certificate on July 1, 1986,)) shall verify to the board that he or she has completed at least ((ten days or)) an accumulation of eighty hours of continuing professional education during the last two-year period to maintain the certificate;

(b) Establish continuing professional education requirements;

(c) Establish when newly certificated public accountants shall verify that they have completed the required continuing professional education; and

(d) ~~((Establish proceedings for revocation, suspension, and reinstatement of certificates for failure to meet the continuing professional education requirement.~~

(14)) Provide that failure to furnish verification of the completion of the continuing professional education requirement ((constitutes grounds for revocation, suspension, or failure to renew the certificate)) shall make the certificate invalid and subject to reinstatement, unless the board determines that the failure was due to retirement, reasonable cause, or excusable neglect.

Sec. 8. RCW 18.04.180 and 1949 c 226 s 17 are each amended to read as follows:

The board shall ~~((authorize the issuance of a certificate as certified public accountant to any person who is the holder of a certificate, license, permit or degree authorizing him to practice as a certified public accountant in any state, territory, or possession of the United States, providing the requirements which such person has been called upon to meet in order to obtain such certificate, license, permit or degree were at least the equivalent of those for obtaining a certificate to practice as a certified public accountant in this state: AND PROVIDED, FURTHER, That such state, territory or possession makes similar provision to authorize a person who holds a valid certificate to practice in this state as a certified public accountant to practice in such state, territory or possession as a certified public accountant))~~ issue a certificate to a holder of a certificate issued by another state, or shall issue a certificate and license to a holder of a certificate/valid license issued by another state that entitles the holder to practice public accountancy, provided that:

(1) Such state makes similar provision to grant reciprocity to a holder of a certificate or certificate and valid license in this state; and

(2) The applicant meets the continuing professional education requirements of RCW 18.04.105(8); and

(3) If the application is for a certificate only:

(a) The applicant passed the examination required for issuance of his or her certificate with grades that would have been passing grades at that time in this state; and

(b) The applicant: Meets all current requirements in this state for issuance of a certificate at the time application is made; or at the time of the issuance of the applicant's certificate in the other state, met all the requirements then applicable in this state; or

(4) If the application is for a certificate and license:

(a) The applicant passed the examination required for issuance of his or her certificate with grades that would have been passing grades at that time in this state; and

(b) The applicant: Meets all current requirements in this state for issuance of a license at the time application is made; or at the time of the issuance of the applicant's license in the other state, met all the requirements then applicable in this state; or has had five years of experience within the ten years immediately preceding application in the practice of public accountancy that meets the requirements prescribed by the board.

Sec. 9. RCW 18.04.205 and 1986 c 295 s 9 are each amended to read as follows:

(1) Each office established or maintained in this state for the practice of public accounting in this state by a certified public accountant, or a partnership or corporation of certified public accountants, shall register with the board under this chapter biennially.

(2) Each office shall be under the direct supervision of a resident licensee holding a license ~~((to practice))~~ under RCW 18.04.215 who may be a sole proprietor, partner, principal shareholder, or a staff employee.

(3) The board shall by rule prescribe the procedure to be followed to register and maintain offices established in this state for the practice of public accounting.

(4) Fees for the registration of offices shall be determined by the board. Fees shall be paid by the applicant at the time the registration form is filed with the board.

Sec. 10. RCW 18.04.215 and 1986 c 295 s 10 are each amended to read as follows:

(1) Biennial licenses ~~((to engage in the practice of public accounting in this state))~~ shall be issued by the board:

(a) To holders of certificates as certified public accountants who have demonstrated, in accordance with rules issued by the board, one year of public accounting experience, or such other experience or employment which the board in its discretion regards as substantially equivalent and who, if their certificate was issued more than forty-eight months prior to application under this section, submit to the board satisfactory proof of having completed an accumulation of eighty hours of continuing professional education during the twenty-four months preceding the application;

(b) To firms under RCW 18.04.195, if all offices of the firm in this state are maintained and registered as required under RCW 18.04.205.

(2) ~~((All licenses to practice issued to persons born in an even numbered year expire on the last day of June of each even numbered year. All licenses to practice issued to persons born in an odd numbered year expire on the last day of June of each odd numbered year. Renewals of licenses to practice issued to individuals under subsection (1)(a) of this section shall be issued in accordance with subsection (4) of this section.))~~ The board shall, by rule, provide for a system of certificate and license renewal. Applicants for issuance or renewal of certificates or licenses shall, at the time

of filing their applications, list with the board all states and foreign jurisdictions in which they hold or have applied for certificates, permits or licenses to practice.

(3) A certified public accountant who holds a permit or license issued by another state, and applies for a license in this state, may practice in this state from the date of filing a completed application with the board, until the board has acted upon the application provided the application is made prior to holding out as a certified public accountant in this state and no sanctions or investigations, deemed by the board to be pertinent to public accountancy, by other jurisdictions or agencies are in process.

(4) ~~((As a prerequisite to renewal of a license, a person practicing public accounting))~~ A certified public accountant shall submit to the board satisfactory proof of having completed ((ten days or)) an accumulation of eighty hours of continuing education recognized and approved by the board during the preceding two years. Failure to furnish this evidence as required ((constitutes grounds for revocation, suspension, or refusal to renew the license in a proceeding under RCW 18.04.295)) shall make the certificate invalid and subject to reinstatement procedures, unless the board determines the failure to have been due to retirement, reasonable cause, or excusable neglect.

The board in its discretion may renew a ~~((biennial))~~ certificate or license ((to practice)) despite failure to furnish evidence of compliance with requirements of continuing professional education upon condition that the applicant follow a particular program of continuing professional education. In issuing rules and individual orders with respect to continuing professional education requirements, the board, among other considerations, may rely upon guidelines and pronouncements of recognized educational and professional associations, may prescribe course content, duration, and organization, and may take into account the accessibility of continuing education to applicants and instances of individual hardship.

(5) Fees for ~~((biennial))~~ issuance or renewal of certificates and licenses ((to engage in the practice of public accounting)) in this state shall be determined by the board under chapter 18.04 RCW. Fees shall be paid by the applicant at the time the application form is filed with the board. The board, by rule, may provide for proration of fees for certificates and licenses issued between normal renewal dates.

**Sec. 11.** RCW 18.04.295 and 1986 c 295 s 11 are each amended to read as follows:

The board of accountancy shall have the power to revoke, suspend, ~~((or))~~ refuse to renew a certificate or license, and may impose a fine in an amount not to exceed one thousand dollars plus the board's investigative and legal costs in bringing charges against a certified public accountant, or impose conditions precedent to renewal of the certificate or license of any certified public accountant for any of the following causes:

(1) Fraud or deceit in obtaining a certificate as a certified public accountant, or in obtaining a license ~~((to practice public accounting under RCW 18.04.215));~~

(2) Dishonesty, fraud, or negligence ~~((in the practice of public accounting))~~ while representing oneself as a CPA;

(3) A violation of any provision of this chapter;

(4) A violation of a rule of professional conduct promulgated by the board under the authority granted by this chapter;

(5) Conviction of a crime or an act constituting a crime under:

(a) The laws of this state;

(b) The laws of another state, and which, if committed within this state, would have constituted a crime under the laws of this state; or

(c) Federal law;

(6) Cancellation, revocation, suspension, or refusal to renew the authority to practice as a certified public accountant by any other state for any cause other than failure to pay a fee or to meet the requirements of continuing education in the other state;

(7) Suspension or revocation of the right to practice matters relating to public accounting before any state or federal agency;

For purposes of subsections (6) and (7) of this section, a certified copy of such revocation, suspension, or refusal to renew shall be prima facie evidence;

(8) Failure to maintain compliance with the requirements for issuance, renewal, or reinstatement of the certificate or license, or to report changes to the board;

(9) Failure to cooperate with the board by:

(a) Failure to furnish any papers or documents requested or ordered by the board;

(b) Failure to furnish in writing a full and complete explanation covering the matter contained in the complaint filed with the board or the inquiry of the board;

(c) Failure to respond to subpoenas issued by the board, whether or not the recipient of the subpoena is the accused in the proceeding.

**Sec. 12.** RCW 18.04.305 and 1986 c 295 s 12 are each amended to read as follows:

The board of accountancy may revoke, suspend, or refuse to renew the license issued to a firm if at any time the firm does not meet the requirements of this chapter for licensing, or for any of the causes enumerated in RCW 18.04.295, or for any of the following additional causes:

(1) The revocation or suspension of the certificate as a certified public accountant or the revocation or suspension or refusal to renew the certificate or license of any partner or shareholder; or

(2) The revocation, suspension, or refusal to renew the license or permit of the firm, or any partner or shareholder thereof, to practice public accounting in any other state or foreign jurisdiction for any cause other than failure to pay a fee or to meet the requirements of continuing professional education in the other state or foreign jurisdiction.

**Sec. 13.** RCW 18.04.335 and 1986 c 295 s 14 are each amended to read as follows:

Upon application in writing and after hearing pursuant to notice, the board may:

(1) ~~((Reissue a certificate to a certified public accountant))~~ Modify the suspension of, or reissue a certificate or license to, an individual whose certificate has been revoked or suspended; or

(2) Modify the suspension of, or reissue ~~((any))~~ a license to ~~((practice which))~~ a firm whose license has been revoked, suspended, or which the board has refused to renew.

**Sec. 14.** RCW 18.04.345 and 1986 c 295 s 15 are each amended to read as follows:

(1) No person may ~~((hold himself or herself out to the public, or))~~ assume or use the designation "certified public accountant" or "CPA" or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the person is a certified public accountant or CPA unless the person ~~((has received a))~~ holds a valid certificate as a certified public accountant~~((, holds a valid license to practice under RCW 18.04.215, and all of the person's offices in this state for the practice of public accounting are maintained and registered under RCW 18.04.205)).~~

(2) No person may hold himself or herself out to the public and assume or use the designation "certified public accountant" or "CPA" or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the person is a certified public accountant or CPA unless the person holds a valid certificate as a certified public accountant and holds a valid license to practice under RCW 18.04.215.

(3) No firm may hold itself out to the public, or assume or use the designation "certified public accountant" or "CPA" or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the firm is composed of certified public accountants or CPAs, unless the firm is licensed under RCW 18.04.195, holds a valid license to practice under RCW 18.04.215, and all offices of the firm in this state for the practice of public accounting are maintained and registered under RCW 18.04.205.

~~((3))~~ (4) No person, partnership, or corporation may hold himself, herself, or itself out to the public, or assume or use along, or in connection with his, hers, or its name; or any other name the title or designation "certified accountant," "chartered accountant," "licensed accountant," "licensed public accountant," "public accountant," or any other title or designation likely to be confused with "certified public accountant" or any of the abbreviations "CA," "LA," "LPA," or "PA," or similar abbreviations likely to be confused with "CPA." However, nothing in this chapter prohibits use of the title "accountant" by any person regardless of whether the person has been granted a certificate or holds a license under this chapter.

~~((4))~~ (5) No person may sign, affix, or associate his or her name or any trade or assumed name used by the person in his or her business to any report designated as an "audit," "review," or "compilation," unless the person holds a biennial license to practice under RCW 18.04.215 and all of the person's offices in this state for the practice of public accounting are maintained and licensed under RCW 18.04.205.

~~((5))~~ (6) No person may sign, affix, or associate a firm name to any report designated as an "audit," "review," or "compilation," unless the firm is licensed under RCW 18.04.195 and 18.04.215, and all of its offices in this state for the practice of public accounting are maintained and registered under RCW 18.04.205.

~~((6))~~ (7) No person, partnership, or corporation not holding a license to practice under RCW 18.04.215 may hold himself, herself, or itself out to the public as an "auditor" with or without any other description or designation by use of such word on any sign, card, letterhead, or in any advertisement or directory.

~~((7))~~ ~~Nothing contained in this chapter prohibits any person who is the holder of a valid certified public accountant certificate from assuming or using the designation "certified public accountant" or "CPA" or any other title, designation, words, letters, sign, card, or device tending to indicate that the person is a certified public accountant.)~~

(8) No person may assume or use the designation "certified public accountant" or "CPA" in conjunction with names indicating or implying that there is a partnership or corporation, if there is in fact no bona fide partnership or corporation registered under RCW 18.04.195.

(9) No person, partnership, or corporation holding a license under RCW 18.04.215 may hold himself, herself, or itself out to the public in conjunction with the designation "and Associates" or "and Assoc." unless he or she has in fact a partner or employee who holds a license under RCW 18.04.215.

~~((10) No person, partnership, or corporation may hold himself, herself, or itself out to the public for the practice of public accounting unless the person, partnership, or corporation holds a license to practice under RCW 18.04.215 and all of his or its offices in this state are maintained and registered under RCW 18.04.205.))~~

Sec. 15. RCW 18.04.350 and 1986 c 295 s 16 are each amended to read as follows:

(1) Nothing in this chapter prohibits any person not a certified public accountant from serving as an employee of, or as assistant to, a certified public accountant or partnership composed of certified public accountants or corporation of certified public accountants holding a valid license under RCW 18.04.215. However, the employee or assistant shall not issue any accounting or financial statement over his or her name.

(2) Nothing in this chapter prohibits a certified public accountant registered in another state, or any accountant of a foreign country holding a certificate, degree or license which permits him to practice therein from temporarily practicing in this state on professional business incident to his regular practice.

(3) Nothing in this chapter prohibits a certified public accountant, a partnership, or corporation of certified public accountants, or any of their employees from disclosing any data in confidence to other certified public accountants, quality or peer review teams, partnerships, or corporations of public accountants or to the board or any of its employees engaged in conducting quality, quality assurance, or peer reviews, or any one of their employees in connection with quality or peer reviews of that accountant's accounting and auditing practice conducted under the auspices of recognized professional associations.

(4) Nothing in this chapter prohibits a certified public accountant, a partnership, or corporation of certified public accountants, or any of their employees from disclosing any data in confidence to any employee, representative, officer, or committee member of a recognized professional association, or to the board of accountancy, or any of its employees or committees in connection with a professional investigation held under the auspices of recognized professional associations or the board of accountancy.

(5) Nothing in this chapter prohibits any officer, employee, partner, or principal of any organization:

(a) From affixing his or her signature to any statement or report in reference to the affairs of the organization with any wording designating the position, title, or office which he or she holds in the organization; or

(b) From describing himself or herself by the position, title, or office he or she holds in such organization.

(6) Nothing in this chapter prohibits any person, or partnership or corporation composed of persons not holding a license under RCW 18.04.215 from offering or rendering to the public bookkeeping, accounting, ~~((and))~~ tax services, ~~((including))~~ the devising and installing of financial information systems, ((financial information or data, or preparing financial)) management advisory, or consulting services, the preparation of tax returns, or the furnishing of advice on tax matters, the preparation of financial statements, written statements describing how such financial statements were prepared, or similar services; provided that persons, partnerships, or corporations not holding a license under RCW 18.04.215 who offer or render these services do not designate any written statement as an "audit report," "review report," or "compilation report," do not issue any written statement which purports to express or disclaim an opinion on financial statements which have been audited, and do not issue any written statement which expresses assurance on financial statements which have been reviewed.

(7) Nothing in this chapter prohibits any act of or the use of any words by a public official or a public employee in the performance of his or her duties.

(8) Nothing contained in this chapter prohibits any person who holds only a valid certified public accountant certificate from assuming or using the designation "certified public accountant" or "CPA" or any other title, designation, words, letters, sign, card, or device tending to indicate the person is a certified public accountant, provided, that such person shall not hold himself or herself out to the public as engaged in the practice of public accounting unless that person holds a valid license in addition to the certificate under RCW 18.04.215.

Sec. 16. RCW 18.04.390 and 1986 c 295 s 18 are each amended to read as follows:

(1) In the absence of an express agreement between the certified public accountant and the client to the contrary, all statements, records, schedules, working papers, and memoranda made by a certified public accountant incident to or in the course of professional service to clients, except reports submitted by a certified public accountant to a client, are the property of the certified public accountant.

(2) No statement, record, schedule, working paper, or memorandum may be sold, transferred, or bequeathed without the consent of the client or his or her personal representative or assignee, to anyone other than one or more surviving partners, shareholders, or new partners or new shareholders of the accountant or corporation, or any combined or merged partnership or corporation, or successor in interest.

(3) A licensee shall furnish to the board or to his or her client or former client, upon request and reasonable notice:

(a) A copy of the licensee's working papers, to the extent that such working papers include records that would ordinarily constitute part of the client's records and are not otherwise available to the client; and

(b) Any accounting or other records belonging to, or obtained from or on behalf of, the client that the licensee removed from the client's premises or received for the client's account; the licensee may make and retain copies of such documents of the client when they form the basis for work done by him or her.

(4) Nothing in this section shall require a licensee to keep any work paper beyond the period prescribed in any other applicable statute.

Sec. 17. RCW 18.04.405 and 1986 c 295 s 19 are each amended to read as follows:

(1) A certified public accountant, a partnership or corporation of certified public accountants, or any of their employees shall not disclose any confidential information obtained in the course of a professional transaction except with the consent of the client or former client or as disclosure may be required by law, legal process, the standards of the profession, or as disclosure of confidential information is permitted by RCW 18.04.350 (3) and (4), 18.04.295(8), 18.04.390, and this section in connection with quality, quality assurance, or peer reviews ((and)), investigations, and any proceeding under chapter 34.05 RCW.

(2) This section shall not be construed as limiting the authority of this state or of the United States or an agency of this state, the board, or of the United States to subpoena and use such information in connection with any investigation, public hearing, or other proceeding, nor shall this section be construed as prohibiting a certified public accountant whose professional competence has been challenged in a court of law or before an administrative agency from disclosing confidential information as a part of a defense to the court action or administrative proceeding.

(3) The proceedings, records, and work papers of a review committee shall be privileged and shall not be subject to discovery, subpoena, or other means of legal process or introduction into evidence in any civil action, arbitration, administrative proceeding, or state accountancy board proceeding and no member of the review committee or person who was involved in the quality review process shall be permitted or required to testify in any such civil action, arbitration, administrative proceeding, or state accountancy board proceeding as to any matter produced, presented, disclosed, or discussed during or in connection with the quality review process, or as to any findings, recommendations, evaluations, opinions, or other actions of such committees, or any members thereof. Information, documents, or records that are publicly available are not to be construed as immune from discovery or use in any civil action, arbitration, administrative proceeding, or state accountancy board proceeding merely because they were presented or considered in connection with the quality review process.

NEW SECTION. Sec. 18. A new section is added to chapter 18.04 RCW to read as follows:

The board shall grant a certificate or license as a certified public accountant to a holder of a permit, license, or certificate issued by a foreign country's board, agency, or institute, provided that:

(1) The foreign country where the foreign permit, license, or certificate was issued is a party to an agreement on trade with the United States that encourages the mutual recognition of licensing and certification requirements for the provision of covered services by the parties under the trade agreement; and

(2) Such foreign country's board, agency, or institute makes similar provision to allow a person who holds a valid certificate issued by this state to obtain such foreign country's comparable permit, license, or certificate; and

(3) The foreign permit, license, or certificate:

(a) Was duly issued by such foreign country's board, agency, or institute that regulates the practice of public accountancy; and

(b) Is in good standing at the time of the application; and

(c) Was issued upon the basis of educational, examination, and ethical requirements substantially equivalent currently or at the time of issuance of the foreign permit, license, or certificate to those in this state; and

(4) The applicant has within the twenty-four months prior to application completed an accumulation of eighty hours of continuing professional education as required under RCW 18.04.105(8); and

(5) If the application is for a certificate:

(a) The applicant's foreign permit, license, or certificate was the type of permit, license, or certificate requiring the most stringent qualifications if, in the foreign country, more than one type of permit, license, or certificate is issued. This state's board shall decide which are the most stringent qualifications; and

(b) The applicant has passed a written examination or its equivalent, approved by the board, that tests knowledge in the areas of United States accounting principles, auditing standards, commercial law, income tax law, and Washington state rules of professional ethics; or

(6) If the application is for a certificate and license:

(a) The requirements of subsections (1) through (5) of this section are satisfied; and

(b) The applicant has within the five years prior to applying for the certificate and license under this section, demonstrated, in accordance with the rules issued by the board, one year of public accounting experience, within the foreign country where the foreign permit, license, or certificate was issued, equivalent to the experience required under

RCW 18.04.215(1)(a) or such other experience or employment which the board in its discretion regards as substantially equivalent.

On page 1, line 1 of the title, after "accounting;" strike the remainder of the title and insert "amending RCW 18.04.015, 18.04.025, 18.04.035, 18.04.045, 18.04.055, 18.04.065, 18.04.105, 18.04.180, 18.04.205, 18.04.215, 18.04.295, 18.04.305, 18.04.335, 18.04.345, 18.04.350, 18.04.390, and 18.04.405; and adding a new section to chapter 18.04 RCW."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Anderson moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2293. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. Sheldon presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2293 as amended by the Senate.

Representatives Anderson, Silver and McLean spoke in favor of passage of the bill as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2293, as amended by the Senate and the bill passed the House by the following vote: Yeas - 90, Nays - 0, Absent - 1, Excused - 7.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Tate, Valle, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, and Mr. Speaker - 90.

Absent: Representative Sprenkle - 01.

Excused: Representatives Betrozoff, Ferguson, Meyers, R., Sommers, D., Vance, Van Luven, Zellinsky - 07.

Engrossed Substitute House Bill No. 2293 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SENATE AMENDMENTS TO HOUSE BILL

March 3, 1960

MR. SPEAKER:



The Senate has passed:

**SUBSTITUTE HOUSE BILL NO. 2635 with the following amendment(s):**

Strike everything after the enacting clause and insert the following:

**Sec. 1.** RCW 70.93.010 and 1979 c 94 s 1 are each amended to read as follows:

~~((Recognizing the rapid population growth of the state of Washington and the ever increasing mobility of its people, as well as the fundamental need for a healthful, clean and beautiful environment; and further recognizing that the proliferation and accumulation of litter discarded throughout this state impairs this need and constitutes a public health hazard; and further recognizing the need to conserve energy and natural resources; and further recognizing that there is an imperative need to anticipate, plan for, and accomplish effective litter control and recover and recycle waste materials related to litter with the subsequent conservation of resources and energy, there is hereby enacted this))~~ (1) The legislature finds:

- (a) Washington state is experiencing rapid population growth and its citizens are increasingly mobile;
  - (b) There is a fundamental need for a healthful, clean, and beautiful environment;
  - (c) The proliferation and accumulation of litter discarded throughout this state impairs this need and constitutes a public health hazard;
  - (d) There is a need to conserve energy and natural resources, and the effective litter control and recovery and recycling of litter materials will serve to accomplish such conservation;
  - (e) In addition to effective litter control, there must be effective programs to accomplish waste reduction, the state's highest waste management priority; and
  - (f) There must also be effective systems to accomplish all components of recycling, including collection, processing, and the marketing of recyclable materials and recycled content products.
- (2) Recognizing the multifaceted nature of the state's solid waste management problems, the legislation enacted in 1971 and entitled the "Model Litter Control and Recycling Act"((-)) is hereby renamed the "waste reduction, recycling, and model litter control act."

**Sec. 2.** RCW 70.93.020 and 1991 c 319 s 101 are each amended to read as follows:

The purpose of this chapter is to accomplish litter control, increase waste reduction, and stimulate ~~((private))~~ all components of recycling ((programs)) throughout this state by delegating to the department of ecology the authority to:

- (1) Conduct a permanent and continuous program to control and remove litter from this state to the maximum practical extent possible;
- (2) Recover and recycle waste materials related to litter and littering;
- (3) Foster public and private recycling ((and markets for)) of recyclable materials; and
- (4) Increase public awareness of the need for recycling and litter control.

It is further the intent and purpose of this chapter to promote markets for recyclable materials through programs of the clean Washington center and other means.

It is further the intent and purpose of this chapter to create jobs for employment of youth in litter cleanup and related activities and to stimulate and encourage small, private recycling centers. This program shall include the compatible goal of recovery of recyclable materials to conserve energy and natural resources wherever practicable. Every other department of state government and all local governmental units and agencies of this state shall cooperate with the department of ecology in the administration and enforcement of this chapter. The intent of this chapter is to add to and to coordinate existing recycling and litter control and removal efforts and not terminate or supplant such efforts.

**Sec. 3.** RCW 70.93.120 and 1971 ex.s. c 307 s 12 are each amended to read as follows:

In addition to any other taxes, there is hereby levied and there shall be collected by the department of revenue from every person for the privilege of engaging within this state in business as a manufacturer ((and/or making sales at wholesale and/or making sales at retail)), as a wholesaler, or as a retailer, an annual litter ((assessment)) tax equal to the value of products listed in RCW 82.---- (RCW 70.93.130 as recodified by section 10 of this act), including byproducts, manufactured ((and sold)) within this state((,-including by products)), multiplied by ((one and one half hundredths)) fifteen one-thousandths of one percent in the case of manufacturers, and equal to the gross proceeds of ((the)) sales of the ((business)) products listed in RCW 82.---- (RCW 70.93.130 as recodified by section 10 of this act) that are sold within this state multiplied by ((one and one half hundredths)) fifteen one-thousandths of one percent in the case of ((sales at wholesale and/or at retail)) wholesalers and retailers.

**Sec. 4.** RCW 70.93.130 and 1971 ex.s. c 307 s 13 are each amended to read as follows:

~~((Because it is the express purpose of this chapter))~~ To accomplish effective litter control within the state ((of Washington)) and ((because it is a further purpose of this chapter)) to allocate a portion of the cost of administering ((it)) this chapter to those industries whose products, including the packages, wrappings, and containers thereof, are reasonably related to the litter problem, ((in arriving at the amount upon which the assessment is to be calculated)) the tax imposed

in this chapter shall only apply to the value of products or the gross proceeds of sales of products falling into the following categories (~~shall be included~~):

- (1) Food for human or pet consumption.
- (2) Groceries.
- (3) Cigarettes and tobacco products.
- (4) Soft drinks and carbonated waters.
- (5) Beer and other malt beverages.
- (6) Wine.
- (7) Newspapers and magazines.
- (8) Household paper and paper products.
- (9) Glass containers.
- (10) Metal containers.
- (11) Plastic or fiber containers made of synthetic material.
- (12) Cleaning agents and toiletries.
- (13) Nondrug drugstore sundry products.

Sec. 5. RCW 70.93.140 and 1971 ex.s. c 307 s 14 are each amended to read as follows:

(1) The department of revenue, by rule (~~and regulation made pursuant to chapter 34.05 RCW~~), may, if such is required, define (~~the categories (1) through (13) as set forth in~~) those items subject to tax under RCW 82.--- (RCW 70.93.130 as recodified by section 10 of this act). In making any such definitions, the department of revenue shall be guided by the following standards:

(~~(1)~~) (a) It is the purpose of this chapter to accomplish effective control of litter within this state;

(~~(2)~~) (b) It is the purpose of this chapter to allocate a portion of the cost of administration of this chapter to those industries manufacturing and/or selling products and the packages, wrappings, or containers thereof which are reasonably related to the litter problem within this state.

(2) Instead of requiring each business to separately account for taxable and nontaxable products under this chapter, the department may provide, by rule, that the tax imposed in this chapter be reported and paid based on a percentage of total sales for a particular type of business if the department determines that the percentage reasonably approximates the taxable activity of the particular type of business.

Sec. 6. RCW 70.93.160 and 1971 ex.s. c 307 s 16 are each amended to read as follows:

(1) To the extent applicable, all of the provisions of chapters 82.04 and 82.32 RCW (~~such as they apply are incorporated herein~~) apply to the tax imposed in this chapter, except RCW 82.04.220 through 82.04.290, and 82.04.330.

(2) Taxes collected under this chapter shall be deposited in the waste reduction, recycling, and litter control account under RCW 70.93.180.

Sec. 7. RCW 70.93.170 and 1971 ex.s. c 307 s 17 are each amended to read as follows:

The litter (~~assessment herein provided for shall not be applied~~) tax imposed in this chapter does not apply to:

(1) The manufacture or sale of products for use and consumption outside the state; or

(2) The value of products or gross proceeds of the sales of any animal, bird, or insect or the milk, eggs, wool, fur, meat, honey, or other substance obtained therefrom, if the person performs only the growing or raising function of such animal, bird, or insect. (~~In all other instances, the assessment shall be applied.~~)

Sec. 8. RCW 70.93.180 and 1991 sp.s. c 13 s 40 are each amended to read as follows:

(1) There is hereby created an account within the state treasury to be known as the "waste reduction, recycling, and litter control account". Moneys in the account may be spent only after appropriation. Expenditures from the waste reduction, recycling, and litter control account shall be used as follows:

(a) From July 1, 1992, to June 30, 1993, funds shall be used for programs to: Control litter; encourage recycling; develop markets for recyclable materials; and enforce compliance with the litter tax imposed in RCW 82.--- (RCW 70.93.120 as recodified by section 10 of this act).

(b) After June 30, 1993, funds shall be used as follows:

(i) Not less than forty percent nor more than fifty percent for a litter patrol program to employ youth from the state to remove litter from places and areas that are most visible to the public and to enforce compliance with the litter tax imposed in RCW 82.--- (RCW 70.93.120 as recodified by section 10 of this act); and

(ii) Not more than sixty percent for the following purposes: Public education and awareness programs to control litter; programs to promote public education and awareness of the model litter control and recycling act; programs to foster private local recycling efforts, encourage recycling, and develop markets for recyclable materials; and compliance with the litter tax imposed in RCW 82.--- (RCW 70.93.120 as recodified by section 10 of this act).

(2) All (~~assessments~~) taxes imposed in RCW 82.--- (RCW 70.93.120 as recodified under section 10 of this act) and fines(~~;~~) and bail forfeitures(~~and other funds~~) collected or received pursuant to this chapter shall be deposited

in the waste reduction, recycling, and litter control account and used for ~~((the administration and implementation of this chapter))~~ the programs under subsection (1) of this section, and except as required to be otherwise distributed under RCW 70.93.070.

NEW SECTION. Sec. 9. The following acts or parts of acts are each repealed:

(1) RCW 70.93.150 and 1971 ex.s. c 307 s 15; and

(2) RCW 70.93.194 and 1979 c 94 s 9.

NEW SECTION. Sec. 10. RCW 70.93.120, 70.93.130, 70.93.140, 70.93.160, and 70.93.170 shall be recodified as a new chapter in Title 82 RCW.

NEW SECTION. Sec. 11. This act shall take effect July 1, 1992.

On page 1, line 1 of the title, after "assessment;" strike the remainder of the title and insert "amending RCW 70.93.010, 70.93.020, 70.93.120, 70.93.130, 70.93.140, 70.93.160, 70.93.170, and 70.93.180; adding a new chapter to Title 82 RCW; recodifying RCW 70.93.120, 70.93.130, 70.93.140, 70.93.160, and 70.93.170; repealing RCW 70.93.150 and 70.93.194; and providing an effective date."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Wang moved that the House do concur in the Senate amendments to Substitute House Bill No. 2635. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. Sheldon presiding) stated the question before the House to be final passage of Substitute House Bill No. 2635 as amended by the Senate.

Representatives Wang and Brumsickle spoke in favor of passage of the bill as amended by the Senate.

The Speaker assumed the chair.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2635 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 90, Nays - 0, Absent - 1, Excused - 7.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Tate, Valle, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, and Mr. Speaker - 90.

Absent: Representative Sprenkle - 01.

Excused: Representatives Berozoff, Ferguson, Meyers, R., Sommers, D., Vance, Van Luven, Zellinsky - 07.

Substitute House Bill No. 2635 as amended by the Senate, having received the constitutional majority, was declared passed.

SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2659 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 60.28.010 and 1986 c 181 s 6 are each amended to read as follows:

(1) ~~((Contracts for public improvements or work, other than for professional services, by the state, or any county, city, town, district, board, or other public body, herein referred to as "public body", shall provide, and there shall be reserved by the public body from the moneys earned by the contractor on estimates during the progress of the improvement or work, a sum not to exceed five percent, said sum to be retained by the state, county, city, town, district, board, or other public body.))~~ Public improvement contracts shall provide, and public bodies shall reserve, a contract retainage not to exceed five percent of the moneys earned by the contractor as a trust fund for the protection and payment of: (a) The claims of any person ((or persons, mechanic, subcontractor or materialman who shall perform any labor upon such contract or the doing of said work, and all persons who shall supply such person or persons or subcontractors with provisions and supplies for the carrying on of such work, and)) arising under the contract; and (b) the state with respect to taxes imposed pursuant to Title 82 RCW which may be due from such contractor.

(2) Every person performing labor or furnishing supplies toward the completion of ((said improvement or work)) a public improvement contract shall have a lien upon ((said moneys so reserved)) moneys reserved by a public body under the provisions of a public improvement contract: PROVIDED, That such notice of the lien of such claimant shall be given ((in the manner and within the time)) as provided in RCW 39.08.030 ((as now existing and in accordance with any amendments that may hereafter be made thereto: PROVIDED FURTHER, That the board, council, commission, trustees, officer or body acting for the state, county or municipality or other public body; (a) at any time after fifty percent of the original contract work has been completed, if it finds that satisfactory progress is being made, may make any of the partial payments which would otherwise be subsequently made in full; but in no event shall the amount to be retained be reduced to less than five percent of the amount of the moneys earned by the contractor: PROVIDED, That)).

(3) The contractor at any time may request ((that)) the contract retainage be reduced to one hundred percent of the value of the work remaining on the project((; and (b))). Thirty days after completion and acceptance of all contract work other than landscaping, a public body may release and pay in full the amounts retained during the performance of the contract (other than continuing retention of five percent of the moneys earned for landscaping) subject to the provisions of RCW 60.28.020.

~~((2))~~ (4) The moneys reserved ((under the provisions of subsection (1) of this section,)) by a public body under the provisions of a public improvement contract, at the option of the contractor, shall be:

(a) Retained in a fund by the public body until thirty days following the final acceptance of said improvement or work as completed;

(b) Deposited by the public body in an interest bearing account in a bank, mutual savings bank, or savings and loan association, not subject to withdrawal until after the final acceptance of said improvement or work as completed, or until agreed to by both parties: PROVIDED, That interest on ~~((such account))~~ moneys reserved by a public body under the provision of a public improvement contract shall be paid to the contractor;

(c) Placed in escrow with a bank or trust company by the public body until thirty days following the final acceptance of said improvement or work as completed. When the moneys reserved are to be placed in escrow, the public body shall issue a check representing the sum of the moneys reserved payable to the bank or trust company and the contractor jointly. Such check shall be converted into bonds and securities chosen by the contractor and approved by the public body and such bonds and securities shall be held in escrow. Interest on such bonds and securities shall be paid to the contractor as the said interest accrues.

~~((3))~~ (5) The contractor or subcontractor may withhold payment of not more than five percent from the moneys earned by any subcontractor or sub-subcontractor or supplier contracted with by the contractor to provide labor, materials,

or equipment to the public project. Whenever the contractor or subcontractor reserves funds earned by a subcontractor or sub-subcontractor or supplier, the contractor or subcontractor shall pay interest to the subcontractor or sub-subcontractor or supplier at a rate equal to that received by the contractor or subcontractor from reserved funds.

~~((4))~~ (6) With the consent of the public body the contractor may submit a bond for all or any portion of the ~~((amount of funds retained by the public body))~~ contract retainage in a form acceptable to the public body. Such bond and any proceeds therefrom shall be made subject to all claims and liens and in the same manner and priority as set forth for retained percentages in this chapter. The public body shall release the bonded portion of the retained funds to the contractor within thirty days of accepting the bond from the contractor. Whenever a public body accepts a bond in lieu of retained funds from a contractor, the contractor shall accept like bonds from any subcontractors or suppliers from which the contractor has retained funds. The contractor shall then release the funds retained from the subcontractor or supplier to the subcontractor or supplier within thirty days of accepting the bond from the subcontractor or supplier.

~~((5))~~ (7) If the public body administering a contract, after a substantial portion of the work has been completed, finds that an unreasonable delay will occur in the completion of the remaining portion of the contract for any reason not the result of a breach thereof, it may, if the contractor agrees, delete from the contract the remaining work and accept as final the improvement at the stage of completion then attained and make payment in proportion to the amount of the work accomplished and in such case any amounts retained and accumulated under this section shall be held for a period of thirty days following such acceptance. In the event that the work shall have been terminated before final completion as provided in this section, the public body may thereafter enter into a new contract with the same contractor to perform the remaining work or improvement for an amount equal to or less than the cost of the remaining work as was provided for in the original contract without advertisement or bid. The provisions of this chapter 60.28 RCW shall be deemed exclusive and shall supersede all provisions and regulations in conflict herewith.

~~((6))~~ (8) Whenever the department of transportation has contracted for the construction of two or more ferry vessels, thirty days after completion and final acceptance of each ferry vessel, the department may release and pay in full the amounts retained in connection with the construction of such vessel subject to the provisions of RCW 60.28.020: PROVIDED, That the department of transportation may at its discretion condition the release of funds retained in connection with the completed ferry upon the contractor delivering a good and sufficient bond with two or more sureties, or with a surety company, in the amount of the retained funds to be released to the contractor, conditioned that no taxes shall be certified or claims filed for work on such ferry after a period of thirty days following final acceptance of such ferry; and if such taxes are certified or claims filed, recovery may be had on such bond by the department of revenue and the materialmen and laborers filing claims.

~~((7))~~ (9) Except as provided in subsection (1) of this section, reservation by a public body for any purpose from the moneys earned by a contractor by fulfilling its responsibilities under public improvement contracts is prohibited.

(10) Contracts on projects funded in whole or in part by farmers home administration and subject to farmers home administration regulations shall not be subject to subsections (1) through ~~((6))~~ (9) of this section.

(11) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this section.

(a) "Contract retainage" means an amount reserved by a public body from the moneys earned by a person under a public improvement contract.

(b) "Person" means a person or persons, mechanic, subcontractor, or materialperson who performs labor or provides materials for a public improvement contract, and any other person who supplies the person with provisions or supplies for the carrying on of a public improvement contract.

(c) "Public body" means the state, or a county, city, town, district, board, or other public body.

(d) "Public improvement contract" means a contract for public improvements or work, other than for professional services.

On page 1, line 3 of the title, after "owner," strike the remainder of the title and insert "and amending RCW 60.28.010."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Ms. Haugen moved that the House do concur in the Senate amendments to Substitute House Bill No. 2659. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. Sheldon presiding) stated the question before the House to be final passage of Substitute House Bill No. 2659 as amended by the Senate.

Ms. Haugen spoke in favor of passage of the bill as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2659 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 90, Nays - 0, Absent - 1, Excused - 7.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Tate, Valle, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, and Mr. Speaker - 90.

Absent: Representative Sprenkle - 01.

Excused: Representatives Berozoff, Ferguson, Meyers, R., Sommers, D., Vance, Van Luven, Zellinsky - 07.

Substitute House Bill No. 2659 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2766, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 36.18.040 and 1981 c 194 s 1 are each amended to read as follows:

(1) Sheriffs shall collect the following fees for their official services:

(a) For service of each summons and complaint, notice and complaint, summons and petition, and notice of small claim on ~~((each defendant, besides mileage, six dollars))~~ one defendant at any location, ten dollars, and on two or more defendants at the same residence, twelve dollars, besides mileage;

(b) For making a return, besides mileage actually traveled, ~~((five))~~ seven dollars;

(c) For levying each writ of attachment or writ of execution upon real or personal property, besides mileage, ~~((fifteen))~~ thirty dollars per hour;

(d) For filing copy of writ of attachment or writ of execution with auditor, ~~((five))~~ ten dollars plus auditor's filing fee;

(e) For serving writ of possession or restitution without aid of the county, besides mileage, ~~((fifteen))~~ twenty-five dollars;

(f) For serving writ of possession or restitution with aid of the county, besides mileage, ~~((twenty-five))~~ forty dollars plus ~~((fifteen))~~ thirty dollars for each hour after one hour;

~~((For summoning each juror, besides mileage, five dollars;))~~

(g) For serving an arrest warrant in any action or proceeding, besides mileage, ~~((fifteen))~~ thirty dollars;

(h) For executing any other writ or process in a civil action or proceeding, besides mileage, ~~((fifteen))~~ thirty dollars per hour;

(i) For each mile actually and necessarily traveled ~~((by him))~~ in going to or returning from any place of service, or attempted service, ~~((twenty-five))~~ thirty-five cents;

(j) For making a deed to lands sold upon execution or order of sale or other decree of court, to be paid by the purchaser, ~~((twenty))~~ thirty dollars;

(k) For making copies of papers when sufficient copies are not furnished, one dollar for first page and fifty cents per each additional page;

(l) For the service of any other document and supporting papers for which no other fee is provided for herein, ~~((six))~~ twelve dollars;

(m) For posting a notice of sale, or postponement, ~~((five))~~ ten dollars besides mileage;

(n) For certificate or bill of sale of property, or certificate of redemption, ~~((twenty))~~ thirty dollars;

(o) For conducting a sale of property ~~((fifteen))~~, thirty dollars per hour spent at a sheriff's sale;

(p) For notarizing documents, five dollars for each document;

(q) For fingerprinting for noncriminal purposes, ten dollars for each person for up to two sets, three dollars for each additional set;

(r) For mailing required by statute, whether regular, certified, or registered, the actual cost of postage;

(s) For an internal criminal history records check, ten dollars;

(t) For the reproduction of audio, visual, or photographic material, to include magnetic microfilming, the actual cost including personnel time.

(2) Fees allowable under this section may be recovered by the prevailing party incurring the same as court costs. Nothing contained in this section permits the expenditure of public funds to defray costs of private litigation. Such costs shall be borne by the party seeking action by the sheriff, and may be recovered from the proceeds of any subsequent judicial sale, or may be added to any judgment upon proper application to the court entering the judgment.

(3) Notwithstanding subsection (1) of this section, a county legislative authority may set the amounts of fees that shall be collected by the sheriff under subsection (1) of this section to cover the costs of administration and operation.

On page 1, line 1 of the title, after "costs;" strike the remainder of the title and insert "and amending RCW 36.18.040."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

### MOTION

Ms. Haugen moved that the House do concur in the Senate amendments to Substitute House Bill No. 2766. The motion was carried.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2766 as amended by the Senate.

Ms. Haugen spoke in favor of passage of the bill as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2766 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 90, Nays - 0, Absent - 1, Excused - 7.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insole, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Tate, Valle, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, and Mr. Speaker - 90.

Absent: Representative Sprengle - 01.

Excused: Representatives Berozoff, Ferguson, Meyers, R., Sommers, D., Vance, Van Luven, Zellinsky - 07.

Substitute House Bill No. 2766 as amended by the Senate, having received the constitutional majority, was declared passed.

### SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed:

**SUBSTITUTE HOUSE BILL NO. 1736** with the following amendment(s):

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** A new section is added to chapter 39.76 RCW to read as follows:

(1) Except as provided in RCW 39.76.020, every state agency, county, city, town, school district, board, commission, or any other public body shall pay interest at the highest rate allowed under RCW 19.52.025, on amounts due on written contracts for public works, personal services, goods and services, equipment, and travel, whenever the public body fails to make timely payment.

(2) For purposes of this section, payment shall be timely if:

(a) Except as provided otherwise in this subsection, a check or warrant is mailed or is available on the date specified for the amount specified in the applicable contract documents but not later than thirty days of receipt of a properly completed invoice or receipt of goods or services, whichever is later. If a contract is funded by grant or federal money, the public body shall pay the prime contractor for satisfactory performance within thirty calendar days of the date the public body receives a payment request that complies with the contract or within thirty calendar days of the date the public body actually receives the grant or federal money, whichever is later.

(b) On written contracts for public works, when part or all of a payment is going to be withheld for unsatisfactory performance or if the payment request made does not comply with the requirements of the contract, the public body shall notify the prime contractor in writing within eight working days after receipt of the payment request stating specifically why part or all of the payment is being withheld and what remedial actions must be taken by the prime contractor to receive the withheld amount.

(c) If the notification by the public body required by (b) of this subsection does not comply with the notice contents required under (b) of this subsection, the public body shall pay the interest under subsection (1) of this section from the ninth working day after receipt of the initial payment request until the contractor receives notice that does comply with the notice contents required under (b) of this subsection.

(d) If part or all of a payment is withheld under (b) of this subsection, the public body shall pay the withheld amount within thirty calendar days after the prime contractor satisfactorily completes the remedial actions identified in the notice. If the withheld amount is not paid within the thirty calendar days, the public body shall pay interest under subsection (1) of this section from the thirty-first calendar day until the date paid.

(e)(i) If the prime contractor on a public works contract, after making a request for payment to the public body but before paying a subcontractor for the subcontractor's performance covered by the payment request, discovers that part or all of the payment otherwise due to the subcontractor is subject to withholding from the subcontractor under the subcontract for unsatisfactory performance, the prime contractor may withhold the amount as allowed under the subcontract. If the prime contractor withholds an amount under this subsection, the prime contractor shall:



(A) Give the subcontractor notice of the remedial actions that must be taken as soon as practicable after determining the cause for the withholding but before the due date for the subcontractor payment;

(B) Give the contracting officer of the public body a copy of the notice furnished to the subcontractor under (e)(i)(A) of this subsection; and

(C) Pay the subcontractor within eight working days after the subcontractor satisfactorily completes the remedial action identified in the notice.

(ii) If the prime contractor does not comply with the notice and payment requirements of (e)(i) of this subsection, the contractor shall pay the subcontractor interest on the withheld amount from the eighth working day at an interest rate that is equal to the amount set forth in subsection (1) of this section.

(3) For the purposes of this section:

(a) A payment is considered to be made when mailed or personally delivered to the party being paid.

(b) An invoice is considered to be received when it is date-stamped or otherwise marked as delivered. If the invoice is not date-stamped or otherwise marked as delivered, the date of the invoice is considered to be the date when the invoice is received.

**NEW SECTION. Sec. 2.** (1) Contracts for public improvements or work, other than for professional services, by the state, or any county, city, town, school district, commission, district, board, or other public body, herein referred to as "public body", shall provide, and there shall be reserved by the public body from the moneys earned by the contractor on estimates during the progress of the improvement or work, a sum not to exceed five percent of the moneys earned, this sum to be retained by the state, county, city, town, district, board, or other public body, as a trust fund for the protection and payment of any person or persons, mechanic, subcontractor or materialman who performs any labor upon such a contract or the doing of the work, and all persons who supply such a person or persons or subcontractors with provisions and supplies for the carrying on of the work, and the state with respect to taxes imposed pursuant to Title 82 RCW which may be due from the contractor. A public body may not, for any purpose, reserve or retain from the moneys earned by a contractor under a public improvement contract any sum exceeding the five percent amount permitted in this subsection. Every person performing labor or furnishing supplies toward the completion of the improvement or work has a lien upon the moneys so reserved: PROVIDED, That the notice of the lien of the claimant is given within forty-five days of completion of all of the contract work other than landscaping, and in the manner provided in RCW 39.08.030: PROVIDED FURTHER, That if the board, council, commission, trustees, officer, or body acting for the state, county, or municipality or other public body:

(a) At any time after fifty percent of the original contract work has been completed, finds that satisfactory progress is being made, may make any of the partial payments which would otherwise be subsequently made in full; but in no event may the amount to be retained be reduced to less than five percent of the amount of the moneys earned by the contractor;

(b) After completion of all contract work other than landscaping, the contractor may request that the public body release and pay in full the amounts retained during the performance of the contract, and sixty days thereafter the public body must release and pay in full the amounts retained (other than continuing retention of five percent of the moneys earned for landscaping) subject to the provisions of chapters 39.12 and 60.28 RCW; and

(c) Sixty days after completion of all contract work the public body must release and pay in full the amounts retained during the performance of the contract subject to the provisions of chapters 39.12 and 60.28 RCW.

(2) The moneys reserved under the provisions of subsection (1) of this section, at the option of the contractor, shall be:

(a) Retained in a fund by the public body;

(b) Deposited by the public body in an interest bearing account in a bank, mutual savings bank, or savings and loan association. Interest on the account shall be paid to the contractor; or

(c) Placed in escrow with a bank or trust company by the public body. When the moneys reserved are placed in escrow, the public body shall issue a check representing the sum of the moneys reserved payable to the bank or trust company and the contractor jointly. This check shall be converted into bonds and securities chosen by the contractor and approved by the public body and the bonds and securities shall be held in escrow. Interest on the bonds and securities shall be paid to the contractor as the interest accrues.

(3) The contractor or subcontractor may withhold payment of not more than five percent from the moneys earned by any subcontractor or sub-subcontractor or supplier contracted with by the contractor to provide labor, materials, or equipment to the public project. Whenever the contractor or subcontractor reserves funds earned by a subcontractor or sub-subcontractor or supplier, the contractor or subcontractor shall pay interest to the subcontractor or sub-subcontractor or supplier at a rate equal to that received by the contractor or subcontractor from reserved funds.

(4) With the consent of the public body the contractor may submit a bond for all or any portion of the amount of funds retained by the public body in a form acceptable to the public body. This bond and any proceeds therefrom are

subject to all claims and liens and in the same manner and priority as set forth for retained percentages in this chapter. The public body shall release the bonded portion of the retained funds to the contractor within thirty days of accepting the bond from the contractor. Whenever a public body accepts a bond in lieu of retained funds from a contractor, the contractor shall accept like bonds from any subcontractors or suppliers from which the contractor has retained funds. The contractor shall then release the funds retained from the subcontractor or supplier to the subcontractor or supplier within thirty days of accepting the bond from the subcontractor or supplier.

(5) If the public body administering a contract, after a substantial portion of the work has been completed, finds that an unreasonable delay will occur in the completion of the remaining portion of the contract for any reason not the result of a breach thereof, it may, if the contractor agrees, delete from the contract the remaining work and accept as final the improvement at the stage of completion then attained and make payment in proportion to the amount of the work accomplished and in this case any amounts retained and accumulated under this section shall be held for a period of forty-five days following the completion. In the event that the work is terminated before final completion as provided in this section, the public body may thereafter enter into a new contract with the same contractor to perform the remaining work or improvement for an amount equal to or less than the cost of the remaining work as was provided for in the original contract without advertisement or bid. The provisions of this chapter are exclusive and supersede all provisions and regulations in conflict herewith.

(6) Whenever the department of transportation has contracted for the construction of two or more ferry vessels, sixty days after completion of all contract work on each ferry vessel, the department must release and pay in full the amounts retained in connection with the construction of the vessel subject to the provisions of this chapter and chapter 39.12 RCW: PROVIDED, That the department of transportation may at its discretion condition the release of funds retained in connection with the completed ferry upon the contractor delivering a good and sufficient bond with two or more sureties, or with a surety company, in the amount of the retained funds to be released to the contractor, conditioned that no taxes shall be certified or claims filed for work on the ferry after a period of forty-five days following completion of the ferry; and if taxes are certified or claims filed, recovery may be had on the bond by the department of revenue and the materialmen and laborers filing claims.

(7) Contracts on projects funded in whole or in part by farmers home administration and subject to farmers home administration regulations are not subject to subsections (1) through (6) of this section.

NEW SECTION. Sec. 3. After the expiration of the forty-five day period for filing a lien provided in section 2(1) of this act, and after receipt of the department of revenue's certificate, and the public body is satisfied that the taxes certified as due or to become due by the department of revenue are discharged, and the claims of materialmen and laborers who have filed their claims, together with a sum sufficient to defray the cost of foreclosing the liens of such claims, and to pay attorneys' fees, have been paid, the public body may withhold from the remaining retained amounts for claims the public body may have against the contractor and shall pay the balance, if any, to the contractor the fund retained by it or release to the contractor the securities and bonds held in escrow.

If such taxes have not been discharged or the claims, expenses, and fees have not been paid, the public body shall either retain in its fund, or in an interest bearing account, or retain in escrow, at the option of the contractor, an amount equal to such unpaid taxes and unpaid claims together with a sum sufficient to defray the costs and attorney fees incurred in foreclosing the lien of such claims, and shall pay, or release from escrow, the remainder to the contractor.

NEW SECTION. Sec. 4. Upon completion of a contract, the state, county or other municipal officer charged with the duty of disbursing or authorizing disbursement or payment of such contracts shall forthwith notify the department of revenue of the completion of contracts over twenty thousand dollars. Such officer shall not make any payment from the retained percentage fund or release any retained percentage escrow account to any person, until he has received from the department of revenue a certificate that all taxes, increases and penalties due from the contractor, and all taxes due and to become due with respect to such contract have been paid in full or that they are, in the department's opinion, readily collectible without recourse to the state's lien on the retained percentage.

NEW SECTION. Sec. 5. A new section is added to chapter 39.04 RCW to read as follows:

(1) When payment is received by a contractor or subcontractor for work performed on a public work, the contractor or subcontractor shall pay to any subcontractor not later than ten days after the receipt of the payment, amounts allowed the contractor on account of the work performed by the subcontractor, to the extent of each subcontractor's interest therein.

(2) In the event of a good faith dispute over all or any portion of the amount due on a payment from the state or a municipality to the prime contractor, or from the prime contractor or subcontractor to a subcontractor, then the state or the municipality, or the prime contractor or subcontractor, may withhold no more than one hundred fifty percent of the disputed amount. Those not a party to a dispute are entitled to full and prompt payment of their portion of a draw, progress payment, final payment, or released retainage.

(3) In addition to all other remedies, any person from whom funds have been withheld in violation of this section shall be entitled to receive from the person wrongfully withholding the funds, for every month and portion thereof

that payment including retainage is not made, interest at the highest rate allowed under RCW 19.52.025. In any action for the collection of funds wrongfully withheld, the prevailing party shall be entitled to costs of suit and reasonable attorneys' fees.

NEW SECTION. Sec. 6. (1) The rights provided in this act may not be waived by the parties and a contract provision that provides for waiver of the rights provided in this act is void as against public policy.

(2) This act is to be liberally construed to provide security for all parties intended to be protected by its provisions.

NEW SECTION. Sec. 7. (1) Sections 1 through 6 of this act are applicable to all public works contracts entered into on or after September 1, 1992, relating to the construction of any work of improvement.

(2) RCW 39.76.010, 60.28.010, 60.28.020, and 60.28.050 are applicable to all public works contracts entered into prior to September 1, 1992, relating to the construction of any work of improvement.

NEW SECTION. Sec. 8. Sections 2 through 4 of this act are each added to chapter 60.28 RCW.

NEW SECTION. Sec. 9. This act shall take effect September 1, 1992.

On page 1, line 2 of the title, after "property;" strike the remainder of the title and insert "adding a new section to chapter 39.76 RCW; adding new sections to chapter 60.28 RCW; adding a new section to chapter 39.04 RCW; creating new sections; prescribing penalties; and providing an effective date."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Heavey moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 1736 and ask the Senate for a conference thereon. The motion was carried.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Heavey, O'Brien and Fuhrman as conferees on Substitute House Bill No. 1736.

#### SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2448 with the following amendment(s):

On page 12, line 11, after "applied" strike "on an occasional basis not amounting to a principal or regular occupation" and insert "~~((on an occasional basis not amounting to a principal or regular occupation))~~"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Rayburn moved that the House refuse to concur in the Senate amendments to House Bill No. 2448 and ask the Senate for a conference thereon. The motion was carried.

Representatives Rayburn and Nealey spoke in favor of the motion.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Rayburn, Grant and Nealey as conferees on House Bill No. 2448.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2552, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

**"PART 1  
GENERAL GOVERNMENT"**

NEW SECTION. Sec. 1. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE OFFICE OF THE SECRETARY OF STATE**

- (1) Central Washington Archives: To design a regional archives facility at Central Washington University in Ellensburg (93-2-001)

The appropriation in this subsection is subject to the following conditions and limitations: No moneys may be spent until preplanning documents have been reviewed and approved by the office of financial management under section 28 of this act.

**Appropriation:**

St Bldg Constr Acct .....	\$	360,000
Prior Biennia (Expenditures) .....	\$	17,500
Future Biennia (Projected Costs) .....	\$	3,909,500
TOTAL .....	\$	4,287,000

Sec. 2. 1991 sp.s. c 14 s 6 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

- (1) Local jail facilities (88-2-001)

**Reappropriation:**

St Bldg Constr Acct .....	\$	308,000
Prior Biennia (Expenditures) .....	\$	2,692,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	3,000,000

(2) For environmental cleanup related to underground storage tanks (92-5-003)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The moneys provided in this subsection shall be allocated to the agencies and institutions of the state for removal, replacement, and environmental cleanup projects related to underground storage tanks.

(b) No moneys appropriated in this subsection or in any subsection specifically referencing this subsection may be expended unless the office of financial management, in consultation with the department of general administration, has reviewed and approved the cost estimates for the project. Projects to replace underground storage tanks shall conform with guidelines to minimize the risk of environmental contamination and reduce unnecessary duplication of tanks. The guidelines shall be adopted by the department of general administration and shall provide for consideration of environmental risks associated with tank installations, interagency agreements for sharing fueling facilities, and the feasibility of alternative fueling systems.

**Appropriation:**

St Bldg Constr Acct .....	\$	3,729,000
CEP & RI Acct .....	\$	390,000
For Dev Acct .....	\$	37,000
Res Mgmt Cost Acct .....	\$	118,000
		-----
Subtotal Appropriation .....	\$	4,274,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	4,274,000

(3) For asbestos removal or abatement projects

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The moneys provided in this subsection shall be allocated to agencies and institutions of the state for asbestos removal or abatement projects.

~~((e))~~ (b) Moneys may be allocated for an asbestos removal or abatement project only to the extent that the project is necessary to eliminate or reduce a hazard to human health and the project is completed in compliance with asbestos project standards adopted by the department of general administration. The department of general administration shall adopt standards to restrict the amount of asbestos removal to the minimum amount necessary.

~~((d))~~ (c) Subsections (3)(b) ~~((and (e)))~~ of this section do not apply to moneys reappropriated in this act for projects for which, before the effective date of this act, the design has been completed, bids have been requested, or a contract has been entered into.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 4,919,000
CEP & RI Acct .....	\$ 25,000
	-----
Subtotal Reappropriation .....	\$ 4,944,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 9,588,000
CEP & RI Acct .....	\$ 540,000
	-----
Subtotal Appropriation .....	\$ 10,128,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 14,448,000

(4) Higher education: Branch campuses site acquisition and development (90-5-002)

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The appropriations in this subsection are provided solely for the acquisition of land and/or construction of facilities for branch campuses recommended by the higher education coordinating board, and shall be allocated to appropriate public institutions of higher education upon approval of the board.

(b) Allocations from the appropriation in this subsection for land acquisition in the Spokane area shall be subject to the provisions of chapter 205, Laws of 1991 (House Bill No. 2198) and approval by the higher education coordinating board.

(c) No facility may be constructed on the Spokane riverfront property, other than the Spokane Intercollegiate Research and Technology Institute (SIRTI) building, until a master plan for facilities that incorporates the SIRTI building and provides for maximum joint use of facilities, is completed by the joint center board and approved by the higher education coordinating board.

~~((e))~~ (d) Any allocations made from the appropriation in this subsection for construction projects costing more than \$4,000,000 shall not be expended on design documents or construction until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ~~((of this act))~~, chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 31,301,667
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 31,000,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 109,000,000
	-----
TOTAL .....	\$ 171,301,667

- (5) Capital plan improvements: To develop state-wide capital cost standards, planning guidelines and policies, and internal rent strategies

The appropriation in this subsection is subject to the following conditions and limitations: The office of financial management shall establish state-wide guidelines to minimize funding of state agency staffing and overhead costs from capital budget appropriations. The guidelines shall provide for uniform agency reporting of staffing and overhead costs charged to capital funds and accounts, including engineering and architectural services provided through the department of general administration. The office of financial management shall report to the fiscal committees of the legislature by January 1, 1993, on the guidelines established pursuant to this subsection.

**Appropriation:**

St Bldg Constr Acct .....	\$	282,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	282,000

Sec. 3. 1991 sp.s. c 14 s 7 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

- (1) Life and safety projects: To improve life and safety deficiencies and correct code violations on the capitol campus (88-1-006)

**Reappropriation:**

Cap Bldg Constr Acct .....	\$	23,000
Prior Biennia (Expenditures) .....	\$	90,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	113,000

- (2) Minor works: To complete minor works and other projects, including inadequate building systems (88-2-008), Northern State facility repairs (90-1-012), boiler plant structural repairs (90-1-016), building exterior repairs (90-2-006), mechanical system repairs (90-2-009), and building interior repairs (90-2-010)

**Reappropriation:**

St Bldg Constr Acct .....	\$	2,621,000
Prior Biennia (Expenditures) .....	\$	6,178,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	8,799,000

- (3) Capitol Campus minor works: To complete minor works and other projects on the Capitol Campus, including boiler plant structural repairs (88-1-003), sidewalk and street repairs (90-2-005), building exterior repairs (90-2-006), and Capitol Lake shoreline repairs (90-3-013)

**Reappropriation:**

Cap Bldg Constr Acct .....	\$	1,278,000
Prior Biennia (Expenditures) .....	\$	1,587,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,865,000

- (4) Burien criminal justice training center: To complete renovations to the Burien criminal justice training center (90-3-025)

**Reappropriation:**

St Bldg Constr Acct .....	\$	5,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	5,000,000

- (5) Natural Resources Building: To complete construction of the Natural Resources Building (90-5-003)

**Reappropriation:**

East Cap Constr Acct .....	\$	45,400,000
Prior Biennia (Expenditures) .....	\$	27,600,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	73,000,000

- (6) Remodel of the John A. Cherberg Building (88-2-040)

The reappropriation in this subsection is subject to the following conditions and limitations: The project shall include review and development of program requirements for current and future facilities needs, including furnishings and equipment, for the Washington State Senate whose offices are currently located in the Institutions, Legislative, and John A. Cherberg Buildings. The project shall also include review and redesign, as necessary, of the proposed John A. Cherberg Building remodel, including construction and the acquisition of all furnishings and equipment required.

**Reappropriation:**

St Bldg Constr Acct .....	\$	3,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	3,000,000

- (7) Northern State Multi-Service Center: To complete the design for and to construct a sixteen-bed evaluation and treatment facility at the Northern State Multi-Service Center to provide care for the mentally ill consistent with chapter 71.24 RCW (90-5-027)

The reappropriation in this subsection is subject to the following conditions and limitations:

(a) No moneys from this reappropriation may be expended for construction until the department secures a lease with a county or a group of counties for use of the facility. The lease shall provide for payment to the department for all operations and management costs associated with the facility and a space rental charge. In establishing the space rental charge, the department shall consider fair market rent or lease rates charged for comparable facilities used by regional support networks.

(b) No moneys from this reappropriation may be expended for (~~furnishings or~~) equipment with a useful life expectancy of less than twenty years.

**Reappropriation:**

St Bldg Constr Acct .....	\$	1,700,000
Prior Biennia (Expenditures) .....	\$	50,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,750,000



- (8) Olympia Archives Storage Building: To complete design and construction of the archives storage building at Olympia Airdustrial Park (90-4-024)

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 1,800,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 671,000
Prior Biennia (Expenditures) .....	\$ 215,000
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 2,686,000

- (9) Small and emergency repairs: For unexpected small and emergency repairs on the Capitol Campus, and at other general administration facilities throughout the state (92-1-001) (92-2-002)

<b>Appropriation:</b>	
Cap Bldg Constr Acct .....	\$ 645,000
St Bldg Constr Acct .....	\$ 261,000
	-----
Subtotal Appropriation .....	\$ 906,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 2,571,000
	-----
TOTAL .....	\$ 3,477,000

- (10) Underground storage tanks: To remove and replace underground storage tanks on the Capitol Campus and at the Northern State multi-service center (92-1-005)

The appropriation in this subsection may be expended only after compliance with section 6(2) (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 140,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 1,371,000
	-----
TOTAL .....	\$ 1,511,000

- (11) Highway-Licenses Building: To complete the design for and to renovate the Highway-Licenses Building on the Capitol Campus (88-5-011) (92-2-003)

The new appropriation in this subsection is subject to the following conditions and limitations:

(a) No moneys may be spent for construction until the department of general administration develops a space rental charge to be assessed to agencies occupying the building being renovated with this appropriation. The space rental charge shall be sufficient to fully reimburse the annual debt service costs of the new appropriation in this subsection, and shall be assessed until the department has developed and implemented space rental charges for facilities owned by the department on a state-wide basis.

(b) No moneys may be spent until preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

(c) \$133,000 is provided solely to plan for and manage the temporary relocation and housing of tenants of the building renovated with this appropriation.

<b>Reappropriation:</b>	
Cap Purch & Dev Acct .....	\$ 150,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 22,438,000
Prior Biennia (Expenditures) .....	\$ 350,000
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 22,938,000

- (12) General Administration Building: To preplan renovation of the General Administration Building (92-2-005)

The appropriation in this subsection shall not be expended for design documents until the project predesign documents have been reviewed and approved by the office of financial management under section 28 of this act.

<b>Appropriation:</b>	
Cap Bldg Constr Acct .....	\$ 1,200,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 22,101,000
	-----
TOTAL .....	\$ 23,301,000

- (13) Minor works preplanning: To develop preplans and studies of minor works projects on the Capitol Campus (92-2-026)

<b>Appropriation:</b>	
Cap Bldg Constr Acct .....	\$ 750,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 750,000

- (14) Capitol Lake: To develop a dredging plan and dredge Capitol Lake, to repair lake dam gates, and to repair shoreline areas damaged by erosion (92-2-015) (92-3-019)

\$200,000 of the appropriation in this subsection is provided solely to develop a management plan and to implement projects to reduce sedimentation and other pollution in the Deschutes river watershed. Eligible projects shall include, but are not limited to, stream corridor conservation, bank stabilization, agricultural soil conservation, silvicultural soil conservation, and sedimentation and pollution monitoring. When implementing this subsection, the department shall coordinate with the departments of natural resources, ecology, fisheries, wildlife, and transportation, and with affected local governments and Indian tribes.

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 3,125,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 3,125,000

- (15) Minor works: For minor works, repair, and improvement projects on the Capitol Campus and at other facilities owned by the department, including campus high voltage loop improvements, plaza garage elevator repairs, Capitol Campus control system improvements, Governor's Mansion structural repairs, utilities and grounds improvements, interior and exterior building repairs, ~~((and))~~ building mechanical and electrical system improvements, employment security building elevator renovations, and heating, ventilation, and electrical repairs to the Legislative Building (92-2-008) (92-2-009) (92-2-013) (92-2-014) (92-2-016) (92-2-017) (92-2-018) (92-2-020) (92-2-024) (94-2-014)

**Appropriation:**

Cap Bldg Constr Acct .....	\$	<del>((7,889,000))</del>
		4,467,000
St Bldg Constr Acct .....	\$	<del>((2,595,000))</del>
		6,567,000
		-----
Subtotal Appropriation .....	\$	<del>((10,484,000))</del>
		11,034,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	13,188,000
		-----
TOTAL .....	\$	<del>((23,672,000))</del>
		24,222,000

- (16) Northern State facility repairs: To repair the boiler and steam distribution system, trim trees, and repair roofing at the Northern State multi-service center (92-2-021)

**Appropriation:**

CEP & RI Acct .....	\$	280,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	1,278,000
		-----
TOTAL .....	\$	1,558,000

- (17) State facilities planning: To develop designs and plans to accommodate agency housing needs in Thurston county (92-5-100) (92-5-101) (92-5-108) (92-5-102)

Of the appropriation in this subsection:

(a) \$750,000 is provided solely to develop master plans for satellite campuses to be located in the cities of Lacey and Tumwater;

(b) \$300,000 is provided ~~((solely))~~ to develop a facility implementation strategy for Thurston county. The implementation strategy shall include, but not be limited to, identification of agency space requirements and opportunities for co-location with other agencies, and an organizational process for developing specific project proposals and establishing implementation timelines;

(c) \$250,000 is provided ~~((solely))~~ to develop a master plan for light industrial facility needs in Thurston county; and

(d) \$200,000 is provided ~~((solely))~~ for a geotechnical and hydrological survey of the Capitol Campus.

The ~~((master))~~ plans and implementation strategy developed under this subsection shall incorporate transportation management and housing density principles designed to reduce commuter congestion and reliance on single-occupancy automobiles.

**Appropriation:**

St Bldg Constr Acct .....	\$	1,500,000
Prior Biennia (Expenditures) .....	\$	500,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	2,000,000

- (18) Thurston county landbank: To purchase, option, or otherwise control real property adjacent to the department of ecology in the city of Lacey for future state facilities (92-5-000)

**Appropriation:**

St Bldg Constr Acct .....	\$	8,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	8,000,000

- (19) Heritage Park: To acquire property and begin planning for a park between the Capitol Campus and Budd Inlet (92-5-105)

The appropriation in this subsection may not be spent to acquire the property parcel located in Olympia south of Seventh Avenue and approximately two and seven-tenths acres in size if such property parcel is sold to a party other than the state after January 1, 1991, and the state's acquisition price is substantially greater than the acquisition price paid by the other party.

The department shall report to the fiscal committees of the house of representatives and the senate by December 15, 1991, on the status of property acquisitions and plans for the park. The report shall also describe the status of any projects being developed by local governments or other state agencies that affect the design or development of the park. Any expenditure made under this appropriation shall conform to the capital campus master plan.

**Appropriation:**

St Bldg Constr Acct .....	\$	6,700,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	13,800,000
TOTAL .....	\$	20,500,000

- (20) Condition assessment: To develop a prototype condition assessment methodology, assess the condition of facilities owned by the department of general administration, and prepare a facility maintenance strategy that emphasizes preventative maintenance (92-2-007)

The appropriations in this subsection may not be spent until a detailed scope of work consistent with the recommendations of the capital forum has been reviewed and approved by the office of financial management.

**Appropriation:**

Cap Bldg Constr Acct .....	\$	591,000
St Bldg Constr Acct .....	\$	500,000
Subtotal Appropriation .....	\$	1,091,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,091,000

- (21) Ventilation system repair: John L. O'Brien Building

To replace existing heating, ventilation, and air conditioning system

**Appropriation:**

St Bldg Constr Acct .....	\$	650,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	650,000

(22) Office Building #2 air handling system: To upgrade the air supply system by rebuilding the existing system, changing the emergency diesel exhaust system and investigating energy savings to reduce operating and maintenance costs (93-2-025)

**Appropriation:**

St Bldg Constr Acct .....	\$	1,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,000,000

(23) Puyallup land acquisition: To reimburse the city of Puyallup for storm drainage improvements to land purchased by the state for a Pierce College extension (88-3-031)

**Appropriation:**

St Bldg Constr Acct .....	\$	221,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	221,000

(24) Library for the Blind and Physically Handicapped: A grant to the Seattle public library to acquire, or to obtain a purchase option on, space for the Washington library for the blind and physically handicapped (92-5-001)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The facility acquired with this appropriation shall be owned, operated, managed, renovated, and maintained by the Seattle public library with no rent charged to the state; and

(b) Funds provided in this subsection do not imply any future commitment of state resources for remodeling or renovation of the facility purchased.

**Appropriation:**

St Bldg Constr Acct .....	\$	1,900,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,900,000

**"PART 2  
HUMAN SERVICES"**

Sec. 4. 1991 sp.s. c 14 s 10 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT**

For the purposes of this section, "capital cost" means land acquisition and project design and construction. All projects funded in this section, except those under subsection (5) of this section, shall comply with section 54 ((of this act)), chapter 14, Laws of 1991 sp.s.

(1) Development loan fund (88-2-002)

The appropriation in this subsection shall be used for loans in timber-dependent communities as defined in Engrossed Substitute House Bill No. 1341.

**Appropriation:**

WA St Dev Loan Acct .....	\$	2,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,000,000

(2) Grays Harbor dredging (88-3-006)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The appropriation is provided solely for the state's share of costs for Grays Harbor dredging; dike construction, bridge relocation, and related expenses.

(b) Expenditure of moneys from this appropriation is contingent on the authorization of \$40,000,000 and an initial appropriation of at least \$13,000,000 from the United States army corps of engineers and the authorization of at least \$10,000,000 from the local government for the project. Up to \$3,500,000 of the local government contribution for the first year on the project may be composed of property, easements, rent adjustments, and other expenditures specifically for the purposes of this appropriation if approved by the army corps of engineers. State funds shall be disbursed at a rate not to exceed one dollar for every four dollars of federal funds expended by the army corps of engineers and one dollar from other nonstate sources.

(c) Expenditure of moneys from this appropriation is contingent on a cost-sharing arrangement and the execution of a local cooperation agreement between the Port of Grays Harbor and the army corps of engineers pursuant to Public Law 99-662, the federal water resources development act of 1986, whereby the corps of engineers will construct the project as authorized by that federal act.

(d) The Port of Grays Harbor shall make the best possible effort to acquire additional project funding from nonstate public grants and/or other governmental sources other than those in (b) of this subsection. Any money, up to \$10,000,000 provided from such sources other than those in (b) of this subsection, shall be used to reimburse or replace state building construction account money. In the event the project cost is reduced, any resulting reduction or reimbursement of nonfederal costs realized by the Port of Grays Harbor shall be shared proportionally with the state.

**Reappropriation:**

St Bldg Constr Acct .....	\$	6,840,318
Prior Biennia (Expenditures) .....	\$	3,159,682
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	10,000,000

(3) Housing capital programs: To construct, acquire, and rehabilitate low-income housing (88-5-015)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$8,000,000 is provided solely for the affordable housing program. The department may not approve a request for assistance under this subsection for projects located in cities and counties that do not have an affordable housing needs assessment approved by the department. The department shall by rule establish the content of the affordable housing needs assessment and criteria for the approval of the affordable housing needs assessment.

(b) \$8,000,000 is provided solely for the low-income weatherization program under chapter 70.164 RCW.

(c) \$34,000,000 is provided solely for the housing assistance program. Effective July 1, 1992, the department may not approve loan or grant requests for projects under this subsection that are inconsistent with the city's or county's and state's comprehensive housing affordability strategy, as required under Title I, section 105, of the National Affordable Housing Act of 1990.

(d) The Washington housing trust fund appropriation is provided solely for the department to contract with the University of Washington college of architecture for: (i) A study of regulatory impediments to affordable housing; (ii) a study on various innovative design techniques that can be used to increase housing density; (iii) a recommendation to the legislature for a new building code and associated regulations that will substantially reduce the cost of housing. No indirect costs of the contracting agent may be paid from this appropriation.

<b>Reappropriation:</b>	
<b>St Bldg Constr Acct</b> .....	\$ 10,000,000
<b>Appropriation:</b>	
<b>St Bldg Constr Acct</b> .....	\$ 50,000,000
<b>Washington Housing Trust Fund</b> .....	\$ 150,000
	-----
Subtotal Appropriation .....	\$ 50,149,500
Prior Biennia (Expenditures) .....	\$ 8,000,000
Future Biennia (Projected Costs) .....	\$ 100,000,000
	-----
TOTAL .....	\$ 168,149,500

(4) Columbia county courthouse (89-4-004)

The appropriations in this subsection are provided solely to repair and restore the Columbia county courthouse and shall be matched by at least \$100,000 in private donations and local funds from Columbia county.

<b>Reappropriation:</b>	
<b>St Bldg Constr Acct</b> .....	\$ 600,000
<b>Appropriation:</b>	
<b>St Bldg Constr Acct</b> .....	\$ 60,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 660,000

(5) Public works trust fund (90-2-001)

\$7,000,000 of the appropriation in this subsection is provided solely for the purposes of chapter 314, Laws of 1991, (Engrossed Substitute House Bill No. 1341, timber-dependent communities).

<b>Reappropriation:</b>	
<b>Public Works Assist</b> .....	\$ 85,734,000
<b>Appropriation:</b>	
<b>Public Works Assist</b> .....	\$ 88,491,000
Prior Biennia (Expenditures) .....	\$ 54,534,447
Future Biennia (Projected Costs) .....	\$ 231,877,000
	-----
TOTAL .....	\$ 460,636,447

(6) Seventh Street Hoquiam Theatre (90-2-008)

<b>Reappropriation:</b>	
<b>St Bldg Constr Acct</b> .....	\$ 250,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 250,000

(7) Tall ships tourist attraction: To design and construct a tall ship tourist attraction

The reappropriation in this subsection is subject to the following conditions and limitations:

(a) The reappropriation is provided solely to contract with the Grays Harbor Historical Seaport Authority to design and construct a tall ship tourist attraction.

(b) The reappropriation shall be matched by at least \$513,105 from nonstate sources provided solely for capital costs of the project. The match may include cash and in-kind contributions, but may not include cash or in-kind contributions used to match other state moneys provided to the Grays Harbor Historical Seaport Authority.

(c) The department shall ensure that the state's interest is protected by requiring that if the tall ship tourist attraction is sold or its use is changed, the Grays Harbor Historical Seaport Authority shall return to the state of Washington an amount equal to the state's total contribution to the project.

**Reappropriation:**

St Bldg Constr Acct .....	\$	513,105
Prior Biennia (Expenditures) .....	\$	486,895
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	1,000,000

(8) Port of Klickitat dredge spoils: For site preparation and transport and deposit of Columbia river dredge spoils (90-2-013)

The reappropriation in this subsection is subject to the following conditions and limitations:

(a) The port of Klickitat shall sign an agreement to repay the reappropriation plus simple interest at three percent in eight annual installments beginning July 1, 1993; and

(b) Expenditure of money from this reappropriation is contingent on at least \$300,000 from port district funds being provided for the project.

**Reappropriation:**

St Bldg Constr Acct .....	\$	250,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	250,000

(9) Historic community theaters (90-5-014)

The reappropriation in this subsection is provided solely for grants to preserve historic community theatres. No portion of the reappropriation in this subsection may be spent unless an equal amount from nonstate sources is provided for the same purposes. ((No more than \$50,000 of the reappropriation)) If, by January 1, 1993, any project approved for funding under this subsection has not demonstrated the ability to raise the required matching funds, the unmatched funds designated for the project shall be expended for renovation of the Admiral Theatre in west Seattle.

**Reappropriation:**

St Bldg Constr Acct .....	\$	250,000
Prior Biennia (Expenditures) .....	\$	250,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	500,000



- (10) Emergency management building minor works (92-2-009)

**Appropriation:**

St Bldg Constr Acct .....	\$	180,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL .....</b>	<b>\$</b>	<b>180,000</b>

- (11) Columbia river dredging: For completing a study on the feasibility of deepening the navigation channel from Astoria to Vancouver (92-5-006)

Expenditure of this appropriation is contingent on \$1,200,000 from the federal government and \$600,000 from the state of Oregon being appropriated for the same purpose.

**Appropriation:**

St Bldg Constr Acct .....	\$	600,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL .....</b>	<b>\$</b>	<b>600,000</b>

- (12) Building for the arts: For grants to local performing arts and art museum organizations for facility improvements or additions (92-5-100)

The appropriation in this subsection is subject to the following conditions and limitations:

- (a) Grants are limited to the following projects:

Estimated Total	State	State	Capital Cost	Grant	Portion
Seattle Children's Theatre			\$ 8,000,000	\$ 1,200,000	15%
Admiral Theatre (Bremerton)	\$ 4,261,000		\$ 639,000	15%	
Spokane Symphony			\$ 1,500,000	\$ 225,000	15%
Pacific Northwest Ballet			\$ 7,500,000	\$ 1,125,000	15%
Seattle Symphony			\$ 54,000,000	\$ 8,100,000	15%
Seattle Repertory Theatre			\$ 4,000,000	\$ 600,000	15%
Intiman Theatre			\$ 800,000	\$ 120,000	15%
Broadway Theatre District (Tacoma)			<del>(\$ 8,400,000)</del>	<del>\$ 1,260,000)</del>	15%
			<u>\$ 11,800,000</u>	<u>\$ 1,770,000</u>	
Allied Arts of Yakima			\$ 500,000	\$ 75,000	15%
Spokane Art School			\$ 454,000	\$ 68,000	15%
Seattle Art Museum			<u>\$ 4,862,500</u>	<u>\$ 729,000</u>	15%
<b>Total</b>			<del>\$(94,277,500)</del>	<del>\$ 14,141,000)</del>	
			<u>97,677,500</u>	<u>\$ 14,651,000</u>	

(b) The state grant may provide no more than fifteen percent of the estimated total capital cost or actual total capital cost of the project, whichever is less. The remaining portions of project capital costs shall be a match from nonstate sources. The match may include cash and land value.

(c) State funding shall be distributed to projects in the order in which matching requirements have been met.

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>((10,738,900))</b>
		<u>11,248,900</u>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	3,402,100
		-----
<b>TOTAL</b> .....	\$	<b>((14,141,000))</b>
		<u>14,651,000</u>

Columbia Gorge interpretive center: For construction of a facility in Stevenson with exhibits, classrooms, and a research library (92-5-101)

The appropriation in this subsection shall be matched by at least \$5,000,000 from nonstate sources provided for capital costs of the project. The match may include cash, land value, and other in-kind contributions.

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>5,000,000</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
<b>TOTAL</b> .....	\$	<b>5,000,000</b>

- (13) **Seattle Center redevelopment:** For upgrading the Coliseum (including engineering and other studies to determine renovation alternatives for the Coliseum), the International Fountain mall, Memorial Stadium, the Center House, the Pacific Arts Center, the Opera House, and central plant; converting the northwest rooms to a conference and exhibit facility; adding parking; renovating and developing open space areas; making improvements to mechanical, electrical, and other high-priority building systems; and making general improvements to the site, including but not limited to signs, fountains, portable stages, and fencing

The appropriation in this subsection shall be matched by moneys from nonstate sources sufficient to pay at least seventy-five percent of the total capital costs of these projects.

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>8,500,000</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
<b>TOTAL</b> .....	\$	<b>8,500,000</b>

- (14) **Spokane Food Bank:** For construction of a freezer/cooler

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>125,000</b>
Prior Biennia (Expenditures) .....	\$	150,000
Future Biennia (Projected Costs) .....	\$	0
		-----
<b>TOTAL</b> .....	\$	<b>275,000</b>

- (15) Carolyn Downs Family Medical Center: To construct a new medical facility on the Odessa Brown Children's Clinic campus

The appropriation in this subsection shall be matched by at least \$2,050,000 provided from nonstate sources for capital costs of this project.

**Appropriation:**

St Bldg Constr Acct .....	\$	500,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....		\$ 500,000

- (16) Nordic Heritage Museum: For building acquisition and improvements (90-2-007)

The reappropriation in this section is contingent on the expenditure for the same purpose of at least two dollars from nonstate sources for each dollar spent from this reappropriation.

**Reappropriation:**

St Bldg Constr Acct .....	\$	200,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....		\$ 200,000

- (17) Thorp Grist Mill: Restoration (90-5-010)

The reappropriation in this section is contingent on the expenditure for the same purpose of at least two dollars from nonstate sources for each dollar spent from this reappropriation.

**Reappropriation:**

St Bldg Constr Acct .....	\$	10,000
Prior Biennia (Expenditures) .....	\$	20,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....		\$ 30,000

- (18) Bremerton naval heritage redevelopment project

The reappropriation in this section is subject to the following conditions and limitations:

(a) This reappropriation is provided solely for capital improvements to the naval destroyer U.S.S. Turner Joy, in conjunction with the Bremerton naval heritage redevelopment project.

(b) No portion of this reappropriation may be expended unless an equal amount from nonstate and nonfederal sources is expended for the same purpose.

(c) Prior to the expenditure of this reappropriation, the recipient of the grant shall prepare and submit to the director of community development, for the director's approval, a financial plan that identifies the revenue sources for the completion of the project and for the long-term operation of the project.

**Reappropriation:**

St Bldg Constr Acct .....	\$	190,000
Prior Biennia (Expenditures) .....	\$	66,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....		\$ 256,000

- (19) Marine science center construction

The reappropriation in this section is subject to the following conditions and limitations:

(a) This reappropriation is provided solely for a grant to the city of Poulsbo for construction of a marine science center to be operated by educational service district no. 114.

(b) Expenditure of this reappropriation is contingent on site acquisition and at least \$300,000 of construction costs contributed from nonstate sources.

**Reappropriation:**

St Bldg Constr Acct .....	\$	498,000
Prior Biennia (Expenditures) .....	\$	2,500
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	500,000

(20) A Contemporary Theater (90-1-006)

The reappropriation in this section is subject to the following conditions and limitations:

- (a) This reappropriation is provided solely for the construction of a new theater in Seattle.
- (b) No portion of this reappropriation may be expended unless at least \$9,000,000 from nonstate sources, including the value of land, is provided for the same purpose.

**Reappropriation:**

St Bldg Constr Acct .....	\$	1,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,000,000

(21) Liberty Theater: To restore and rehabilitate Liberty Theater in Walla

The reappropriation in this section is subject to the following conditions and limitations:

- (a) Expenditure of moneys from this reappropriation is contingent on the expenditure for the same purpose of at least one dollar from nonstate sources, including in-kind contributions, for each four dollars spent from this reappropriation.
- (b) The reappropriation is provided solely for a grant to a nonprofit corporation for rehabilitation and restoration of the historic Liberty Theater building in Walla.
- (c) The owner of the building shall grant to the state an historic preservation easement prior to the expenditure of any funds from this reappropriation.
- (d) The nonprofit corporation shall submit to the director of community development, for the director's approval, a financial plan for the long-term operation of the building.

**Reappropriation:**

St Bldg Constr Acct .....	\$	200,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	200,000

(22) Yakima county: For construction and expansion of jail facilities in Yakima county

The reappropriation in this subsection may not exceed eighty percent of the total capital cost of the project. The remaining portion of project capital costs shall be a match from nonstate sources.

**Reappropriation:**

St Bldg Constr Acct .....	\$	2,400,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,400,000

(23) Resource Center for the Handicapped: To acquire ~~((the building))~~ and improve the facilities in which the center currently operates

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The appropriation may be used only ~~((to purchase))~~ for the facility declared surplus by the Shoreline school district in which the center operates a program as of the effective date of this section; and

(b) No expenditure shall be made until an equal amount of ~~((private, nongovernmental))~~ nonstate moneys dedicated to the purchase of the facility have been raised. The matching money may include lease-purchase payments made by the center prior to the effective date of this section.

**Appropriation:**

St Bldg Constr Acct .....	\$	1,500,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,500,000

- (24) Columbia river waterfront: Planning and coordinating existing and future land use, park, transportation, historical, and utility improvements along the shoreline of the Columbia river between the flushing channel and the Interstate 205 bridge

The appropriation in this subsection shall be matched by at least \$100,000 from nonstate sources provided for the same purpose.

**Appropriation:**

St Bldg Constr Acct .....	\$	100,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	100,000

- (25) Asian Resource Center: To construct an Asian Resource Center in Seattle  
This appropriation shall be matched by at least \$600,000 in cash provided from nonstate sources.

**Appropriation:**

St Bldg Constr Acct .....	\$	150,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	150,000

- (26) Pike Place Market: For a grant to the city of Seattle (the "city") for the Pike Place Market preservation and development authority (the "authority") to acquire the interests of what is known as the urban group partnerships (the "partnerships") in eleven properties located in the Pike Place Market historical district (the "district")

(a) No portion of the appropriation in this subsection may be expended until the ~~((city))~~ authority certifies to the department that:

(i) The settlement proposal agreement dated June 6, 1991, concerning the properties in the district is confirmed, including but not limited to provisions that:

(A) The partnerships will receive not more than a total of \$2,250,000 under the agreement;

(B) All rights, clear title, and interest in the market property will be relinquished by the partnerships and conveyed to the authority; and

(C) All pending litigation and related disputes will be dismissed with prejudice or otherwise finally resolved;

(ii) ~~((The city has amended the authority's charter to preclude any future sales of interests in authority properties in the district that could result in loss of authority management responsibilities;~~

~~((iii)))~~ The authority has executed and recorded a conservation easement, which has been approved by the department, providing protection for the character-defining features of the district. The term of the easement shall extend until the year 2012 or until the bonds sold to provide for this appropriation are retired, whichever is later. The easement shall inure to the benefit of the state.

(b) No portion of the appropriation in this subsection may be expended until the authority has executed an agreement with the department on behalf of the state to preclude any future sales of interest in the authority properties in the district that could result in loss of authority management responsibilities, except for reasonable encumbrances necessary for market-related purposes consistent with generally accepted management principles. Such agreement shall expire upon the termination of the conservation easement as provided in (a)(ii) of this subsection or the amendment of the authority's charter as provided in (c) of this subsection, whichever is earlier.

(c) The city shall, pursuant to RCW 35.21.745, amend the authority's charter to preclude any future sales of the interests in authority properties in the district that could result in loss of authority management responsibilities, except for reasonable encumbrances necessary for market-related purposes. If the authority and its chartered constituency have not proposed to the office of the mayor by June 30, 1992, a jointly approved charter amendment, the mayor shall, in his sole discretion, promulgate such charter amendments as he deems necessary and appropriate to fulfill the intent of this subsection and protect the public interest in the Pike Place Market. If the city, through the office of the mayor, has not amended the charter by July 31, 1992, the appropriation shall be repaid by the city to the department in full, plus interest at the rate specified for the payment of delinquent property taxes. As a condition of accepting the grant provided in this subsection, the city agrees to make any repayment not later than August 31, 1992. The mayor shall, by July 31, 1992, provide the department a copy of the charter amendment and a certification that such amendment precludes any sale of any interest in the authority properties in the historic district that could result in the loss of authority management responsibilities.

(d) The appropriation in this subsection shall be matched by at least \$750,000 provided from nonstate sources for the same purpose as this appropriation.

**Appropriation:**

St Bldg Constr Acct .....	\$	1,500,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,500,000

(27) Keyport Naval Undersea Museum: To complete an auditorium in the museum

**Appropriation:**

St Bldg Constr Acct .....	\$	300,000
Prior Biennia (Expenditures) .....	\$	500,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	800,000

(28) Marcus Whitman Statue: To provide a duplicate casting of the official statue of Marcus Whitman and to erect this statue in Walla Walla county

**Appropriation:**

St Bldg Constr Acct .....	\$	53,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	53,000

(29) Mystic Lake flood assistance: For mitigation of development-induced flooding of the lake

**Appropriation:**

St Bldg Constr Acct .....	\$	53,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	53,000

- (30) Maritime Museum: For exhibit, architecture, and facility planning for a maritime museum on the Seattle waterfront

**Appropriation:**

St Bldg Constr Acct .....	\$	200,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	200,000

- (31) Tacoma educational enrichment center

The appropriation in this subsection shall be matched by a contribution of at least \$2,200,000 provided from the Tacoma school district or other local government entity for capital costs of this project. The appropriation in this subsection is provided to the Tacoma school district for a facility to be operated under contract by the metropolitan park district of Tacoma. No funds may be expended until a facility plan has been jointly approved by the Tacoma school district and the metropolitan park district.

**Appropriation:**

St Bldg Constr Acct .....	\$	2,200,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,200,000

- (32) Meeker Mansion: For acquisition of property adjacent to the Ezra Meeker mansion in Puyallup

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The appropriation shall be matched by at least \$((200,000)) 100,000 provided from the Ezra Meeker Historical Society for land acquisition and development.

(b) ~~(None of the appropriation may be spent until the Ezra Meeker Historical Society demonstrates to the satisfaction of the department that it will be able to raise \$200,000 through pledges and contributions.~~

(e)) The department shall consult with the Washington State Historical Society before expending any portion of this appropriation.

**Appropriation:**

St Bldg Constr Acct .....	\$	200,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	200,000

- (33) Almira and Coulee-Hartline school districts: To make improvements to the Coulee-Hartline facility needed for a cooperative high school program with the Almira school district

The appropriation in this subsection is subject to the following conditions and limitations:

(a) No moneys may be expended until the boards of directors of the two school districts have provided to the department written confirmation that the moneys will be used solely to upgrade the Hartline facility for the purpose of implementing a cooperative high school district under chapter 28A.340 RCW;

(b) The appropriation shall be matched by at least \$100,000 provided by the Almira and Coulee-Hartline school districts for capital costs of the project.

**Appropriation:**

St Bldg Constr Acct .....	\$	240,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	240,000

- (34) Yakima criminal justice facility: For a grant to the city of Yakima for the construction of a new criminal justice facility

The appropriation in this subsection is subject to the following conditions and limitations:

(a) Before receiving the grant, the city shall demonstrate to the satisfaction of the department an ability to complete the construction of the facility and fund its operation.

(b) The grant may not exceed sixty-six percent of the total project capital costs as determined by the department. The remaining portion of project capital costs shall be a match provided from nonstate sources.

**Appropriation:**

St Bldg Constr Acct .....	\$	3,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	3,000,000

- (35) Bonney Lake Park: For a grant to the city of Bonney Lake for the acquisition and development of such facilities as it deems necessary for a park at Bonney Lake

The appropriation in this subsection shall be matched by at least \$35,000 from nonstate sources provided for the same purpose.

**Appropriation:**

St Bldg Constr Acct .....	\$	35,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	35,000

- (36) Snohomish county drainage district number 6: To purchase drainage district number 6 and construct a cross-levee on it, in order to decrease damaging flooding of adjacent lands and to reestablish wetlands

The appropriation in this subsection shall be matched by at least \$585,000 provided from nonstate sources for capital costs of this project.

**Appropriation:**

St Bldg Constr Acct .....	\$	350,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	350,000

- (37) Tears of Joy Theatre: For construction of an international puppetry center in Vancouver

The appropriation in this subsection shall be matched by at least \$1,950,000 from nonstate sources provided for capital costs of the project. The match may include cash, land value, and other in-kind contributions.

**Appropriation:**

St Bldg Constr Acct .....	\$	1,950,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	1,950,000

- (38) Flood control structures: Repair of damage from November 1990 floods

The appropriation in this subsection is provided solely for the local share of matching funds required for federal assistance to repair flood control structures damaged in the November 1990 floods. Local government



jurisdictions in the following counties may receive up to 36.5% of the required local match, or the amount listed below, whichever is less:

Chelan county	\$ 48,707
Clallam county	7,954
Grays Harbor county	2,755
Island county	656
Jefferson county	4,647
King county	209,337
Kitsap county	9,737
Kittitas county	30,914
Lewis county	14,802
Mason county	1,732
Pacific county	3,528
Pierce county	65,671
San Juan county	492
Skagit county	416,903
Snohomish county	188,005
Whatcom county	229,160

TOTAL 1,235,000

**Appropriation:**

St Bldg Constr Acct	\$	1,235,000
Prior Biennia (Expenditures)	\$	0
Future Biennia (Projected Costs)	\$	0
TOTAL	\$	1,235,000

(39) Fire Training Center: For emergency repairs (93-2-001)

**Appropriation:**

St Bldg Constr Acct	\$	50,000
Prior Biennia (Expenditures)	\$	0
Future Biennia (Projected Costs)	\$	0
TOTAL	\$	50,000

(40) Columbia River Renaissance: For a grant to the city of Vancouver to provide public access, park, and trails along the Columbia river

The appropriation in this subsection shall be matched by an equal amount of money from nonstate sources for the same purpose.

**Appropriation:**

St Bldg Constr Acct	\$	2,000,000
Prior Biennia (Expenditures)	\$	100,000
Future Biennia (Projected Costs)	\$	0
TOTAL	\$	2,100,000

(41) Pacific Science Center: For building renovation and repairs and for acquisition and renovation of exhibits

Each dollar expended from the appropriation in this subsection shall be matched by at least three dollars from nonstate sources expended for the same purpose.

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>1,061,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>1,061,000</u>

(42) Tri-Cities Trade, Recreation and Agriculture Center:

The appropriation in this subsection may be used only for capital development of an arena multi-purpose facility and adjacent recreation space in the city of Pasco. This appropriation shall be matched by at least two million dollars provided from nonstate sources.

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>2,000,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>2,000,000</u>

(43) Whatcom Museum: For building and exhibit acquisition, repair, and renovation

Expenditures from the appropriation in this subsection shall not exceed fifteen percent of the total estimated capital costs of the project. The remaining portions of the project costs shall be a match from nonstate sources. The match may include cash and land value received after January 1, 1990.

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>300,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>300,000</u>

(44) Martin Luther King Jr. Memorial: For development of a public park around the memorial in Seattle. Development includes but is not limited to street curbs, sidewalks, lighting, a parking lot, and landscaping

Each dollar expended from the appropriation in this subsection shall be matched by at least two dollars from other sources expended for the same purpose.

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>100,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>100,000</u>

(45) Challenger Learning Center -- Museum of Flight

The appropriation in this subsection is subject to the following conditions and limitations: The appropriation is provided solely for support of science education at the Challenger learning center at the museum of flight.

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>1,000,000</u>
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<u>Prior Biennia (Expenditures)</u> .....	\$	0
<u>Future Biennia (Projected Costs)</u> .....	\$	0
<b>TOTAL</b> .....	\$	<u>1,000,000</u>

Sec. 5. 1991 sp.s. c 14 s 13 (unmodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

- (1) Rainier: Renovate Evergreen Center (79-1-017)

**Reappropriation:**

<b>St Bldg Constr Acct</b> .....	\$	200,000
<b>DSHS Constr Acct</b> .....	\$	119,477
Subtotal Reappropriation .....	\$	319,477

Prior Biennia (Expenditures) .....	\$	4,230,523
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<u>4,550,000</u>

- (2) Referendum 37: For handicapped facilities construction pursuant to chapter 43.99C RCW (79-3-001)

\$9,529 of the appropriation may be used by Yakima county for improvements at the Community Center for the Deaf to permit increased service level to handicapped clients. This amount may be expended only if the final application for the project is submitted to the department by December 31, 1991, and approved by March 31, 1992.

**Reappropriation:**

<del>(Hndcp Fac Constr Acct</del> .....	<del>\$</del>	<del>253,531</del> )
<u>St Bldg Constr Acct</u> .....	\$	<u>88,556</u>
Prior Biennia (Expenditures) .....	\$	33,371
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<u>((286,902))</u> <u>121,927</u>

- (3) Child study center: Construct high school on the grounds of Western State Hospital (88-1-318)

**Reappropriation:**

<b>St Bldg Constr Acct</b> .....	\$	130,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<u>130,000</u>

- (4) Western State Hospital: Sanitary sewer (88-2-400)

**Reappropriation:**

<b>St Bldg Constr Acct</b> .....	\$	200,000
Prior Biennia (Expenditures) .....	\$	2,109,238
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<u>2,309,238</u>

(5)	Echo Glen: Renovate eleven living units at Echo Glen Children's Center (90-1-210)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	2,600,000
	Prior Biennia (Expenditures) .....	\$	364,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	<u>2,964,000</u>
(6)	Emergency capital repairs (90-1-007)		
	<b>Reappropriation:</b>		
	CEP & RI Acct .....	\$	25,000
	Prior Biennia (Expenditures) .....	\$	444,578
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	<u>469,578</u>
(7)	Western State Hospital: Ward renovations, phase 4 (90-1-312)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	6,000,000
	Prior Biennia (Expenditures) .....	\$	192,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	<u>6,192,000</u>
(8)	Eastern State Hospital: Ward renovations, phase 2 (90-1-339)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	<del>(2,000,000)</del>
			<u>467,784</u>
	Prior Biennia (Expenditures) .....	\$	2,510,400
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	<del>((4,510,400))</del>
			<u>2,978,184</u>
(9)	Minor capital renewal: Utilities and facilities (90-2-001), roads and grounds (90-2-002), roofs (90-2-003), fire and safety (90-1-004), and hazardous substances (90-1-005)		
	<b>Reappropriation:</b>		
	CEP & RI Acct .....	\$	850,000
	St Bldg Constr Acct .....	\$	450,000
	Subtotal Reappropriation .....	\$	<u>1,300,000</u>
	Prior Biennia (Expenditures) .....	\$	2,633,393
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	<u>4,733,725</u>

(10)	Small repairs and improvements (90-2-008)		
	<b>Reappropriation:</b>		
	<b>CEP- &amp; RI Acct</b> .....	\$	50,000
	Prior Biennia (Expenditures) .....	\$	140,000
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	190,000
(11)	Minor projects: Bureau of alcohol (90-2-010)		
	<b>Reappropriation:</b>		
	<b>CEP &amp; RI Acct</b> .....	\$	350,000
	Prior Biennia (Expenditures) .....	\$	92,400
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	442,400
(12)	Minor projects: Juvenile rehabilitation division (90-2-020)		
	<b>Reappropriation:</b>		
	<b>CEP &amp; RI Acct</b> .....	\$	200,000
	<b>St Bldg Constr Acct</b> .....	\$	25,000
			-----
	Subtotal Reappropriation .....	\$	225,000
	Prior Biennia (Expenditures) .....	\$	285,781
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	510,781
(13)	Minor projects: Mental health division (90-2-030) and (90-2-032)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	200,000
	<b>CEP &amp; RI Acct</b> .....	\$	65,000
			-----
	Subtotal Appropriation .....	\$	265,000
	Prior Biennia (Expenditures) .....	\$	460,000
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	725,000

(14) Snohomish county: Mental health evaluation and treatment facility (90-2-033)

The reappropriation in this subsection is subject to the following conditions and limitations:

(a) The reappropriation is provided solely for a mental health evaluation and treatment facility in Snohomish county.

(b) No moneys from the reappropriation may be expended until the department enters into an agreement with Snohomish county or a group of counties for the facility. The payments under the agreement shall be either at least equal to the facility component of the state average rate-per-patient day paid by the department to community mental health providers for comparable services, or at least equal to the amount of this reappropriation amortized over fifteen years.

(c) No moneys from the reappropriation may be expended before adoption of a plan to provide mental health services through a regional support network as required by chapter 205, Laws of 1989.

(d) Other counties or regions that adopt plans for mental health services as required by chapter 205, Laws of 1989, shall be eligible for application to the state for future evaluation and treatment facility moneys under the same conditions as are provided in subsections (a) and (b) of this subsection, as long as no applicant receives appropriated moneys from state sources exceeding one million dollars.

**Reappropriation:**

St Bldg Constr Acct .....	\$	800,000
Prior Biennia (Expenditures) .....	\$	200,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	1,000,000

(15) Minor projects: Developmental disabilities division (90-2-040)

**Reappropriation:**

St Bldg Constr Acct .....	\$	250,000
Prior Biennia (Expenditures) .....	\$	484,222
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	734,222

(16) Minor capital renewal, mental health (90-2-060)

**Reappropriation:**

St Bldg Constr Acct .....	\$	500,000
Prior Biennia (Expenditures) .....	\$	500,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	1,000,000

(17) Child care facilities (90-2-300)

**Reappropriation:**

St Bldg Constr Acct .....	\$	350,000
Prior Biennia (Expenditures) .....	\$	250,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	600,000

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(18)	Eastern State: Electrical distribution system (90-2-345)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	600,000
	Prior Biennia (Expenditures) .....	\$	771,600
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,371,600

(19)	Lakeland Village: Steam plant replacement (90-2-425)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	3,000,000
	Prior Biennia (Expenditures) .....	\$	1,063,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	4,063,000

(20) Preplanning (90-4-009)

The new appropriation in this subsection is provided solely for preplanning activities for the Administration Building at Lakeland Village, the security housing and treatment unit at Green Hill, and the vocational educational and administration buildings at Maple Lane.

	<b>Reappropriation:</b>		
	CEP & RI Acct .....	\$	50,000
	<b>Appropriation:</b>		
	CEP & RI Acct .....	\$	273,300
	Prior Biennia (Expenditures) .....	\$	141,400
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	464,700

(21)	Maple Lane: To add twenty-four new level 2 security beds (90-5-001)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	1,100,000
	Prior Biennia (Expenditures) .....	\$	156,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,256,000

(22)	Echo Glen: (( <del>Perimeter fence</del> )) <u>Security improvements</u> (90-5-002)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	<del>(850,000)</del>
			<u>500,000</u>
	Prior Biennia (Expenditures) .....	\$	106,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	<del>(956,000)</del>
			<u>606,000</u>

(23)	Fircrest: Food bank facility (90-5-011)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	700,000
	Prior Biennia (Expenditures) .....	\$	88,000
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	788,000
(24)	Minor capital renewal fire safety (92-1-004), utilities and facilities (92-2-001), roads and grounds (92-2-002), and roofs (92-2-003)		
	<b>Appropriation:</b>		
	<b>CEP &amp; RI Acct</b> .....	\$	3,284,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	7,136,000
	<b>TOTAL</b> .....	\$	10,420,000
(25)	Environmental: For minor works projects, including asbestos abatement, PCBs and other hazardous substances, and for planning functions pertaining to environmental/capital proposals (92-1-005)		
	<b>Appropriation:</b>		
	<b>CEP &amp; RI Acct</b> .....	\$	359,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	664,000
	<b>TOTAL</b> .....	\$	1,023,000
(26)	Emergency and unanticipated projects: For emergency and unanticipated repairs to equipment, facilities, and infrastructures at state institutions (92-1-007)		
	<b>Appropriation:</b>		
	<b>CEP &amp; RI Acct</b> .....	\$	250,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	538,100
	<b>TOTAL</b> .....	\$	788,100
(27)	Underground storage tanks: To test, replace, and/or remove underground storage tanks state-wide (92-1-060)		
	<b>Appropriation:</b>		
	<b>CEP &amp; RI Acct</b> .....	\$	145,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	618,000
	<b>TOTAL</b> .....	\$	673,000



- (28) Western State Hospital: To complete phase 5 of 7 phases, including ward renovations, hospital administration and support spaces, and patient treatment areas (92-1-314)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	13,669,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	13,669,000

- (29) Eastern State Hospital: To complete phase 3 of 5 phases, including ward treatment areas, hospital support space, and necessary utilities (92-1-340)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	7,578,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	7,578,000

- (30) Small works: For miscellaneous projects under \$25,000 each at the various institutions (92-2-008)

**Appropriation:**

CEP & RI Acct .....	\$	192,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	430,500
TOTAL .....	\$	622,500

- (31) Minor projects, alcohol and substance abuse division: For miscellaneous minor repairs, safety, and electrical repairs at Northern State Hospital (92-2-010)

**Appropriation:**

CEP & RI Acct .....	\$	300,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	300,000

- (32) Minor projects, juvenile rehabilitation division: For the upgrade of the water supply, sewer treatment, and security (92-2-020)

**Appropriation:**

CEP & RI Acct .....	\$	957,500
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	1,849,731
TOTAL .....	\$	2,807,231

- (33) Minor projects, mental health division: For minor projects including storm sewer, electrical system, air conditioning, food distribution system, loading dock cover, and new parking lots at Western State Hospital; administration renovation, window security screens, outdoor recreation restrooms at Eastern State Hospital; cemetery fence and kitchen improvements at the Portal facility (92-2-030)

**Appropriation:**

CEP & RI Acct .....	\$	1,317,200
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	2,656,600
TOTAL .....	\$	3,973,800

- (34) Minor projects, developmental disabilities division: For minor projects, including the "Y" Building renovation at Fircrest; replacement of living unit floors at Lakeland Village, a state-wide facilities and land use plan; renovation of bathroom and kitchen floors at Rainier School; and added support space and playground expansion at Yakima Valley School (92-2-040)

**Appropriation:**

CEP & RI Acct .....	\$	912,400
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	1,472,000
TOTAL .....	\$	2,384,400

- (35) Maple Lane: To add sixty-four new level 1 security beds (92-2-225)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	6,715,800
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	6,715,800

- (36) Maple Lane: To add forty-seven new level 2 security beds (92-2-230)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	3,107,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	3,107,000

- (37) Child study: For construction of a new education (~~center (high school))~~ facility (primary and secondary) at the child study and treatment center (92-2-319)

**Appropriation:**

St Bldg Constr Acct .....	\$	<del>(2,642,300)</del>
		<u>4,442,300</u>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	<del>((2,642,300))</del>
		<u>4,442,300</u>

- (38) Maintenance management: For completion of the maintenance management system at Medical Lake and Olympia (92-3-050)

**Appropriation:**

CEP & RI Acct .....	\$	292,800
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	473,500
TOTAL .....	\$	<u>766,300</u>

- (39) Resource conservation: For energy and water conservation projects (92-4-006)

**Appropriation:**

CEP & RI Acct .....	\$	561,100
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	442,600
TOTAL .....	\$	<u>1,003,700</u>

- (40) Child care facilities for state employees, including higher education employees (92-4-050)

**Appropriation:**

St Bldg Constr Acct .....	\$	2,500,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	<u>2,500,000</u>

- (41) Washington Institute for Mental Illness Research at Western State Hospital

**Appropriation:**

CEP & RI Acct .....	\$	700,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	<u>700,000</u>

NEW SECTION. Sec. 6. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:  
**FOR THE DEPARTMENT OF VETERANS' AFFAIRS**

- (1) Alzheimer unit: Design and remodel one wing of the Washington soldier's home for proper care and supervision of Alzheimer patients (93-2-001)

**Appropriation:**

St Bldg Constr Acct .....	\$	126,445
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	126,445

- (2) Korean War memorial: To build and erect a Korean War memorial on the capitol campus

Expenditure of the appropriation in this subsection is contingent on a match of at least \$200,000 from nonstate sources for the same purpose.

**Appropriation:**

St Bldg Constr Acct .....	\$	50,000
Prior Biennia (Expenditures) .....	\$	25,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	75,000

Sec. 7. 1991 sp.s. c 14 s 16 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

The appropriations in this section are subject to the following condition and limitation: The department shall, to the extent possible, employ inmate labor in the construction of projects where such employment use will save money.

- (1) Washington State Reformatory: Continuation of cellblock renovations, and expansion of the industries and production areas and the gym (83-3-048)

The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Reappropriation:**

St Bldg Constr Acct .....	\$	1,800,000
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**Appropriation:**

St Bldg Constr Acct .....	\$	9,687,000
Prior Biennia (Expenditures) .....	\$	19,513,213
Future Biennia (Projected Costs) .....	\$	9,281,500
TOTAL .....	\$	40,281,713

- (2) Washington State Penitentiary: For improving security facilities and utilities (83-3-052)

The new appropriation in this subsection is provided solely to renovate perimeter walls and towers.

**Reappropriation:**

St Bldg Constr Acct .....	\$	1,300,000
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**Appropriation:**

St Bldg Constr Acct .....	\$	1,609,000
Prior Biennia (Expenditures) .....	\$	11,536,721
Future Biennia (Projected Costs) .....	\$	4,274,000
TOTAL .....	\$	18,719,721

(3)	McNeil Island Corrections Center: For replacement of water mains; installation of new telephone switch gear; purchase of an underwater power cable for emergency use; replacement of overhead power lines and poles; and projects related to regulation of the landfill (86-1-002)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	4,800,000
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	3,230,500
	Prior Biennia (Expenditures) .....	\$	2,084,319
	Future Biennia (Projected Costs) .....	\$	4,780,000
			-----
	<b>TOTAL</b> .....	\$	14,894,819
(4)	McNeil Island Corrections Center: For repairs of roads and sea walls (86-1-004)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	700,000
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,922,500
	Prior Biennia (Expenditures) .....	\$	5,400,879
	Future Biennia (Projected Costs) .....	\$	3,737,000
			-----
	<b>TOTAL</b> .....	\$	11,760,379
(5)	McNeil Island Corrections Center: For repair of island homes, replacement of the emergency generator, and fire and safety improvements to institutional buildings (86-1-008)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,100,000
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,040,000
	Prior Biennia (Expenditures) .....	\$	6,084,008
	Future Biennia (Projected Costs) .....	\$	3,805,000
			-----
	<b>TOTAL</b> .....	\$	14,029,008
(6)	State-wide wastewater system improvements: For improvements to the laboratory at the wastewater facilities at the Monroe Reformatory; for upgrades of the sewage pumping system at Twin rivers Correctional Center; and for renovation of sewer lines at several facilities (88-1-017)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	450,000
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,298,000
	Prior Biennia (Expenditures) .....	\$	863,000
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	3,611,000

- (7) State-wide water system improvements: To construct a new 120,000-gallon reservoir at Twin rivers Correctional Center; to upgrade storage tanks at the Washington Correctional Center at Shelton and the Larch Correctional Center; to drill a new well at Clearwater/Olympic Correctional Center; to increase reservoir capacity at Cedar Creek Correctional Center; and to upgrade water treatment and storage at the Washington State Reformatory Honor Farm (88-1-018)

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 900,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 1,731,000
Prior Biennia (Expenditures) .....	\$ 461,000
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 3,092,000

- (8) McNeil Island Corrections Center: Continue major renovation and expansion of the McNeil Island Correction Center (88-2-003)

The new appropriation in this subsection shall be not expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 27,000,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 37,126,000
Prior Biennia (Expenditures) .....	\$ 5,012,222
Future Biennia (Projected Costs) .....	\$ 12,708,000
	-----
TOTAL .....	\$ 81,846,222

- (9) Work and training release relocation and expansion: To relocate and expand the work release facility currently located at Western State Hospital

No portion of this appropriation may be expended to purchase land until the department conducts a life-cycle cost analysis for the operating and capital costs of a facility to be located on the land and reports the results of the analysis to the fiscal committees of the legislature.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 4,000,000
Prior Biennia (Expenditures) .....	\$ 415,400
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 4,415,400

- (10) Washington Corrections Center for Women: For major renovation of existing facilities, including construction of thirty-bed special needs unit and addition of one hundred beds (88-2-006)

The new appropriation in this subsection shall be not expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 900,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ <del>(3,388,000)</del>
	<u>11,097,000</u>
Prior Biennia (Expenditures) .....	\$ 715,000
Future Biennia (Projected Costs) .....	\$ <del>(7,709,000)</del>
	<u>0</u>
TOTAL .....	\$ 12,712,000

- (11) Hazardous materials management (90-1-004)

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 200,000
Prior Biennia (Expenditures) .....	\$ 79,000
Future Biennia (Projected Costs) .....	\$ 0
	<u>0</u>
TOTAL .....	\$ 279,000

- (12) Washington Corrections Center/Washington Corrections Center for Women: Perimeter security upgrade (90-1-007)

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 600,000
Prior Biennia (Expenditures) .....	\$ 1,052,000
Future Biennia (Projected Costs) .....	\$ 1,183,000
	<u>0</u>
TOTAL .....	\$ 2,835,000

- (13) State-wide minor projects (90-1-009)

<b>Reappropriation:</b>	
CEP & RI Acct .....	\$ 900,000
St Bldg Constr Acct .....	\$ 2,700,000
	<u>0</u>
Subtotal Reappropriation .....	\$ 2,200,000
Prior Biennia (Expenditures) .....	\$ 1,749,000
Future Biennia (Projected Costs) .....	\$ 0
	<u>0</u>
TOTAL .....	\$ 5,349,000

(14) State-wide small repairs and improvements (90-1-010)

**Reappropriation:**

St Bldg Constr Acct .....	\$	300,000
Prior Biennia (Expenditures) .....	\$	456,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	756,000

(15) State-wide emergency repair projects (90-1-013)

**Reappropriation:**

CEP & RI Acct .....	\$	150,000
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**Appropriation:**

CEP & RI Acct .....	\$	750,000
Prior Biennia (Expenditures) .....	\$	600,000
Future Biennia (Projected Costs) .....	\$	750,000
TOTAL .....	\$	2,250,000

(16) New facilities: To design and construct a new 1,024-bed medium-security prison, and four minimum-security correctional facilities, for a total of 2,424 new beds (90-2-001)

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

(b) \$10,045,000 is provided solely to construct a 300-bed correctional camp at the Dayton site.

**Reappropriation:**

St Bldg Constr Acct .....	\$	51,550,000
<del>((Drug Enf &amp; Ed Acct .....</del>	<del>\$</del>	<del>5,900,000</del>
Subtotal Reappropriation .....	\$	<del>57,450,000))</del>

**Appropriation:**

St Bldg Constr Acct .....	\$	<del>((96,036,000))</del>
		<u>101,936,000</u>
Prior Biennia (Expenditures) .....	\$	3,038,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	156,524,000

(17) Washington State Penitentiary: For minimum security unit double bunking (90-2-003)

**Reappropriation:**

St Bldg Constr Acct .....	\$	1,050,000
Prior Biennia (Expenditures) .....	\$	160,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,210,000



(18)	Twin rivers Corrections Center: Double bunking (90-2-004)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,500,000
	Prior Biennia (Expenditures) .....	\$	481,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	2,981,000
(19)	Washington State Penitentiary: Medium-security complex double bunking (90-2-005)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,000,000
	Prior Biennia (Expenditures) .....	\$	128,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,128,000
(20)	Clearwater/Olympic Corrections Center: 100-bed expansion (90-2-006)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,200,000
	Prior Biennia (Expenditures) .....	\$	538,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,738,000
(21)	Cedar Creek Corrections Center: 100-bed expansion (90-2-007)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,450,000
	Prior Biennia (Expenditures) .....	\$	187,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,637,000
(22)	Washington State Penitentiary: Expand medium-security complex industries building (90-2-016)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,100,000
	Prior Biennia (Expenditures) .....	\$	113,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,213,000

- (23) State-wide roof repair: For reroofing projects at the Corrections Center at Shelton, Cedar Creek Corrections Center, Indian Ridge Corrections Center, Clearwater/Olympic Corrections Center, Monroe Reformatory, and the Treatment Center for Women at Purdy facilities (90-3-011)

**Reappropriation:**

St Bldg Constr Acct ..... \$ 150,000

**Appropriation:**

St Bldg Constr Acct ..... \$ 2,631,000

Prior Biennia (Expenditures) ..... \$ 1,350,000

Future Biennia (Projected Costs) ..... \$ 0

TOTAL ..... \$ 4,131,000

- (24) Clallam Bay Corrections Center: To expand program space and add three hundred forty-nine beds (90-5-026)

**Reappropriation:**

St Bldg Constr Acct ..... \$ 23,000,000

Prior Biennia (Expenditures) ..... \$ 2,301,000

Future Biennia (Projected Costs) ..... \$ 0

TOTAL ..... \$ 25,301,000

- (25) Camp labor pool funds (90-5-031)

Moneys from the reappropriation in this subsection shall made available to the department for expanded capacity projects in the event inmate labor cannot be employed.

**Reappropriation:**

St Bldg Constr Acct ..... \$ 229,000

Prior Biennia (Expenditures) ..... \$ 0

Future Biennia (Projected Costs) ..... \$ 0

TOTAL ..... \$ 229,000

- (26) Underground storage tanks: To test, replace, and/or remove underground storage tanks state-wide (92-1-002)

**Appropriation:**

St Bldg Constr Acct ..... \$ 300,000

Prior Biennia (Expenditures) ..... \$ 0

Future Biennia (Projected Costs) ..... \$ 1,000,000

TOTAL ..... \$ 1,300,000

- (27) State-wide minor projects: For projects less than \$500,000 pertaining to life safety/code compliance, property protection, or essential program support (92-1-012)

**Appropriation:**

St Bldg Constr Acct ..... \$ 7,500,000

Prior Biennia (Expenditures) ..... \$ 0

Future Biennia (Projected Costs) ..... \$ 4,976,000

TOTAL ..... \$ 12,476,000

- (28) State-wide small repairs and improvements: For miscellaneous state-wide projects, each under \$25,000 (92-1-013)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	497,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	497,000

- (29) Washington Corrections Center: To retrofit the boiler at Shelton (92-1-026)

In retrofitting the boiler, the department shall consider using wood pellets or natural gas, whichever is the more economically competitive, as the primary fuel source for the boiler.

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	2,164,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,164,000

- (30) Washington State Penitentiary: To add space for recreation, legal libraries, medical/dental unit, property and a clothing room at medium-security facilities (92-2-021)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	1,443,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,443,000

- (31) Washington State Penitentiary: To add space to the current gym, and upgrade systems for heating, ventilation, and air conditioning, fire protection, lighting, and electricity (92-2-022)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	888,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	888,000

- (32) Washington Corrections Center: For installation of a new underground steam distribution/condensation return system (92-2-028)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	729,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	729,000

- (33) Washington State Reformatory: For initiation of a feasibility study for relocation of program and living space at the honor farm (92-2-029)

**Appropriation:**

St Bldg Constr Acct .....	\$	230,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	1,000,000
TOTAL .....	\$	1,230,000

- (34) Washington State Reformatory: Restoration and repair of perimeter walls (92-2-031)

**Appropriation:**

St Bldg Constr Acct .....	\$	1,084,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,084,000

- (35) Pilot preventive maintenance program: For computer hardware and software for a computer-based preventative maintenance system (92-4-033)

The appropriation in this subsection is subject to the following conditions and limitations: The department of corrections shall, every six months, submit a progress report on this project to the department of general administration, the office of financial management, the senate committee on ways and means, and the house of representatives committee on capital facilities and financing.

**Appropriation:**

St Bldg Constr Acct .....	\$	325,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	325,000

- (36) Cedar Creek Corrections Center upgrade: Core facilities improvements and dormitory expansion (92-2-024)

**Appropriation:**

St Bldg Constr Acct .....	\$	1,426,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,426,000

- (37) Mental health planning: The department shall develop a facility plan for a mental health delivery system including outpatient treatment, short-term crisis beds, and acute long-term inpatient facilities. The plan shall maximize outpatient and short-term crisis beds where appropriate through the utilization of current capacity including utilization of infirmary beds as short-term mental health crisis observation beds. Plans for new long-term inpatient capacity shall supplement and not replace existing capacity at the Special Offender Center in Monroe (93-2-035)

<b>Appropriation:</b>	
<u>St Bldg Constr Acct</u> .....	\$ 200,000
<u>Prior Biennia (Expenditures)</u> .....	\$ 0
<u>Future Biennia (Projected Costs)</u> .....	\$ 0
<u>TOTAL</u> .....	<u>\$ 200,000</u>

- (38) Land acquisition: To acquire a purchase option on land adjacent to the Coyote Ridge Corrections Center (93-2-036)

<b>Appropriation:</b>	
<u>St Bldg Constr Acct</u> .....	\$ 24,000
<u>Prior Biennia (Expenditures)</u> .....	\$ 0
<u>Future Biennia (Projected Costs)</u> .....	\$ 2,500,000
<u>TOTAL</u> .....	<u>\$ 2,524,000</u>

**"PART 3  
NATURAL RESOURCES"**

Sec. 8. 1991 sp.s. c 14 s 18 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

- (1) Referendum 26: Waste disposal facilities (74-5-004)

<b>Reappropriation:</b>	
<u>LIRA, Waste Disp Fac</u> .....	\$ 15,660,673
<u>Prior Biennia (Expenditures)</u> .....	\$ 8,093,028
<u>Future Biennia (Projected Costs)</u> .....	\$ 0
<u>TOTAL</u> .....	<u>\$ 23,753,701</u>

- (2) Referendum 38: Water supply facilities (74-5-006)

<b>Reappropriation:</b>	
<u>LIRA, Water Sup Fac</u> .....	\$ 26,744,618
<u>Prior Biennia (Expenditures)</u> .....	\$ 2,466,576
<u>Future Biennia (Projected Costs)</u> .....	\$ 29,763,000
<u>TOTAL</u> .....	<u>\$ 58,974,194</u>

- (3) State emergency water project revolving account (76-5-003)

<b>Reappropriation:</b>	
<u>Emergency Water Proj</u> .....	\$ 7,599,337
<b>Appropriation:</b>	
<u>Emergency Water Proj</u> .....	\$ 1,343,929
<u>Prior Biennia (Expenditures)</u> .....	\$ 16,586,284
<u>Future Biennia (Projected Costs)</u> .....	\$ 224,761
<u>TOTAL</u> .....	<u>\$ 25,754,311</u>

(4) Referendum 39: Waste disposal facilities 1980 bond issue (82-5-005)

No expenditure from the reappropriation in this subsection shall be made for any grant valued over fifty million dollars to a city or county for solid waste disposal facilities unless the following conditions are met:

- (a) The city or county agrees to comply with all the terms of the grant contract between the city or county and the department of ecology;
- (b) The city or county agrees to implement curbside collection of recyclable materials as prescribed in the grant contract; and
- (c) The city or county does not begin actual construction of the solid waste disposal facility until it has obtained a permit for prevention of significant deterioration as required by the federal clean air act.

**Reappropriation:**

LIRA, Waste Disp Fac <u>1980</u> .....	\$	(( <del>61,598,000</del> ))
		<u>60,012,180</u>
Prior Biennia (Expenditures) .....	\$	401,402,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	((463,000,000))
		<u>461,414,180</u>

(5) Water quality account (86-5-007)

The appropriations in this subsection are subject to the following conditions and limitations:

(a) In awarding grants, extending grant payments, or making loans from these appropriations for facilities that discharge directly into marine waters, the department shall:

- (i) Give first priority to secondary wastewater treatment facilities that are mandated by both federal and state law;
- (ii) Give second priority to projects that reduce combined sewer overflows; and
- (iii) Encourage economies that are derived from any simultaneous projects that achieve the purposes of both (a) and (b) of this subsection.

(b) The following limitations shall apply to the department's total distribution of funds appropriated under this section:

- (i) Not more than fifty percent for water pollution control facilities that discharge directly into marine waters;
- (ii) Not more than twenty percent for water pollution control activities that prevent or mitigate pollution of underground waters and facilities that protect federally designated sole source aquifers with at least two-thirds for the Spokane-Rathdrum Prairie aquifer;
- (iii) Not more than ten percent for water pollution control activities that protect freshwater lakes and rivers including but not limited to Lake Chelan and the Yakima and Columbia rivers;
- (iv) Not more than ten percent for activities that control nonpoint source water pollution;
- (v) Ten percent and such sums as may be remaining from the categories specified in (i) through (iv) of this subsection for water pollution control activities or facilities as determined by the department.

(c) In determining compliance schedules for the greatest reasonable reduction of combined sewer overflows, the department shall consider the amount of grant or loan moneys available to assist local governments in the planning, design, acquisition, construction, and improvement of combined sewer overflow facilities.

(d) \$330,000 of the water quality account appropriation is provided solely for the department to evaluate water quality, solid and hazardous waste, and toxics cleanup needs of the state. The amount provided in this subsection represents the water quality account share of funding the evaluation. The department shall include in the evaluation information regarding existing needs and recommendations on how to address those needs within existing state financial assistance programs. The evaluation shall include options that rely solely on existing tax sources. The department shall also evaluate long-range financial options, including a greater reliance on loans, which take into account local financial resources. The evaluation shall be done in coordination with the state agency coordinating council established in Engrossed Substitute House Bill No. 1025 (Growth Management Strategies). If the bill is not enacted by July 31, 1991, the director of the department shall coordinate with the department of community development, the department of health, and the Puget Sound water quality authority as well as with other appropriate state and local agencies. By November 1, 1991, the

department shall submit to the chairs of the house capital facilities and financing committee and the senate ways and means committee, a detailed work plan, budget, and schedule for completion of the evaluation.

**Reappropriation:**

Water Quality Acct ..... \$ 134,422,504

**Appropriation:**

Water Quality Acct ..... \$ ((85,607,310))  
72,686,310

Prior Biennia (Expenditures) ..... \$ 53,036,533

Future Biennia (Projected Costs) ..... \$ 157,835,000

TOTAL ..... \$ ((430,901,347))  
417,980,347

(6) Nisqually River Interpretive Center

**Appropriation:**

St Bldg Constr Acct ..... \$ 150,000

Prior Biennia (Expenditures) ..... \$ 0

Future Biennia (Projected Costs) ..... \$ 0

TOTAL ..... \$ 150,000

(7) Local toxics control account (88-5-008)

\$270,000 of the new appropriation in this subsection is provided solely for the evaluation required in subsection (5)(d) of this section.

\$300,000 of the new appropriation in this subsection is provided solely for a pilot grant program to address remedial actions involving the contamination of drinking water supplies from hazardous substances. The pilot grant program is limited to remedial action where a responsible party has not been identified or held responsible. The department may establish an appropriate local match requirement for the pilot grant program. The department shall report to the appropriate committees of the legislature regarding the state-wide need for programs to clean up drinking water supplies contaminated by hazardous substances. This report shall be consolidated into the evaluation required in subsection (5)(d) of this section.

**Reappropriation:**

Local Toxics Control ..... \$ 27,653,297

**Appropriation:**

Local Toxics Control ..... \$ 59,183,607

Prior Biennia (Expenditures) ..... \$ 18,467,142

Future Biennia (Projected Costs) ..... \$ 106,984,641

TOTAL ..... \$ 212,288,687

(8) Methow Basin water conservation

This appropriation in this subsection shall be used to fund water use efficiency improvements in this Methow Basin, including the installation of headworks, weirs, and fish screens on existing irrigation diversions, metering of miscellaneous water uses, and lining of irrigation canals and ditches in identified high priority irrigation systems.

**Appropriation:**

St Bldg Constr Acct ..... \$ 400,000

LIRA, Water Sup Fac ..... \$ 800,000

Subtotal Appropriation ..... \$ 1,200,000

Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,200,000

(9) Flood control assistance grants: For transfer to the flood control assistance account under RCW 86.26.007

<b>Appropriation:</b>		
<u>State Bldg Constr Acct</u> .....	\$	<u>4,000,000</u>
TOTAL .....	\$	<u>4,000,000</u>

NEW SECTION. Sec. 9. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

(1) Sewer facilities: For sewer improvements at the following state parks: Ike Kinswa, Millersylvania, Lewis and Clark Trail, Bayview, Sequim Bay, Penrose Point, Tolmie, Fort Casey, Fort Ebey, and Maryhill

<b>Appropriation:</b>		
LIRA, Waste Fac 1980 .....	\$	1,585,820
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,585,820

(2) Flaming Geyser: Bridge relocation, phase 2 (87-2-029)

The appropriation in this section is in addition to the appropriations in section 19(7), chapter 14, Laws of 1991 sp.s.

<b>Appropriation:</b>		
ORA-State .....	\$	90,000

(3) Deception Pass: Repair failed water system

<b>Appropriation:</b>		
St Bldg Constr Acct .....	\$	283,180
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	283,180

(4) Bogachiel Park: Repair storm damage to comfort stations

<b>Appropriation:</b>		
St Bldg Constr Acct .....	\$	50,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	50,000

(5) Chuckanut Hill: Planning and acquisition for addition to Larrabee state park

The appropriation in this subsection is subject to the following conditions and limitations:  
 (a) No more than \$50,000 may be spent for planning, design, or negotiations toward purchase;



(b) Prior to the expenditure of any funds for acquisition, Whatcom county shall have entered into an agreement with the board of natural resources confirming the county's intent to manage any forest board lands adjacent to Larrabee state park as county park land under RCW 76.12.072;

(c) Either the city of Bellingham or Whatcom county shall have made application to the interagency committee for outdoor recreation for funding available through the wildlife and recreation program so that the city or county may acquire park lands adjacent to Larrabee state park. The application may provide for management of the lands by the state parks and recreation commission.

**Appropriation:**

ORA .....	\$	500,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	500,000

(6) Olmstead Place--Senator Frank "Tub" Hansen Memorial Interpretive Center, including parking facilities, restrooms, and display kiosk.

**Appropriation:**

St Bldg Constr Acct .....	\$	93,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	93,000

NEW SECTION. Sec. 10. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE WASHINGTON STATE DAIRY PRODUCTS COMMISSION**

(1) Acquire permanent facility: To acquire a permanent facility to house the offices and operations of the commission (92-5-001)

The appropriation in this subsection is subject to the following conditions and limitations: At least one dollar from the commission's operating funds shall be spent for each three dollars spent from this appropriation.

**Appropriation:**

WA St Dairy Prod Comm Fac Acct .....	\$	900,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	900,000

Sec. 11. 1991 sp.s. c 14 s 20 (uncodified) is amended to read as follows:

**FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

(1) Grants to public agencies (90-2-001)

**Reappropriation:**

St Bldg Constr Acct .....	\$	498,000
ORA-Federal .....	\$	637,000
ORA-State .....	\$	1,911,000
Firearms Range Acct .....	\$	-405,000
Subtotal Reappropriation .....	\$	3,451,000
Prior Biennia (Expenditures) .....	\$	6,254,000
Future Biennia (Projected Costs) .....	\$	0
		-----

TOTAL .....	\$	9,705,000
(2) Wildlife conservation and recreation (90-5-002)		
<b>Reappropriation:</b>		
<b>ORA-State</b> .....	\$	22,000,000
<b>Habitat Conservation Acct</b> .....	\$	21,830,000
		-----
Subtotal Reappropriation .....	\$	43,830,000
Prior Biennia (Expenditures) .....	\$	9,170,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	53,000,000

## (3) Grants to public agencies (92-2-001)

The appropriations in this section are subject to the following conditions and limitations:

(a) ~~(\$10,400,000)~~ \$12,400,000 of the state building and construction account appropriation in this subsection is provided solely for matching grants to local governments for projects contained in the governor's Washington wildlife and recreation submittal list from categories designated for local governments. The committee shall require a match of at least fifty percent.

(b) \$138,000 of the state outdoor recreation account may be used for additional program staff for administration.

(c) The legislature hereby approves, without exception, the list of local projects dated October 1, 1991, submitted by the interagency committee for outdoor recreation to the office of financial management.

**Appropriation:**

<b>ORA-Federal</b> .....	\$	2,000,000
<b>ORA-State</b> .....	\$	7,738,000
<b>Firearms Range Acct</b> .....	\$	222,000
<b>St Bldg Constr Acct</b> .....	\$	<del>((10,400,000))</del>
		<u>12,400,000</u>
		-----
Subtotal Appropriation .....	\$	<del>((20,360,000))</del>
		<u>22,360,000</u>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	21,764,000
		-----
TOTAL .....	\$	<del>((42,124,000))</del>
		<u>44,124,000</u>

(4) Washington wildlife and recreation program

(a) One-half of the appropriation in this subsection shall be deposited into and is hereby appropriated from the habitat conservation account and one-half shall be deposited into and is hereby appropriated from the state outdoor recreation account, for the Washington wildlife and recreation program, as established under chapter 43.98A RCW.

(b) All land acquired by a state agency with moneys from this appropriation shall comply with class A, B, and C weed control provisions of chapter 17.10 RCW.

(c) The following projects are deleted from the approved list of projects established under chapter 43.98A RCW:

- (i) Hatten-Tracy rock acquisitions (project #925033)
- (ii) Yakima river canyon acquisition (project #925055)
- (iii) Okanogan sharp-tailed grouse habitat (project #925040)
- (iv) Southeast Washington critical habitat acquisition (project #925042)
- (v) Esquaztel coulee acquisition (project #935064)

**Appropriation:**

St Bldg Constr Acct .....	\$	50,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	105,000,000
		-----
TOTAL .....	\$	155,000,000

**NEW SECTION. Sec. 12.** A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

- (1) Clear creek dam: To rebuild the dam according to plans approved by the United States bureau of reclamation (93-2-002)

The appropriation in this subsection is contingent on at least \$3,250,000 being provided from federal and local sources. The state shall not be obligated for project costs that exceed this appropriation.

**Appropriation:**

St Bldg Constr Acct .....	\$	1,550,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	1,550,000

**NEW SECTION. Sec. 13.** A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT**

- (1) Washington Technology Center (92-5-001)

The appropriation in this subsection is provided solely for the design and outfitting of the first and second floor laboratory spaces in Fluke Hall.

**Appropriation:**

St Bldg Constr Acct .....	\$	1,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	1,000,000

**NEW SECTION. Sec. 14.** A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:  
**FOR THE DEPARTMENT OF FISHERIES**

(1) Coast and Puget Sound salmon enhancement (92-5-001)

**Appropriation:**

St Bldg Constr Acct .....	\$	513,311
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	513,311

(2) Habitat management (92-2-001)

**Appropriation:**

General Fund-Federal .....	\$	800,000
General Fund-Priv/Loc .....	\$	800,000
Subtotal Appropriation .....	\$	1,600,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,600,000

**NEW SECTION. Sec. 15.** A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE DEPARTMENT OF WILDLIFE**

(1) Repair of flood damage on Luhrs Landing

**Appropriation:**

St Bldg Constr Acct .....	\$	40,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	40,000

(2) Hood Canal Wetlands Interpretive Center: For a grant to the North Mason School District to construct a wetlands education center at the Mary E. Theler wetlands

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The school district shall provide and maintain public access, education, and passive recreation opportunities.

(b) The appropriation in this subsection shall be matched by an equal amount of money from other sources for the purposes described in this subsection.

**Appropriation:**

St Bldg Constr Acct .....	\$	500,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	500,000

Sec. 16. 1991 sp.s. c 14 s 26 (uncodified) is amended to read as follows:

**FOR THE PARKS AND RECREATION COMMISSION: TIMBERLAND PURCHASES AND COMMON SCHOOL PURCHASES**

The appropriation in this section is subject to the following conditions and limitations:

(1) This appropriation is provided to the state parks and recreation commission ("commission") solely to acquire trust lands that have been identified by the department of natural resources ("department") as appropriate for state park use and development. Except as specifically otherwise provided in this section, the commission shall acquire the following parcels:

- (a) Lord Hill, in Snohomish county, west of Monroe;
- (b) Beacon Rock, in Skamania county, adjacent to Beacon Rock State Park;
- (c) Larrabee Addition, (1 and 2) in Whatcom county, northeast of Larrabee State Park and Chuckanut Mountain;
- (d) South Whidbey, in Island county, adjacent to South Whidbey State Park;
- (e) Wallace Falls Addition, in Snohomish county, adjacent to Wallace Falls State Park;
- (f) Soleduck corridor, in Clallam county, on the Soleduck river at Sappho;
- (g) Dugualia Bay property, in Island county, on the northeast shore of Whidbey Island;
- (h) Rasar property, in Skagit county, west of Birdsvew, near the Skagit river;
- (i) Wallace Falls Addition (Northwest) property, in Snohomish county, adjacent to the northwestern side of the designated park property;
- (j) Wallace Falls Addition (Southwest) property, in Snohomish county, adjacent to the southwestern side of Wallace Falls State Park;
- (k) Hoypus Hill in Island county south of Hoypus Point Natural Forest Area at Deception Pass State Park;
- (l) Lake Easton in Easton in Kittitas county west of Lake Easton State park near the town of Easton;
- (m) Diamond Point, in Clallam county, on the Strait of Juan de Fuca; and
- (n) Skykomish river property, along Highway 2, near Index.

(2) The commission may expend moneys from this appropriation for acquisition of the Skykomish river property under subsection (1)(n) of this section only to the extent that moneys remain available after the commission has made all reasonable efforts to acquire the other properties identified in this subsection. If funds remain available after all properties in (a) through (n) of this subsection have been purchased, the commission may purchase additional trust properties for park purposes. The purchases of additional properties shall be conducted in a manner that provides substantial benefit to the common school construction fund.

(3) To achieve the purposes of this section, intergrant exchanges between common school trust lands and parcels of noncommon school trust lands shall occur on an equal-value basis.

(4) Proceeds from the transfer of the timber shall be deposited by the department in the same manner as timber revenues from other common school trust lands. No deduction may be made for the resource management cost account under RCW 79.64.040. The proceeds from the transfer of the land shall be used by the department to acquire timber land of equal value to be managed as common school trust land and to maintain a sustainable yield.

(5) The department shall attempt to maintain an aggregate ratio of approximately 85:15 timber-to-land value in these transactions. ~~((If the aggregate value of timber to land varies by more than plus or minus five percent of that ratio, individual land acquisitions may be dropped in order to maintain the approximate ratio.))~~

(6) It is the intent of the legislature that, insofar as feasible, the full parcels identified in subsection (1) of this section be acquired for park purposes. However, to the extent authorized by the commission, House Bill No. 2990, or Senate Bill No. 6509, the boundaries of the Diamond Point property under subsection (1)(m) of this section may vary from the property boundaries as described in the joint study conducted by the commission and the department under section 4, chapter 163, Laws of 1985.

**Appropriation:**

St Bldg Constr Acct .....	\$	50,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	50,000,000

NEW SECTION. Sec. 17. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE STATE CONVENTION AND TRADE CENTER**

- (1) Minor works: For minor works improvement projects, including security improvements, lighting enhancements, and space expansions (93-2-001)

The appropriation in this subsection is subject to the following conditions and limitations: Before expending the appropriation in this subsection, the Washington State Convention and Trade Center shall report to the office of financial management and to the fiscal committees of the legislature a status report on the convention and trade center account and the convention and trade center operations account. The status report shall include, but not be limited to: Amounts borrowed under RCW 67.40.045 and 67.49.055 and corresponding repayment schedules, projections of future revenues and expenditures, transfers between accounts, and compliance with provisions of RCW 67.40.040.

**Appropriation:**

<b>State Convention and Trade Center</b>	
Acct .....	\$ 1,050,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
-----	
TOTAL .....	\$ 1,050,000

**"PART 4  
TRANSPORTATION"**

Sec. 18. 1991 sp.s. c 14 s 29 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

- (1) Crime laboratory, Tacoma: To design and construct a new eight thousand-square foot crime lab facility in Tacoma, to be co-located with the Washington State Patrol/Department of Licensing District headquarters (92-1-008).

The appropriation in this section shall not be expended for consolidation of laboratory services currently being performed in the Kelso and Kennewick crime laboratories.

**Appropriation:**

St Bldg Constr Acct .....	\$ 2,017,000
Prior Biennia (Expenditures) .....	\$ 20,000
Future Biennia (Projected Costs) .....	\$ 0
-----	
TOTAL .....	\$ 2,037,000

- (2) Spokane crime laboratory: For safety enhancements (92-1-008)

**Appropriation:**

St Bldg Constr Acct .....	\$ 192,000
Prior Biennia (Expenditures) .....	\$ 4,500
Future Biennia (Projected Costs) .....	\$ 0
-----	
TOTAL .....	\$ 196,500

- (3) ~~((Headquarters: Design a new headquarters facility in Olympia (90-2-040))~~

**Appropriation:**

<del>WSP Highway Acct .....</del>	<del>\$ 3,400,000</del>
<del>Prior Biennia (Expenditures) .....</del>	<del>\$ 250,000</del>
<del>Future Biennia (Projected Costs) .....</del>	<del>\$ 45,323,000</del>

TOTAL ..... \$ 48,973,000

(4)) Everett district headquarters--Crime laboratory (90-2-018)

**Reappropriation:**  
**St Bldg Constr Acct** ..... \$ 455,000  
 Prior Biennia (Expenditures) ..... \$ 15,000  
 Future Biennia (Projected Costs) ..... \$ 0  
 -----  
**TOTAL** ..... \$ 470,000"

**"PART 5  
 EDUCATION"**

Sec. 19. 1991 sp.s. c 14 s 30 (uncodified) is amended to read as follows:  
**FOR THE STATE BOARD OF EDUCATION**

The appropriations in subsections (1) through (9) of this section are subject to the following condition and limitation: Total cash disbursed from the common school construction fund may not exceed the available cash balance.

- (1) Public school building construction (79-3-002)  
**Reappropriation:**  
**Common School Constr Fund** ..... \$ 500  
 Prior Biennia (Expenditures) ..... \$ 0  
 Future Biennia (Projected Costs) ..... \$ 0  
 -----  
**TOTAL** ..... \$ 500
- (2) Public school building construction (83-3-001)  
**Reappropriation:**  
**Common School Constr Fund** ..... \$ 110,000  
 Prior Biennia (Expenditures) ..... \$ 490,000  
 Future Biennia (Projected Costs) ..... \$ 0  
 -----  
**TOTAL** ..... \$ 600,000
- (3) Public school building construction (86-4-001)  
**Reappropriation:**  
**Common School Constr Fund** ..... \$ 1,100,000  
 Prior Biennia (Expenditures) ..... \$ 1,400,000  
 Future Biennia (Projected Costs) ..... \$ 0  
 -----  
**TOTAL** ..... \$ 2,500,000

(4)	Public school building construction (86-4-008)		
	<b>Reappropriation:</b>		
	<b>Common School Constr Fund</b> .....	\$	70,000
	Prior Biennia (Expenditures) .....	\$	75,298
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	145,298
(5)	Public school building construction (88-2-001)		
	<b>Reappropriation:</b>		
	<b>Common School Constr Fund</b> .....	\$	4,000,000
	Prior Biennia (Expenditures) .....	\$	61,328,022
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	65,328,022
(6)	Public school building construction (89-2-004)		
	<b>Reappropriation:</b>		
	<b>Common School Constr Fund</b> .....	\$	80,000
	Prior Biennia (Expenditures) .....	\$	2,920,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	3,000,000
(7)	Public school building construction (90-2-001)		
	<b>Reappropriation:</b>		
	<b>Common School Constr Fund</b> .....	\$	156,000,000
	Prior Biennia (Expenditures) .....	\$	252,527,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	408,527,000
(8)	Public school building construction (91-2-001)		

The appropriations in this subsection are subject to the following conditions and limitations:

(a) A maximum of \$1,200,000 may be spent for state administration of school construction funding.

(b) A maximum of \$225,000 may be expended for two full-time equivalent field staff with construction/architectural experience to assist in evaluating project requests and reviewing information reported by school districts.

(c) A maximum of \$100,000 may be expended for development of a new priority system pursuant to (f) of this subsection.

(d) ~~((Funding)) A maximum of \$411,800,000 may be expended~~ for common school construction and modernization ~~((is provided for))~~ projects approved for state assistance by the state board ~~((as of January 26, 1991. Of the funds available for obligation by the state board after state administration costs and after the costs incurred under (b) and (c) of this subsection, fifty eight percent is provided solely for approved new construction projects to serve unhoused students, four percent is provided solely for approved condemnation projects, and thirty four percent is provided solely for approved modernization projects. The remaining funds shall be allocated at the discretion of the state board)).~~

(e) Projects approved for state assistance by the state board after January 26, 1991, ~~((pursuant to WAC 180-25-040,))~~ shall be placed on a new priority system developed by the state board pursuant to (f) of this subsection.



(f)(i) The state board shall develop a new priority system for allocating state assistance for school construction and modernization projects. The priority system shall include evaluation of projects according to objective criteria established by the state board and a process for review of data submitted by school districts. In developing the system and the criteria, the state board shall consider the following factors: Type of space requested; current space availability, age, and condition; cost benefit considerations of new construction as compared to modernization; impacts of maintenance on the condition of facilities; impacts of delay of receipt of state assistance; and short and long-range demographic projections.

(ii) The state board shall present a progress report and implementation plan to the governor and the appropriate fiscal committees of the legislature by February 15, 1992.

(g) The common school reimbursable construction account appropriation in this section serves as compensation to the common school construction fund for any obligation owed the fund as a result of vocational technical institutes being transferred from the authority of a local school district and the superintendent of public instruction to the state board for community and technical colleges as directed by chapter 238, Laws of 1991 (Engrossed Substitute Senate Bill No. 5184, workforce training and education).

**Appropriation:**

Common School Constr Fund .....	\$	<del>((135,500,000))</del>
		<u>156,300,000</u>
Common School Reimb Constr Acct .....	\$	<del>((120,000,000))</del>
		<u>255,500,000</u>
		-----
Subtotal Appropriation .....	\$	<del>((255,500,000))</del>
		<u>411,800,000</u>
		-----
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	350,000,000
		-----
TOTAL .....	\$	<del>((605,500,000))</del>
		<u>761,800,000</u>

~~((9))~~ Public school building construction (91-2-001)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) This appropriation is subject to all conditions and limitations contained in subsection (8) of this section.

**Appropriation:**

<del>Common School Constr Fund .....</del>	<del>\$</del>	<del>21,000,000</del>
<del>Prior Biennia (Expenditures) .....</del>	<del>\$</del>	<del>0</del>
<del>Future Biennia (Projected Costs) .....</del>	<del>\$</del>	<del>0</del>
		-----
<del>TOTAL .....</del>	<del>\$</del>	<del>21,000,000))</del>

Sec. 20. 1991 sp.s. c 14 s 34 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON:**

(1) Safety: Fire code, PCB, and life safety (86-1-001)

**Reappropriation:**

UW Bldg Acct .....	\$	6,890,000
Prior Biennia (Expenditures) .....	\$	2,298,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	9,188,000

(2)	Safety: Asbestos removal (86-1-002)		
	<b>Reappropriation:</b>		
	<b>UW Bldg Acct</b> .....	\$	4,900,000
	Prior Biennia (Expenditures) .....	\$	600,000
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	5,500,000
(3)	Minor works: Building renewal (86-1-004)		
	<b>Reappropriation:</b>		
	<b>UW Bldg Acct</b> .....	\$	6,200,000
	Prior Biennia (Expenditures) .....	\$	5,983,000
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	12,183,000
(4)	Health Science Center G Court, H Wing, and I Court addition (86-2-021) and H Wing renovation (88-2-015)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	43,508,000
	<b>UW Bldg Acct</b> .....	\$	3,500,000
	Subtotal Reappropriation .....	\$	47,008,000
	Prior Biennia (Expenditures) .....	\$	7,856,000
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	54,864,000
(5)	Minor works: Program renewal (86-3-005)		
	The reappropriations in this subsection are provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.		
	<b>Reappropriation:</b>		
	<b>UW Bldg Acct</b> .....	\$	3,800,000
	Prior Biennia (Expenditures) .....	\$	9,540,000
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	13,340,000

- (6) Power plant boiler: To replace boiler number four with a gas and oil fixed boiler, including upgrades in the central heating plant (88-2-022)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Reappropriation:**

St Bldg Constr Acct .....	\$	360,000
UW Bldg Acct .....	\$	240,000
		-----
Subtotal Reappropriation .....	\$	600,000

**Appropriation:**

St Bldg Constr Acct .....	\$	19,872,000
Prior Biennia (Expenditures) .....	\$	468,495
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	20,340,495

- (7) K Wing addition (90-1-001)

The reappropriation in this subsection is provided from the proceeds of state general obligation bonds reimbursed from university indirect cost revenues from federal research grants and contracts pursuant to RCW 43.99H.020(18).

**Reappropriation:**

H Ed Constr Acct .....	\$	45,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	45,000,000

- (8) Emergency power generation (90-2-001)

**Reappropriation:**

St Bldg Constr Acct .....	\$	10,500,000
Prior Biennia (Expenditures) .....	\$	610,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	11,110,000

- (9) Physics: To construct and equip a new building for the physics and astronomy departments (90-2-009)

The project funded by the appropriations in this subsection shall be constructed on campus. The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
<b>St Bldg Constr Acct</b> .....	\$ 4,000,000
<b>Appropriation:</b>	
<b>H Ed Reimb Constr Acct</b> .....	\$ 64,786,000
Prior Biennia (Expenditures) .....	\$ 3,778,000
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 72,564,000

- (10) Chemistry I: Design and construction (90-2-011)

The reappropriation in this subsection is subject to the following conditions and limitations:

(a) The reappropriation shall not be expended for construction until the project predesign and design documents have been reviewed and approved by the office of financial management under section 28 of this act.

(b) The project funded by the reappropriation in this subsection shall be constructed on campus.

<b>Reappropriation:</b>	
<b>St Bldg Constr Acct</b> .....	\$ 37,200,000
Prior Biennia (Expenditures) .....	\$ 1,952,000
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 39,152,000

- (11) Electrical engineering and computer science building: To complete the design of a replacement building for the departments of electrical engineering and computer science and engineering (90-2-013) (92-2-024)

The project funded by the appropriations in this subsection shall be constructed on campus. Other than for preplanning, the reappropriation shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
<b>St Bldg Constr Acct</b> .....	\$ 3,450,000
<b>Appropriation</b>	
<b>St Bldg Constr Acct</b> .....	\$ 1,147,000
Subtotal Appropriation .....	\$ ((5,597,000))
	<u>4,597,000</u>
Prior Biennia (Expenditures) .....	\$ 661,000
Future Biennia (Projected Costs) .....	\$ 93,500,000
TOTAL .....	\$ 98,758,000

- (12) Electrical distribution system (88-1-011), power plant chiller (88-1-012), power plant stack replacement (88-1-023)

**Reappropriation:**

St Bldg Constr Acct .....	\$	830,000
UW Bldg Acct .....	\$	770,000

Subtotal Reappropriation .....	\$	1,600,000
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Prior Biennia (Expenditures) .....	\$	7,539,000
Future Biennia (Projected Costs) .....	\$	0

TOTAL .....	\$	9,139,000
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- (13) Safety: Fire code, PCB, and life safety projects including: Cleanup of asbestos, compliance with federal regulations for PCB removal and contaminated soil, and life safety and fire code regulations (92-1-004)

**Appropriation:**

St Bldg Constr Acct .....	\$	10,640,000
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Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	33,333,000

TOTAL .....	\$	43,973,000
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- (14) Minor capital renewal: To complete minor projects costing under \$500,000 that renew or bring campus facilities into code compliance (92-1-005)

The appropriations in this subsection are provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Appropriation:**

St Bldg Constr Acct .....	\$	3,525,000
UW Bldg Acct .....	\$	5,000,000

Subtotal Appropriation .....	\$	8,525,000
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Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	40,200,000

TOTAL .....	\$	48,725,000
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- (15) Communications Building Renovation (88-2-014)

**Reappropriation:**

St Bldg Constr Acct .....	\$	2,015,000
UW Bldg Acct .....	\$	1,167,000

Subtotal Reappropriation .....	\$	3,182,000
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Prior Biennia (Expenditures) .....	\$	3,555,000
Future Biennia (Projected Costs) .....	\$	0

TOTAL .....	\$	6,737,000
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- (16) Nuclear reactor decommission: To design the removal and decontamination of the nuclear reactor on campus (92-1-022)

**Appropriation:**

St Bldg Constr Acct .....	\$	235,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	2,488,000
		-----
TOTAL .....	\$	2,723,000

- (17) Kincaid basement: To build twenty-two thousand-square feet of basement space between the Kincaid Building and the new Physics Building (92-2-002)

**Appropriation:**

St Bldg Constr Acct .....	\$	3,314,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	3,314,000

- (18) Physics Hall renovation, program: To complete the design for renovation of the existing Physics Hall (92-2-008)

The appropriation in this subsection shall not be expended on design documents until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	2,543,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	37,800,000
		-----
TOTAL .....	\$	40,343,000

- (19) Chiller addition: To add one central power plant chiller unit (92-2-009)

**Appropriation:**

St Bldg Constr Acct .....	\$	2,459,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	2,459,000

- (20) Data communications: To complete several data communications projects involving infrastructure, wiring, and building modifications (92-2-010)

**Appropriation:**

St Bldg Constr Acct .....	\$	2,700,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	2,700,000

(21) Electrical distribution: To upgrade the campus electrical distribution (92-2-012)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	1,300,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
<b>TOTAL</b> .....	\$	1,300,000

(22) Other utility projects: To remove and decontaminate underground storage tanks and other repair projects (92-2-013)

The appropriation in this subsection may be expended only after compliance with section 6(2) ~~((of this act))~~, chapter 14, Laws of 1991 sp.s.

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	460,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	20,000,000
		-----
<b>TOTAL</b> .....	\$	20,460,000

(23) Comparative medicine facility: To construct an animal laboratory facility (92-2-017)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	700,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
<b>TOTAL</b> .....	\$	700,000

(24) Minor capital improvements: To complete minor remodeling projects costing under \$500,000 that improve space usage and make repairs for specific campus programs or buildings (92-3-006)

The appropriations in this subsection are provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	5,703,000
<b>UW Bldg Acct</b> .....	\$	5,000,000
		-----
Subtotal Appropriation .....	\$	10,703,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	40,250,000
		-----
<b>TOTAL</b> .....	\$	50,953,000

(25) Parrington Hall exterior: To repair the exterior of Parrington Hall (92-3-018)

**Appropriation:**

<b>UW Bldg Acct</b> .....	\$	1,759,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
<b>TOTAL</b> .....	\$	1,759,000

- (26) Meany Hall exterior renovation: To replace the leaking exterior of Meany Hall (92-3-019)

The appropriation in this subsection shall not be expended for design documents until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

UW Bldg Acct .....	\$	7,238,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	7,238,000

- (27) Denny Hall exterior repair: To repair and seismically improve the exterior of Denny Hall (92-3-020)

**Reappropriation:**

St Bldg Constr Acct .....	\$	215,000
<b>Appropriation:</b>		
UW Bldg Acct .....	\$	1,670,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	1,885,000

- (28) Fisheries II/utilities: To prepare plans for extending the utilities infrastructure to the west campus, constructing a new fisheries building, and replacing the facility for police and custodial units (92-2-027)

The appropriation in this subsection shall not be expended on design documents until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St( <del>ate</del> ) Bldg Constr Acct .....	\$	1,850,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	91,528,000
		-----
TOTAL .....	\$	93,378,000

- (29) Olympic Natural Resources Center

The appropriation in this subsection shall not be expended for design documents until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	5,675,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	5,675,000

- (30) Employee day care facility--Preplanning

The appropriation in this subsection is provided solely for the purpose of acquiring, preparing a site for meeting the needs identified in the November 1987 child-care study conducted for the higher education coordinating board. In acquiring a site, the University shall make every effort to locate the child-care facility



within a two-mile radius of the main Seattle campus and shall give a high priority to the use of buildings owned, but not used by, the Seattle school district.

**Appropriation:**

St Bldg Constr Acct .....	\$	150,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	150,000

(31) School of Business expansion: Predesign and design (93-4-001)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The appropriation shall not be expended for design documents until the project predesign documents have been reviewed and approved by the office of financial management under section 28 of this act.

(b) The appropriation in this subsection shall be matched by and spent concurrently with at least \$650,000 in cash provided from nonstate sources.

**Appropriation:**

H Ed Reimb Constr Acct .....	\$	650,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	5,350,000
		-----
TOTAL .....	\$	6,000,000

(32) Henry Art Gallery expansion and renovation: For predesign and design phase

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The appropriation shall be not expended for design documents until the project predesign documents have been reviewed and approved by the office of financial management under section 28 of this act.

(b) The appropriation in this subsection shall be matched by \$1,500,000 from nonstate sources. Phase II construction shall be matched by at least \$4,200,000 from nonstate sources.

**Appropriation:**

H Ed Reimb Constr Acct .....	\$	300,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	8,316,000
		-----
TOTAL .....	\$	8,616,000

Sec. 21. 1991 sp.s. c 14 s 35 (uncodified) is amended to read as follows:

**FOR WASHINGTON STATE UNIVERSITY**

(1) Science Hall renewal, phase 2 (86-1-006)

**Reappropriation:**

H Ed Constr Acct .....	\$	400,000
Prior Biennia (Expenditures) .....	\$	10,804,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	11,204,000

## (2) Minor capital improvements (90-1-001)

The reappropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Reappropriation:**

WSU Bldg Acct .....	\$	1,788,000
Prior Biennia (Expenditures) .....	\$	3,212,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	5,000,000

## (3) Minor capital renewal (90-1-002)

The reappropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Reappropriation:**

St Bldg Constr Acct .....	\$	1,950,000
Prior Biennia (Expenditures) .....	\$	3,050,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	5,000,000

## (4) Washington higher education telecommunications system: To convert one of two analog channels to digital (90-2-021)

Any expenditure under this reappropriation shall be consistent with the plan being developed by the department of information services for the 1991 legislative session for the cost-effective, incremental implementation of a coordinated state-wide video telecommunications system.

**Reappropriation:**

WSU Bldg Acct .....	\$	2,700,000
Prior Biennia (Expenditures) .....	\$	55,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,755,000

## (5) Land acquisition (Branch Campus) (90-5-002)

**Reappropriation:**

St Bldg Constr Acct .....	\$	250,000
Prior Biennia (Expenditures) .....	\$	1,095,333
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,345,333

(6)	Tri-Cities University Center (90-5-901)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,850,000
	Prior Biennia (Expenditures) .....	\$	9,548,000
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	12,398,000

(7) Minor capital improvements: To complete minor remodeling projects costing under \$500,000 that improve space usage and make repairs for specific campus programs or buildings (92-1-001)

The appropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

	<b>Appropriation:</b>		
	<b>WSU Bldg Acct</b> .....	\$	6,500,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	21,300,000
	<b>TOTAL</b> .....	\$	27,800,000

(8) Expansion of east campus substation: To provide an additional 15,000 KVA electrical power capacity to the existing east campus substation (92-1-015)

	<b>Reappropriation:</b>		
	<b>WSU Bldg Acct</b> .....	\$	525,100
	<b>Appropriation:</b>		
	<b>WSU Bldg Acct</b> .....	\$	670,000
	Prior Biennia (Expenditures) .....	\$	7,900
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	1,203,000

(9) Smith Gym electrical system replacement: To replace the entire building-wide electrical system (92-1-017)

	<b>Reappropriation:</b>		
	<b>WSU Bldg Acct</b> .....	\$	638,300
	<b>Appropriation:</b>		
	<b>WSU Bldg Acct</b> .....	\$	542,000
	Prior Biennia (Expenditures) .....	\$	9,700
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	1,190,000

- (10) Hazardous, pathological, and radioactive waste handling facilities: To provide centralized facilities to prepare, package, and ship biomedical, pathological, hazardous, low-level, and nonradioactive waste (92-1-019)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~(of this act)~~), chapter 14, Laws of 1991 sp.s.

**Reappropriation:**

WSU Bldg Acct ..... \$ 21,700

**Appropriation:**

St Bldg Constr Acct ..... \$ 1,343,000

Prior Biennia (Expenditures) ..... \$ 130,300

Future Biennia (Projected Costs) ..... \$ 5,570,000

TOTAL ..... \$ 7,065,000

- (11) Asbestos removal: To remove asbestos contaminated fireproofing from the roof beams and support structures of the Coliseum (92-1-020)

The appropriation in this subsection may be expended only after compliance with section 6(3) (~~(of this act)~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

WSU Bldg Acct ..... \$ 1,513,000

Prior Biennia (Expenditures) ..... \$ 0

Future Biennia (Projected Costs) ..... \$ 0

TOTAL ..... \$ 1,513,000

- (12) Fulmer Hall: To design renovations of Fulmer Hall Annex to meet fire, safety, and handicap access code requirements and to make changes in functional use of space (92-1-023)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~(of this act)~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct ..... \$ 957,000

Prior Biennia (Expenditures) ..... \$ 0

Future Biennia (Projected Costs) ..... \$ 7,943,000

TOTAL ..... \$ 8,900,000

- (13) Nuclear radiation center study (92-1-025)

**Reappropriation:**

WSU Bldg Acct ..... \$ 13,400

Prior Biennia (Expenditures) ..... \$ 39,600

Future Biennia (Projected Costs) ..... \$ 0

TOTAL ..... \$ 53,000

- (14) Minor capital renewal: To complete minor projects costing under \$500,000 that renew or bring campus facilities into code compliance (92-2-002)

The appropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Appropriation:**

St Bldg Constr Acct .....	\$	5,500,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	5,500,000

- (15) Preplanning: To complete preplanning documents for the following projects: Engineering teaching-research building, animal sciences laboratory building, Thompson Hall renewal, Heald Hall renewal, Holland Library renewal, Bohler Gym addition/renewal, Kimbrough Hall addition, and classroom auditorium building (92-2-003)

The preplanning document shall include but not be limited to projected workload, site conditions, user requirements, current space available, and an overall budget and cost estimate breakdown in a form prescribed by the office of financial management.

**Appropriation:**

WSU Bldg Acct .....	\$	869,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	869,000

- (16) Holland Library addition: To furnish and equip the library addition (92-2-012)

**Reappropriation:**

St Bldg Constr Acct .....	\$	29,500,000
WSU Bldg Acct .....	\$	48,600
		-----
Subtotal Reappropriation .....	\$	29,548,600

**Appropriation:**

St Bldg Constr Acct .....	\$	2,580,000
Prior Biennia (Expenditures) .....	\$	4,992,400
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	37,121,000

- (17) Veterinary teaching hospital: To construct and furnish a new teaching hospital for the department of veterinary medicine and surgery (92-2-013)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Reappropriation:**

St Bldg Constr Acct .....	\$	970,000
WSU Bldg Acct .....	\$	110,000
Subtotal Reappropriation .....	\$	1,080,000

**Appropriation:**

H Ed Reimb Constr Acct .....	\$	26,835,000
Prior Biennia (Expenditures) .....	\$	747,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	28,662,000

- (18) Child care facility: To design, construct, and furnish a child care facility by remodeling the vacated Rogers-Orton Dining Hall (92-2-014)

**Appropriation:**

St Bldg Constr Acct .....	\$	2,171,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,171,000

- (19) Carpenter Hall completion (renewal): To complete the renovation of Carpenter Hall (92-2-016)

**Reappropriation:**

H Ed Constr Acct .....	\$	500,000
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**Appropriation:**

WSU Bldg Acct .....	\$	810,000
Prior Biennia (Expenditures) .....	\$	6,289,715
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	7,599,715

- (20) Communication infrastructure renewal: To design and construct university-wide communications facilities for telephone, computer, and audio-visual services (92-2-018)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	10,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	10,000,000

- (21) Todd Hall renewal: To renovate the entire building, including upgrading electrical and other building-wide systems, modernizing and refurbishing of classrooms and offices (92-2-021)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
WSU Bldg Acct .....	\$ 37,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 1,143,000
Prior Biennia (Expenditures) .....	\$ 145,000
Future Biennia (Projected Costs) .....	\$ 14,795,000
	-----
TOTAL .....	\$ 16,120,000

- (22) Student services addition: To design and construct a building for consolidated student service functions (92-2-027)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 15,000,000
WSU Bldg Acct .....	\$ 967,000
	-----
Subtotal Appropriation .....	\$ 15,967,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 15,967,000

- (23) Records, maintenance materials storage, and recycling, phase 1: To construct a storage structure for inactive records, physical plant storage, and recycling storage (92-2-028)

<b>Appropriation:</b>	
WSU Bldg Acct .....	\$ 1,761,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 1,761,000

- (24) WHETS expansion: To add a fourth channel to the network that serves the Tri-Cities, Spokane, and Vancouver branch campuses, to add two classrooms in Pullman, Tri-Cities, and Vancouver, to add one classroom in Spokane, and to extend the network and add one classroom (~~at the Tree Fruit Research and Extension Center~~) at Wenatchee Valley College in Wenatchee (92-2-908)

Any extension of educational telecommunications to the Wenatchee area shall be planned to allow for the possible future participation of multiple higher education institutions, especially those having direct program responsibility for the Wenatchee area. Implementation plans shall be approved by the higher education coordinating board, in conjunction with the department of information services.

	<b>Appropriation:</b>		
	WSU Bldg Acct .....	\$	2,321,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	2,321,000
(25)	Dairy and forage facility: To design and construct a facility that includes a new dairy center and milking parlor, a freestall building, and offices and classrooms (92-3-024)		
	<b>Appropriation:</b>		
	WSU Bldg Acct .....	\$	2,714,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	2,714,000
(26)	Chilled water storage facility: To design and construct a 2,820,000-gallon chilled water storage tank (92-4-022)		
	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	2,850,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	2,850,000

Sec. 22. 1991 sp.s. c 14 s 37 (uncodified) is amended to read as follows:

**FOR CENTRAL WASHINGTON UNIVERSITY**

(1)	Handicap modifications (88-1-007)		
	<b>Reappropriation:</b>		
	CWU Cap Proj Acct .....	\$	150,000
	Prior Biennia (Expenditures) .....	\$	565,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	715,000
(2)	Psychology animal research facility (90-1-060)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	1,700,000
	Prior Biennia (Expenditures) .....	\$	447,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	2,147,000
(3)	Telecommunications system, phase 2 (90-2-003)		
	<b>Reappropriation:</b>		
	CWU Cap Proj Acct .....	\$	1,182,000
	Prior Biennia (Expenditures) .....	\$	261,600
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,443,600



- (4) Shaw/Smyser Hall remodel (90-2-005)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Reappropriation:**

St Bldg Constr Acct .....	\$	2,406,000
CWU Cap Proj Acct .....	\$	950,000
		-----
Subtotal Reappropriation .....	\$	3,356,000

**Appropriation:**

H Ed Reimb Constr Acct .....	\$	7,027,000
Prior Biennia (Expenditures) .....	\$	349,900
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	10,732,900

NEW SECTION. Sec. 23. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR EASTERN WASHINGTON UNIVERSITY**

- (1) To acquire property within the campus boundary from the Department of Natural Resources (92-5-001)

The appropriation in this subsection is in addition to the appropriation for same purpose in section 36, chapter 14, Laws of 1991 sp.s.

**Appropriation:**

EWU Cap Proj Acct .....	\$	175,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	175,000

- (2) To remodel space in the Spokane Center to provide a student computer center (92-5-008)

**Appropriation:**

EWU Cap Proj Acct .....	\$	600,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	600,000

Sec. 24. 1991 sp.s. c 14 s 44 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY COLLEGE SYSTEM**

- (1) Extension facility (Puyallup) (86-3-021)

**Reappropriation:**

St Bldg Constr Acct .....	\$	99,211
Prior Biennia (Expenditures) .....	\$	5,276,789
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	5,376,000

(2)	Tech building and remodeling (Skagit Valley) (86-3-022)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	30,085
	Prior Biennia (Expenditures) .....	\$	3,369,915
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	3,400,000
(3)	Heavy equipment building (South Seattle) (86-3-026)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	17,901
	Prior Biennia (Expenditures) .....	\$	4,429,099
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	4,447,000
(4)	Minor works (RMI) (88-2-001)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	114,174
	Prior Biennia (Expenditures) .....	\$	3,385,826
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	3,500,000
(5)	Repairs, exterior walls (88-3-003)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	218,614
	Prior Biennia (Expenditures) .....	\$	4,045,386
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	4,264,000
(6)	Repairs, mechanical, heating, ventilation, and air conditioning (88-3-004)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	500,121
	Prior Biennia (Expenditures) .....	\$	3,574,879
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	4,075,000
(7)	Minor improvements (88-3-005)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	781,756
	Prior Biennia (Expenditures) .....	\$	12,982,244
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	13,764,000

(8)	Repairs, electrical (88-3-006)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	114,986
	Prior Biennia (Expenditures) .....	\$	1,277,014
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,392,000
(9)	Sites and interiors (88-3-007)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	168,312
	Prior Biennia (Expenditures) .....	\$	1,757,688
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,926,000
(10)	Agri Tech building (Walla Walla) (88-3-008)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,000,539
	Prior Biennia (Expenditures) .....	\$	2,114,461
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	3,115,000
(11)	Plan, and construct library-student center (86-2-031)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	328,911
	Prior Biennia (Expenditures) .....	\$	7,662,089
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	7,991,000
(12)	Vocational shop (Wenatchee) (88-3-010)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	613,953
	Prior Biennia (Expenditures) .....	\$	341,047
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	955,000
(13)	Computer facility (Edmonds) (88-3-011)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	14,934
	Prior Biennia (Expenditures) .....	\$	3,820,066
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	3,835,000

(14)	Learning resource center (Clark) (88-3-012)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	620,017
	Prior Biennia (Expenditures) .....	\$	5,759,983
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	6,380,000
(15)	Extension center (Yakima Valley) (88-3-013)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	102,068
	Prior Biennia (Expenditures) .....	\$	1,588,932
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	1,691,000
(16)	Math and science building (Spokane Falls) (88-3-015)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	779,618
	Prior Biennia (Expenditures) .....	\$	4,970,382
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	5,750,000
(17)	Learning resource center (Spokane) (88-3-016)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	588,025
	Prior Biennia (Expenditures) .....	\$	4,946,975
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	5,535,000
(18)	Preplanning for 1989-93 major projects (88-4-014)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	48,852
	Prior Biennia (Expenditures) .....	\$	448,148
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	497,000
(19)	Construct: Whidbey learning resource center: To house library and media services, computer science and office occupations programs, classrooms, and offices at Skagit Valley's Whidbey branch (Skagit Valley) (88-5-020)		
	<b>Reappropriation</b>		
	<b>St Bldg Constr Acct</b> .....	\$	66,117
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,123,000
	Prior Biennia (Expenditures) .....	\$	41,883
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	2,231,000

(20)	Construct: A combination science, physical education, and instruction building (South Puget Sound) (88-5-021)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	5,998,000
	Prior Biennia (Expenditures) .....	\$	256,000
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	6,254,000
(21)	Construct: Early childhood education facility of eight thousand square feet (Shoreline) (88-5-022)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	20,747
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,307,000
	Prior Biennia (Expenditures) .....	\$	57,253
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	1,385,000
(22)	Construct: Library addition and remodel to reconfigure the library building and add ten thousand four hundred seventy-five square feet (Columbia Basin) (88-5-023)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	77,194
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,972,000
	Prior Biennia (Expenditures) .....	\$	35,806
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	2,085,000
(23)	Construct: Vocational shops for diesel, automotive, and woodworking classes (Centralia) (88-5-024)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	49,234
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,025,000
	Prior Biennia (Expenditures) .....	\$	45,766
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	2,120,000
(24)	Construct: Learning research center addition and remodel to add seven thousand two hundred square feet for information technology, media production, offices, and work areas (Tacoma) (88-5-025)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	76,722
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,746,000
	Prior Biennia (Expenditures) .....	\$	13,278
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	1,836,000

(25)	Construct: Vocational food addition to add twelve thousand two hundred fifty square feet to the student center for expansion of the food service program areas (Lower Columbia) (88-5-026)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	138,067
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,902,000
	Prior Biennia (Expenditures) .....	\$	1,933
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	3,042,000
(26)	Construct: Business Education Building to house office technology labs, computer labs, and related support activities (Spokane) (88-5-027)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	33,714
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	6,311,000
	Prior Biennia (Expenditures) .....	\$	211,286
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	6,556,000
(27)	Construct: Student activity and physical education facility (Seattle Central) (88-5-028)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	148,348
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	11,080,000
	Prior Biennia (Expenditures) .....	\$	251,652
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	11,480,000
(28)	Washington State University education center (Clark) (89-5-019)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	12,793
	Prior Biennia (Expenditures) .....	\$	1,787,207
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	1,800,000
(29)	Multipurpose child care center (Everett) (89-5-020)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	20,055
	Prior Biennia (Expenditures) .....	\$	465,533
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	485,588

(30)	Fire and security repairs (90-1-004)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	499,132
	Prior Biennia (Expenditures) .....	\$	448,478
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	947,610
(31)	Roof and structural repairs (90-2-002)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,336,671
	Prior Biennia (Expenditures) .....	\$	2,321,329
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	3,658,000
(32)	Heating, ventilation, and air conditioning mechanical repairs (90-2-003)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,412,452
	Prior Biennia (Expenditures) .....	\$	1,560,378
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	2,972,830
(33)	Electrical repairs (90-2-005)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	126,639
	Prior Biennia (Expenditures) .....	\$	244,601
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	371,240
(34)	Small repairs and improvements (90-3-001)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,338,574
	Prior Biennia (Expenditures) .....	\$	2,861,426
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	4,200,000
(35)	Learning assistance resource center (Centralia) (90-3-006)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	66,076
	Prior Biennia (Expenditures) .....	\$	4,147,924
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	4,214,000

## (36) Facility repairs (90-3-007)

The reappropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment or for other expenses that normally would be funded from the state operating budget.

**Reappropriation:**

St Bldg Constr Acct .....	\$	740,342
Prior Biennia (Expenditures) .....	\$	3,107,838
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	3,848,180

## (37) Technology laboratories (Highline) (90-3-023)

**Reappropriation:**

St Bldg Constr Acct .....	\$	554,817
Prior Biennia (Expenditures) .....	\$	2,213,183
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,768,000

## (38) Minor improvements (90-5-009)

The reappropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget, except that the sum of \$465,000 may be expended for the purchase of Roosevelt Field at Olympic College.

**Reappropriation:**

St Bldg Constr Acct .....	\$	4,454,434
Prior Biennia (Expenditures) .....	\$	8,838,506
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	13,292,940

## (39) Design: Technology center (Whatcom) (90-5-010)

The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ~~((of this act))~~, chapter 14, Laws of 1991 sp.s.

**Reappropriation:**

St Bldg Constr Acct .....	\$	34,750
<b>Appropriation:</b>		
St Bldg Constr Acct .....	\$	249,000
Prior Biennia (Expenditures) .....	\$	28,250
Future Biennia (Projected Costs) .....	\$	6,378,000
TOTAL .....	\$	6,690,000



- (40) Design: Physical education facility (North Seattle) (90-5-011)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 202,000
Prior Biennia (Expenditures) .....	\$ 45,000
Future Biennia (Projected Costs) .....	\$ 6,940,000
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TOTAL .....	\$ 7,187,000

- (41) Design: Applied arts building (Spokane Falls) (90-5-012)

The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 33,157
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 280,000
Prior Biennia (Expenditures) .....	\$ 34,843
Future Biennia (Projected Costs) .....	\$ 5,213,000
	-----
TOTAL .....	\$ 5,561,000

- (42) Design: Industrial tech building (Spokane) (90-5-013)

The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 9,076
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 298,000
Prior Biennia (Expenditures) .....	\$ 54,924
Future Biennia (Projected Costs) .....	\$ 6,536,000
	-----
TOTAL .....	\$ 6,898,000

- (43) Design: Vocational art facility (Shoreline) (90-5-014)

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 22,407
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 157,000
Prior Biennia (Expenditures) .....	\$ 28,593
Future Biennia (Projected Costs) .....	\$ 2,785,000
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TOTAL .....	\$ 2,993,000

- (44) Design: Business education building (Clark) (90-5-015)

The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 33,280
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 305,000
Prior Biennia (Expenditures) .....	\$ 39,720
Future Biennia (Projected Costs) .....	\$ 5,725,000
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TOTAL .....	\$ 6,103,000

- (45) Design: Student center (South Seattle) (90-5-016)

The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 5,117
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 258,000
Prior Biennia (Expenditures) .....	\$ 53,883
Future Biennia (Projected Costs) .....	\$ 4,276,000
	-----
TOTAL .....	\$ 4,593,000

- (46) Design: Library addition (Skagit Valley) (90-5-017)

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 116,000
Prior Biennia (Expenditures) .....	\$ 44,000
Future Biennia (Projected Costs) .....	\$ 1,896,000
	-----
TOTAL .....	\$ 2,056,000

- (47) Acquisition: Purchase land for staff and student parking (Olympic) (92-1-601)

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 105,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
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TOTAL .....	\$ 105,000

- (48) Acquisition: Purchase a two thousand four hundred-square-foot child care facility (Centralia) (92-1-602)

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 78,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 78,000

- (49) Acquisition: Purchase 1.76 acres and a five thousand seven hundred five-square-foot fire station for fire science training and additional college parking (Spokane) (92-1-603)

**Appropriation:**

St Bldg Constr Acct .....	\$	498,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	498,000

- (50) Acquisition: Purchase property for auto shop ((~~that is currently being leased~~)) program (Olympic) (92-1-604)

**Appropriation:**

St Bldg Constr Acct .....	\$	700,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	700,000

- (51) Acquisition: Purchase 1.4 acres and an eight thousand-square-foot graphic arts facility currently being leased for the Whidbey branch (Skagit Valley) (92-1-605)

**Appropriation:**

St Bldg Constr Acct .....	\$	280,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	280,000

- (52) Acquisition: Purchase a fourteen thousand six hundred three-square-foot vocational facility adjacent to the college that is currently being leased (Whatcom) (92-1-606)

**Appropriation:**

St Bldg Constr Acct .....	\$	1,893,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	1,893,000

- (53) Underground tank repairs: To remove sixty-five underground storage tanks and any contaminated soil (92-2-102)

The appropriation in this subsection may be expended only after compliance with section 6(2) ((~~of this act~~)), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	650,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	650,000

(54)	Life safety code repairs: To pay local improvement district assessments and make improvements to meet handicap and safety regulations (92-2-103)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,172,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	1,172,000
(55)	Roof repairs: To replace or repair roofs at seventeen campuses (92-2-104)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	7,457,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	7,457,000
(56)	Exterior and structural repairs: To repair structural or exterior problems at seven campuses (92-2-105)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	817,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	817,000
(57)	Heating, ventilation, and air conditioning repairs: To repair or replace HVAC systems on ten campuses (92-2-106)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	3,074,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	3,074,000
(58)	Electrical repairs: To repair or replace electrical wiring and equipment on twelve campuses (92-2-107)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,307,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	2,307,000
(59)	Mechanical repairs: To repair or replace mechanical system components on eleven campuses (92-2-108)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,508,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	2,508,000

(60) Fire and security repairs: To repair or improve fire and security systems on four campuses (92-2-109)

**Appropriation:**

St Bldg Constr Acct .....	\$	692,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	692,000

(61) Interior repairs: To repair or replace interior surfaces and equipment on twelve campuses (92-2-110)

**Appropriation:**

St Bldg Constr Acct .....	\$	1,440,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,440,000

(62) Site repairs: To provide site improvements on eleven campuses (92-2-111)

**Appropriation:**

St Bldg Constr Acct .....	\$	1,329,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,329,000

(63) Small repairs and improvements: To provide funds for each community college to make unforeseen repairs (92-5-001)

\$45,000, or as much thereof as may be necessary, of the appropriation in this subsection is provided for an evaluation of the physical condition of the Seattle Vocational Institute formerly the Washington Institute of Applied Technology (WIAT) facility.

**Appropriation:**

St Bldg Constr Acct .....	\$	6,256,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	6,256,000

(64) Minor improvements: To complete fifty-seven minor improvement projects costing less than \$500,000 each (92-5-200)

The appropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Appropriation:**

St Bldg Constr Acct .....	\$	16,930,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	16,930,000

- (65) Preplan: Puyallup, phase 2 (Pierce) (92-5-501)

Any preplanning documents developed using the appropriation in this subsection are subject to review by the office of financial management under section 59 (~~(of this act)~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	57,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	9,653,000
TOTAL .....	\$	9,710,000

- (66) Preplan: Vocational building (Skagit Valley) (92-5-502)

**Appropriation:**

St Bldg Constr Acct .....	\$	25,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	2,116,000
TOTAL .....	\$	2,141,000

- (67) Preplan: Learning resource center, arts, and student center (Whatcom) (92-5-503)

Any preplanning documents developed using the appropriation in this subsection are subject to review by the office of financial management under section 59 (~~(of this act)~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	45,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	6,942,000
TOTAL .....	\$	6,987,000

- (68) Preplan: Office and instructional building (Edmonds) (92-5-504)

Any preplanning documents developed using the appropriation in this subsection are subject to review by the office of financial management under section 59 (~~(of this act)~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	58,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	8,485,000
TOTAL .....	\$	8,543,000

- (69) Preplan: Technical skills facility (South Puget Sound) (92-5-505)

Any preplanning documents developed using the appropriation in this subsection are subject to review by the office of financial management under section 59 (~~(of this act)~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	42,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	5,849,000
TOTAL .....	\$	5,891,000

(70) Preplan: Learning resource center and technical facility (Green river) (92-5-506)

Any preplanning documents developed using the appropriation in this subsection are subject to review by the office of financial management under section 59 ((of this act)), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	58,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	10,462,000
TOTAL .....	\$	10,520,000

(71) Preplan: New Campus One (92-5-701)

**Appropriation:**

St Bldg Constr Acct .....	\$	300,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	14,800,000
TOTAL .....	\$	15,100,000

(72) Pool repairs (Pierce)

**Appropriation:**

St Bldg Constr Acct .....	\$	600,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	600,000

(73) Lake Washington Technical College: For the administrative addition, classroom space, and aerospace laboratory (92-5-003)

The appropriation in this subsection is in addition to the appropriation in chapter 2, Laws of 1992 (House Bill No. 2295) for Lake Washington Technical College and is provided solely for building construction, building equipment and furniture, street improvements, and required art works.

**Appropriation:**

<u>H Ed Reimb Constr Acct .....</u>	<u>\$</u>	<u>2,291,200</u>
<u>Prior Biennia (Expenditures) .....</u>	<u>\$</u>	<u>10,117,000</u>
<u>Future Biennia (Projected Costs) .....</u>	<u>\$</u>	<u>0</u>
<u>TOTAL .....</u>	<u>\$</u>	<u>12,408,200</u>

(74) Bates Technical College: For building furnishings and equipment to complete a facility (93-2-002)

**Appropriation:**

<u>H Ed Reimb Constr Acct .....</u>	<u>\$</u>	<u>108,000</u>
<u>Prior Biennia (Expenditures) .....</u>	<u>\$</u>	<u>0</u>
<u>Future Biennia (Projected Costs) .....</u>	<u>\$</u>	<u>0</u>
<u>TOTAL .....</u>	<u>\$</u>	<u>108,000</u>

(75) Clover Park Technical College: Roof repairs (93-2-002)**Appropriation:**

<b><u>H Ed Reimb Constr Acct</u></b> .....	\$	<b><u>189,000</u></b>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<b><u>TOTAL</u></b> .....	\$	<b><u>189,000</u></b>

(76) Wenatchee Valley College: For remodeling to accommodate the WHETS telecommunication system**Appropriation:**

<b><u>H Ed Reimb Constr Acct</u></b> .....	\$	<b><u>250,000</u></b>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<b><u>TOTAL</u></b> .....	\$	<b><u>250,000</u></b>

(77) Olympic College: For electrical transformer repairs**Appropriation:**

<b><u>H Ed Reimb Constr Acct</u></b> .....	\$	<b><u>100,000</u></b>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<b><u>TOTAL</u></b> .....	\$	<b><u>100,000</u></b>

(78) Columbia Basin College: For heating system repairs and steam line replacement**Appropriation:**

<b><u>H Ed Reimb Constr Acct</u></b> .....	\$	<b><u>281,600</u></b>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<b><u>TOTAL</u></b> .....	\$	<b><u>281,600</u></b>



(79) Seattle Vocational Institute: Facilities planning

The appropriation in this subsection is subject to the following conditions and limitations: The state board for community and technical colleges shall submit a report on the future program and facility plans for the vocational institute, including a comparison of the use of the existing building and the alternatives of leasing space and new construction. The report shall include operating and capital cost estimates for the next six years and shall be submitted to the fiscal committees of the senate and house of representatives by January 15, 1993.

**Appropriation:**

<u>H Ed Reimb Constr Acct</u> .....	\$	<u>50,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
 		<hr/>
<u>TOTAL</u> .....	\$	<u>50,000</u>

**"PART 6  
MISCELLANEOUS"**

NEW SECTION. Sec. 25. The estimated debt service costs impacting future general fund expenditures related solely to new supplemental capital appropriations within this act are \$395,300 during the 1991-93 fiscal period; \$23,794,000 during the 1993-95 fiscal period; and \$28,381,300 during the 1995-97 fiscal period.

Sec. 26. 1991 sp.s. c 14 s 47 (uncodified) is amended to read as follows:

The following agencies may enter into financial contracts for the purpose indicated and in not more than the principal amounts indicated plus financing expenses and required reserves pursuant to chapter 39.94 RCW:

(1) Department of Social and Health Services to:

(a) Lease a multi-service center in Benton or Franklin county for ~~(\$2,592,450)~~ \$1,337,670 during the 1991-93 biennium; ~~((and))~~

(b) Lease a Spokane North Community Service Office for \$980,000 during the 1991-93 biennium; and

(c) Lease a Children's and Family Services office in Toppenish for \$135,000 during the 1991-93 biennium.

(2) Department of Corrections to:

(a) Lease-purchase a ~~((sixty-bed))~~ work-release facility in Benton or Franklin county for ~~\$(1,186,850)~~ 1,337,670 during the 1991-93 biennium;

(b) Lease-purchase a forty-bed work-release facility in Longview for \$1,337,670 during the 1991-93 biennium;

(c) Lease-purchase ~~((twelve forty-bed))~~ three hundred sixty beds in work-release facilities in as-yet-undetermined locations state-wide ~~((for \$1,337,670 each)),~~ for a total of ~~\$(16,052,040)~~ 12,039,030 during the 1991-93 biennium;

(d) Lease-purchase a correctional industries building at Shelton for \$1,892,153 during the 1991-93 biennium; ~~((and))~~

(e) Lease-purchase a four hundred-passenger ferry, used tugboat, and new vehicle barge at McNeil Island for \$1,760,963 during the 1991-93 biennium; and

(f) Lease-purchase property from the Department of Natural Resources on which the Cedar Creek, Indian Ridge, Larch, and Olympic Correctional Centers are now located for up to \$1,000,000 during the 1991-93 biennium.

(3) State Board for Community College Education to:

(a) Lease-purchase a warehouse-type facility to house the electrician apprentice training program in Skagit county for an estimated cost of \$200,000 during the 1991-93 biennium;

(b) Lease-purchase a facility to house the cosmetology training program at Everett for \$60,000;

(c) Lease a facility to house the Bellevue Community College business office in Bellevue for \$120,000 during the 1991-93 biennium;

(d) Lease a facility for the Green River Community College education and training center in Kent for \$120,000 in the 1991-93 biennium;

(e) Lease-purchase office space for Edmonds Community College in Edmonds for \$280,000 during the 1991-93 biennium;

(f) Lease-purchase space to house Spokane Falls Community College's adult education programs in Spokane for \$300,000 during the 1991-93 biennium;

(g) Lease-purchase space to house plant services for Wenatchee Valley Community College in Wenatchee for \$96,000 during the 1991-93 biennium;

(h) Lease-purchase land in Bellingham for Whatcom Community College for \$450,000;

(i) Purchase a central storage facility for Spokane Community College for \$75,000;

(j) Purchase a hangar at Felts Field to house the aircraft mechanics' vocational training program for Spokane Community College for \$161,000; ~~((and))~~

(k) Lease-purchase an auto technology training facility at Shoreline Community College for \$2,600,000. The college or its trustee may secure the financing contract with a lease of the land directly under the facility being financed by the contract;

(l) Purchase 6.32 acres adjacent to Centralia College for \$1,500,000 during the 1991-93 biennium;

(m) Purchase 2.33 acres and house adjacent to Green River Community College for \$250,000 during the 1991-93 biennium;

(n) Purchase 1.66 acres contiguous to Lake Washington Technical College for \$500,000 during the 1991-93 biennium;

(o) Purchase 0.37 acres contiguous to Lower Columbia College for \$55,000 during the 1991-93 biennium;

(p) Purchase 8.8 acres contiguous to the South Puget Sound Community College for \$500,000 during the 1991-93 biennium;

(q) Purchase 6 acres contiguous to Wenatchee Valley College for \$265,000 during the 1991-93 biennium;

(r) Purchase 4.29 acres contiguous to Whatcom Community College for \$560,000 during the 1991-93 biennium;

(s) Purchase 10.5 acres adjacent to Whatcom Community College for \$1,400,000 during the 1991-93 biennium;

(t) Purchase the Masonic Temple property adjacent to Seattle Central Community College for \$1,600,000 during the 1991-93 biennium;

(u) Lease an industrial training center in Colville for Community Colleges of Spokane for \$600,000 during the 1991-93 biennium;

(v) Lease-purchase Colville Building #2 for expansion of the Colville Center for the Community Colleges of Spokane for \$300,000 during the 1991-93 biennium;

(w) Purchase a 6,000 square foot building and site on San Juan Island for instructional, office, and meeting space for Skagit Valley Community College for \$600,000 during the 1991-93 biennium;

(x) Purchase 20,000 square foot building on a five-acre site in Gig Harbor for an off-site education center for Tacoma Community College for \$1,750,000 during the 1991-93 biennium;

(y) Purchase space for a Kent education and training center by Green River Community College for up to \$201,000 per year; and

(z) Lease or lease-purchase a computing and telecommunications center for the community and technical college system for up to \$5,000,000.

(4) The Department of Ecology, to acquire, design, and construct a Thurston county headquarters for \$53,000,000.

(5) The Evergreen State College, to expand the college activities building for \$800,000. The college or its trustee may secure the financing contract with a lease of the land directly under the facility being financed by the contract. The financing contract shall be repaid through student activities fees.

(6) The Department of General Administration, to purchase or lease purchase office space to house the state board for community college education staff for \$1,400,000.

**Sec. 27.** 1991 sp.s. c 14 s 54 (uncodified) is amended to read as follows:

Unless otherwise stated, for all appropriations under this act that require a match of nonstate money or in-kind contributions, the following requirement, consistent with RCW 43.88.150, shall apply: Expenditure of state money shall be timed so that the state share of project expenditures never exceeds the intended state share of total project costs. This section shall not apply to section 10(5), chapter 14, Laws of 1991 sp.s. as amended by section ((12(5))) 4(5) of this act.

**Sec. 28.** 1991 sp.s. c 14 s 59 (uncodified) is amended to read as follows:

To ensure that major construction projects are carried out in accordance with legislative and executive intent, appropriations in this act referencing this section shall not be expended until the office of financial management has reviewed the agency's programmatic preplanning or predesign document and approved continuation of or made changes to the project. The program preplanning document shall include but not be limited to projected workload, site conditions, user requirements, current space available, and an overall budget and cost estimate breakdown in a form prescribed by the office of financial management. The predesign document shall be prepared in accordance with the predesign standards adopted by the office of financial management. The office of financial management shall report to the house of representatives capital facilities committee, the senate ways and means committee, and the legislative transportation committee a listing of the program documents the office has reviewed and approved, changes made to the documents resulting from the review, and the estimated cost changes resulting from the review.

**NEW SECTION. Sec. 29.** In recognition of the services provided to the beneficiaries of state trust lands by county public safety agencies, lease payments for public safety communication systems located on trust lands in any county with a population of less than five thousand shall be twenty-five percent of the fair market value as determined by the department of natural resources.

**NEW SECTION. Sec. 30.** A new section is added to chapter 14, Laws of 1991 sp.s. (uncodified) to read as follows: As used in this act, the following phrase has the following meaning:

"WA St Dairy Prod Comm Fac Acct" means Washington State Dairy Products Commission Facility Account.

NEW SECTION. Sec. 31. This act is subject to the provisions, definitions, conditions, and limitations of chapter 14, Laws of 1991 sp. sess., as amended by this act.

"PART 7

SEVERABILITY AND EFFECTIVE DATE"

NEW SECTION. Sec. 32. 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. 33. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 1 of the title, after "budget;" strike the remainder of the title and insert "amending 1991 sp.s. c 14 ss. 6, 7, 10, 13, 16, 18, 20, 26, 29, 30, 34, 35, 37, 44, 47, 54, and 59 (uncodified); adding new sections to chapter 14, Laws of 1991 sp.s.; creating new sections; making appropriations and authorizing expenditures for the capital improvements; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Ms. H. Sommers moved that the House refuse to concur in the Senate amendments to Engrossed Substitute House Bill No. 2552 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives H. Sommers, Rasmussen and Schmidt as conferees on Engrossed Substitute House Bill No. 2552.

SENATE AMENDMENTS TO HOUSE BILL

March 7, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2553, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. 1991 sp.s. c 15 s 1 (uncodified) is amended to read as follows:

The transportation budget of the state is hereby adopted and, subject to the provisions hereinafter set forth, the several amounts hereinafter specified, or as 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, 1993. No moneys are provided in this act for major relocation of the Washington state patrol (~~or the department of licensing~~). The department of general

administration shall evaluate space requirements for all transportation agencies, including the Washington state patrol headquarters, through the year 2010, and make recommendations regarding how these space requirements shall be met to the office of financial management, the legislative transportation committee, the house of representatives capital facilities and financing committee, and the senate ways and means committee, by January 1, 1993. No moneys from any transportation fund or account may be expended for this purpose. Any bill enacted during the 1991 or 1992 legislative sessions requiring expenditure from a transportation related fund or account that was not heard by either of the respective transportation committees is not funded in this act.

Sec. 2. 1991 sp.s. c 15 s 21 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

Motor Vehicle Fund--State Appropriation . . . . . \$ 409,000

~~(\$200,000 or as much thereof as is necessary, is appropriated from)~~ The motor vehicle fund--state appropriation is provided solely for the motor fuel quality testing program. ~~((Annual))~~ Semi-annual reports shall be submitted to the legislative transportation committee commencing January 15, 1992.

Sec. 3. 1991 sp.s. c 15 s 5 (uncodified) is amended to read as follows:

**FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Motor Vehicle Fund--County Arterial Preservation

Account--State Appropriation . . . . . \$ ((22,427,000))  
23,732,000

Motor Vehicle Fund--Rural Arterial Trust Account--

State Appropriation . . . . . \$ 37,413,000

Motor Vehicle Fund--Private Local Appropriation . . . . . \$ 62,409

Motor Vehicle Fund--State Appropriation . . . . . \$ ((1,190,000))

1,241,420

TOTAL APPROPRIATION . . . . . \$ ((61,030,000))

62,448,829

\$153,319 of the motor vehicle fund--county arterial preservation account--state appropriation and \$153,319 of the motor vehicle fund--rural arterial trust account--state appropriation, or as much thereof as may be necessary, are provided solely to provide transportation planning assistance to counties.

Sec. 4. 1991 sp.s. c 15 s 6 (uncodified) is amended to read as follows:

**FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Motor Vehicle Fund--Transportation Improvement

Account--State Appropriation . . . . . \$ 104,000,000

Motor Vehicle Fund--Urban Arterial Trust Account--

State Appropriation . . . . . \$ 51,848,000

TOTAL APPROPRIATION . . . . . \$ 155,848,000

~~((The legislative transportation committee shall evaluate methods to improve legislative oversight of transportation improvement account projects.))~~ The appropriations in this section are subject to the following conditions and limitations:

(1) The legislative transportation committee shall designate an interim committee of house and senate transportation committee members to evaluate the transportation improvement account and urban arterial trust account programs of the transportation improvement board to determine the appropriateness of project selection criteria and the structure of the two programs based on current transportation needs. Recommendations shall include but not be limited to changes to selection criteria, changes to the method of implementing selection criteria, changes in level of funding for the two programs, whether to combine the small cities components of the two programs, suggested limits on the obligation of funds, and methods to improve legislative oversight of projects in terms of total cost and scope. The recommendations shall be submitted to the legislative transportation committee by December 15, 1992.

(2) The transportation improvement board may consider any application for project funding it receives within ninety days of its application deadline for that year's transportation improvement account program, if it is accompanied by a feasibility study that is submitted within thirty days prior to the application deadline and is done in cooperation with the department of transportation.

Sec. 5. 1991 sp.s. c 15 s 14 (uncodified) is amended to read as follows:

**FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE**

Motor Vehicle Fund--State Appropriation . . . . . \$ ((3,028,000))  
2,905,000

High Capacity Transportation Account--

State Appropriation . . . . . \$ 950,000

TOTAL APPROPRIATION . . . . . \$ ((3,978,000))

3,855,000

(1) Of the high capacity transportation account appropriation provided for in this section, \$550,000 is a reappropriation for continuation of stage 1 of the public transportation study described in section 12(4), chapter 298, Laws of 1990, and \$400,000 is for a portion of the cost of stage 2.

(2) The appropriation provided for in section 41, chapter 15, Laws of 1991 sp.s., includes funds to carry out the studies described in section 12 (5) and (6), chapter 298, Laws of 1990: PROVIDED, That the completion dates for both studies shall be June 30, 1993.

(3) The committee is authorized to conduct performance analysis and other reviews of state transportation agencies and programs to ensure that the agencies and programs: (a) Are being conducted in accordance with legislative intent; (b) are being conducted in an efficient and effective manner; and (c) continue to serve their intended purposes. The findings and recommendations of any such reviews shall be reported to the legislature.

Sec. 6. 1991 sp.s. c 15 s 8 (uncodified) is amended to read as follows:

**FOR THE STATE PATROL--FIELD OPERATIONS BUREAU**

Motor Vehicle Fund--State Patrol Highway Account--

State Appropriation	\$	((131,301,000))
		<u>136,892,000</u>

Motor Vehicle Fund--State Patrol Highway Account--

Federal Appropriation	\$	3,033,000
TOTAL APPROPRIATION	\$	((134,334,000))

139,925,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Any user of Washington state patrol aircraft shall pay its pro rata share of all operating and maintenance costs including capitalization.

(2) \$482,000 of the state patrol highway account--state appropriation is provided solely for implementation of House Bill No. 2693, or Senate Bill No. 6286. The appropriation provided in this subsection is contingent upon passage during the 1992 legislative session of House Bill No. 2693 or Senate Bill No. 6286.

Sec. 7. 1991 sp.s. c 15 s 9 (uncodified) is amended to read as follows:

**FOR THE STATE PATROL--SUPPORT SERVICES BUREAU**

Motor Vehicle Fund--State Patrol Highway Account--

State Appropriation	\$	((52,914,000))
		<u>52,894,000</u>

The appropriations in this section are subject to the following conditions and limitations. \$54,000 of the state patrol highway account--state appropriation is provided solely for implementation of House Bill No. 2693 or Senate Bill No. 6286. The appropriation provided in this subsection is contingent upon passage during the 1992 legislative session of House Bill No. 2693 or Senate Bill No. 6286.

Sec. 8. 1991 sp.s. c 15 s 10 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING--VEHICLE SERVICES**

Motor Vehicle Fund--State Appropriation	\$	((47,105,000))
		<u>45,695,000</u>

General Fund--Marine Fuel Tax Refund Account--

State Appropriation	\$	25,000
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General Fund--Wildlife Account--State Appropriation	\$	((502,000))
		<u>504,000</u>

TOTAL APPROPRIATION	\$	((47,632,000))
		<u>46,224,000</u>

~~((The legislature recognizes the need to address issues remaining unresolved from the 1991 title and registration study required by the legislature and the governor. The intent of the legislature is to better align the fee structure with the costs associated with providing services for the state. Evidence from the 1991 study indicates inequities exist in cost recovery and/or profits realized between large and small county auditors and their subagents. Further, no policy exists regarding how counties treat excess revenues generated from providing this service. The Washington association of counties, the Washington association of county officials, representatives of the subagents, and the department of licensing, under the direction of the legislative transportation committee, shall report to the legislative transportation committee by December 1, 1991, their recommendations for resolving these policy issues and inequities.))~~

Sec. 9. 1991 sp.s. c 15 s 11 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING--DRIVER SERVICES**

General Fund--Public Safety and Education Account--

State Appropriation .....	\$	((4,388,000))
		<u>4,394,000</u>
Highway Safety Fund--State Appropriation .....	\$	((48,376,000))
		<u>48,256,000</u>
Highway Safety Fund--Motorcycle Safety Education Account--		
State Appropriation .....	\$	884,000
TOTAL APPROPRIATION .....	\$	((53,648,000))
		<u>53,534,000</u>

Sec. 10. 1991 sp.s. c 15 s 12 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING--MANAGEMENT OPERATIONS**

General Fund--Wildlife Account--State Appropriation .....	\$	((47,000))
		<u>45,000</u>
Highway Safety Fund--State Appropriation .....	\$	((4,796,000))
		<u>4,660,000</u>
Highway Safety Fund--Motorcycle		
Safety Education Account--State Appropriation .....	\$	((95,000))
		<u>92,000</u>
Motor Vehicle Fund--State Appropriation .....	\$	((4,424,000))
		<u>4,300,000</u>
General Fund--Public Safety and Education Account--		
State Appropriation .....	\$	((418,000))
		<u>406,000</u>
TOTAL APPROPRIATION .....	\$	((9,780,000))
		<u>9,503,000</u>

Sec. 11. 1991 sp.s. c 15 s 13 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING--INFORMATION SYSTEMS**

General Fund--Wildlife Account--State Appropriation .....	\$	((56,000))
		<u>53,000</u>
Highway Safety Fund--State Appropriation .....	\$	((3,506,000))
		<u>5,970,000</u>
Highway Safety Fund--Motorcycle Safety Education		
Account--State Appropriation .....	\$	((58,000))
		<u>55,000</u>
Motor Vehicle Fund--State Appropriation .....	\$	((5,961,000))
		<u>9,620,000</u>
General Fund--Public Safety and Education Account--		
State Appropriation .....	\$	((252,000))
		<u>241,000</u>
TOTAL APPROPRIATION .....	\$	((9,833,000))
		<u>15,939,000</u>

The appropriation for the licensing application migration project (LAMP) is conditioned upon compliance with the provisions of section ~~((54 of chapter 15, Laws of 1991 sp.s))~~ 30 of this act. If section 30 of this act is not enacted during the 1992 legislative session, then the \$6,652,000 appropriation, of which \$3,991,000 is motor vehicle fund--state and \$2,661,000 highway safety fund--state, for the licensing application migration project (LAMP) shall lapse. Of the \$6,652,000 appropriation provided for LAMP, \$333,000 is provided solely as a contingency amount.

Sec. 12. 1991 sp.s. c 15 s 18 (uncodified) is amended to read as follows:

**FOR THE AIR TRANSPORTATION COMMISSION**

Transportation Fund--State Appropriation .....	\$	((553,000))
		<u>909,000</u>

(1) The appropriation contained in this section shall be reduced on a dollar for dollar basis if federal funding for any element of the commission's work plan is granted after July 1, 1992.

(2) \$206,000 of the appropriation contained in this section is null and void if House Bill No. 2609 is not enacted by July 1, 1992.

NEW SECTION. Sec. 13. A new section is added to 1991 sp.s. c 15 to read as follows:

Recognizing that the federal 1991 intermodal surface transportation efficiency act establishes an eighty million dollar national "Scenic Byways" grant program and a new apportionment program called "Transportation Enhancement Activities" that will provide forty-four million dollars to Washington state, the department of transportation is directed to place high priority on obtaining such funds for further development of a scenic and recreational highways program.

In developing the scenic and recreational highways program, the department shall consult with the department of trade and economic development, the department of community development, the department of natural resources, the parks and recreation commission, affected cities, towns, and counties, regional transportation planning organizations, and other interested parties. The scenic and recreational highways program shall identify entire highway loops or similar tourist routes that could be developed to promote tourist activity and provide concurrent economic growth while protecting the scenic and recreational quality surrounding state highways.

Sec. 14. 1991 sp.s. c 15 s 22 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY CONSTRUCTION--PROGRAM A**

Motor Vehicle Fund--State Appropriation . . . . .	\$	149,838,000
Motor Vehicle Fund--Federal Appropriation . . . . .	\$	98,600,000
Motor Vehicle Fund--Local Appropriation . . . . .	\$	2,000,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>\$</b>	<b>250,438,000</b>

The appropriations in this section are subject to the following conditions and limitations:

(1) 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. It is the intent of the legislature that this appropriation does not commit the legislature to the transportation commission's proposed category "A" program update.

(2) The department shall study a highway heritage program to preserve Washington's unique scenic character along its highway corridors and provide travelers with a continuing opportunity to appreciate and obtain information regarding unique natural, cultural, and historic features that are near or accessible by highways.

The department shall:

(a) Work with the parks and recreation commission, the Washington state historical society, the department of trade and economic development, and cities and counties to identify projects, establish priorities for expenditures of funds under this program, and recommend a strategy for implementing an ongoing program and sources of funding;

(b) Work with public and private landowners, local governments, and private organizations and associations to propose actions to achieve the purposes of this section without land acquisition, to the greatest extent possible, including coordination with local land use and open space plans, state agency programs relating to open space, conservation, urban forestry, and natural resources management;

(c) Study acquisition by purchase, gift, devise, bequest, grant, or exchange, title to or interest or right in real property adjacent to state highways to accomplish any of the following: Preserve natural beauty or viewpoints, preserve natural buffers between highways, or enhance the visual quality of entrances to cities or other land uses;

(d) Study provision of directional signs and signs with information regarding historical or cultural sites and significant natural features.

The department shall report its findings to the legislative transportation committee by December 1, 1992.

The appropriation to carry out the study in this subsection is provided in section 41, chapter 15, Laws of 1991 sp.s. and shall lapse unless \$10,000 is received from the department of trade and economic development by October 1, 1991.

(3) The department shall complete the six fish barrier removal projects identified as high priority by the department of fisheries. The department shall cooperate with the departments of fisheries and wildlife to identify, estimate costs of, and prioritize additional fish barrier removal projects on state highways.

(4) In order to accommodate the federal 1991 intermodal surface transportation efficiency act (P.L. 101-240; 105 Stat. 1914), the department of transportation may transfer dollar for dollar from the motor vehicle fund--state appropriation to the motor vehicle fund--federal appropriation.

Sec. 15. 1991 sp.s. c 15 s 23 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY CONSTRUCTION--PROGRAM B**

Motor Vehicle Fund--State Appropriation . . . . .	\$	((42,000,000))
		<u>50,658,000</u>
Motor Vehicle Fund--Federal Appropriation . . . . .	\$	((407,000,000))
		<u>483,492,000</u>
Motor Vehicle Fund--Local Appropriation . . . . .	\$	8,000,000
<b>TOTAL APPROPRIATION . . . . .</b>	<b>\$</b>	<b>((457,000,000))</b>
		<u>542,150,000</u>

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 appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$42,000,000)~~ \$47,000,000 of the motor vehicle fund--state appropriation includes a maximum of ~~(\$32,000,000)~~ \$37,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.790 and 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.

(2) Should cash flow demands exceed the motor vehicle fund--federal appropriation, 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 and 47.10.790 not to exceed \$10,000,000 and it is understood that the department shall seek authority to expend unanticipated receipts for the federal portion.

(3) It is further recognized that the department may make use of federal cash flow obligations on interstate construction contracts in order to complete the interstate highway system as expeditiously as possible.

(4) It is the intent of the legislature that the department shall place special emphasis on delivering the HOV projects contained in the document dated March, 1991, entitled "Puget Sound HOV Core Lane Needs: 2000". The department shall report progress on program delivery to the legislative transportation committee by November 1, 1991 and December 1, 1992.

(5) Up to \$2,150,000 of the appropriation in this section is provided for the construction of the demonstration projects specified in the federal 1991 intermodal surface transportation efficiency act (P.L. 101-240; 105 Stat. 1914).

(6) No funds appropriated under this section shall be expended for wetland mitigation unless the wetlands are delineated under the 1987 federal delineation manual for delineating jurisdictional wetlands.

Sec. 16. 1991 sp.s. c 15 s 25 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY CONSTRUCTION--PROGRAM C**

Motor Vehicle Fund--State Appropriation . . . . .	\$	<del>((66,800,000))</del>
		<u>77,300,000</u>
Transportation Fund--State Appropriation . . . . .	\$	<del>((119,000,000))</del>
		<u>115,500,000</u>
Motor Vehicle Fund--Federal Appropriation . . . . .	\$	<del>((16,000,000))</del>
		<u>28,006,000</u>
Motor Vehicle Fund--Local Appropriation . . . . .	\$	4,000,000
TOTAL APPROPRIATION . . . . .	\$	<del>((205,800,000))</del>
		<u>224,806,000</u>

The appropriations in this section are provided for the location, design, right of way acquisition, and construction of state highway projects designated as category "C" under RCW 47.05.030.

(1) In order to accommodate the federal 1991 intermodal surface transportation efficiency act (P.L. 101-240; 105 Stat. 1914), the department of transportation may transfer dollar for dollar from the motor vehicle fund--state appropriation to the motor vehicle fund--federal appropriation.

(2) The department is authorized to proceed with construction of rest areas provided local and/or private contributions of at least forty percent of total project costs are made. Local and/or private contributions may be in the form of in-kind contributions including but not limited to donations of property and services. The department is further authorized to construct rest areas if the department successfully obtains federal funds from either the federal "Scenic Byways" grant program and/or the "Transportation Enhancement Activities" program. If such federal funds are obtained, the department of transportation may transfer dollar for dollar from the motor vehicle fund--state appropriation to the motor vehicle fund--federal appropriation.

(3) Up to \$12,006,000 of the appropriation in this section is provided for the construction of the demonstration projects specified in the federal 1991 intermodal surface transportation efficiency act (P.L. 101-240; 105 Stat. 1914).

(4) The legislature finds that state route 160 currently requires extraordinary and unexpected repair and maintenance due to a major slide, and that the local jurisdiction which was to have assumed responsibility for the route pursuant to section 15, chapter 342, Laws of 1991, does not have adequate resources available to repair and maintain this route. Up to \$5,000,000 of the motor vehicle fund--state appropriation is provided for state route 160 and it is the intent of the legislature that this appropriation shall be used solely for state route 160, and that this route remain part of the state highway system until further legislative action.

Sec. 17. 1991 sp.s. c 15 s 27 (uncodified) is amended to read as follows:



**FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY CONSTRUCTION--PROGRAM C**

Motor Vehicle Fund--Puyallup Tribal Settlement		
Account--State Appropriation	\$	((3,450,000))
		<u>9,450,000</u>
Motor Vehicle Fund--Puyallup Tribal Settlement		
Account--Federal Appropriation	\$	2,550,000
<u>Motor Vehicle Fund--Puyallup Tribal Settlement</u>		
<u>Account--Local Appropriation</u>	\$	<u>2,000,000</u>
TOTAL APPROPRIATION	\$	((6,000,000))
		<u>14,000,000</u>

Up to \$8,000,000 of the appropriation contained in this section is provided for the SR 509 project.

Sec. 18. 1991 sp.s. c 15 s 28 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MANAGEMENT AND FACILITIES--PROGRAM D**

Motor Vehicle Fund--State Appropriation	\$	((39,302,000))
		<u>39,599,000</u>
Motor Vehicle Fund--Transportation Capital Facilities		
Account--State Appropriation	\$	((33,149,000))
		<u>36,634,000</u>
TOTAL APPROPRIATION	\$	((72,451,000))
		<u>76,233,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,700,000 of the transportation capital facilities account--state appropriation is contingent upon the sale of bonds authorized in RCW 47.02.120.

(2) The transportation capital facilities account--state appropriation will be funded by a state treasurer revenue transfer of ((31,449,000)) \$34,934,000 from the motor vehicle fund to the transportation capital facilities account.

(3) ~~((No later than August, 1991, the department shall present a comprehensive plan to the legislative transportation committee for creation of an urban mobility office including recommendations on HOV programs, growth management, the freeway and arterial management effort (FAME), and other associated programs or activities. The plan shall include recommended methods for quantifying reductions in congestion))~~ Up to \$2,200,000 of the transportation capital facilities account--state appropriation is provided for emergency environmental projects. The department shall seek state and/or federal moneys from environmental regulatory agencies for the purpose set forth in this subsection. If such moneys are obtained, the department shall transfer dollar for dollar from the motor vehicle fund--state appropriation--transportation capital facilities account to the new fund source or sources.

Sec. 19. 1991 sp.s. c 15 s 32 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--NONINTERSTATE BRIDGES--PROGRAM H**

Motor Vehicle Fund--State Appropriation	\$	53,200,000
Motor Vehicle Fund--Federal Appropriation	\$	52,400,000
Motor Vehicle Fund--Local Appropriation	\$	1,000,000
TOTAL APPROPRIATION	\$	106,600,000

The appropriations in this section are provided to preserve the structural and operating integrity of existing bridges. It is the intent of the legislature that this appropriation does not commit the legislature to the transportation commission's proposed twenty-year bridge program.

In order to accommodate the federal 1991 intermodal surface transportation efficiency act (P.L. 101-240; 105 Stat. 1914) the department of transportation may transfer dollar for dollar from the motor vehicle fund--state appropriation to the motor vehicle fund--federal appropriation.

Sec. 20. 1991 sp.s. c 15 s 33 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE AND OPERATIONS--PROGRAM M**

Motor Vehicle Fund--State Appropriation	\$	((215,160,000))
		<u>217,750,000</u>
Motor Vehicle Fund--Local Appropriation	\$	750,000
TOTAL APPROPRIATION	\$	((215,910,000))
		<u>218,500,000</u>

~~((The department shall place emphasis on the development and construction of rest areas. The department shall establish criteria for prioritizing rest area construction state wide. The department shall report the criteria and priority array to the legislative transportation committee by August 1, 1991.))~~

The department may, as part of its regular maintenance program, begin correcting existing fish passage barriers.

Up to \$742,000 is provided for the incident response program. This program may not be used to compete with private industry in removing or relocating vehicles, but shall be for the purpose of assisting in coordinating the response of both public and private efforts to clear obstructions in an efficient manner.

Sec. 21. 1991 sp.s. c 15 s 35 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

Transportation Fund--State Appropriation . . . . .	\$	700,000
Motor Vehicle Fund--Puget Sound Capital Construction		
Account--State Appropriation . . . . .	\$	465,000
Motor Vehicle Fund--Puget Sound Ferry Operations		
Account--State Appropriation . . . . .	\$	885,000
Motor Vehicle Fund--State		
Approp( <del>23,770,000</del> )		
		<u>33,855,000</u>
TOTAL APPROPRIATION . . . . .	\$	<del>((35,820,000))</del>
		<u>35,905,000</u>

Sec. 22. 1991 sp.s. c 15 s 36 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--PLANNING, RESEARCH, AND PUBLIC TRANSPORTATION--PROGRAM T**

For public transportation and rail programs:

Transportation Fund--State Appropriation . . . . .	\$	<del>((8,295,000))</del>
		<u>9,849,000</u>
Transportation Fund--Federal/Local Appropriation . . . . .	\$	<del>((5,518,000))</del>
		<u>5,735,000</u>

Public Transportation Systems Account--State

Appropriation 300,000

Central Puget Sound Public Transportation Account--State

Appropriation 100,000

High Capacity Transportation Account--

State Appropriation . . . . .	\$	15,640,000
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For planning and research:

Motor Vehicle Fund--State Appropriation . . . . .	\$	<del>((17,830,000))</del>
		<u>18,526,000</u>
Motor Vehicle Fund--Federal Appropriation . . . . .	\$	<del>((9,000,000))</del>
		<u>9,346,000</u>

TOTAL APPROPRIATION . . . . .	\$	<del>((56,283,000))</del>
		<u>59,496,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((By December 15, 1991, the department of transportation, in cooperation with local units of government and Amtrak, shall submit to the legislative transportation committee a program to improve Amtrak services in Washington. The program may include but is not limited to the following:~~

~~(a) Improvements to tracks, grade crossings, and signal systems necessary to increase operating speeds. In developing these recommendations, the department shall involve the utilities and transportation commission and other affected state and local agencies;~~

~~(b) Station improvements;~~

~~(c) Resumption of service between Seattle, Washington, and Vancouver, British Columbia; and~~

~~(d) New or additional service on other routes for which there is adequate demand and reasonable opportunity for cost recovery))~~ The transportation fund--state appropriation contained in this section includes up to \$5,000,000 to implement the recommendations contained in the 1991 Amtrak study for capital improvements to stations and crossings. Improvements may be made to those locations where Amtrak services are currently provided. The expenditure of state moneys for station and crossing improvements at locations where Amtrak services are not currently provided, is conditioned on a prior commitment in writing by Amtrak to the department of transportation to expand service to

additional Washington state locations. Prior to the expenditure of state moneys for capital improvements, the department of transportation shall seek additional funding from federal, local government and private sources, which includes, but is not limited to, in-kind and cash contributions. Funding priorities for station improvements shall be based on the level of local in-kind and cash contributions.

~~(2) ((Funds are provided for acquisition of rail rights of way under RCW 47.76.140: PROVIDED, That funds expended for the Stampede Pass corridor connecting Ravensdale in King County and Cle Elum in Kittitas County may be expended only if the corridor is acquired jointly with the city of Tacoma. The department shall enter into an agreement with the City of Tacoma to develop appropriate restrictions on the use of the right of way designed to protect Tacoma's Green River water supply. Following acquisition, the department may not expend or authorize the expenditure of funds for improvements to tracks, bridges, and associated elements without prior legislative approval. Funds may be expended for necessary maintenance and preservation, such as fire and weed control. This appropriation shall lapse if \$1,100,000 is not reappropriated for the purchase of corridors from the essential rail banking account.~~

~~(3))~~ Moneys in this appropriation for the Spokane intermodal transportation center may be expended only after the Washington state transportation commission has received funding commitments from all other project participants.

~~((4))~~ (3) Of the amount provided for regional transportation planning organizations, funds not allocated to such organizations may be used for a discretionary grant program for special regional planning projects, to be administered by the department of transportation.

~~((5))~~ (4) The amount provided for implementation of the universal bus pass program at the University of Washington shall be expended solely for one-time infrastructure costs for modification of roads to accommodate buses, modification of parking facilities, bus shelters, security lighting for night shuttle programs, and bike storage facilities. It is the intent of the legislature that comparable comprehensive programs be developed in the near future for all universities and colleges within the greater Seattle area. To that end, Metro, community transit and Pierce transit, and Seattle area colleges and universities shall work together and submit a plan to the legislative transportation committee identifying potential services, costs and implementation schedules. The plan shall be submitted by November 1992.

(5) In order to accommodate the federal 1991 intermodal surface transportation efficiency act (P.L. 101-240; 105 Stat. 1914) the department of transportation may transfer dollar for dollar from the motor vehicle fund--state appropriation to the motor vehicle fund--federal appropriation.

(6) The legislature finds that there is a significant state interest in transportation systems and facilities that serve regional and state-wide travel. Further, the state growth management act gives local governments significant authority to develop plans for all transportation systems, including regional and state-wide facilities. While the department of transportation and the transportation commission have broad authority to develop state-wide transportation plans, the relationship between these plans and local growth management plans is unclear.

The department of transportation is directed to report to the 1993 legislature on a proposed definition of transportation issues of state-wide significance, the recommended role of the state, regions, and local governments in addressing these issues, and a proposed process for their inclusion in local comprehensive plans. The department shall involve local governments, regional transportation planning organizations, and the department of community development in the development of these recommendations.

(7) Up to \$415,000 of the appropriation in this section is provided for funding of the demonstration projects specified in the federal 1991 intermodal surface transportation efficiency act (P.L. 101-240; 105 Stat 1914).

(8) Up to \$300,000 of the public transportation systems account--state appropriation in this section is provided for grants to transit agencies with populations of less than 200,000 to assist in preparation of the agencies' transit development plans, due June 1, 1993, pursuant to RCW 35.58.2795.

(9) In order to fulfill the purposes of the 1991 federal intermodal surface transportation efficiency act (P.L. 101-240; 105 Stat. 1914) the Central Puget Sound Public Transportation Account--State Appropriation is to fund a study on the interrelationships of land-use planning and zoning to transit ridership. The study shall be conducted by a county of more than 1,000,000 persons: PROVIDED, That the county provide matching funds of \$50,000: AND PROVIDED FURTHER, That this appropriation be contingent on the passage of Senate Bill No. 6209 (Chapter --, Laws of 1992) or Engrossed House Bill No. 2830. A report on the findings shall be provided to the legislative transportation committee, the department of transportation, and the office of the governor no later than November 30, 1993.

Sec. 23. 1991 sp.s. c 15 s 38 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--MARINE CONSTRUCTION--PROGRAM W**

Motor Vehicle Fund--Puget Sound Capital Construction

Account--State Appropriation .....	\$	((107,324,000))
		117,849,000

Motor Vehicle Fund--Puget Sound Capital Construction

Account--Federal Appropriation .....	\$	16,937,000
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Motor Vehicle Fund--Puget Sound Capital Construction

Account--Private/Local Appropriation . . . . .	\$	1,500,000
TOTAL APPROPRIATION . . . . .	\$	((125,761,000))
		<u>136,286,000</u>

The appropriations in this section are 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 appropriations in this section are subject to the following conditions and limitations:

The appropriations in this section are provided to carry out only the projects in the department of transportation's 1991-93 biennial budget request dated March 1991, as approved by the transportation commission. The department of transportation shall revise these projects to reconcile them with the 1989-91 actual expenditures within sixty days of the beginning of the biennium. The department shall also reevaluate such projects, based on the findings and recommendations of the April 5, 1991, Final Report by Booz.Allen, Hamilton and M. Rosenblatt and Son, Inc. on the Washington State Ferries' Vessel Refurbishment Programs, and, if appropriate, make the necessary project revisions, after consultation with the legislative transportation committee, prior to September 1, 1991.

The Puget Sound capital construction account--state appropriation includes the reappropriation of \$18,965,000 and \$15,000,000 in proceeds from the sale of bonds authorized by RCW 47.60.560 and \$10,000,000 in proceeds from the sale of bonds authorized by House Bill No. 2896, Laws of 1992, which shall be used toward the completion of an auto passenger vessel or vessels-jumbo class: PROVIDED, That the department of transportation may use current revenues available to the Puget Sound capital construction account in lieu of bond proceeds for any part of the state appropriation.

The legislature intends that the construction and assembly of any auto passenger vessel or vessels-jumbo class resulting from bond sale proceeds authorized by House Bill No. 2896, Laws of 1992, occur within Washington state.

The appropriation in this section contains an amount for prerefurbishment inspections as identified in Recommendation 8 of the April 5, 1991, Final Report by Booz.Allen, Hamilton and M. Rosenblatt and Son, Inc. on the Washington State Ferries' Vessel Refurbishment Programs.

The Puget Sound capital construction account--state appropriation includes \$1,082,000 to be expended solely for the design of a jumbo class automobile ferry vessel.

The department shall consult the legislative transportation committee regarding the expenditure of moneys appropriated in this section and shall provide the committee with a monthly report concerning the status of the capital program authorized in this section.

\$300,000 of the Puget Sound capital construction account--state appropriation is provided to implement Recommendation Numbers 7 and 19 of the April 5, 1991, Final Report by Booz.Allen, Hamilton and M. Rosenblatt and Son, Inc. on the Washington State Ferries' Vessel Refurbishment Programs. Of that amount \$200,000 is provided for implementing a formal hazardous materials program and \$100,000 is provided for audiogauge steel testing.

The department of transportation shall establish a task force to assess and oversee the implementation of the recommendations contained in the April 5, 1991, Final Report by Booz.Allen, Hamilton and M. Rosenblatt and Son, Inc. on the Washington State Ferries' Vessel Refurbishment Programs. The task force shall be comprised of department of transportation management, representatives of Washington state ferry system employee organizations, the shipbuilding industry, the legislative transportation committee, and any other entity or individual as deemed appropriate by the department. The task force shall provide a progress report to the legislative transportation committee by December 1, 1991 and December 1, 1992.

In order to accommodate the federal 1991 intermodal surface transportation efficiency act (P.L. 101-240; 105 Stat. 1914), the department may transfer on a dollar for dollar basis, motor vehicle fund--Puget Sound capital construction account--state appropriation to the motor vehicle fund--Puget Sound capital construction account--federal appropriation.

Sec. 24. 1991 sp.s. c 15 s 39 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**

Marine Operating Fund--State Appropriation . . . . .	\$	((204,767,000))
		<u>205,755,000</u>

The appropriation in this section is subject to the following conditions and limitations:

- (1) The marine operating fund is hereby created in the state treasury.

To fund the appropriations in this act, the department shall transfer operating subsidies from the Puget Sound ferry operations account and ferry user revenues from the ferry system revolving account to the marine operating fund.

The department shall transfer moneys from the ferry system revolving account to the marine operating fund so as to minimize the need for revenues from the Puget Sound ferry operations account during June of each respective fiscal year in support of the expenditures necessary for the operation and maintenance of the state ferry system as authorized in this section.

(2) The appropriation is based on the budgeted expenditure of \$24,562,547 for vessel operating fuel in the 1991-93 biennium. If the actual cost of fuel is less than this budgeted amount, the excess amount shall not be expended. If the actual cost exceeds this amount, the department shall request a supplemental appropriation.

(3) The appropriation contained in this section provides for the compensation of ferry employees, including increases. The expenditures for compensation paid to ferry employees during the 1991-93 biennium shall not exceed ~~(\$135,862,000)~~ \$136,582,000 plus a dollar amount, as prescribed by the office of financial management, that is equal to any insurance benefit increase granted general government employees in excess of \$256.07 a month annualized per eligible marine employee multiplied by the number of eligible marine employees for the respective fiscal year, a dollar amount as prescribed by the office of financial management for salary increases during the 1991-93 biennium, and a dollar amount as prescribed by the office of financial management for costs associated with pension amortization charges and cost of living allowances. For the purposes of this section, the expenditures for compensation paid to ferry employees shall be limited to salaries and wages and employee benefits as defined in the office of financial management's policies, regulations, and procedures named under objects of expenditure "A" and "B" (7.2.6.2). Of the ~~(\$135,862,000)~~ \$136,582,000 provided for compensation, plus the prescribed insurance benefit, pension, and salary increase dollar amount:

(a) The maximum dollar amount that shall be allocated from the governor's compensation salary appropriation is in addition to the appropriation contained in this section and may be used to increase compensation costs, effective January 1, 1992;

(b) The maximum dollar amount that shall be allocated from the governor's compensation salary appropriation is in addition to the appropriation contained in this section and shall be used to maintain any 1991-92 compensation increase and may be used to increase compensation costs, effective January 1, 1993.

In no event may the June 30, 1992, hourly salary rate increase exceed any average hourly salary rate increase granted during the 1991-92 fiscal year.

In no event may the June 30, 1993, hourly salary rate increase exceed any salary rate increase granted during the 1992-93 fiscal year.

(c) The prescribed insurance benefit increase dollar amount that shall be allocated from the governor's compensation insurance benefits appropriation is in addition to the appropriation contained in this section and may be used to increase compensation costs, effective July 1, 1991;

(d) The prescribed insurance benefit increase dollar amount that shall be allocated from the governor's compensation insurance benefits appropriation is in addition to the appropriation contained in this section and may be used to increase compensation costs, effective July 1, 1992.

(4) The intent of the legislature is to eliminate the current passenger-only service between Seattle and Bremerton. The transportation commission is responsible for evaluating other potential passenger-only routes and determining the location of a new passenger-only route. The transfer of the Seattle/Bremerton passenger-only vessel to a new route should be implemented as soon as it is feasible.

(5) The appropriation in this section includes \$1,091,290 for an additional eight-hour automobile ferry service between Seattle and Bremerton during the 1992-93 fiscal period commencing with the elimination of the passenger only service.

(6) The department of transportation shall provide the legislative transportation committee with a monthly report concerning the status of the operating program authorized in this section.

(7) The transportation commission is directed to continue its evaluation of passenger-only vessel designs capable of providing high speed service between Seattle and Bremerton. The commission shall provide the legislative transportation committee with a report concerning the status of the evaluation by September 30, 1991 and December 1, 1992.

Sec. 25. 1991 sp.s. c 15 s 41 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z**

Motor Vehicle Fund--State Appropriation . . . . .	\$	11,132,000
Motor Vehicle Fund--Federal Appropriation . . . . .	\$	<del>(95,300,000)</del>
		<u>96,383,000</u>
Motor Vehicle Fund--Local Appropriation . . . . .	\$	10,000,000
TOTAL APPROPRIATION . . . . .	\$	<del>(116,432,000)</del>
		<u>117,515,000</u>

(1) The appropriations in this section include \$3,150,000 from the motor vehicle fund--state appropriation for transportation expenditures related to the United States navy home port in Everett.

(2) The appropriations contain \$309,000 of state funds from the proceeds 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 or federal laws. If these moneys are not expended during 1991-93, this appropriation shall revert to the motor vehicle fund.

(3) Up to \$1,083,000 of the appropriation in this section is provided for the construction of the demonstration projects specified in the federal 1991 intermodal surface transportation efficiency act (P.L. 101-240; 105 Stat. 1914).

Sec. 26. 1991 sp.s. c 15 s 57 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL--CAPITAL**

As used in this section, "St Patrol Hiwy Acct" means the State Patrol Highway Account.

(1) Design and construct WSP/DOL district offices-Tacoma (90-2-013)

	Reappropriation	Appropriation
St Patrol Hiwy Acct		5,413,000
Motor Vehicle Acct--State		924,000
Highway Safety Fund--State		924,000
Total Appropriation		7,261,000
Project Costs Through 6/30/91	Estimated Costs 7/1/91 and Thereafter	Estimated Total Costs
750,000		8,011,000

~~((3))~~ (2) Complete Construction District Headquarters-Everett (90-2-018)

	Reappropriation	Appropriation
St Patrol Hiwy Acct	3,200,000	<u>1,300,000</u>
Project Costs Through 6/30/91	Estimated Costs 7/1/91 and Thereafter	Estimated Total Costs
300,000	<del>((3,200,000))</del> <u>4,500,000</u>	<del>((3,500,000))</del> <u>4,800,000</u>

~~((4))~~ (3) Replace underground storage tanks-Ten locations (92-1-002)

	Reappropriation	Appropriation
St Patrol Hiwy Acct		<del>((1,656,000))</del> <u>1,469,000</u>
Project Costs Through 6/30/91	Estimated Costs 7/1/91 and Thereafter	Estimated Total Costs
376,000		<del>((2,032,000))</del> <u>1,932,000</u>

~~((5))~~ (4) Minor works (92-2-004)

	Reappropriation	Appropriation
St Patrol Hiwy Acct		((435,000))
		<u>278,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/91	Thereafter	
1,654,000	((759,200))	((2,848,200))
	<u>602,200</u>	<u>2,691,200</u>

((6)) (5) Property acquisition for communications site-Maple Falls (92-2-0064)

	Reappropriation	Appropriation
St Patrol Hiwy Acct		17,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/91	Thereafter	
	<u>17,000</u>	17,000

((7)) (6) BAW FAW replacement communication tower (92-2-010)

	Reappropriation	Appropriation
St Patrol Hiwy Acct		((234,000))
		<u>184,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/91	Thereafter	
	<u>184,000</u>	((234,000))
		<u>184,000</u>

The state patrol and the department of licensing shall coordinate their activities when siting facilities. This coordination shall result in the colocation of driver and vehicle licensing and vehicle inspection service facilities whenever possible.

The department and state patrol shall explore alternative state services, such as vehicle emission testing, that would be feasible to colocate in these joint facilities. The department and state patrol shall reach agreement with the department of transportation for the purposes of offering department of transportation permits at these one-stop transportation centers. All services provided by the department or the state patrol at these transportation service facilities shall be provided at cost to the participating agencies.

In those instances where the community need or the agencies needs do not warrant colocation this proviso shall not apply.

The state patrol shall examine, whenever possible, the colocation of the emergency response activities of the state patrol and other agencies responsible for emergency response activities. The examination shall include an evaluation of the Camp Murray site. The state patrol shall report to the legislature by December 1, 1992 on the examination.

Sec. 27. 1991 sp.s. c 14 s 29 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

- (1) Crime laboratory, Tacoma: To design and construct a new eight thousand-square foot crime lab facility in Tacoma, to be co-located with the Washington State Patrol/Department of Licensing District headquarters (92-1-008)

The appropriation in this section shall not be expended for consolidation of laboratory services currently being performed in the Kelso and Kennewick crime laboratories.

**Appropriation:**

	<b>St Bldg Constr Acct</b> .....	\$	<b>2,017,000</b>
	Prior Biennia (Expenditures) .....	\$	20,000
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	<b>2,037,000</b>
(2)	Spokane crime laboratory: For safety enhancements (92-1-008)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	<b>192,000</b>
	Prior Biennia (Expenditures) .....	\$	4,500
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	<b>196,500</b>
(3)	Headquarters: Design a new headquarters facility in Olympia (90-2-040)		
	<b>Appropriation:</b>		
	<b>WSP Highway Acct</b> .....	\$	<b>((3,400,000))</b>
			<u>750,000</u>
	Prior Biennia (Expenditures) .....	\$	250,000
	Future Biennia (Projected Costs) .....	\$	((45,323,000))
			<u>0</u>
			-----
	<b>TOTAL</b> .....	\$	<b>((48,973,000))</b>
			<u>1,000,000</u>
(4)	Everett district headquarters--Crime laboratory (90-2-018)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	<b>455,000</b>
	Prior Biennia (Expenditures) .....	\$	15,000
	Future Biennia (Projected Costs) .....	\$	0
			-----
	<b>TOTAL</b> .....	\$	<b>470,000</b>

**NEW SECTION. Sec. 28.** A new section is added to 1991 sp.s. c 15 to read as follows:  
**FOR DEPARTMENT OF TRANSPORTATION**

Motor Vehicle Fund--State Appropriation Transfer:

For transfer to transportation equipment fund ..... \$ 146,000

This appropriation is provided to replace equipment lost and other associated costs in the Kent maintenance facility fire.

**NEW SECTION. Sec. 29.** A new section is added to 1991 sp.s. c 15 to read as follows:

The office of financial management shall conduct a study, in conjunction with the department of transportation, the department of licensing, and the Washington state patrol, of the methods used by the revolving fund agencies to determine actual services provided to the transportation agencies. The study shall determine whether or not allocation methodologies used to assign these costs to transportation agencies are consistent with accepted accounting principles.

**NEW SECTION. Sec. 30.** A new section is added to 1991 sp.s. c 15 to read as follows:

Agencies shall comply with the following requirements regarding information technology projects if directed to do so by specific appropriation proviso within this act.

It is the intent of the legislature that information technology projects in state government be managed and completed successfully. Information technology projects should be divided into distinct phases. Each phase of a project should be



successfully completed before subsequent phases are commenced. In addition to the post-implementation review, project reviews and quality assurance measures are to be conducted throughout the project.

The legislature, department of information services and office of financial management, should evaluate each project's scope, duration, and risk in determining whether appropriations should be for a fiscal year or a biennium, and whether specific phases or the entire project can be accomplished within a specified time period.

Work shall not commence on any task in a subsequent phase of a project after a key decision point review unless there is approval to proceed, based upon approval of the deliverables from the preceding phase and approval of the updated project management plan for the subsequent phase, by the project agreement participants and written notification to the legislative transportation committee.

(1) Prior to requesting moneys from the legislature, or as a condition of receiving an appropriation for planning or development of information technology projects, an agency shall complete a project needs assessment process. The needs assessment process shall detail the key issues to be addressed by the information technology project. The needs assessment process shall precede the feasibility study.

The needs assessment process must include: The project's scope; key business and technical issues to be addressed; major business objectives; alternative project approaches; project justifications; project management approach including phases necessary to complete the project; and evaluation of initial feasibility of the project. The purpose of the needs assessment process is to provide the legislature, office of financial management, and the department of information services with the high level information that is needed to grant approval to proceed with the project.

(2) The agency shall produce a feasibility study for each information systems project in accordance with published department of information services instructions. The study shall examine and evaluate the costs and benefits of maintaining the current technology or process versus the costs and benefits of the proposed system. The study shall identify if and in what amounts any fiscal savings, costs, and benefits will occur, and what programs or fund sources will be affected. Benefits of information technology projects shall not be limited to future fiscal savings, but may include maintenance of, or improvements in service delivery by the agency to the citizens of the state. The feasibility study shall be an evolving document. The feasibility study shall be accompanied by the project management plan described in subsection (3) of this section.

(3) The agency shall produce a project management plan which shall document how the agency will manage the project identified in the feasibility study. The plan shall be an evolving document. Each subsequent phase of the project shall have an updated project management plan submitted as a prerequisite for approval to begin the next phase.

The project management plan shall cover all factors critical to the entire project; shall specifically address management plans for successfully completing the subsequent phase; and shall address all factors critical to the overall project, including, but not limited to, the following elements:

(a) Project organization: Define agency executive personnel accountable for project success; define oversight and management committee structures; identify key personnel including key project positions that are not yet filled; address agency and vendor staffing requirements, including backfilling requirements; and other key resources needed for successful project implementation.

(b) A description of scope change and cost control procedures.

(c) A risk assessment and risk mitigation plan.

(d) A description of project oversight and quality assurance procedures.

(e) A project workplan: Explaining the appropriately defined phases, key management decision points, scheduling of other activities, estimated costs for the next phase or phases to be conducted in a specified time period, a description of project management procedures including communication strategies, documentation control, and issues management.

(4) A project agreement shall be prepared by the sponsoring agency, in a format prescribed by the department of information services, following approval of the project management plan and feasibility study by the department of information services, the office of financial management, and appropriation by the legislature.

The project agreement shall address all pertinent information included in the needs assessment, project management plan, feasibility study, and the budget request information submitted to the office of financial management and the legislature.

The agency head, the director of the department of information services, and the director of the office of financial management shall evaluate and approve the project agreement. A copy of the final project agreement shall be provided to the legislative transportation committee. Any changes to the agreement shall be made with the mutual written consent of the parties. The legislative transportation committee shall receive written prior notification of all proposed changes in a timely manner and may provide written comments on such proposed changes.

(5) Prior to reaching key decision points identified in the project management plan a project status report shall be submitted to the department of information services, the office of financial management, and the legislative transportation

committee for each project. Project status reports shall examine and evaluate project management, accomplishments, budget, action to address variances, risk management, and other significant issues critical to completion of a project.

(6) In instances where a project review is requested in accordance with department of information services policies, the review shall examine and evaluate: System requirements specifications; scope; executive commitment and project management procedures system architecture; change controls; documentation; user involvement; training; availability and capability of resources; programming languages and techniques; system inputs and outputs; plans for testing, conversion, implementation, and post-implementation; and other aspects critical to successful construction, integration, and implementation of information technology projects as appropriate. Copies of written project review reports shall be forwarded to the office of financial management and the legislative transportation committee by the agency.

(7) The agency and the department of information services shall provide the legislative transportation committee and the office of financial management with a written bi-monthly project oversight and risk assessment report for each project. The report shall include, but not be limited to, the following: Project name, agency undertaking the project, a description of the project, key project activities during the next sixty to ninety days, base-line cost data, costs to date, schedule to date, risk assessments, risk management, and recommendations.

(8) A written post-implementation review report shall be prepared by the agency for each information systems project in accordance with published department of information services instructions. In addition to the information requested pursuant to the department of information services instructions, post-implementation reports shall evaluate the degree to which a project accomplished its major objectives including, but not limited to, a comparison of original cost and benefit estimates to actual costs and benefits achieved. Copies of post-implementation review reports shall be provided to the department of information services, the office of financial management, and the legislative transportation committee.

(9) Where major variances in project scope, cost, or risk occur, the sponsoring agency shall inform the department of information services of the change. The director of the sponsoring agency and the director of the department of information services shall jointly report such findings in writing to the legislative transportation committee and office of financial management. A major variance is defined as a budget change in excess of \$1,000,000 or ten percent, whichever is lower; an increase in risk category to high; or a change in scope that could result in major change in budget or risk.

NEW SECTION. Sec. 31. 1991 c 342 s 15 is repealed.

NEW SECTION. Sec. 32. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 1 of the title, after appropriations, strike the remainder of the title, and insert "amending 1991 sp.s. c 15 s 1 (uncodified), 1991 sp.s. c 15 s 21 (uncodified), 1991 sp.s. c 15 s 5 (uncodified), 1991 sp.s. c 15 s 6 (uncodified), 1991 sp.s. c 15 s 14 (uncodified), 1991 sp.s. c 15 s 8 (uncodified), 1991 sp.s. c 15 s 9 (uncodified), 1991 sp.s. c 15 s 10 (uncodified), 1991 sp.s. c 15 s 11 (uncodified), 1991 sp.s. c 15 s 12 (uncodified), 1991 sp.s. c 15 s 13 (uncodified), 1991 sp.s. c 15 s 18 (uncodified), 1991 sp.s. c 15 s 22 (uncodified), 1991 sp.s. c 15 s 23 (uncodified), 1991 sp.s. c 15 s 25 (uncodified), 1991 sp.s. c 15 s 27 (uncodified), 1991 sp.s. c 15 s 28 (uncodified), 1991 sp.s. c 15 s 32 (uncodified), 1991 sp.s. c 15 s 33 (uncodified), 1991 sp.s. c 15 s 35 (uncodified), 1991 sp.s. c 15 s 36 (uncodified), 1991 sp.s. c 15 s 38 (uncodified), 1991 sp.s. c 15 s 39 (uncodified), 1991 sp.s. c 15 s 41 (uncodified), 1991 sp.s. c 15 s 57 (uncodified), and 1991 sp.s. c 14 s 29 (uncodified); adding new sections to 1991 sp.s. c 15; repealing 1991 c 342 s 15; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Fisher moved that the House refuse to concur in the Senate amendments to Engrossed Substitute House Bill No. 2553 and ask the Senate for a conference thereon.

With consent of the House, we'll defer further consideration of Engrossed Substitute House Bill No. 2553.

## SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed:

## ENGROSSED HOUSE BILL NO. 2680 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 82.04.170 and 1985 c 135 s 1 are each amended to read as follows:

"Tuition fee" includes library, laboratory, health service and other special fees, and amounts charged for room and board by an educational institution when the property or service for which such charges are made is furnished exclusively to the students or faculty of such institution. "Educational institution," as used in this section, means only those institutions created or generally accredited as such by the state, or defined as a degree granting institution under RCW ((28B.05.030(40))) 28B.85.010(3) and accredited by an accrediting association recognized by the United States secretary of education, and offering to students an educational program of a general academic nature or those institutions which are not operated for profit and which are privately endowed under a deed of trust to offer instruction in trade, industry, and agriculture, but not including specialty schools, business colleges, other trade schools, or similar institutions.

Sec. 2. RCW 82.08.050 and 1986 c 36 s 1 are each amended to read as follows:

The tax hereby imposed shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale in accordance with the schedule of collections adopted by the department pursuant to the provisions of RCW 82.08.060. The tax required by this chapter, to be collected by the seller, shall be deemed to be held in trust by the seller until paid to the department, and any seller who appropriates or converts the tax collected to his or her own use or to any use other than the payment of the tax to the extent that the money required to be collected is not available for payment on the due date as prescribed in this chapter shall be guilty of a gross misdemeanor.

In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay it to the department in the manner prescribed by this chapter, whether such failure is the result of his or her own acts or the result of acts or conditions beyond his or her control, he or she shall, nevertheless, be personally liable to the state for the amount of the tax.

The amount of tax, until paid by the buyer to the seller or to the department, shall constitute a debt from the buyer to the seller and any seller who fails or refuses to collect the tax as required with intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any buyer who refuses to pay any tax due under this chapter shall be guilty of a misdemeanor. The tax required by this chapter to be collected by the seller shall be stated separately from the selling price in any sales invoice or other instrument of sale. On all retail sales through vending machines, the tax need not be stated separately from the selling price or collected separately from the buyer. For purposes of determining the tax due from the buyer to the seller and from the seller to the department it shall be conclusively presumed that the selling price quoted in any price list, sales document, contract or other agreement between the parties does not include the tax imposed by this chapter, but if the seller advertises the price as including the tax or that the seller is paying the tax, the advertised price shall not be considered the selling price.

Where a buyer has failed to pay to the seller the tax imposed by this chapter and the seller has not paid the amount of the tax to the department, the department may, in its discretion, proceed directly against the buyer for collection of the tax, in which case a penalty of ten percent may be added to the amount of the tax for failure of the buyer to pay the same to the seller, regardless of when the tax may be collected by the department; and all of the provisions of chapter 82.32 RCW, including those relative to interest and penalties, shall apply in addition; and, for the sole purpose of applying the various provisions of chapter 82.32 RCW, the ((fifteenth)) twenty-fifth day of the month following the tax period in which the purchase was made shall be considered as the due date of the tax.

Sec. 3. RCW 82.32.090 and 1991 c 142 s 11 are each amended to read as follows:

(1) If payment of any tax due on a return to be filed by a taxpayer is not received by the department of revenue by the due date, there shall be assessed a penalty of five percent of the amount of the tax; and if the tax is not received within thirty days after the due date, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within sixty days after the due date, there shall be assessed a total penalty of twenty percent of the amount of the tax. No penalty so added shall be less than five dollars.

(2) If payment of any tax assessed by the department of revenue is not received by the department by the due date specified in the notice, or any extension thereof, the department shall add a penalty of ten percent of the amount of the additional tax found due. No penalty so added shall be less than five dollars.

(3) If a warrant be issued by the department of revenue for the collection of taxes, increases, and penalties, there shall be added thereto a penalty of five percent of the amount of the tax, but not less than ten dollars.

(4) If the department finds that all or any part of a deficiency resulted from the disregard of specific written instructions as to reporting or tax liabilities, the department shall add a penalty of ten percent of the amount of the additional tax found due because of the failure to follow the instructions. A taxpayer disregards specific written instructions when the department of revenue has informed the taxpayer in writing of the taxpayer's tax obligations and the taxpayer fails to act in accordance with those instructions unless the department has not issued final instructions because the matter is under appeal pursuant to this chapter or departmental regulations. The department shall not assess the penalty under this section upon any taxpayer who has made a good faith effort to comply with the specific written instructions provided by the department to that taxpayer. Specific written instructions may be given as a part of a tax assessment, audit, determination, or closing agreement, provided that such specific written instructions shall apply only to the taxpayer addressed or referenced on such documents. Any specific written instructions by the department of revenue shall be clearly identified as such and shall inform the taxpayer that failure to follow the instructions may subject the taxpayer to the penalties imposed by this subsection.

(5) If the department finds that all or any part of the deficiency resulted from an intent to evade the tax payable hereunder, a further penalty of fifty percent of the additional tax found to be due shall be added.

(6) The aggregate of penalties imposed under this section for failure to pay a tax due on a return by the due date, late payment of any tax, increase, or penalty, or issuance of a warrant shall not exceed thirty-five percent of the tax due, or twenty dollars, whichever is greater.

(7) The department of revenue may not impose both the evasion penalty and the penalty for disregarding specific written instructions on the same tax found to be due.

**Sec. 4.** RCW 82.32.180 and 1989 c 378 s 23 are each amended to read as follows:

Any person, except one who has failed to keep and preserve books, records, and invoices as required in this chapter and chapter 82.24 RCW, having paid any tax as required and feeling aggrieved by the amount of the tax may appeal to the superior court of Thurston county, within the time limitation for a refund provided in chapter 82.32 RCW or, if an application for refund has been made to the department within that time limitation, then within thirty days after rejection of the application, whichever time limitation is later. In the appeal the taxpayer shall set forth the amount of the tax imposed upon the taxpayer which the taxpayer concedes to be the correct tax and the reason why the tax should be reduced or abated. The appeal shall be perfected by serving a copy of the notice of appeal upon the department within the time herein specified and by filing the original thereof with proof of service with the clerk of the superior court of Thurston county. ~~((Within ten days after filing the notice of appeal, the taxpayer shall file with the clerk of the superior court a good and sufficient surety bond payable to the state in the sum of two hundred dollars, conditioned to diligently prosecute the appeal and pay the state all costs that may be awarded if the appeal of the taxpayer is not sustained.))~~

The trial in the superior court on appeal shall be de novo and without the necessity of any pleadings other than the notice of appeal. The burden shall rest upon the taxpayer to prove that the tax as paid by the taxpayer is incorrect, either in whole or in part, and to establish the correct amount of the tax. In such proceeding the taxpayer shall be deemed the plaintiff, and the state, the defendant; and both parties shall be entitled to subpoena the attendance of witnesses as in other civil actions and to produce evidence that is competent, relevant, and material to determine the correct amount of the tax that should be paid by the taxpayer. Either party may seek appellate review in the same manner as other civil actions are appealed to the appellate courts.

It shall not be necessary for the taxpayer to protest against the payment of any tax or to make any demand to have the same refunded or to petition the director for a hearing in order to appeal to the superior court, but no court action or proceeding of any kind shall be maintained by the taxpayer to recover any tax paid, or any part thereof, except as herein provided.

The provisions of this section shall not apply to any tax payment which has been the subject of an appeal to the board of tax appeals with respect to which appeal a formal hearing has been elected.

**Sec. 5.** RCW 67.28.183 and 1988 c 61 s 2 are each amended to read as follows:

(1) The ~~((tax))~~ taxes levied ~~((by RCW 67.28.180 and 67.28.182))~~ under this chapter shall not apply to emergency lodging provided for homeless persons for a period of less than thirty consecutive days under a shelter voucher program administered by an eligible organization.

(2) For the purposes of this exemption, an eligible organization includes only cities, towns, and counties, or their respective agencies, and groups providing emergency food and shelter services.

**Sec. 6.** RCW 82.29A.020 and 1986 c 285 s 1 are each amended to read as follows:

As used in this chapter the following terms shall be defined as follows, unless the context otherwise requires:

(1) "Leasehold interest" shall mean an interest in publicly owned real or personal property which exists by virtue of any lease, permit, license, or any other agreement, written or verbal, between the public owner of the property and a person who would not be exempt from property taxes if that person owned the property in fee, granting possession and use, to a degree less than fee simple ownership: PROVIDED, That no interest in personal property (excluding land or buildings) which is owned by the United States, whether or not as trustee, or by any foreign government shall constitute a leasehold interest hereunder when the right to use such property is granted pursuant to a contract solely for the manufacture or production of articles for sale to the United States or any foreign government. The term "leasehold interest" shall include the rights of use or occupancy by others of property which is owned in fee or held in trust by a public corporation, commission, or authority created under RCW 35.21.730 or 35.21.660 if the property is listed on or is within a district listed on any federal or state register of historical sites. The term "leasehold interest" shall not include road or utility easements or rights of access, occupancy or use granted solely for the purpose of removing materials or products purchased from a public owner or the lessee of a public owner.

(2) "Taxable rent" shall mean contract rent as defined in subsection (a) of this subsection in all cases where the lease or agreement has been established or renegotiated through competitive bidding, or negotiated or renegotiated in accordance with statutory requirements regarding the rent payable, or negotiated or renegotiated under circumstances, established by public record, clearly showing that the contract rent was the maximum attainable by the lessor: PROVIDED, That after January 1, 1986, with respect to any lease which has been in effect for ten years or more without renegotiation, taxable rent may be established by procedures set forth in subsection (b) of this subsection. All other leasehold interests shall be subject to the determination of taxable rent under the terms of subsection (b) of this subsection.

(a) "Contract rent" shall mean the amount of consideration due as payment for a leasehold interest, including: The total of cash payments made to the lessor or to another party for the benefit of the lessor according to the requirements of the lease or agreement, including any rents paid by a sublessee; expenditures for the protection of the lessor's interest when required by the terms of the lease or agreement; and expenditures for improvements to the property to the extent that such improvements become the property of the lessor. Where the consideration conveyed for the leasehold interest is made in combination with payment for concession or other rights granted by the lessor, only that portion of such payment which represents consideration for the leasehold interest shall be part of contract rent.

"Contract rent" shall not include: (i) Expenditures made by the lessee, which under the terms of the lease or agreement, are to be reimbursed by the lessor to the lessee or expenditures for improvements and protection made pursuant to a lease or an agreement which requires that the use of the improved property be open to the general public and that no profit will inure to the lessee from the lease; (ii) expenditures made by the lessee for the replacement or repair of facilities due to fire or other casualty including payments for insurance to provide reimbursement for losses or payments to a public or private entity for protection of such property from damage or loss or for alterations or additions made necessary by an action of government taken after the date of the execution of the lease or agreement; (iii) improvements added to publicly owned property by a sublessee under an agreement executed prior to January 1, 1976, which have been taxed as personal property of the sublessee prior to January 1, 1976, or improvements made by a sublessee of the same lessee under a similar agreement executed prior to January 1, 1976, and such improvements shall be taxable to the sublessee as personal property; (iv) improvements added to publicly owned property if such improvements are being taxed as personal property to any person.

Any prepaid contract rent shall be considered to have been paid in the year due and not in the year actually paid with respect to prepayment for a period of more than one year. Expenditures for improvements with a useful life of more than one year which are included as part of contract rent shall be treated as prepaid contract rent and prorated over the useful life of the improvement or the remaining term of the lease or agreement if the useful life is in excess of the remaining term of the lease or agreement. Rent prepaid prior to January 1, 1976, shall be prorated from the date of prepayment.

With respect to a "product lease", the value of agricultural products received as rent shall be the value at the place of delivery as of the fifteenth day of the month of delivery; with respect to all other products received as contract rent, the value shall be that value determined at the time of sale under terms of the lease.

(b) If it shall be determined by the department of revenue, upon examination of a lessee's accounts or those of a lessor of publicly owned property, that a lessee is occupying or using publicly owned property in such a manner as to create a leasehold interest and that such leasehold interest has not been established through competitive bidding, or negotiated in accordance with statutory requirements regarding the rent payable, or negotiated under circumstances, established by public record, clearly showing that the contract rent was the maximum attainable by the lessor, the department may establish a taxable rent computation for use in determining the tax payable under authority granted in this chapter based upon the following criteria: (i) Consideration shall be given to rental being paid to other lessors by

lessees of similar property for similar purposes over similar periods of time; (ii) consideration shall be given to what would be considered a fair rate of return on the market value of the property leased less reasonable deductions for any restrictions on use, special operating requirements or provisions for concurrent use by the lessor, another person or the general public.

(3) "Product lease" as used in this chapter shall mean a lease of property for use in the production of agricultural or marine products to the extent that such lease provides for the contract rent to be paid by the delivery of a stated percentage of the production of such agricultural or marine products to the credit of the lessor or the payment to the lessor of a stated percentage of the proceeds from the sale of such products.

(4) "Renegotiated" means a change in the lease agreement which changes the agreed time of possession, restrictions on use, the rate of the cash rental or of any other consideration payable by the lessee to or for the benefit of the lessor, other than any such change required by the terms of the lease or agreement, except that a lease for ten years or longer that calls for changes in rent on a set schedule of at least every five years shall be considered a renegotiated lease, if the change in rent is based on a standard state or federal index such as the consumer price index. In addition "renegotiated" shall mean a continuation of possession by the lessee beyond the date when, under the terms of the lease agreement, the lessee had the right to vacate the premises without any further liability to the lessor.

(5) "City" means any city or town.

Sec. 7. RCW 82.29A.130 and 1975-'76 2nd ex.s. c 61 s 13 are each amended to read as follows:

The following leasehold interests shall be exempt from taxes imposed pursuant to RCW 82.29A.030 and 82.29A.040:

(1) All leasehold interests constituting a part of the operating properties of any public utility which is assessed and taxed as a public utility pursuant to chapter 84.12 RCW.

(2) All leasehold interests in facilities owned or used by a school, college or university which leasehold provides housing for students and which is otherwise exempt from taxation under provisions of RCW 84.36.010 and 84.36.050.

(3) All leasehold interests of subsidized housing where the fee ownership of such property is vested in the government of the United States, or the state of Washington or any political subdivision thereof but only if income qualification exists for such housing.

(4) All leasehold interests used for fair purposes of a nonprofit fair association that sponsors or conducts a fair or fairs which receive support from revenues collected pursuant to RCW 67.16.100 and allocated by the director of the department of agriculture where the fee ownership of such property is vested in the government of the United States, the state of Washington or any of its political subdivisions: PROVIDED, That this exemption shall not apply to the leasehold interest of any sublessee of such nonprofit fair association if such leasehold interest would be taxable if it were the primary lease.

(5) All leasehold interests in any property of any public entity used as a residence by an employee of that public entity who is required as a condition of employment to live in the publicly owned property.

(6) All leasehold interests held by enrolled Indians of lands owned or held by any Indian or Indian tribe where the fee ownership of such property is vested in or held in trust by the United States and which are not subleased to other than to a lessee which would qualify pursuant to this chapter, RCW 84.36.451 and 84.40.175.

(7) All leasehold interests in any real property of any Indian or Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States: PROVIDED, That this exemption shall apply only where it is determined that contract rent paid is greater than or equal to ninety percent of fair market rental, to be determined by the department of revenue using the same criteria used to establish taxable rent in RCW 82.29A.020(2)(b).

(8) All leasehold interests for which annual taxable rent is less than two hundred fifty dollars per year. For purposes of this subsection leasehold interests held by the same lessee in contiguous properties owned by the same lessor shall be deemed a single leasehold interest.

(9) All leasehold interests which give use or possession of the leased property for a continuous period of less than thirty days: PROVIDED, That for purposes of this subsection, successive leases or lease renewals giving substantially continuous use of possession of the same property to the same lessee shall be deemed a single leasehold interest: PROVIDED FURTHER, That no leasehold interest shall be deemed to give use or possession for a period of less than thirty days solely by virtue of the reservation by the public lessor of the right to use the property or to allow third parties to use the property on an occasional, temporary basis.

(10) All leasehold interests under month-to-month leases in residential units rented for residential purposes of the lessee pending destruction or removal for the purpose of constructing a public highway or building.

(11) All leasehold interests in any publicly owned real or personal property to the extent such leasehold interests arises solely by virtue of a contract for public improvements or work executed under the public works statutes of this state or of the United States between the public owner of the property and a contractor.

(12) All leasehold interests held by a lessee who would qualify for a senior citizen property tax exemption, if the leasehold property was held in fee simple ownership: PROVIDED, That a lessee who qualifies for a partial senior citizen property tax exemption shall receive a leasehold excise tax reduction of an equal percentage.

Sec. 8. RCW 82.29A.060 and 1975-'76 2nd ex.s. c 61 s 6 are each amended to read as follows:

All administrative provisions and appeal procedures in chapters 82.02 and 82.32 RCW, as now or hereafter amended shall be applicable to taxes imposed pursuant to this chapter: PROVIDED, That this section shall not authorize the issuance of any levy upon any property owned by the public lessor.

In selecting leasehold excise tax returns for audit the department of revenue shall give priority to any return an audit of which is specifically requested in writing by the county assessor or treasurer or other chief financial officer of any city or county affected by such return. Notwithstanding the provisions of RCW 82.32.330, findings of fact and determinations of the amount of taxable rent made pursuant to the provisions of this chapter shall be open to public inspection at all reasonable times.

Sec. 9. RCW 82.29A.050 and 1975-'76 2nd ex.s. c 61 s 5 are each amended to read as follows:

(1) The leasehold excise taxes provided for in RCW 82.29A.030 and 82.29A.040 shall be paid by the lessee to the lessor and the lessor shall collect such tax and remit the same to the department of revenue. The tax shall be payable at the same time as payments are due to the lessor for use of the property from which the leasehold interest arises, and in the case of payment of contract rent to a person other than the lessor, at the time of payment. The tax payment shall be accompanied by such information as the department of revenue may require. In the case of prepaid contract rent the payment may be prorated in accordance with instructions of the department of revenue and the prorated portion of the tax shall be due, one-half not later than May 31 and the other half not later than November 30 each year.

(2) The lessor receiving taxes payable under the provisions of this chapter shall remit the same together with a return provided by the department, to the department of revenue on or before the ~~((fifteenth))~~ last day of the month following the month in which the tax is collected. The department may relieve any taxpayer or class of taxpayers from the obligation of filing monthly returns and may require the return to cover other reporting periods, but in no event shall returns be filed for a period greater than one year. The lessor shall be fully liable for collection and remittance of the tax. The amount of tax until paid by the lessee to the lessor shall constitute a debt from the lessee to the lessor. The tax required by this chapter shall be stated separately from contract rent, and if not so separately stated for purposes of determining the tax due from the lessee to the lessor and from the lessor to the department, the contract rent does not include the tax imposed by this chapter. Where a lessee has failed to pay to the lessor the tax imposed by this chapter and the lessor has not paid the amount of the tax to the department, the department may, in its discretion, proceed directly against the lessee for collection of the tax: PROVIDED, That taxes due where contract rent has not been paid shall be reported by the lessor to the department and the lessee alone shall be liable for payment of the tax to the department.

(3) Each person having a leasehold interest subject to the tax provided for in this chapter arising out of a lease of federally owned or federal trust lands shall report and remit the tax due directly to the department of revenue in the same manner and at the same time as the lessor would be required to report and remit the tax if such lessor were a state public entity.

Sec. 10. RCW 82.04.300 and 1983 c 3 s 213 are each amended to read as follows:

This chapter shall apply to any person engaging in any business activity taxable under RCW 82.04.230, 82.04.240, 82.04.250, 82.04.260, 82.04.270, 82.04.280 and 82.04.290 other than those whose value of products, gross proceeds of sales, or gross income of the business is less than one thousand dollars per month: PROVIDED, That where one person engages in more than one business activity and the combined measures of the tax applicable to such businesses equal or exceed one thousand dollars per month, no exemption or deduction from the amount of tax is allowed by this section.

Any person claiming exemption under the provisions of this section may be required, according to rules adopted by the department, to file returns even though no tax may be due ~~((:PROVIDED, FURTHER, That))~~. The department of revenue may allow exemptions, by general rule or regulation, in those instances in which quarterly, semiannual, or annual returns are permitted. Exemptions for such periods shall be equivalent in amount to the total of exemptions for each month of a reporting period.

Sec. 11. RCW 82.32.030 and 1982 1st ex.s. c 4 s 1 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, if any person engages in any business or performs any act upon which a tax is imposed by the preceding chapters, he or she shall, ((whether taxable or not,)) under such rules ((and regulations)) as the department of revenue shall prescribe, apply for and obtain from the department a registration certificate upon payment of fifteen dollars. Such registration certificate shall be personal and nontransferable and shall be valid as long as the taxpayer continues in business and pays the tax accrued to the state. In case business is transacted at two or more separate places by one taxpayer, a separate registration certificate for each place at which business is transacted with the public shall be required, but, for such additional certificates no additional payment shall be required. Each certificate shall be numbered and shall show the name, residence, and place and character of business of the

taxpayer and such other information as the department of revenue deems necessary and shall be posted in a conspicuous place at the place of business for which it is issued. Where a place of business of the taxpayer is changed, the taxpayer must return to the department the existing certificate, and a new certificate will be issued for the new place of business free of charge. No person required to be registered under this section shall engage in any business taxable hereunder without first being so registered (~~in compliance with the provisions of this section, except that~~). The department, by (~~general regulation~~) rule, may provide for the issuance of certificates of registration, without requiring payment, to temporary places of business (~~without requiring payment~~) or to persons who are exempt from tax under RCW 82.04.300.

(2) Registration under this section is not required if the following conditions are met:

(a) A person's value of products, gross proceeds of sales, or gross income of the business is below the tax reporting threshold provided in RCW 82.04.300;

(b) The person is not required to collect or pay to the department of revenue any other tax which the department is authorized to collect; and

(c) The person is not otherwise required to obtain a license subject to the master application procedure provided in chapter 19.02 RCW.

NEW SECTION. Sec. 12. A new section is added to chapter 82.08 RCW to read as follows:  
The tax levied by RCW 82.08.020 shall not apply to sales of clothing when the following applies:

(1) The purchaser is a nonprofit corporation or association which is exempt from federal income taxation under the internal revenue code;

(2) The seller sells such clothing at cost to the purchaser; and

(3) The clothing is purchased solely for donation to low-income persons.

NEW SECTION. Sec. 13. A new section is added to chapter 82.12 RCW to read as follows:  
The provisions of this chapter shall not apply in respect to the use of any article of clothing by a purchasing organization or its donees when the clothing has been obtained by purchase under the following conditions:

(1) The purchaser is a nonprofit corporation or association which is exempt from federal taxation under the internal revenue code;

(2) The seller has sold such clothing at cost to the purchaser; and

(3) The clothing has been purchased solely for donation to low-income persons.

NEW SECTION. Sec. 14. A new section is added to chapter 82.08 RCW to read as follows:  
(1) The tax levied by RCW 82.08.020 shall not apply to sales to free hospitals of items reasonably necessary for the operation of, and provision of health care by, free hospitals.

(2) As used in this section, "free hospital" means a hospital that does not charge any patient for health care provided by the hospital.

NEW SECTION. Sec. 15. A new section is added to chapter 82.12 RCW to read as follows:  
(1) The provisions of this chapter shall not apply in respect to the use by free hospitals of items reasonably necessary for the operation of, and provision of health care by, free hospitals.

(2) As used in this section, "free hospital" means a hospital that does not charge any patient for health care provided by the hospital.

NEW SECTION. Sec. 16. A new section is added to chapter 82.04 RCW to read as follows:  
This chapter shall not apply to the initial wholesale or retail sale in this state by commercial fishers of fish and shellfish caught outside the waters of this state. This exemption applies only to the sale of unprocessed fish, shellfish, and fish eggs.

NEW SECTION. Sec. 17. RCW 82.32.040 and 1971 ex.s. c 299 s 15 & 1961 c 15 s 82.32.040 are each repealed.

NEW SECTION. Sec. 18. This act shall take effect July 1, 1992, except sections 10 and 11 of this act which shall take effect January 1, 1993.

On page 1, line 2 of the title, after "taxes;" strike the remainder of the title and insert "amending RCW 82.04.170, 82.08.050, 82.32.090, 82.32.180, 67.28.183, 82.29A.020, 82.29A.130, 82.29A.060, 82.29A.050, 82.04.300, and 82.32.030; adding a new section to chapter 82.04 RCW; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; repealing RCW 82.32.040; and providing effective dates."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.



## POINT OF ORDER

Mr. Wang: I would like to ask for a ruling on the scope and object of the Senate amendments to Engrossed House Bill No. 2680.

## SPEAKER'S RULING

The Speaker: Representative Wang, the Speaker has examined Engrossed House Bill No. 2680, find that the title in this bill is fairly straight forward, an act relating to the improvement of the administration of assessment and collection of taxes. Further various statutes are repealed or amended to correct statutory references. It is clearly a technical kind of bill.

The Senate amendments adds, four or five, at least five new taxes exemptions. I find Representative Wang your point is well taken. The amendment is clearly outside the scope and object.

## MOTION

Mr. Wang moved that the House refuse to concur in the Senate amendments to Engrossed House Bill No. 2680 and ask the Senate for a conference thereon. The motion was carried.

## APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Wang, J. Kohl and Carlson as conferees on Engrossed House Bill No. 2680.

The Speaker called upon Representative O'Brien to preside.

## SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed:

**SUBSTITUTE HOUSE BILL NO. 2784 with the following amendment(s):**

On page 6, beginning on line 22, strike all of section 4

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 10, beginning on line 18, strike all of section 8

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, at the beginning of line 3 of the title, strike "26.09.270," and on line 3 of the title, after "26.19.035," strike "26.19.071,"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Mr. Appelwick moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 2784 and ask the Senate for a conference thereon. The motion was carried.

Mr. Appelwick spoke in favor of this motion.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Appelwick, Belcher and Padden as conferees on Substitute House Bill No. 2784.

## SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2932 with the following amendment(s):

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 RCW 28B.20.285 and sections 3 through 6 of this act.

(1) "Technology center" means the Washington technology center, including the affiliated staff, faculty, facilities, and research centers operated by the technology center.

(2) "Board" means the board of directors of the Washington technology center.

(3) "High technology" or "technology" includes but is not limited to the modernization, miniaturization, integration, and computerization of electronic, hydraulic, pneumatic, laser, mechanical, robotics, nuclear, chemical, telecommunication, and other technological applications to enhance productivity in areas including but not limited to manufacturing, communications, medicine, bioengineering, and commerce.

Sec. 2. RCW 28B.20.285 and 1983 1st ex.s. c 72 s 11 are each amended to read as follows:

A Washington ((high technology)) technology center is created ((at the University of Washington. The Washington high-technology center shall provide: (1) An interdisciplinary program to support major high technology education and research initiatives within the state; (2) the resources necessary for research and development programs in high technology; (3) quality training for advanced undergraduate and graduate students in high technology; and (4) interdisciplinary approaches to instruction and research in high technology fields.

The Washington high technology center shall be administered by the board of regents with the advice of the high technology coordinating board. The University of Washington shall make the facilities of the Washington high-technology center available to other institutions of higher education when specific program needs so require)) to be a collaborative effort between the state's universities, private industry, and government. The technology center shall be headquartered at the University of Washington. The mission of the technology center shall be to perform and commercialize research on a state-wide basis that benefits the intermediate and long-term economic vitality of the state of Washington, and to develop and strengthen university-industry relationships through the conduct of research that is primarily of interest to Washington-based companies or state economic development programs. The technology center shall:

(1) Perform and/or facilitate research supportive of state science and technology objectives, particularly as they relate to state industries;

(2) Provide leading edge collaborative research and technology transfer opportunities primarily to state industries;

(3) Provide substantial opportunities for training undergraduate and graduate students through direct involvement in research and industry interactions;

(4) Emphasize and develop nonstate support of the technology center's research activities; and

(5) Provide a forum for effective interaction between the state's technology-based industries and its academic research institutions through promotion of faculty collaboration with industry, particularly within the state.

NEW SECTION. Sec. 3. (1) The technology center shall be administered by the board of directors of the technology center.

(2) The board shall consist of the following members: Fourteen members from among individuals who are associated with or employed by technology-based industries and have broad business experience and an understanding of high technology; eight members from the state's universities with graduate science and engineering programs; one member representing the state's regional universities; the executive director of the Spokane Intercollegiate Research and Technology Institute; the provost of the University of Washington; and the director of the state department of trade and economic development. The term of office for each board member, excluding the executive director of the Spokane Intercollegiate Research and Technology Institute, the provost of the University of Washington, and the director of the state department of trade and economic development, shall be three years. The executive director of the technology center shall be an ex-officio, nonvoting member of the board. The board shall meet at least quarterly. Board members shall be appointed by the governor based on the recommendations of the existing board of the technology center, the research universities, and the high technology industry.

(3) The duties of the board include:

(a) Developing the general operating policies for the technology center;

(b) Appointing the executive director of the technology center;

(c) Approving the annual operating budget of the technology center;

(d) Establishing priorities for the selection and funding of research projects that guarantee the greatest potential return on the state's investment;

(e) Approving and allocating funding for research projects conducted by the technology center, based on the recommendations of the advisory committees for each of the research centers;

(f) In cooperation with the department of trade and economic development, developing a biennial work plan and five-year strategic plan for the technology center that are consistent with the state-wide technology development and commercialization goals;

(g) Coordinating with the University of Washington, Washington State University, and other participating institutions of higher education in the development of training, research, and development programs to be conducted at the technology center that shall be targeted to meet industrial needs;

(h) Assisting the department of trade and economic development in the department's efforts to develop state science and technology public policies and coordinate publicly funded programs;

(i) Reviewing annual progress reports on funded research projects that are prepared by the advisory committees for each of the research centers;

(j) Providing an annual report to the governor and the legislature detailing the activities and performance of the technology center; and

(k) Contracting with the department of trade and economic development regarding expenditure of state-appropriated funds.

NEW SECTION. Sec. 4. The University of Washington, Washington State University, and other participating institutions of higher education shall provide the affiliated staff, faculty, and facilities required to support the operation of the technology center.

NEW SECTION. Sec. 5. The department of trade and economic development shall contract with and provide guidance to the technology center regarding expenditure of state-appropriated funds. The director of the department of trade and economic development shall not withhold funds appropriated for the technology center if the technology center complies with the provisions of its contract with the department of trade and economic development.

NEW SECTION. Sec. 6. The facilities of the technology center shall be made available to other institutions of higher education within the state when this would benefit specific program needs.

NEW SECTION. Sec. 7. A new section is added to chapter 43.131 RCW to read as follows:  
The Washington technology center shall be terminated June 30, 1996, as provided in section 8 of this act.

NEW SECTION. Sec. 8. 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, 1997:

(1) RCW 28B.20--- and 1992 c --- s 1 (section 1 of this act);

(2) RCW 28B.20.285 and 1992 c --- s 2 (section 2 of this act) & 1983 1st ex.s. c 72 s 11;

(3) RCW 28B.20.--- and 1992 c --- s 3 (section 3 of this act);

(4) RCW 28B.20.--- and 1992 c --- s 4 (section 4 of this act);

(5) RCW 28B.20.--- and 1992 c --- s 5 (section 5 of this act); and

(6) RCW 28B.20.--- and 1992 c --- s 6 (section 6 of this act).

NEW SECTION. Sec. 9. Sections 1 and 3 through 6 of this act are each added to chapter 28B.20 RCW.

On page 1, line 1 of the title, after "center;" strike the remainder of the title and insert "amending RCW 28B.20.285; adding new sections to chapter 28B.20 RCW; and adding new sections to chapter 43.131 RCW."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Cantwell moved that the House refuse to concur in the Senate amendments to House Bill No. 2932 and ask the Senate for a conference thereon. The motion was carried.

Ms. Cantwell spoke in favor of the motion.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Cantwell, Jacobsen and Former as conferees on House Bill No. 2932.

#### MOTION

The Speaker (Mr. O'Brien presiding) stated the motion before the House is to refuse to concur in the Senate amendments to Engrossed Substitute House Bill No. 2553 (for previous action, see today's Journal) and ask for a conference thereon.

#### MOTION

Mr. Hargrove: I move that we do concur in the Senate amendments and pass the bill as amended by the Senate.

The Speaker assumed the chair.

With consent of the House, Mr. Hargrove moves to withdraw the motion.

The Speaker stated the motion before the House, is not to concur in the Senate amendments to Engrossed Substitute House Bill No. 2553, and ask for a conference thereon.

Mr. Chandler spoke against the motion. Ms. R. Fisher spoke in favor of the motion not to concur.

Ms. Bowman moved to excuse Representative May.

Mr. Tate demanded an oral roll call. The demand was sustained.

### ROLL CALL

The Clerk called the roll on the motion to not concur in the Senate amendments to Engrossed Substitute House Bill No. 2553, it passed the House by the following vote: Yeas - 55, Nays - 34, Absent - 1, Excused - 7.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, G. Cole, Cooper, Day, Dellwo, Dorn, Ebersole, G. Fisher, R. Fisher, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, R. Johnson, Jones, R. King, J. Kohl, Kremen, Leonard, Locke, Ludwig, Morris, H. Myers, Nelson, O'Brien, Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, H. Sommers, Spanel, Valle, Wang, Wineberry, Mr. Speaker - 55.

Voting nay: Representatives Ballard, Beck, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Chandler, Edmondson, Forner, Fuhrman, Hochstatter, Horn, P. Johnson, Lisk, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Silver, Tate, Wilson, Winsley, Wood, Wynne - 34.

Absent: Representative Sprengle - 01.

Excused: Representatives Berozoff, Ferguson, R. Meyers, D. Sommers, Vance, Van Luven, Zellinsky - 07.

### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1037, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 9A.36.080 and 1989 c 95 s 1 are each amended to read as follows:

(1) A person is guilty of malicious harassment if he or she maliciously and with the intent to intimidate or harass another person because of, or in a way that is reasonably related to, associated with, or directed toward, that person's race, color, religion, ancestry, national origin, gender, or mental, physical, or sensory handicap:

(a) Causes physical injury to another person; or

(b) By words or conduct places another person in reasonable fear of harm to his or her person or property or harm to the person or property of a third person. Such words or conduct include, but are not limited to, (i) cross burning, (ii) painting, drawing, or depicting symbols or words on the property of the victim when the symbols or words historically or traditionally connote hatred or threats toward the victim, or (iii) written or oral communication designed to intimidate or harass because of, or in a way that is reasonably related to, associated with, or directed toward, that person's race, color, religion, ancestry, national origin, gender, or mental, physical, or sensory handicap. However, it does not constitute malicious harassment for a person to speak or act in a critical, insulting, or deprecatory way unless the context or circumstances surrounding the words or conduct places another person in reasonable fear of harm to his or her person or property or harm to the person or property of a third person; or

(c) Causes physical damage to or destruction of the property of another person.

(2) The following ~~((constitute per se))~~ creates a rebuttable presumption of a violation((s)) of this section:

(a) Cross burning; or

(b) Defacement of the property of the victim or a third person with symbols or words when the symbols or words historically or traditionally connote hatred or threats toward the victim.

(3) Malicious harassment is a class C felony.

(4) In addition to the criminal penalty provided in subsection (3) of this section, there is hereby created a civil cause of action for malicious harassment. A person may be liable to the victim of malicious harassment for actual damages and punitive damages of up to ten thousand dollars.

(5) The penalties provided in this section for malicious harassment do not preclude the victims from seeking any other remedies otherwise available under law.

NEW SECTION. Sec. 2. A new section is added to chapter 36.28A RCW to read as follows:

Crime reports prepared by the Washington association of sheriffs and police chiefs on the crime of malicious harassment, RCW 9A.36.080, shall comply with the guidelines established by the United States attorney general under the authority of 28 U.S.C. 534 and the federal hate crime statistics act, P.L. 101-275.

On page 1, line 1 of the title, after "bias" strike the remainder of the title and insert ", cross burning and defacement of property by replacing the per se standard of the malicious harassment statute with a rebuttable presumption standard; amending RCW 9A.36.080; adding a new section to chapter 36.28A RCW; and prescribing penalties."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Appelwick moved that the House refuse to concur in the Senate amendments to Second Engrossed Substitute House Bill No. 1037 and ask the Senate for a conference thereon. The motion was carried.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Appelwick, Anderson and Padden as conferees on Second Engrossed Substitute House Bill No. 1037.

#### MESSAGE FROM THE SENATE

March 7, 1992

MR. SPEAKER:

The Senate has concurred in the House amendments and passed the following bills as amended by the House:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5092,  
 SUBSTITUTE SENATE BILL NO. 5116,  
 SUBSTITUTE SENATE BILL NO. 5305,  
 SUBSTITUTE SENATE BILL NO. 5342,  
 SENATE BILL NO. 5510,  
 SUBSTITUTE SENATE BILL NO. 5557,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5986,  
 ENGROSSED SENATE BILL NO. 6008,  
 ENGROSSED SENATE BILL NO. 6023,  
 SUBSTITUTE SENATE BILL NO. 6042,  
 SUBSTITUTE SENATE BILL NO. 6086,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6104,  
 SUBSTITUTE SENATE BILL NO. 6120,  
 ENGROSSED SENATE BILL NO. 6161,

SENATE BILL NO. 6220,  
SENATE BILL NO. 6221,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

The Speaker assumed the chair.

MOTION

With consent of the House, we will revert to the fourth order of business.

INTRODUCTION AND FIRST READING

HCR 4437 by Representatives Jacobsen, Wood, G. Fisher, Heavey, Cantwell, Miller, Fuhrman,  
Paris, Ogden and Forner

Concerning a study on high technology education.

Referred to Committee on Higher Education.

HCR 4438 by Representative Ebersole

Amending Engrossed House Concurrent Resolution No. 4426.

Referred to the Rules Committee.

SSB 6057 by Senate Committee on Law & Justice (originally sponsored by Senators Nelson,  
Madsen, Newhouse, Conner and Rasmussen; by request of Washington State Patrol)

Creating a crime laboratory analysis fee.

SSB 6460 by Senate Committee on Transportation (originally sponsored by Senators Sellar,  
Newhouse and McMullen; by request of Department of Licensing)

Removing redundant for hire vehicle provisions.

MOTION

On motion of Mr. Ebersole, the rules be suspended, that Substitute Senate Bill No. 6057 and Substitute Senate Bill No. 6460, on today's introduction sheet, be advanced to second reading and read the second time in full. The motion was carried.

With consent of the House, advance to the sixth order of business.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 6057, by Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Madsen, Newhouse, Conner and Rasmussen; by request of Washington State Patrol)

Creating a crime laboratory analysis fee.

The bill was read the second time.

SUBSTITUTE SENATE BILL NO. 6460, by Senate Committee on Transportation (originally sponsored by Senators Sellar, Newhouse and McMullen; by request of Department of Licensing)

Removing redundant for hire vehicle provisions.

The bill was read the second time.

## MOTION

Mr. Ebersole moved that the rules be suspended, that all the bills on the Suspension Calendar, be re-referred to the Rules committee.

Mr. Ebersole moved that the rules be suspended, that all the bills on the Second Reading Calendar, with the exception of House Bill No. 2950, be re-referred to the Rules committee. The motion was carried.

There being no objection, the House advanced to the eleventh order of business.

## MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30, Monday, March 9, 1992.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk



**FIFTY-SEVENTH DAY**

**MORNING SESSION**

House Chamber, Olympia, Monday, March 9, 1992

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 Day and Riley. On motion of Ms. G. Cole, Representatives Day and Riley were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Zack Edmondson and Erin Mezek. Prayer was offered by Representative Clyde Ballard.

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

**MESSAGE FROM THE SENATE**

March 8, 1992

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 6354,  
SENATE BILL NO. 6396,  
SENATE BILL NO. 6444,  
SUBSTITUTE SENATE BILL NO. 6451,  
SENATE CONCURRENT RESOLUTION NO. 8428,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

**MESSAGE FROM THE SENATE**

March 8, 1992

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5092,  
SUBSTITUTE SENATE BILL NO. 5116,  
SUBSTITUTE SENATE BILL NO. 5305,  
SUBSTITUTE SENATE BILL NO. 5342,

SENATE BILL NO. 5510,  
 SUBSTITUTE SENATE BILL NO. 5557,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5986,  
 ENGROSSED SENATE BILL NO. 6008,  
 ENGROSSED SENATE BILL NO. 6023,  
 SUBSTITUTE SENATE BILL NO. 6042,  
 SUBSTITUTE SENATE BILL NO. 6086,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6104,  
 SUBSTITUTE SENATE BILL NO. 6120,  
 ENGROSSED SENATE BILL NO. 6161,  
 SENATE BILL NO. 6220,  
 SENATE BILL NO. 6221,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 8, 1992

MR. SPEAKER:

The Senate has concurred in the House amendments and passed the following bills as amended by the House:

SECOND SUBSTITUTE SENATE BILL NO. 5318,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5728,  
 SUBSTITUTE SENATE BILL NO. 5953,  
 ENGROSSED SENATE BILL NO. 6054,  
 SUBSTITUTE SENATE BILL NO. 6055,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6069,  
 ENGROSSED SENATE BILL NO. 6093,  
 ENGROSSED SENATE BILL NO. 6261,  
 SENATE BILL NO. 6289,  
 ENGROSSED SENATE BILL NO. 6292,  
 SENATE BILL NO. 6296,  
 SUBSTITUTE SENATE BILL NO. 6321,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6326,  
 SUBSTITUTE SENATE BILL NO. 6377,  
 ENGROSSED SENATE BILL NO. 6401,  
 SENATE BILL NO. 6452,  
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8024,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 7, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5526, and asks the House to recede therefrom,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Mr. Heavey moved that the House refuse to recede, insist on its position regarding the House amendments to Second Engrossed Substitute Senate Bill No. 5526 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Appelwick, Jones and Fuhrman as conferees on Second Engrossed Substitute Senate Bill No. 5526.

MESSAGE FROM THE SENATE

March 7, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to:

ENGROSSED SENATE BILL NO. 5675, and asks the House to recede therefrom,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Mr. R. King moved that the House refuse to recede from the House amendments to Engrossed Senate Bill No. 5675 and ask the Senate to concur therein. The motion was carried.

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MESSAGE FROM THE SENATE

March 7, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to:  
SUBSTITUTE SENATE BILL NO. 6085, and asks the House to recede therefrom,  
and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Ms. Haugen moved that the House refuses to recede from the House amendments to Substitute Senate Bill No. 6085 and again ask the Senate to concur therein.

## MESSAGE FROM THE SENATE

March 7, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to:  
SENATE BILL NO. 6155, and asks the House to recede therefrom,  
and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Ms. Rayburn moved that the House refuses, insists on its position regarding the House amendments to Senate Bill No. 6155 and ask the Senate for a conference thereon.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Rayburn, Kremen and Nealey as conferees on Senate Bill No. 6155.

## MESSAGE FROM THE SENATE

March 7, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to:

SUBSTITUTE SENATE BILL NO. 6393, and asks the House to recede therefrom,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Ms. Spanel moved that the House refuses to recede from the House amendments to Substitute Senate Bill No. 6393 and again ask the Senate to concur therein. The motion was carried.

MESSAGE FROM THE SENATE

March 8, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to:

SUBSTITUTE SENATE BILL NO. 6494, and asks the House to recede therefrom,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

With consent of the House, we will defer further consideration of Substitute Senate Bill No. 6494.

MESSAGE FROM THE SENATE

March 7, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to:

ENGROSSED SENATE BILL NO. 6407, and asks the House to recede therefrom,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Mr. Heavey moved that the House insists on its position regarding the House amendments to Engrossed Senate Bill No. 6407 and ask the Senate for a conference thereon.

## APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Heavey, G. Cole and Lisk as conferees on Engrossed Senate Bill No. 6407.

## MESSAGE FROM THE SENATE

March 7, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5121, and asks the House to recede therefrom,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Mr. Anderson moved that the House recede from its amendments to Second Engrossed Substitute Senate Bill No. 5121 and pass the bill without said amendments.

## FINAL PASSAGE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Second Engrossed Substitute Senate Bill No. 5121, without said House amendments.

## ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5121, without said House amendments, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Day, Riley - 02.

Second Engrossed Substitute Senate Bill No. 5121, having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on HOUSE BILL NO. 2932. The President has appointed the following members as Conferees:

Senators Bluechel, Gaspard and Sellar

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2552. The President has appointed the following members as Conferees:

Senators Bluechel, Rinehart and Matson

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

SENATE AMENDMENT TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1495 with the following amendment(s):

On page 8, line 16, after "requirements of" strike "RCW 58.19.070" and insert "section 5 of this act"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Heavey moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 1495 and pass the bill as amended by the Senate. The motion was carried.

Mr. Heavey spoke in favor of this motion.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1495 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1495 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Day, Riley - 02.

Engrossed Substitute House Bill No. 1495 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 49.44 RCW to read as follows:

(1) It is unlawful for an employer to refuse to hire or to discharge any individual, or otherwise disadvantage any individual, with respect to compensation, terms, conditions, or privileges of employment because the individual engages



in the consumption of lawful products off the premises of the employer during nonworking hours, provided the individual complies with applicable laws or policies regulating that consumption of lawful products on the premises of the employer during working hours.

(2) It is not unlawful or an unfair employment practice under this section for an employer to offer, impose, or have in effect a health, disability, or life insurance policy that makes distinctions between employees for the type of coverage or the coverage based upon the employees' consumption of lawful products if:

(a) Differential premium rates charged employees reflect a differential cost to the employer; and

(b) The employer provides employees with a written statement delineating differential rates used by insurance carriers.

(3) It is not unlawful or an unfair employment practice under this section for an employer to refuse to hire, to discharge, or otherwise disadvantage an individual with respect to compensation, terms, conditions, or privileges of employment if that decision is based on:

(a) The individual's failure to meet job-related standards set by the employer;

(b) An employer's legitimate conflict of interest policy reasonably designed to protect the employer's trade secrets, proprietary information, or other proprietary interests;

(c) A bona fide occupational qualification or requirement including qualifications or requirements implemented by the employer to prevent and screen for respiratory disease in connection with RCW 51.32.185; or

(d) The employer's drug and alcohol free workplace program, including those adopted in response to federal requirements.

(4) The court shall award the prevailing party in an action under this section court costs and reasonable attorneys' fees.

(5) The remedy for any individual claiming to be aggrieved by a violation of this section is a civil action for damages for all wages and benefits deprived the individual by reason of the violation.

(6) An individual aggrieved by a violation of this section must file the civil action within six months after the alleged unlawful or unfair employment practice or the discovery of that practice.

(7) Nothing in this section shall be applied to any matter that is also subject to collective bargaining between the employer and the affected employee.

NEW SECTION. Sec. 2. A new section is added to chapter 49.44 RCW to read as follows:

Nothing in section 1 of this act precludes a religious or health organization whose tenets prohibit the use of an otherwise lawful product or a company or nonprofit organization whose primary business purpose is the prevention of heart and lung disease, from refusing to employ an individual who uses an otherwise lawful product.

NEW SECTION. Sec. 3. A new section is added to chapter 49.44 RCW to read as follows:

Sections 1 and 2 of this act do not apply to businesses with twenty-five employees or less.

On page 1, line 1 of the title, after "privacy;" strike the remainder of the title and insert "and adding new sections to chapter 49.44 RCW."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Heavey moved that the House refuse to concur, insists on its position regarding the Senate amendments to Engrossed Substitute House Bill No. 2274 and ask the Senate for a conference thereon. The motion was carried.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Heavey, Appelwick and D. Sommers as conferees on Engrossed Substitute House Bill No. 2274.

## SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 2287 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 53.04.020 and 1990 c 259 s 15 are each amended to read as follows:

At any general election or at any special election which may be called for that purpose, the county legislative authority of any county in this state may, or on petition of ten percent of the registered voters of such county based on the total vote cast in the last general county election, shall, by resolution submit to the voters of such county the proposition of creating a port district (~~(which may: (1) Be~~) coextensive with the limits of such county (~~(as now or hereafter established; or (2) be under the provisions of RCW 53.04.022)~~). Such petition shall be filed with the county auditor, who shall within fifteen days examine the signatures thereof and certify to the sufficiency or insufficiency thereof, and for such purpose the county auditor shall have access to all registration books in the possession of the officers of any incorporated city or town in such proposed port district. If such petition be found to be insufficient, it shall be returned to the persons filing the same, who may amend or add names thereto for ten days, when the same shall be returned to the county auditor, who shall have an additional fifteen days to examine the same and attach his or her certificate thereto. No person having signed such petition shall be allowed to withdraw his or her name therefrom after the filing of the same with the county auditor. Whenever such petition shall be certified to as sufficient, the county auditor shall forthwith transmit the same, together with his or her certificate of sufficiency attached thereto, to the legislative authority of the county, who shall submit such proposition at the next general election or, if such petition so requests, the county legislative authority shall, at their first meeting after the date of such certificate, by resolution, call a special election to be held in accordance with RCW 29.13.010 and 29.13.020. The notice of election shall state the boundaries of the proposed port district and the object of such election. In submitting the question to the voters for their approval or rejection, the proposition shall be expressed on the ballot substantially in the following terms:

"Port of ....., Yes." (giving the name of the principal seaport city within such proposed port district, or if there be more than one city of the same class within such district, such name as may be determined by the legislative authority of the county).

"Port of ....., No." (giving the name of the principal seaport city within such port district, or if there be more than one city of the same class within such district, such name as may be determined by the legislative authority of the county).

NEW SECTION. Sec. 2. A new section is added to chapter 53.04 RCW to read as follows:

A less than county-wide port district with an assessed valuation of at least seventy-five million dollars may be created in a county bordering on saltwater that already has a less than county-wide port district located within its boundaries. Except as provided in this section, such a port district shall be created in accordance with the procedure to create a county-wide port district.

The effort to create such a port district is initiated by the filing of a petition with the county auditor calling for the creation of such a port district, describing the boundaries of the proposed port district, and providing a name for the proposed port district. The petition must be signed by voters residing within the proposed port district equal in number to at least ten percent of such voters who voted at the last county general election.

A public hearing on creation of the proposed port district shall be held by the county legislative authority if the county auditor certifies that the petition contained sufficient valid signatures. Notice of the public hearing must be published in the county's official newspaper at least ten days prior to the date of the public hearing. After taking testimony, the county legislative authority may make changes in the boundaries of the proposed port district if it finds that such changes are in the public interest and shall determine if the creation of the port district is in the public interest. No area may be added to the boundaries unless a subsequent public hearing is held on the proposed port district.

The county legislative authority shall submit a ballot proposition authorizing the creation of the proposed port district to the voters of the proposed port district, at any special election date provided in RCW 29.13.020, if it finds the creation of the port district to be in the public interest.

The port district shall be created if a majority of the voters voting on the ballot proposition favor the creation of the port district. The initial port commissioners shall be elected at the same election as provided in RCW 53.12.050,

but the election of commissioners shall be null and void if the port district is not created. Commissioner districts shall not be used in the initial election of the port commissioners.

This section shall expire July 1, 1997.

NEW SECTION. Sec. 3. A new section is added to chapter 53.04 RCW to read as follows:

A port district that is less than county-wide may annex adjacently located territory that is located in another less than county-wide port district in the same county, if the territory proposed to be annexed is located in a city the name of which is included as part of the name of the annexing port district. A port district proposing to annex territory under this section shall by resolution cause a ballot proposition on the issue of annexation to be submitted to the voters of the area proposed to be annexed. The annexation is authorized when the ballot proposition is approved of by over fifty percent of the ballots cast. The territory that is annexed shall be removed from the other port district.

This section shall expire January 1, 1995.

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.

NEW SECTION. Sec. 5. A new section is added to chapter 53.12 RCW to read as follows:

For purposes of this chapter, "gross operating revenue" means the total of all revenues received by a port district.

On page 1, line 1 of the title, after "districts;" strike the remainder of the title and insert "amending RCW 53.04.020; adding new sections to chapter 53.04 RCW; and adding a new section to chapter 53.12 RCW."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Haugen moved that the House do concur in the Senate amendments to Engrossed House Bill No. 2287. The motion was carried.

Ms. Haugen spoke in favor of the motion.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2287 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2287 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 91, Nays - 5, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Vance, Van Luven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Belcher, Fisher, G., Heavey, Valle, Wang - 05.

Excused: Representatives Day, Riley - 02.

Engrossed House Bill No. 2287 as amended by the Senate, having received the constitutional majority, was declared passed.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2290, with the following (attached) amendment(s):

On page 1, after line 11, insert the following:

Sec. 2. RCW 18.160.030 and 1990 c 177 s 4 are each amended to read as follows:

- (1) This chapter shall be administered by the state director of fire protection.
- (2) The state director of fire protection shall have the authority, and it shall be his or her duty to:
- (a) Issue such administrative regulations as necessary for the administration of this chapter;
- (b)(i) Set reasonable fees for licenses, certificates, testing, and other aspects of the administration of this chapter. However, the license fee for fire protection sprinkler system contractors engaged solely in the installation, inspection, maintenance, or servicing of NFPA 13-D fire protection sprinkler systems shall not exceed one hundred dollars, and the license fee for fire protection sprinkler system contractors engaged solely in the installation, inspection, maintenance, or servicing of NFPA 13-R fire protection sprinkler systems shall not exceed three hundred dollars;
- (ii) Adopt rules establishing a special category restricted to contractors registered under chapter 18.27 RCW who install underground systems that service fire protection sprinkler systems. The rules shall be adopted within ninety days of the effective date of this act;
- (c) Enforce the provisions of this chapter;
- (d) Conduct investigations of complaints to determine if any infractions of this chapter or the regulations developed under this chapter have occurred;
- (e) Work with the fire sprinkler advisory committee consisting of fire protection sprinkler system contractors and other related officials;
- (f) Assign a certificate number to each certificate of competency holder; and
- (g) Adopt rules necessary to implement and administer a program which requires the affixation of a seal any time a fire protection sprinkler system is installed, which seal shall include the certificate number of any certificate of competency holder who installs, in whole or in part, the fire protection sprinkler system.

Re-number the sections consecutively and correct internal references accordingly.

On page 1, line 1 of the title, after "systems;" insert "amending RCW 18.160.030;"

On page 1, line 11, after "felony." insert "This section may not be construed to create any criminal liability for a prime contractor or an owner of a structure unless it is proved that the prime contractor or owner had actual knowledge of an illegal construction, installation, or maintenance of a fire protection sprinkler system by a fire protection sprinkler system contractor."

On page 2, line 5, after "misdemeanor." insert "This section may not be construed to create any criminal liability for a prime contractor or an owner of an occupancy unless it is proved that the prime contractor or owner had actual knowledge of an illegal construction, installation, or maintenance of a fire protection sprinkler system by a fire protection sprinkler system contractor."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Mr. Ludwig moved that the House do concur in the Senate amendments to House Bill No. 2290. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2290 as amended by the Senate.

Mr. Ludwig spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2290 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Day, Riley - 02.

House Bill No. 2290 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed Substitute House Bill No. 2319, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 43.07 RCW to read as follows:

The secretary of state shall establish a division of elections within the office of the secretary of state and under the secretary's supervision. The division shall be under the immediate supervision of a director of elections who shall be appointed by the secretary of state and serve at the secretary's pleasure.

NEW SECTION. Sec. 2. A new section is added to chapter 43.07 RCW to read as follows:

The secretary of state, through the division of elections, is responsible for the following duties, as prescribed by Title 29 RCW:

- (1) The filing, verification of signatures, and certification of state initiative, referendum, and recall petitions;
- (2) The production and distribution of a state voters' and candidates' pamphlet;
- (3) The examination, testing, and certification of voting equipment, voting devices, and vote-tallying systems;
- (4) The administration, canvassing, and certification of the presidential primary, state primaries, and state general elections;

- (5) The administration of motor voter and other voter registration and voter outreach programs;
- (6) The training, testing, and certification of state and local elections personnel as established in section 5 of this act;
- (7) The training of state and local party observers required by section 6 of this act;
- (8) The conduct of postelection reviews as established in section 9 of this act; and
- (9) Other duties that may be prescribed by the legislature.

**NEW SECTION. Sec. 3.** (1) The Washington state election administration and certification board is established and has the responsibilities and authorities prescribed by this chapter. The board is composed of the following members:

- (a) The secretary of state or the secretary's designee;
- (b) The state director of elections or the director's designee;
- (c) Four county auditors appointed by the Washington state association of county auditors or their alternates who are county auditors designated by the association to serve as such alternates, each appointee and alternate to serve at the pleasure of the association;
- (d) One member from each of the two largest political party caucuses of the house of representatives designated by and serving at the pleasure of the legislative leader of the respective caucus;
- (e) One member from each of the two largest political party caucuses of the senate designated by and serving at the pleasure of the legislative leader of the respective caucus; and
- (f) One representative from each major political party, as defined by RCW 29.01.090, designated by and serving at the pleasure of the chair of the party's state central committee.

(2) The board shall elect a chair from among its number; however, neither the secretary of state nor the state director of elections nor their designees may serve as the chair of the board. A majority of the members appointed to the board constitutes a quorum for conducting the business of the board. Chapter 42.30 RCW, the open public meetings act, and RCW 42.32.030 regarding minutes of meetings, apply to the meetings of the board.

(3) Members of the board shall serve without compensation. The secretary of state shall reimburse members of the board, other than those who are members of the legislature, for travel expenses in accordance with RCW 43.03.050 and 43.03.060. Members of the board who are members of the legislature shall be reimbursed as provided in chapter 44.04 RCW.

**NEW SECTION. Sec. 4.** (1) The secretary of state and the board created in section 3 of this act shall jointly adopt rules, in the manner specified for the adoption of rules under the administrative procedure act, chapter 34.05 RCW, governing:

- (a) The training of persons officially designated by major political parties as elections observers under this title, and the training and certification of election administration officials and personnel;
- (b) The policies and procedures for conducting election reviews under section 9 of this act; and
- (c) The policies and standards to be used by the board in reviewing and rendering decisions regarding appeals filed under section 9 of this act.

The initial policies and standards adopted under (c) of this subsection shall be adopted concurrently with adoption of the initial policies and procedures adopted under (b) of this subsection.

(2) The board created in section 3 of this act shall review appeals filed under section 7 or 9 of this act. A decision of the board regarding such an appeal shall be supported by not less than a majority of the members appointed to the board. A decision of the board regarding an appeal filed under section 9 of this act concerning an election review conducted under that section is final. If a decision of the board regarding an appeal filed under section 7 of this act includes a recommendation that a certificate be issued, the certificate shall be issued by the secretary of state as recommended by the board.

(3) The board created in section 3 of this act may adopt rules governing its procedures.

**NEW SECTION. Sec. 5.** The secretary of state shall:

- (1) Establish and operate, or provide by contract, training and certification programs for state and county elections administration officials and personnel and training programs for political party observers which conform to the rules for such programs established under section 4 of this act;
- (2) Administer tests for state and county officials and personnel who have received such training and issue certificates to those who have successfully completed the training and passed such tests;
- (3) Maintain a record of those individuals who have received such training and certificates; and
- (4) Provide the staffing and support services required by the board created under section 3 of this act.

**NEW SECTION. Sec. 6.** A person having responsibility for the administration or conduct of elections, other than precinct election officers, shall, within eighteen months of undertaking those responsibilities or within eighteen months of the effective date of this section, whichever is later, receive general training regarding the conduct of elections

and specific training regarding their responsibilities and duties as prescribed by this title or by rules adopted by the secretary of state under this title. Included among those persons for whom such training is mandatory are the following:

- (1) Secretary of state elections division personnel;
- (2) County elections administrators under section 12 of this act;
- (3) County canvassing board members;
- (4) Persons officially designated by each major political party as elections observers; and
- (5) Any other person or group charged with election administration responsibilities if the person or group is designated by rule adopted by the secretary of state as requiring the training.

The secretary of state shall reimburse election observers in accordance with RCW 43.03.050 and 43.03.060 for travel expenses incurred to receive training required under subsection (4) of this section.

Neither this section nor section 5 of this act may be construed as requiring an elected official to receive training or a certificate of training as a condition for seeking or holding elective office or as a condition for carrying out constitutional duties.

**NEW SECTION. Sec. 7.** (1) A decision of the secretary of state to deny certification under section 5 of this act shall be entered in the manner specified for orders under the administrative procedure act, chapter 34.05 RCW. Such a decision shall not be effective for a period of twenty days following the date of the decision, during which time the person denied certification may file a petition with the secretary of state requesting the secretary to reconsider the decision and to grant certification. The petitioner shall include, in the petition, an explanation of the reasons why the initial decision is incorrect and certification should be granted, and may include a request for a hearing on the matter. The secretary of state shall reconsider the matter if the petition is filed in a proper and timely manner. If a hearing is requested, the secretary of state shall conduct the hearing within sixty days after the date on which the petition is filed. The secretary of state shall render a final decision on the matter within ninety days after the date on which the petition is filed.

(2) Within twenty days after the date on which the secretary of state makes a final decision denying a petition under this section, the petitioner may appeal the denial to the board created in section 3 of this act. In deciding appeals, the board shall restrict its review to the record established when the matter was before the secretary of state. The board shall affirm the decision if it finds that the record supports the decision and that the decision is not inconsistent with other decisions of the secretary of state in which the same standards were applied and certification was granted. Similarly, the board shall reverse the decision and recommend to the secretary of state that certification be granted if the board finds that such support is lacking or that such inconsistency exists.

(3) Judicial review of certification decisions shall be as prescribed under RCW 34.05.510 through 34.05.598, but shall be limited to the review of board decisions denying certification.

**NEW SECTION. Sec. 8.** An election review section is established in the elections division of the office of the secretary of state. Permanent staff of the elections division, trained and certified as required by section 6 of this act, shall perform the election review functions prescribed by section 9 of this act. The staff may also be required to assist in training, certification, and other duties as may be assigned by the secretary of state to ensure the uniform and orderly conduct of elections in this state.

**NEW SECTION. Sec. 9.** (1)(a) The election review staff of the office of the secretary of state shall conduct a review of election-related policies, procedures, and practices in an affected county or counties:

- (i) If the unofficial returns of a primary or general election for a position in the state legislature indicate that a mandatory recount is likely for that position; or
- (ii) If unofficial returns indicate a mandatory recount is likely in a state-wide election or an election for federal office.

Reviews conducted under (ii) of this subsection shall be performed in as many selected counties as time and staffing permit. Reviews conducted as a result of mandatory recounts shall be performed between the time the unofficial returns are complete and the time the recount is to take place, if possible.

(b) In addition to conducting reviews under (a) of this subsection, the election review staff shall also conduct such a review in a county periodically after a county primary or special or general election at the direction of the secretary of state or at the request of the county auditor. If any resident of this state believes that an aspect of a primary or election has been conducted inappropriately in a county, the resident may file a complaint with the secretary of state. The secretary shall consider such complaints in scheduling periodic reviews under this section.

(c) Each county shall be reviewed under this section not less than once every four years. Before an election review is conducted in a county, the secretary of state shall provide the county auditor of the affected county and the chair of the state central committee of each major political party with notice that the review is to be conducted. When a periodic review is to be conducted in a county at the direction of the secretary of state under (b) of this subsection, the secretary shall provide the affected county auditor not less than thirty days' notice.

(2) Reviews shall be conducted in conformance with rules adopted under section 4 of this act. In performing a review in a county under this chapter, the election review staff shall evaluate the policies and procedures established for conducting the primary or election in the county and the practices of those conducting it. As part of the review, the election review staff shall issue to the county auditor and the members of the county canvassing board a report of its findings and recommendations regarding such policies, procedures, and practices. A review conducted under this chapter shall not include any evaluation, finding, or recommendation regarding the validity of the outcome of a primary or election or the validity of any canvass of returns nor does the election review staff have any jurisdiction to make such an evaluation, finding, or recommendation under this title.

(3) The county auditor of the county in which a review is conducted under this section or a member of the canvassing board of the county may appeal the findings or recommendations of the election review staff regarding the review by filing an appeal with the board created under section 3 of this act.

NEW SECTION. Sec. 10. The county auditor may designate any person who has been certified under this chapter, other than the auditor, to participate in a review conducted in the county under this chapter. Each county auditor and canvassing board shall cooperate fully during an election review by making available to the reviewing staff any material requested by the staff. The reviewing staff shall have full access to ballot pages, absentee voting materials, any other election material normally kept in a secure environment after the election, and other requested material. If ballots are reviewed by the staff, they shall be reviewed in the presence of the canvassing board or its designees. Ballots shall not leave the custody of the canvassing board. During the review and after its completion, the review staff may make appropriate recommendations to the county auditor or canvassing board, or both, to bring the county into compliance with the training required under this chapter, and the laws or rules of the state of Washington, to safeguard election material or to preserve the integrity of the elections process.

NEW SECTION. Sec. 11. The secretary of state shall establish within the elections division an election assistance and clearinghouse program, which shall provide regular communication between the secretary of state, local election officials, and major and minor political parties regarding newly enacted elections legislation, relevant judicial decisions affecting the administration of elections, and applicable attorney general opinions, and which shall respond to inquiries from elections administrators, political parties, and others regarding election information. This section does not empower the secretary of state to offer legal advice or opinions, but the secretary may discuss the construction or interpretation of election law, case law, or legal opinions from the attorney general or other competent legal authority.

NEW SECTION. Sec. 12. A new section is added to chapter 36.22 RCW to read as follows:  
The county auditor of each county, as ex officio supervisor of all primaries and elections, general or special, within the county under Title 29 RCW, may appoint one or more well-qualified persons to act as assistants or deputies; however, not less than two persons of the auditor's office who conduct primaries and elections in the county shall be certified under chapter 29.-- RCW (sections 3 through 11 of this act) as elections administrators.

NEW SECTION. Sec. 13. A new section is added to chapter 36.22 RCW to read as follows:  
Each deputy or assistant appointed under section 12 of this act shall have been graduated from an accredited high school or shall have passed a high school equivalency examination. Each shall be knowledgeable in the rules and laws of conducting elections.

NEW SECTION. Sec. 14. Sections 3 through 11 of this act shall constitute a new chapter in Title 29 RCW.

NEW SECTION. Sec. 15. Sections 5 through 13 of this act shall take effect July 1, 1993.

NEW SECTION. Sec. 16. If specific funding for the purposes of sections 5 through 13 of this act, referencing sections 5 through 13 of this act by bill and section number, is not provided by June 30, 1993, in the omnibus appropriations act, sections 5 through 13 of this act shall be null and void.

On page 1, line 1 of the title, after "administration;" strike the remainder of the title and insert "adding new sections to chapter 43.07 RCW; adding new sections to chapter 36.22 RCW; adding a new chapter to Title 29 RCW; creating a new section; and providing an effective date."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Anderson moved that the House do concur in the Senate amendments to Substitute House Bill No. 2319. The motion was carried.



Mr. Anderson spoke in favor of the motion.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2319 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2319 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Day, Riley - 02.

Substitute House Bill No. 2319 as amended by the Senate, having received the constitutional majority, was declared passed.

### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2337, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. There are a number of retired physicians who wish to provide, or are providing, health care services to low-income patients without compensation. However, the cost of obtaining malpractice insurance is a burden that is deterring them from donating their time and services in treating the health problems of the poor. The necessity of maintaining malpractice insurance for those in practice is a significant reality in today's litigious society.

A program to alleviate the onerous costs of malpractice insurance for retired physicians providing uncompensated health care services to low-income patients will encourage philanthropy and augment state resources in providing for the health care needs of those who have no access to basic health care services.

An estimated sixteen percent of the nonelderly population do not have health insurance and lack access to even basic health care services. This is especially problematic for low-income persons who are young and who are either unemployed or have entry-level jobs without health care benefits. The majority of the uninsured, however, are working adults, and some twenty-nine percent are children.

The legislature declares that this act will increase the availability of primary care to low-income persons and is in the interest of the public health and safety.

NEW SECTION. Sec. 2. A new section is added to chapter 43.70 RCW to read as follows:

(1) The department may establish a program to purchase and maintain liability malpractice insurance for retired physicians who provide primary health care services at community clinics. The following conditions apply to the program:

(a) Primary health care services shall be provided at community clinics that are public or private tax-exempt corporations;

(b) Primary health care services provided at the clinics shall be offered to low-income patients based on their ability to pay;

(c) Retired physicians providing health care services shall not receive compensation for their services; and

(d) The department shall contract only with a liability insurer authorized to offer liability malpractice insurance in the state.

(2) This section and section 3 of this act shall not be interpreted to require a liability insurer to provide coverage to a physician should the insurer determine that coverage should not be offered to a physician because of past claims experience or for other appropriate reasons.

(3) The state and its employees who operate the program shall be immune from any civil or criminal action involving claims against clinics or physicians that provided health care services under this section and section 3 of this act. This protection of immunity shall not extend to any clinic or physician participating in the program.

(4) The department may monitor the claims experience of retired physicians covered by liability insurers contracting with the department.

(5) The department may provide liability insurance under this act only to the extent funds are provided for this purpose by the legislature.

NEW SECTION. Sec. 3. A new section is added to chapter 43.70 RCW to read as follows:

The department may establish by rule the conditions of participation in the liability insurance program by retired physicians at clinics utilizing retired physicians for the purposes of this section and section 2 of this act. These conditions shall include, but not be limited to, the following:

(1) The participating physician associated with the clinic shall hold a valid license to practice medicine and surgery in this state and otherwise be in conformity with current requirements for licensure as a retired physician, including continuing education requirements;

(2) The participating physician shall limit the scope of practice in the clinic to primary care. Primary care shall be limited to noninvasive procedures and shall not include obstetrical care, or any specialized care and treatment. Noninvasive procedures include injections, suturing of minor lacerations, and incisions of boils or superficial abscesses;

(3) The provision of liability insurance coverage shall not extend to acts outside the scope of rendering medical services pursuant to this section and section 2 of this act;

(4) The participating physician shall limit the provision of health care services to low-income persons provided that clinics may, but are not required to, provide means tests for eligibility as a condition for obtaining health care services;

(5) The participating physician shall not accept compensation for providing health care services from patients served pursuant to this section and section 2 of this act, nor from clinics serving these patients. "Compensation" shall mean any remuneration of value to the participating physician for services provided by the physician, but shall not be construed to include any nominal copayments charged by the clinic, nor reimbursement of related expenses of a participating physician authorized by the clinic in advance of being incurred; and

(6) The use of mediation or arbitration for resolving questions of potential liability may be used, however any mediation or arbitration agreement format shall be expressed in terms clear enough for a person with a sixth grade level of education to understand, and on a form no longer than one page in length.

On page 1, line 3 of the title, after "compensation;" strike the remainder of the title and insert "adding new sections to chapter 43.70 RCW; and creating new sections."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2337. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2337 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2337 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance; Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Day, Riley - 02.

Engrossed Substitute House Bill No. 2337 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2459, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 2.08.061 and 1989 c 328 s 2 are each amended to read as follows:

There shall be in the county of King no more than ~~((forty-six))~~ fifty-eight judges of the superior court; in the county of Spokane ten judges of the superior court; and in the county of Pierce nineteen judges of the superior court. The King county legislative authority may phase in the additional twelve judges, as authorized by the 1992 amendments to this section, over a period of time not to extend beyond July 1, 1996. No more than two of the additional twelve judges may take office prior to July 1, 1993.

Sec. 2. RCW 2.08.062 and 1990 c 186 s 1 are each amended to read as follows:

There shall be in the counties of Chelan and Douglas jointly, three judges of the superior court; in the county of Clark six judges of the superior court; in the county of Grays Harbor ~~((two))~~ three judges of the superior court; in the county of Kitsap seven 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.

Sec. 3. RCW 2.08.063 and 1988 c 66 s 1 are each amended to read as follows:

There shall be in the county of Lincoln one judge of the superior court; in the county of Skagit, ~~((two))~~ three judges of the superior court; in the county of Walla Walla, two judges of the superior court; in the county of Whitman, one judge of the superior court; in the county of Yakima six judges of the superior court; in the county of Adams, one judge of the superior court; in the county of Whatcom, three judges of the superior court.

Sec. 4. RCW 2.08.064 and 1989 c 328 s 3 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, ~~((eleven))~~ thirteen 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.

**Sec. 5.** RCW 2.08.065 and 1990 c 186 s 2 are each amended to read as follows:

There shall be in the county of Grant, two judges of the superior court; in the county of Okanogan, one judge of the superior court; in the county of Mason, ~~((one))~~ two judges of the superior court; in the county of Thurston, six judges of the superior court; in the counties of Pacific and Wahkiakum jointly, one judge of the superior court; in the counties of Ferry, Pend Oreille, and Stevens jointly, two judges of the superior court; and in the counties of San Juan and Island jointly, two judges of the superior court.

**Sec. 6.** RCW 2.32.180 and 1991 c 363 s 2 are each amended to read as follows:

It shall be and is the duty of each and every superior court judge in counties or judicial districts in the state of Washington having a population of over thirty-five thousand inhabitants to appoint, or said judge may, in any county or judicial district having a population of over twenty-five thousand and less than thirty-five thousand, appoint a stenographic reporter to be attached to the judge's court who shall have had at least three years' experience as a skilled, practical reporter, or who upon examination shall be able to report and transcribe accurately one hundred and seventy-five words per minute of the judge's charge or two hundred words per minute of testimony each for five consecutive minutes; said test of proficiency, in event of inability to meet qualifications as to length of time of experience, to be given by an examining committee composed of one judge of the superior court and two official reporters of the superior court of the state of Washington, appointed by the president judge of the superior court judges association of the state of Washington: PROVIDED, That a stenographic reporter shall not be required to be appointed for the seven additional judges of the superior court authorized for appointment by section 1, chapter 323, Laws of 1987, the additional superior court judge authorized by section 1, chapter 66, Laws of 1988, the additional superior court judges authorized by sections 2 and 3, chapter 328, Laws of 1989, ~~((€))~~ the additional superior court judges authorized by sections 1 and 2, chapter 186, Laws of 1990, or the additional superior court judges authorized by sections 1 through 5, chapter ..., Laws of 1992 (sections 1 through 5 of this act). Appointment of a stenographic reporter is not required for any additional superior court judge authorized after July 1, 1992. The initial judicial appointee shall serve for a period of six years; the two initial reporter appointees shall serve for a period of four years and two years, respectively, from September 1, 1957; thereafter on expiration of the first terms of service, each newly appointed member of said examining committee to serve for a period of six years. In the event of death or inability of a member to serve, the president judge shall appoint a reporter or judge, as the case may be, to serve for the balance of the unexpired term of the member whose inability to serve caused such vacancy. The examining committee shall grant certificates to qualified applicants. Administrative and procedural rules and regulations shall be promulgated by said examining committee, subject to approval by the said president judge.

The stenographic reporter upon appointment shall thereupon become an officer of the court and shall be designated and known as the official reporter for the court or judicial district for which he or she is appointed: PROVIDED, That in no event shall there be appointed more official reporters in any one county or judicial district than there are superior court judges in such county or judicial district; the appointments in each county with a population of one million or more shall be made by the majority vote of the judges in said county acting en banc; the appointments in each county with a population of from one hundred twenty-five thousand to less than one million may be made by each individual judge therein or by the judges in said county acting en banc. Each official reporter so appointed shall hold office during the term of office of the judge or judges appointing him or her, but may be removed for incompetency, misconduct or neglect of duty, and before entering upon the discharge of his or her duties shall take an oath to perform faithfully the duties of his or her office, and file a bond in the sum of two thousand dollars for the faithful discharge of his or her duties. Such reporter in each court is hereby declared to be a necessary part of the judicial system of the state of Washington.

NEW SECTION. **Sec. 7.** (1) Sections 1, 3, and 5 of this act shall take effect July 1, 1992.

(2) The remainder of this act shall take effect July 1, 1993.

NEW SECTION. **Sec. 8.** The additional judicial positions created by sections 1, 2, 3, 4, and 5 of this act shall be effective only if each county through its duly constituted legislative authority documents its approval of any 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.

On page 1, line 1 of the title, after "courts;" strike the remainder of the title and insert "amending RCW 2.08.061, 2.08.062, 2.08.063, 2.08.064, 2.08.065, and 2.32.180; creating a new section; and providing effective dates."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Ludwig moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2459. The motion was carried.

Mr. Ludwig spoke in favor of the motion.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2459 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2459 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Day, Riley - 02.

Engrossed Substitute House Bill No. 2459 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2502 with the following amendment(s):

On page 3, line 16, after "knows, or" insert "in the case of a producer or processor"  
On page 7, line 11, after "products" insert "directly to consumers"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

### MOTION

Ms. Rayburn moved that the House do concur in the Senate amendments to Substitute House Bill No. 2502. The motion was carried.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2502 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2502 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spänel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Day, Riley - 02.

Substitute House Bill No. 2502 as amended by the Senate, having received the constitutional majority, was declared passed.

### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2610, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. LEGISLATIVE INTENT. The legislature recognizes that existing transportation facilities in the central Puget Sound area are inadequate to address mobility needs of the area. The geography of the region, travel demand growth, and public resistance to new roadways combine to further necessitate the rapid development of alternative modes of travel.

The legislature finds that local governments have been effective in cooperatively planning a multicounty, high capacity transportation system. However, a continued multijurisdictional approach to funding, construction, and operation of a multicounty high capacity transportation system may impair the successful implementation of such a system.

The legislature finds that a single agency will be more effective than several local jurisdictions working collectively at planning, developing, operating, and funding a high capacity transportation system. The single agency's services must be carefully integrated and coordinated with public transportation services currently provided. As the single agency's services are established, any public transportation services currently provided that are duplicative should be eliminated. Further, the single agency must coordinate its activities with other agencies providing local and state roadway services, implementing comprehensive planning, and implementing transportation demand management programs and assist in developing infrastructure to support high capacity systems including but not limited to feeder systems, park and ride facilities, intermodal centers, and related roadway and operational facilities. Coordination can be best achieved through common governance, such as integrated governing boards.

It is therefore the policy of the state of Washington to empower counties in the state's most populous region to create a local agency for planning and implementing a high capacity transportation system within that region. The authorization for such an agency, except as specifically provided in this chapter, is not intended to limit the powers of existing transit agencies.

**NEW SECTION. Sec. 2. DEFINITIONS.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) "Authority" means a regional transit authority authorized under this chapter.
- (2) "Board" means the board of a regional transit authority.
- (3) "Service area" or "area" means the area included within the boundaries of a regional transit authority.
- (4) "System" means a regional transit system authorized under this chapter and under the jurisdiction of a regional transit authority.
- (5) "Facilities" means any lands, interest in land, air rights over lands, and improvements thereto including vessel terminals, and any equipment, vehicles, vessels, and other components necessary to support the system.

**NEW SECTION. Sec. 3. REGIONAL TRANSIT AUTHORITY.** Two or more contiguous counties each having a population of four hundred thousand persons or more may establish a regional transit authority to develop and operate a high capacity transportation system as defined in chapter 81.104 RCW.

The authority shall be formed in the following manner:

(1) The joint regional policy committee created pursuant to RCW 81.104.040 shall adopt a system and financing plan, including the definition of the service area. This action shall be completed by September 1, 1992, contingent upon satisfactory completion of the planning process defined in RCW 81.104.100. In addition to the requirements of RCW 81.104.100, the plan for the proposed system shall provide explicitly for a minimum portion of new tax revenues to be allocated to local transit agencies for interim express services. Upon adoption the joint regional policy committee shall immediately transmit the plan to the county legislative authorities within the adopted service area.

(2) The legislative authorities of the counties within the service area shall decide by resolution whether to participate in the authority. This action shall be completed within forty-five days following receipt of the adopted plan.

(3) If any of the counties does not opt to participate in the authority, the joint regional policy committee shall, within forty-five days, redefine the system and financing plan and resubmit the adopted redefined plan to the remaining county legislative authorities for their decision as to whether to participate. This action shall be completed within forty-five days following receipt of the redefined plan.

(4) Each county that chooses to participate in the authority shall appoint its board members as set forth in section 4 of this act and shall submit its list of members to the secretary of the Washington state department of transportation. These actions must be completed within thirty days following each county's decision to participate in the authority.

(5) The secretary shall call the first meeting of the authority, to be held within thirty days following receipt of the appointments. At its first meeting, the authority shall elect officers and provide for the adoption of rules and other operating procedures.

(6) The authority is formally constituted at its first meeting and the board shall begin taking steps toward implementation of the system and financing plan adopted by the joint regional policy committee. Upon formation of the authority, the joint regional policy committee shall cease to exist. The authority may make minor modifications to the plan as deemed necessary and shall at a minimum review local transit agencies' plans to ensure feeder service/high capacity transit service integration, ensure fare integration, and ensure avoidance of parallel competitive services.

(7) The authority shall place on the ballot within two years of the authority's formation, a single ballot proposition to ratify formation of the authority, approve the system and finance plan, and authorize the imposition of the

taxes to support the plan within its service area. In addition to the system plan requirements contained in RCW 81.104.100(2)(d), the system plan submitted to voters shall contain an equity element which:

- (a) Identifies revenues anticipated to be generated by corridor and by county within the authority's boundaries;
- (b) Identifies the phasing of construction and operation of high capacity system facilities, services, and benefits in each corridor. Phasing decisions should give priority to jurisdictions which have adopted transit-supportive land use plans; and
- (c) Identifies the degree to which revenues generated within each county will benefit the residents of that county, and identifies when such benefits will accrue.

A simple majority of those voting within the boundaries of the authority is required for approval. If the vote is affirmative, the authority shall begin implementation of the plan. However, the authority may not submit any authorizing proposition for voter-approved taxes prior to July 1, 1993; nor may the authority issue bonds or form any local improvement district prior to July 1, 1993.

(8) If the vote fails, the board may redefine the system and financing plan, make changes to the authority boundaries, and make corresponding changes to the composition of the board. If the composition of the board is changed, the participating counties shall revise the membership of the board accordingly. The board may then submit the revised plan to voters. No single system and financing plan may be submitted to the voters more than twice.

If the authority is unable to achieve a positive vote within two years from the date of the first election on a system plan, the board may, by resolution, reconstitute the authority as a single-county body. With a two-thirds vote of the entire membership of the voting members, the board may also dissolve the authority.

**NEW SECTION. Sec. 4. GOVERNANCE.** (1) The regional transit authority shall be governed by a board consisting of representatives appointed by the county executive and confirmed by the council or other legislative authority of each member county. Membership shall be based on population from that portion of each county which lies within the service area. Board members shall be appointed initially on the basis of one for each one hundred forty-five thousand population within the county. Such appointments shall be made following consultation with city and town jurisdictions within the service area. In addition, the secretary of transportation or the secretary's designee shall serve as a member of the board and may have voting status with approval of a majority of the other members of the board.

Each member of the board except the secretary of transportation or the secretary's designee shall be an elected official who serves on the legislative authority of or as mayor of a city within the boundaries of the authority, or on the legislative authority of the county and fifty percent of the population of whose district is within the authority boundaries. When making appointments, each county executive shall ensure that representation on the board includes an elected city official representing the largest city in each county and assures proportional representation from other cities, and representation from unincorporated areas of each county within the service area. At least one-half of all appointees from each county shall serve on the governing authority of a public transportation system.

Members appointed from each county shall serve staggered four-year terms. Vacancies shall be filled by appointment for the remainder of the unexpired term of the position being vacated.

The governing board shall be reconstituted, with regard to the number of representatives from each county, on a population basis, using the official office of financial management population estimates, five years after its initial formation and, at minimum, in the year following each official federal census. The board membership may be reduced, maintained, or expanded to reflect population changes but under no circumstances may the board membership exceed twenty-five.

(2) Major decisions of the authority shall require a favorable vote of two-thirds of the entire membership of the voting members. "Major decisions" include at least the following: System plan adoption and amendment; system phasing decisions; annual budget adoption; authorization of annexations; modification of board composition; and executive director employment.

(3) Each member of the board is eligible to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 and to receive compensation as provided in RCW 43.03.250.

**NEW SECTION. Sec. 5. AREA INCLUDED.** (1) At the time of formation, the area to be included within the boundary of the authority shall be that area set forth in the system plan adopted by the joint regional policy committee. Prior to submitting the system and financing plan to the voters, the authority may make adjustments to the boundaries as deemed appropriate but must assure that, to the extent possible, the boundaries: (a) Include the largest-population urban growth area designated by each county under chapter 36.70A RCW; and (b) follow election precinct boundaries. If a portion of any city is determined to be within the service area, the entire city must be included within the boundaries of the authority.

(2) After voters within the authority boundaries have approved the system and financing plan, elections to add areas contiguous to the authority boundaries may be called by resolution of the regional transit authority, after consultation with affected transit agencies and with the concurrence of the legislative authority of the city or town if the area is



incorporated, or with the concurrence of the county legislative authority if the area is unincorporated. Only those areas that would benefit from the services provided by the authority may be included and services or projects proposed for the area must be consistent with the regional transportation plan. The election may include a single ballot proposition providing for annexation to the authority boundaries and imposition of the taxes at rates already imposed within the authority boundaries.

**NEW SECTION. Sec. 6. AUTHORITY POWERS.** An authority shall have the following powers:

(1) To establish offices, departments, boards, and commissions that are necessary to carry out the purposes of the authority, and to prescribe the functions, powers, and duties thereof.

(2) To appoint or provide for the appointment of, and to remove or to provide for the removal of, all officers and employees of the authority.

(3) To fix the salaries, wages, and other compensation of all officers and employees of the authority.

(4) To employ such engineering, legal, financial, or other specialized personnel as may be necessary to accomplish the purposes of the authority.

**NEW SECTION. Sec. 7. GENERAL POWERS.** In addition to the powers specifically granted by this chapter an authority shall have all powers necessary to implement a high capacity transportation system and to develop revenues for system support. An authority may contract with the United States or any agency thereof, any state or agency thereof, any public transportation benefit area, any county, county transportation authority, city, metropolitan municipal corporation, special district, or governmental agency, within or without the state, and any private person, firm, or corporation for: (1) The purpose of receiving gifts or grants or securing loans or advances for preliminary planning and feasibility studies; (2) the design, construction, or operation of high capacity transportation system facilities; or (3) the provision or receipt of services, facilities, or property rights to provide revenues for the system. An authority shall have the power to contract pursuant to RCW 39.33.050. In addition, an authority may contract with any governmental agency or with any private person, firm, or corporation for the use by either contracting party of all or any part of the facilities, structures, lands, interests in lands, air rights over lands and rights of way of all kinds which are owned, leased, or held by the other party and for the purpose of planning, constructing, or operating any facility or performing any service that the authority may be authorized to operate or perform, on such terms as may be agreed upon by the contracting parties. Before any contract for the lease or operation of any authority facilities is let to any private person, firm, or corporation, a general schedule of rental rates for equipment with or without operators applicable to all private certificated carriers shall be publicly posted, and for other facilities competitive bids shall first be called upon such notice, bidder qualifications, and bid conditions as the board shall determine. This shall allow use of negotiated procurements.

**NEW SECTION. Sec. 8. ADDITIONAL POWERS--ACQUISITION OF FACILITIES.** An authority shall have the following powers in addition to the general powers granted by this chapter:

(1) To carry out the planning processes set forth in RCW 81.104.100;

(2) To acquire by purchase, condemnation, gift, or grant and to lease, construct, add to, improve, replace, repair, maintain, operate, and regulate the use of high capacity transportation facilities and properties within authority boundaries including surface, underground, or overhead railways, tramways, busways, buses, bus sets, entrained and linked buses, ferries, or other means of local transportation except taxis, and including escalators, moving sidewalks, personal rapid transit systems or other people-moving systems, passenger terminal and parking facilities and properties, and such other facilities and properties as may be necessary for passenger, vehicular, and vessel access to and from such people-moving systems, terminal and parking facilities and properties, together with all lands, rights of way, property, equipment, and accessories necessary for such high capacity transportation systems. When developing specifications for high capacity transportation system operating equipment, an authority shall take into account efforts to establish or sustain a domestic manufacturing capacity for such equipment. The right of eminent domain shall be exercised by an authority in the same manner and by the same procedure as or may be provided by law for cities of the first class, except insofar as such laws may be inconsistent with the provisions of this chapter. Public transportation facilities and properties which are owned by any city, county, county transportation authority, public transportation benefit area, or metropolitan municipal corporation may be acquired or used by an authority only with the consent of the agency owning such facilities. Such agencies are hereby authorized to convey or lease such facilities to an authority or to contract for their joint use on such terms as may be fixed by agreement between the agency and the authority.

The facilities and properties of an authority whose vehicles will operate primarily within the rights of way of public streets, roads, or highways, may be acquired, developed, and operated without the corridor and design hearings that are required by RCW 35.58.273 for mass transit facilities operating on a separate right of way;

(3) To dispose of any real or personal property acquired in connection with any authority function and that is no longer required for the purposes of the authority, in the same manner as provided for cities of the first class. When an authority determines that a facility or any part thereof that has been acquired from any public agency without

compensation is no longer required for authority purposes, but is required by the agency from which it was acquired, the authority shall by resolution transfer it to such agency.

(4) To fix rates, tolls, fares, and charges for the use of such facilities and to establish various routes and classes of service. Fares or charges may be adjusted or eliminated for any distinguishable class of users.

**NEW SECTION. Sec. 9. AGREEMENTS WITH OPERATORS OF HIGH CAPACITY TRANSPORTATION SERVICES.** Except in accordance with an agreement made as provided in this section, upon the date an authority begins high capacity transportation service, no person or private corporation may operate a high capacity transportation service within the authority boundary with the exception of services owned or operated by any corporation or organization solely for the purposes of the corporation or organization and for the use of which no fee or fare is charged.

The authority and any person or corporation legally operating a high capacity transportation service wholly within or partly within and partly without the authority boundary on the date an authority begins high capacity transportation service may enter into an agreement under which such person or corporation may continue to operate such service or any part thereof for such time and upon such terms and conditions as provided in such agreement. Such agreement shall provide for a periodic review of the terms and conditions contained therein. Where any such high capacity transportation service will be required to cease to operate within the authority boundary, the authority may agree with the owner of such service to purchase the assets used in providing such service, or if no agreement can be reached, an authority shall condemn such assets in the manner and by the same procedure as is or may be provided by law for the condemnation of other properties for cities of the first class, except insofar as such laws may be inconsistent with this chapter.

Wherever a privately owned public carrier operates wholly or partly within an authority boundary, the Washington utilities and transportation commission shall continue to exercise jurisdiction over such operation as provided by law.

**NEW SECTION. Sec. 10. TRANSFER OF LOCAL GOVERNMENT POWERS TO AUTHORITY.** An authority shall have and exercise all rights with respect to the construction, acquisition, maintenance, operation, extension, alteration, repair, control and management of high capacity transportation system facilities that are identified in the system plan developed pursuant to RCW 81.104.100 that any city, county, county transportation authority, metropolitan municipal corporation, or public transportation benefit area within the authority boundary has been previously empowered to exercise and such powers shall not thereafter be exercised by such agencies without the consent of the authority. Nothing in this chapter shall restrict development, construction, or operation of a personal rapid transit system by a city or county.

An authority may adopt, in whole or in part, and may complete, modify, or terminate any planning, environmental review, or procurement processes related to the high capacity transportation system that had been commenced by a joint regional policy committee or a city, county, county transportation authority, metropolitan municipality, or public transportation benefit area prior to the formation of the authority.

**NEW SECTION. Sec. 11. ACQUISITION OF EXISTING SYSTEM.** If an authority acquires any existing components of a high capacity transportation system, it shall assume and observe all existing labor contracts relating to the transportation system and, to the extent necessary for operation of facilities, all of the employees of such acquired transportation system whose duties are necessary to operate efficiently the facilities acquired shall be appointed to comparable positions to those which they held at the time of such transfer, and no employee or retired or pensioned employee of such transportation systems shall be placed in any worse position with respect to pension seniority, wages, sick leave, vacation or other benefits that he or she enjoyed as an employee of the transportation system prior to such acquisition. At such times as may be required by such contracts, the authority shall engage in collective bargaining with the duly appointed representatives of any employee labor organization having existing contracts with the acquired transportation system and may enter into labor contracts with such employee labor organization. Facilities and equipment which are acquired after July 1, 1993, related to high capacity transportation services which are to be assumed by the authority as specifically identified in the adopted system plan shall be acquired by the authority in a manner consistent with sections 7 through 10 of this act.

**NEW SECTION. Sec. 12. AUTHORITY FINANCES.** The board of an authority, by resolution, shall designate a person having experience in financial or fiscal matters as treasurer of the authority. The board may designate, with the concurrence of the treasurer, the treasurer of a county within which the authority is located. Such a treasurer shall possess all of the powers, responsibilities, and duties the county treasurer possesses for a public transportation benefit area authority related to investing surplus authority funds. The board shall require a bond with a surety company authorized to do business in the state of Washington in an amount and under the terms and conditions the board, by resolution, from time to time finds will protect the authority against loss. The premium on any such bond shall be paid by the authority.

All authority funds shall be paid to the treasurer and shall be disbursed by the treasurer only on warrants issued by the authority upon orders or vouchers approved by the board.

The treasurer shall establish a special fund, into which shall be paid all authority funds, and the treasurer shall maintain such special accounts as may be created by the authority into which shall be placed all money as the board may, by resolution, direct.

If the treasurer of the authority is the treasurer of a county, all authority funds shall be deposited with the county depository under the same restrictions, contracts, and security as provided for county depositories. If the treasurer of the authority is some other person, all funds shall be deposited in such bank or banks authorized to do business in this state that have qualified for insured deposits under any federal deposit insurance act as the board, by resolution, shall designate.

The authority may by resolution designate a person having experience in financial or fiscal matters, as the auditor of the authority. Such auditor shall possess all of the powers, responsibilities, and duties related to creating and maintaining funds, issuing warrants, and maintaining a record of receipts and disbursements.

The board may provide and require a reasonable bond of any other person handling moneys or securities of the authority, but the authority shall pay the premium on the bond.

**NEW SECTION. Sec. 13. BONDING.** Notwithstanding RCW 39.36.020(1), an authority may at any time contract indebtedness or borrow money for authority purposes and may issue general obligation bonds in an amount not exceeding, together with any existing indebtedness of the authority not authorized by the voters, one and one-half percent of the value of the taxable property within the boundaries of the authority; and with the assent of three-fifths of the voters therein voting at an election called for that purpose, may contract indebtedness or borrow money for authority purposes and may issue general obligation bonds therefor; provided the total indebtedness of the authority shall not exceed five percent of the value of the taxable property therein. Such bonds shall be issued and sold in accordance with chapter 39.46 RCW.

The term "value of the taxable property" shall have the meaning set forth in RCW 39.36.015.

**NEW SECTION. Sec. 14. REVENUE BONDS.** (1) An authority may issue revenue bonds to provide funds to carry out its authorized functions without submitting the matter to the voters of the authority. The authority shall create a special fund or funds for the sole purpose of paying the principal of and interest on the bonds of each such issue, into which fund or funds the authority may obligate itself to pay such amounts of the gross revenue of the high capacity transportation system constructed, acquired, improved, added to, or repaired out of the proceeds of sale of such bonds, as the authority shall determine and may obligate the authority to pay such amounts out of otherwise unpledged revenue that may be derived from the ownership, use, or operation of properties or facilities owned, used, or operated incident to the performance of the authorized function for which such bonds are issued or out of otherwise unpledged fees, tolls, charges, tariffs, fares, rentals, special taxes, or other sources of payment lawfully authorized for such purpose, as the authority shall determine. The principal of, and interest on, such bonds shall be payable only out of such special fund or funds, and the owners of such bonds shall have a lien and charge against the gross revenue of such high capacity transportation system or any other revenue, fees, tolls, charges, tariffs, fares, special taxes, or other authorized sources pledged to the payment of such bonds.

Such revenue bonds and the interest thereon issued against such fund or funds shall be a valid claim of the owners thereof only as against such fund or funds and the revenue pledged therefor, and shall not constitute a general indebtedness of the authority.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.

**NEW SECTION. Sec. 15. LOCAL IMPROVEMENT DISTRICTS AUTHORIZED.** (1) An authority may form a local improvement district to provide any transportation improvement it has the authority to provide, impose special assessments on all property specially benefited by the transportation improvements, and issue special assessment bonds or revenue bonds to fund the costs of the transportation improvement. Local improvement districts shall be created and assessments shall be made and collected pursuant to chapters 35.43, 35.44, 35.49, 35.50, 35.51, 35.53, and 35.54 RCW.

(2) The board shall by resolution establish for each special assessment bond issue the amount, date, terms, conditions, denominations, maximum fixed or variable interest rate or rates, maturity or maturities, redemption rights, registration privileges, if any, covenants, and form, including registration as to principal and interest, registration as to principal only, or bearer. Registration may include, but not be limited to: (a) A book entry system of recording the ownership of a bond whether or not physical bonds are issued; or (b) recording the ownership of a bond together with the requirement that the transfer of ownership may only be effected by the surrender of the old bond and either the reissuance of the old bond or the issuance of a new bond to the new owner. Facsimile signatures may be used on the bonds and any coupons. The maximum term of any special assessment bonds shall not exceed thirty years beyond the date of issue. Special assessment bonds issued pursuant to this section shall not be an indebtedness of the authority issuing the bonds, and the interest and principal on the bonds shall only be payable from special assessments made for the improvement for which the bonds were issued and any local improvement guaranty fund that the authority has created.

The owner or bearer of a special assessment bond or any interest coupon issued pursuant to this section shall not have any claim against the authority arising from the bond or coupon except for the payment from special assessments made for the improvement for which the bonds were issued and any local improvement guaranty fund the authority has created. The authority issuing the special assessment bonds is not liable to the owner or bearer of any special assessment bond or any interest coupon issued pursuant to this section for any loss occurring in the lawful operation of its local improvement guaranty fund. The substance of the limitations included in this subsection shall be plainly printed, written, or engraved on each special assessment bond issued pursuant to this section.

(3) Assessments shall reflect any credits given by the authority for real property or property right donations made pursuant to RCW 47.14.030.

(4) The board may establish and pay moneys into a local improvement guaranty fund to guarantee special assessment bonds issued by the authority.

NEW SECTION. Sec. 16. COUNTY ASSESSOR'S DUTIES. It shall be the duty of the assessor of each component county to certify annually to a regional transit authority the aggregate assessed valuation of all taxable property within the boundaries of the authority as the same appears from the last assessment roll of the county.

NEW SECTION. Sec. 17. INTERIM FINANCING. A regional transit authority may apply for high capacity transportation account funds and for central Puget Sound account funds for high capacity transit planning and system development.

Transit agencies contained wholly or partly within a regional transit authority may make grants or loans to the authority for high capacity transportation planning and system development.

**Sec. 18.** RCW 81.104.010 and 1991 c 318 s 1 are each amended to read as follows:

Increasing congestion on Washington's roadways calls for identification and implementation of high capacity transportation system alternatives. (~~("High capacity transportation system" means a system of public transportation services within an urbanized region operating principally on exclusive rights of way, and the supporting services and facilities necessary to implement such a system, including high occupancy vehicle lanes, which taken as a whole, provides a substantially higher level of passenger capacity, speed, and service frequency than traditional public transportation systems operating principally in general purpose roadways.))~~) The legislature believes that local jurisdictions should coordinate and be responsible for high capacity transportation policy development, program planning, and implementation. The state should assist by working with local agencies on issues involving rights of way, partially financing projects meeting established state criteria including development and completion of the high occupancy vehicle lane system, authorizing local jurisdictions to finance high capacity transportation systems through voter-approved tax options, and providing technical assistance and information.

NEW SECTION. Sec. 19. A new section is added to chapter 81.104 RCW to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "High capacity transportation system" means a system of public transportation services within an urbanized region operating principally on exclusive rights of way, and the supporting services and facilities necessary to implement such a system, including interim express services and high occupancy vehicle lanes, which taken as a whole, provides a substantially higher level of passenger capacity, speed, and service frequency than traditional public transportation systems operating principally in general purpose roadways.

(2) "Regional transit system" means a high capacity transportation system under the jurisdiction of one or more transit agencies except where a regional transit authority created under chapter 81--- RCW (sections 1 through 17 of this act) exists, in which case "regional transit system" means the high capacity transportation system under the jurisdiction of a regional transit authority.

(3) "Transit agency" means city-owned transit systems, county transportation authorities, metropolitan municipal corporations, and public transportation benefit areas.

**Sec. 20.** RCW 81.104.030 and 1991 c 318 s 3 and 1991 c 309 s 2 are each reenacted and amended to read as follows:

(1) In any county with a population of from two hundred ten thousand to less than one million that is not bordered by a county with a population of one million or more, and in each county with a population of less than two hundred ten thousand, (~~(city owned transit systems, county transportation authorities, metropolitan municipal corporations, and public transportation benefit areas))~~ transit agencies may elect to establish high capacity transportation service. Such agencies shall form a regional policy committee with proportional representation based upon population distribution within the designated service area and a representative of the department of transportation, or such agencies may use the designated metropolitan planning organization as the regional policy committee.

(~~(City owned transit systems, county transportation authorities, metropolitan municipal corporations, and public transportation benefit areas))~~ Transit agencies participating in joint regional policy committees shall seek voter approval within their own service boundaries of a high capacity transportation system plan and financing plan.

(2) ~~((City owned transit systems, county transportation authorities, metropolitan municipal corporations, and public transportation benefit areas))~~ Transit agencies in counties adjoining state or international boundaries are authorized to participate in the regional high capacity transportation programs of an adjoining state or Canadian province.

Sec. 21. RCW 81.104.040 and 1991 c 318 s 4 are each amended to read as follows:

~~((4))~~ Transit agencies in each county with a population of one million or more, and in each county with a population of from two hundred ten thousand to less than one million bordering a county with a population of one million or more that are ~~((currently))~~ authorized on January 1, 1991, to provide high capacity transportation planning and operating services ~~((including but not limited to city owned transit systems, county transportation authorities, metropolitan municipal corporations, and public transportation benefit areas,))~~ must establish through interlocal agreements a joint regional policy committee with proportional representation based upon the population distribution within each agency's designated service area, as determined by the parties to the agreement.

~~((a))~~ (1) The membership of the joint regional policy committee shall consist of locally elected officials who serve on the legislative authority of the existing transit systems and a representative from the department of transportation. Nonvoting membership for elected officials from adjoining counties may be allowed at the committee's discretion.

~~((b))~~ (2) The joint regional policy committee shall be responsible for the preparation and adoption of a regional high capacity transportation implementation program, which shall include the system plan, project plans, and a financing plan. This program shall be in conformance with the regional transportation planning organization's regional transportation plan and consistent with RCW 81.104.080.

~~((c))~~ (3) The joint regional policy committee shall present ~~((a))~~ an adopted high capacity transportation system plan and financing plan to the boards of directors of the transit agencies within the service area ~~((for adoption.~~

~~(d) Transit agencies shall present the adopted high capacity transportation system plan and financing plan for voter approval within four years of the execution of the interlocal agreements. A simple majority vote is required for approval of the high capacity transportation system plan and financing plan in any service district within each county. The implementation program may proceed in any service area approving the system and financing plans.~~

(2) High capacity transportation planning, construction, operations, and funding shall be governed through the interlocal agreement process, including but not limited to provision for a cost allocation and distribution formula, service corridors, station area locations, right of way transfers, and feeder transportation systems. ~~The interlocal agreement shall include a mechanism for resolving conflicts among parties to the agreement)) or to the regional transit authority, if such authority has been formed. The authority shall proceed as prescribed in section 3 of this act.~~

Sec. 22. RCW 81.104.050 and 1991 c 318 s 5 are each amended to read as follows:

Regional high capacity transportation service ~~((boundaries))~~ may be expanded beyond the established ~~((service))~~ district boundaries through interlocal agreements among the transit agencies and ~~((the local jurisdictions within which such expanded service is proposed))~~ any regional transit authorities in existence.

Sec. 23. RCW 81.104.100 and 1991 sp.s. c 15 s 68 are each amended to read as follows:

To assure development of an effective high capacity transportation system, local authorities shall follow the following planning process:

(1) Regional, multimodal transportation planning is the ongoing urban transportation planning process conducted in each urbanized area by its regional transportation planning organization. During this process, regional transportation goals are identified, travel patterns are analyzed, and future land use and travel are projected. The process provides a comprehensive view of the region's transportation needs but does not select specified modes to serve those needs. The process shall identify a priority corridor or corridors for further study of high capacity transportation facilities if it is deemed feasible by local officials.

(2) High capacity transportation system planning is the detailed evaluation of a range of high capacity transportation system options, including: Do nothing, low capital, and ranges of higher capital facilities. To the extent possible this evaluation shall take into account the urban mass transportation administration's requirements identified in subsection (3) of this section.

High capacity transportation system planning shall proceed as follows:

(a) Organization and management. The responsible local transit agency or agencies shall define roles for various local agencies, review background information, provide for public involvement, and develop a detailed work plan for the system planning process.

(b) Development of options. Options to be studied shall be developed to ensure an appropriate range of technologies and service policies can be evaluated. A do-nothing option and a low capital option that maximizes the current system shall be developed. Several higher capital options that consider a range of capital expenditures for several candidate technologies shall be developed.

(c) Analysis methods. The local transit agency shall develop reports describing the analysis and assumptions for the estimation of capital costs, operating and maintenance costs, methods for travel forecasting, a financial plan and an evaluation methodology.

(d) The system plan submitted to the voters pursuant to RCW 81.104.140 shall address, but is not limited to the following issues:

- (i) Identification of level and types of high capacity transportation services to be provided;
- (ii) A plan of high occupancy vehicle lanes to be constructed;
- (iii) Identification of route alignments and station locations with sufficient specificity to permit calculation of costs, ridership, and system impacts;
- (iv) Performance characteristics of technologies in the system plan;
- (v) Patronage forecasts;
- (vi) A financing plan describing: Phasing of investments; capital and operating costs and expected revenues; cost-effectiveness represented by a total cost per system rider and new rider estimate; estimated ridership and the cost of service for each individual high capacity line (~~((Lane))~~); and identification of the operating revenue to operating expense ratio.

The financing plan shall specifically differentiate the proposed use of funds between high capacity transportation facilities and services, and high occupancy vehicle facilities(~~(, and expanded local/feeder service)~~);

- (vii) Description of the relationship between the high capacity transportation system plan and adopted land use plans;
- (viii) An assessment of social, economic, and environmental impacts; and
- (ix) Mobility characteristics of the system presented, including but not limited to: Qualitative description of system/service philosophy and impacts; qualitative system reliability; travel time and number of transfers between selected residential, employment, and activity centers; and system and activity center mode splits.

(3) High capacity transportation project planning is the detailed identification of alignments, station locations, equipment and systems, construction schedules, environmental effects, and costs. High capacity transportation project planning shall proceed as follows: The local transit agency shall analyze and produce information needed for the preparation of environmental impact statements. The impact statements shall address the impact that development of such a system will have on abutting or nearby property owners. The process of identification of alignments and station locations shall include notification of affected property owners by normal legal publication. At minimum, such notification shall include notice on the same day for at least three weeks in at least two newspapers of general circulation in the county where such project is proposed. Special notice of hearings by the conspicuous posting of notice, in a manner designed to attract public attention, in the vicinity of areas identified for station locations or transfer sites shall also be provided.

In order to increase the likelihood of future federal funding, the project planning processes shall follow the urban mass transportation administration's requirements as described in "Procedures and Technical Methods for Transit Project Planning", published by the United States department of transportation, urban mass transportation administration, September 1986, or the most recent edition. Nothing in this subsection shall be construed to preclude detailed evaluation of more than one corridor in the planning process.

The department of transportation shall provide system and project planning review and monitoring in cooperation with the expert review panel identified in RCW 81.104.110. In addition, the local transit agency shall maintain a continuous public involvement program and seek involvement of other government agencies.

Sec. 24. RCW 81.104.120 and 1990 c 43 s 33 are each amended to read as follows:

(1) (~~((City owned transit service, county transportation authorities, metropolitan municipal corporations, and public transportation benefit areas))~~) Transit agencies and regional transit authorities may operate or contract for commuter rail service where it is deemed to be a reasonable alternative transit mode. A reasonable alternative is one whose passenger costs per mile, including costs of trackage, equipment, maintenance, operations, and administration are equal to or less than comparable bus, entrained bus, trolley, or personal rapid transit systems.

(2) A county may use funds collected under RCW 81.100.030 or 81.100.060 to contract with one or more transit agencies or regional transit authorities for planning, operation, and maintenance of commuter rail projects which: (a) Are consistent with the regional transportation plan; (b) have met the project planning and oversight requirements of RCW 81.104.100 and 81.104.110; and (c) have been approved by the voters within the service area of each transit agency or regional transit authority participating in the project. The phrase "approved by the voters" includes specific funding authorization for the commuter rail project.

(3) The utilities and transportation commission shall maintain safety responsibility for passenger rail service operating on freight rail lines. Agencies providing passenger rail service on lines other than freight rail lines shall maintain safety responsibility for that service.

Sec. 25. RCW 81.104.140 and 1991 c 318 s 11 and 1991 c 309 s 4 are each reenacted and amended to read as follows:

(1) Agencies authorized to provide high capacity transportation service, including ~~((city owned transit systems, county transportation authorities, metropolitan municipal corporations and public transportation benefit areas))~~ transit agencies and regional transit authorities, are hereby granted dedicated funding sources for such systems. These dedicated funding sources, as set forth in RCW 81.104.150, 81.104.160, and 81.104.170, are authorized only for agencies located in (a) each county with a population of two hundred ten thousand or more and (b) each county with a population of from one hundred twenty-five thousand to less than two hundred ten thousand except for those counties that do not border a county with a population as described under (a) of this subsection. In any county with a population of one million or more or in any county having a population of four hundred thousand or more bordering a county with a population of one million or more, these funding sources may be imposed only by a regional transit authority.

(2) Agencies planning to construct and operate a high capacity transportation system should also seek other funds, including federal, state, local, and private sector assistance.

(3) Funding sources should satisfy each of the following criteria to the greatest extent possible:

- (a) Acceptability;
- (b) Ease of administration;
- (c) Equity;
- (d) Implementation feasibility;
- (e) Revenue reliability; and
- (f) Revenue yield.

(4) Agencies participating in regional high capacity transportation system development ~~((through interlocal agreements))~~ are authorized to levy and collect the following voter-approved local option funding sources:

- (a) Employer tax as provided in RCW 81.104.150;
- (b) Special motor vehicle excise tax as provided in RCW 81.104.160; and
- (c) Sales and use tax as provided in RCW 81.104.170.

Revenues from these taxes may be used only to support those purposes prescribed in subsection (10) of this section. Before the date of an election authorizing an agency to impose any of the taxes enumerated in this section and authorized in RCW 81.104.150, 81.104.160, and 81.104.170, the agency must comply with the process prescribed in RCW 81.104.100 (1) and (2) and 81.104.110. No construction on exclusive right of way may occur before the requirements of RCW 81.104.100(3) are met.

(5) Authorization in subsection (4) of this section shall not adversely affect the funding authority of ~~((existing))~~ transit agencies not provided for in this chapter. Local option funds may be used to support implementation of interlocal agreements with respect to the establishment of regional high capacity transportation service. Except when a regional transit authority exists, local jurisdictions shall retain control over moneys generated within their boundaries, although funds may be commingled with those generated in other areas for planning, construction, and operation of high capacity transportation systems as set forth in the agreements.

(6) Agencies planning to construct and operate high capacity transportation systems may contract with the state for collection and transference of voter-approved local option revenue.

(7) Dedicated high capacity transportation funding sources authorized in RCW 81.104.150, 81.104.160, and 81.104.170 shall be subject to voter approval by a simple majority. A single ballot proposition may seek approval for one or more of the authorized taxing sources. The ballot title shall reference the document identified in subsection (8) of this section.

(8) Agencies shall provide to the registered voters in the area a document describing the systems plan and the financing plan set forth in RCW 81.104.100. It shall also describe the relationship of the system to regional issues such as development density at station locations and activity centers, and the interrelationship of the system to adopted land use and transportation demand management goals within the region. This document shall be provided to the voters at least twenty days prior to the date of the election.

(9) For any election in which voter approval is sought for a high capacity transportation system plan and financing plan pursuant to RCW 81.104.040, a local voter's pamphlet shall be produced as provided in chapter 29.81A RCW.

(10) Agencies providing high capacity transportation service shall retain responsibility for revenue encumbrance, disbursement, and bonding. Funds may be used for any purpose relating to planning, construction, and operation of high capacity transportation systems ~~((and))~~ and commuter rail systems. ~~((and feeder transportation systems))~~ personal rapid transit, busways, bus sets, and entrained and linked buses.

Sec. 26. RCW 81.104.150 and 1990 c 43 s 41 are each amended to read as follows:

Cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, ~~((and))~~ public transportation benefit areas, ~~((solely for the purpose of providing high capacity transportation service))~~ and regional transit authorities may submit an authorizing proposition to the voters and if approved may impose an excise tax of up to two dollars per month per employee on all employers located within the agency's jurisdiction, measured by the number of full-time equivalent employees, solely for the purpose of providing high capacity transportation service. The rate of tax shall be approved by the voters. This tax may not be imposed by ~~((an))~~: (1) A transit agency when the county within which it is located is imposing an excise tax pursuant to RCW 81.100.030; or (2) a regional transit authority when any county within the authority's boundaries is imposing an excise tax pursuant to RCW 81.100.030. The agency imposing the tax authorized in this section may provide for exemptions from the tax to such educational, cultural, health, charitable, or religious organizations as it deems appropriate.

Sec. 27. RCW 81.104.160 and 1991 c 318 s 12 are each amended to read as follows:

~~((Any city that operates a))~~ Cities that operate transit systems, county transportation ((authority)) authorities, metropolitan municipal corporations, ((of)) public transportation benefit areas, ((solely for the purpose of providing high capacity transportation service)) and regional transit authorities may submit an authorizing proposition to the voters, and if approved, may levy and collect an excise tax, at a rate approved by the voters, but not exceeding eighty one-hundredths of one percent on the value, under chapter 82.44 RCW, of every motor vehicle owned by a resident of ~~((such city, county transportation authority, metropolitan municipal corporation, or public transportation benefit area))~~ the taxing district, solely for the purpose of providing high capacity transportation service. In any county imposing a motor vehicle excise tax surcharge pursuant to RCW 81.100.060, the maximum tax rate under this section shall be reduced to a rate equal to eighty one-hundredths of one percent on the value less the equivalent motor vehicle excise tax rate of the surcharge imposed pursuant to RCW 81.100.060. This rate shall not apply to vehicles licensed under RCW 46.16.070 except vehicles with an unladen weight of six thousand pounds or less, RCW 46.16.079, 46.16.080, 46.16.085, or 46.16.090.

Sec. 28. RCW 81.104.170 and 1990 2nd ex.s. c 1 s 902 are each amended to read as follows:

~~((The legislative bodies of))~~ Cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, ((and)) public transportation benefit areas, ((solely for the purpose of providing high capacity transportation service)) and regional transit authorities may submit an authorizing proposition to the voters and if approved by a majority of persons voting, fix and impose a sales and use tax in accordance with the terms of this chapter, solely for the purpose of providing high capacity transportation service.

The tax authorized pursuant to this section shall be in addition to the tax authorized by RCW 82.14.030 and shall be collected from those persons who are taxable by the state pursuant to chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within ~~((such city, county transportation authority, metropolitan municipal corporation, or public transportation benefit area, as the case may be))~~ the taxing district. The maximum rate of such tax shall be approved by the voters and shall not exceed one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax). The maximum rate of such tax that may be imposed shall not exceed nine-tenths of one percent ~~((if))~~ in any county that imposes a tax ((is imposed in the county)) under RCW 82.14.340, or within a regional transit authority if any county within the authority imposes a tax under RCW 82.14.340.

Sec. 29. RCW 81.104.180 and 1990 c 43 s 44 are each amended to read as follows:

Cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, ~~((and))~~ public transportation benefit areas, and regional transit authorities are authorized to pledge revenues from the employer tax authorized by RCW 81.104.150, the special motor vehicle excise tax authorized by RCW 81.104.160, and the sales and use tax authorized by RCW 81.104.170, to retire bonds issued solely for the purpose of providing high capacity transportation service.

Sec. 30. RCW 81.104.190 and 1990 c 43 s 45 are each amended to read as follows:

Cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, ~~((and))~~ public transportation benefit areas, and regional transit systems may contract with the state department of revenue or other appropriate entities for administration and collection of any tax authorized by RCW 81.104.150, 81.104.160, and 81.104.170.

NEW SECTION. Sec. 31. A new section is added to chapter 47.80 RCW to read as follows:

EXECUTIVE BOARD MEMBERSHIP. In order to qualify for state planning funds available to regional transportation planning organizations, the regional transportation planning organizations containing any county with a population in excess of one million shall provide voting membership on its executive board to the state transportation commission, the state department of transportation, and the three largest public port districts within the region as determined by gross operating revenues. It shall further assure that at least fifty percent of the county and city local elected officials who serve on the executive board also serve on transit agency boards or on a regional transit authority.

NEW SECTION. Sec. 32. Sections 1 through 17 of this act shall constitute a new chapter in Title 81 RCW.

NEW SECTION. Sec. 33. Section headings as used in this act do not constitute any part of the law.



NEW SECTION. Sec. 34. 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. 35. This act shall take effect July 1, 1992.

On page 1, line 1 of the title, after "transportation;" strike the remainder of the title and insert "amending RCW 81.104.010, 81.104.040, 81.104.050, 81.104.100, 81.104.120, 81.104.150, 81.104.160, 81.104.170, 81.104.180, and 81.104.190; reenacting and amending RCW 81.104.030 and 81.104.140; adding a new section to chapter 81.104 RCW; adding a new section to chapter 47.80 RCW; adding a new chapter to Title 81 RCW; creating a new section; and providing an effective date."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. R. Fisher moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2610. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2610 as amended by the Senate.

Mr. Betrozoff spoke against passage of the bill, as amended by the Senate. Ms. R. Fisher 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. 2610 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 71, Nays - 25, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Brough, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Dellwo, Dorn, Ebersole, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Insee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Mitchell, Morris, Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Wang, Wineberry, Winsley, Wood, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brumsickle, Edmondson, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Morton, Moyer, Nealey, Padden, Silver, Sommers, D., Van Luven, Wilson, Wynne - 25.

Excused: Representatives Day, Riley - 02.

Engrossed Substitute House Bill No. 2610 as amended by the Senate, having received the constitutional majority, was declared passed.

#### MOTION

There being no objection, the House advanced to the eighth order of business.

## RESOLUTION

HOUSE RESOLUTION NO. 92-4767, by Representatives J. Kohl, Wineberry, Franklin, Prentice, Locke, Anderson, Pruitt, Wang, Fraser, Ebersole, Valle, Miller, G. Cole, Scott, Belcher, Wood and Paris

WHEREAS, The Legislature has made it a tradition to recognize people of great courage and conviction; and

WHEREAS, The life of fugitive slave Harriet Tubman was marked by countless acts of courage and self-sacrifice fighting for an end to slavery; and

WHEREAS, As a slave, Harriet Tubman struck a course for freedom herself in 1849, leaving the South for Philadelphia where she began working as a free citizen in a local hotel; and

WHEREAS, Despite great risk to herself, she crossed into the South some nineteen times to lead other slaves to freedom; and

WHEREAS, Harriet Tubman worked closely with antislavery stalwarts associated with the Underground Railroad, particularly the Quaker Thomas Garrett of Wilmington, Delaware and the Black Leader William Still of Philadelphia, who later wrote that in ". . . courage, shrewdness and disinterested exertions to rescue her fellowmen . . . she was without her equal"; and

WHEREAS, Her daring exploits caused the rewards for her capture to reach \$40,000; and

WHEREAS, During the Civil War, Harriet Tubman served as a spy and scout for the Union Army, often crossing behind Confederate Lines to secure military intelligence; and

WHEREAS, She also served as a nurse during the war, bringing aid and comfort to the sick and wounded; and

WHEREAS, After returning home from the war Harriet Tubman continued to serve others with little thought of self, caring for her aging parents and other helpless older people, forming the Harriet Tubman Home for Indigent Aged Negroes, which continued several years after her death; and

WHEREAS, Herself illiterate and without a day of schooling, she promoted the establishment of freedmen's schools in the South; and

WHEREAS, She also spoke up for the rights of women and participated in the suffrage effort; and

WHEREAS, Despite her heroic efforts on behalf of the Union Army, she was denied compensation for her wartime efforts, because compensation was not required under any recognized law; and

WHEREAS, Her faith in herself led her to resubmit a petition requesting \$1,800 for "three years' service as nurse and cook in hospitals, and as commander of eight to nine men as scouts during the Civil War"; and

WHEREAS, Congress finally enacted a bill in her favor, granting her twenty dollars a month for life for her services; and

WHEREAS, The great Frederick Douglass wrote to her, "Excepting John Brown of sacred memory - I know of no one who has willingly encountered more perils and hardships to serve our enslaved people than you have"; and

WHEREAS, Throughout history women of courage have frequently been overlooked and their contributions and sacrifice have gone unrecognized;

NOW THEREFORE BE IT RESOLVED, That the House of Representatives join others nation-wide in recognizing the anniversary of her death, Tuesday, March 10, as Harriet Tubman Day and to honor Harriet Tubman for her great courage and fearless efforts on behalf of freedom.

Ms. J. Kohl moved adoption of the resolution. Representatives J. Kohl spoke in favor of the resolution.

House Resolution No. 92-4767 was adopted.

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on SENATE BILL NO. 6155. The President has appointed the following members as Conferees:

Senators Barr, Hansen and Bailey

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The President has signed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 1932,  
SUBSTITUTE HOUSE BILL NO. 2394,  
HOUSE BILL NO. 2633,  
SUBSTITUTE HOUSE BILL NO. 2672,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2990,

SIGNED BY THE SPEAKER

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

SUBSTITUTE SENATE BILL NO. 6354  
SUBSTITUTE SENATE BILL NO. 5116  
SENATE BILL NO. 6396  
SENATE BILL NO. 6444  
SUBSTITUTE SENATE BILL NO. 6451  
SENATE CONCURRENT RESOLUTION NO. 8428

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MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The President has signed:

ENGROSSED SENATE BILL NO. 6033,  
SUBSTITUTE SENATE BILL NO. 6111,  
ENGROSSED SENATE BILL NO. 6273,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

SIGNED BY THE SPEAKER

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5092  
SUBSTITUTE SENATE BILL NO. 5305  
SUBSTITUTE SENATE BILL NO. 5342  
SENATE BILL NO. 5510  
SUBSTITUTE SENATE BILL NO. 5557  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5986  
ENGROSSED SENATE BILL NO. 6008  
ENGROSSED SENATE BILL NO. 6023  
SUBSTITUTE SENATE BILL NO. 6042  
SUBSTITUTE SENATE BILL NO. 6086  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6104  
SUBSTITUTE SENATE BILL NO. 6120  
ENGROSSED SENATE BILL NO. 6161  
SENATE BILL NO. 6220  
SENATE BILL NO. 6221

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 5318,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5728,  
SUBSTITUTE SENATE BILL NO. 5953,

ENGROSSED SENATE BILL NO. 6054,  
 SUBSTITUTE SENATE BILL NO. 6055,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6069,  
 ENGROSSED SENATE BILL NO. 6093,  
 ENGROSSED SENATE BILL NO. 6261,  
 SENATE BILL NO. 6289,  
 ENGROSSED SENATE BILL NO. 6292,  
 SENATE BILL NO. 6296,  
 SUBSTITUTE SENATE BILL NO. 6321,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6326,  
 SUBSTITUTE SENATE BILL NO. 6377,  
 ENGROSSED SENATE BILL NO. 6401,  
 SENATE BILL NO. 6452,  
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8024,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Wineberry moved that the House consider the following bills, in the following order, Engrossed Substitute House Bill No. 2025, Engrossed Substitute House Bill No. 2389, House Bill No. 2398, Substitute House Bill No. 2874, House Bill No. 2944, Substitute House Bill No. 2498 and Engrossed Senate Bill No. 6128. The motion was carried.

#### SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2025 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 41.04.230 and 1988 c 107 s 19 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) Voluntary deductions for political committees duly registered with the public disclosure commission and/or the federal election commission: 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 political committee.

(8) Insurance contributions to the authority for payment of premiums under contracts authorized by the state health care authority.

(9) Deductions to a bank, savings bank, or savings and loan association if the bank, savings bank, or savings and loan association is authorized to do business in this state and deductions to it are authorized.

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 health care authority.

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.

NEW SECTION. Sec. 2. A new section is added to chapter 41.04 RCW to read as follows:

Any official of any local political subdivision of the state, municipal corporation, or quasi-municipal corporation authorized to disburse funds in payment of salaries and wages of employees is authorized upon written request of any employee, to deduct all or part of such employee's salary or wages for payment to any bank, savings bank, credit union, or savings and loan association if the bank, savings bank, credit union, or savings and loan association is authorized to do business in this state.

On page 1, line 1 of the title, after "deductions;" strike the remainder of the title and insert "amending RCW 41.04.230; and adding a new section to chapter 41.04 RCW."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Anderson moved that the House refuse to concur in the Senate amendments to Engrossed Substitute House Bill No. 2025 and ask the Senate for a conference thereon. The motion was carried.

#### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2389 with the following amendment(s):

On page 31, line 29, after "cargo" insert "or the Washington state maritime commission under RCW 88.44.020,"

On page 17, line 25, after "least" strike "five" and insert "six"

On page 22, line 12, after "than" strike "five" and insert "six"

On page 27, line 8, after "least" strike "five" and insert "six"

On page 51, line 1, after "least" strike "five" and insert "six"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Rust moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2389. The motion was carried.

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

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2389 as amended by the Senate.

Ms. G. Cole moved to excuse Representatives Riley and Lock.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2389 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Locke, Riley - 02.

Engrossed Substitute House Bill No. 2389 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2398 with the following amendment(s):

On page 6, after line 6, insert the following:

Sec. 3. RCW 41.24.010 and 1989 c 91 s 8 are each amended to read as follows:

As used in this chapter:

"Municipal corporation" or "municipality" includes any city or town, fire protection district, or any water, irrigation, or other district, authorized by law to afford emergency medical services and protection to life and property within its boundaries from fire.

"Fire department" means any regularly organized fire department or emergency medical service district consisting wholly of volunteer fire fighters, or any part-paid and part-volunteer fire department duly organized and maintained by any municipality: PROVIDED, That any such municipality wherein a part-paid fire department is maintained may by appropriate legislation permit the full-paid members of its department to come under the provisions of chapter 41.16 RCW.

"Fire fighter" includes any fire fighter or emergency worker who is a member of any fire department of any municipality but shall not include full time, paid fire fighters who are members of the Washington law enforcement officers' and fire fighters' retirement system, with respect to periods of service rendered in such capacity.

"Emergency worker" means any emergency medical service personnel, regulated by chapters 18.71 and 18.73 RCW, who is a member of an emergency medical service district but shall not include full-time, paid emergency medical service personnel who are members of the Washington public employees' retirement system, with respect to periods of service rendered in such capacity.

"Performance of duty" shall be construed to mean and include any work in and about company quarters or any fire station or any other place under the direction or general orders of the chief or other officer having authority to order such member to perform such work; responding to, working at, or returning from an alarm of fire; drill; or any work performed of an emergency nature in accordance with the rules and regulations of the fire department.

"State board" means the state board for volunteer fire fighters created herein.

"Board of trustees" means a board of trustees created under RCW 41.24.060 or, for matters affecting an emergency worker, an emergency medical service district board of trustees created under section 4 of this act.

"Appropriate legislation" means an ordinance when an ordinance is the means of legislating by any municipality, and resolution in all other cases.

NEW SECTION. Sec. 4. In every county maintaining a regularly organized emergency medical service district there is hereby created and established an emergency medical service district board of trustees for the administration of this chapter. The emergency medical service district board shall consist of the three county commissioners, the county clerk, a councilmember from each city or municipality in the emergency medical service district, the head of the emergency medical service district; and one member of the emergency medical service district to be elected by the members of the emergency medical service district for a term of one year and annually thereafter.

NEW SECTION. Sec. 5. The chair of the board of county commissioners shall be chair of the emergency medical service district board of trustees, and the county clerk shall be the secretary-treasurer of the emergency medical service district board of trustees. The secretary shall keep a public record of all proceedings, of all receipts and disbursements made by the emergency medical service district board of trustees and shall make an annual report of its expenses and disbursements with a full list of the beneficiaries of said fund in the county, the record to be placed on file in the county. Such forms as shall be necessary for the proper administration of this fund and of making the reports required hereunder shall be provided by the state board.

NEW SECTION. Sec. 6. The state board shall set the amount consistent with the most recent valuation of the volunteer fire fighters relief and pension fund to be paid for the purposes of this chapter by emergency medical service districts for emergency worker relief and pension fees and by emergency workers for emergency worker pensions. The fees set under this section are subject to the other provisions of this chapter.

NEW SECTION. Sec. 7. Sections 4 through 6 of this act are each added to chapter 41.24 RCW.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after "41.24.030" strike "and 41.24.170" and insert ", 41.24.170, and 41.24.010; adding new sections to chapter 41.24 RCW"



and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

### MOTION

Ms. Spanel moved that the House refuse to concur in the Senate amendments to House Bill No. 2398 and ask the Senate to recede therefrom. The motion was carried.

### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2874 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 68.50.160 and 1943 c 247 s 29 are each amended to read as follows:

The right to control the disposition of the remains of a deceased person, unless other directions have been given by the decedent, vests in, and the duty of ~~((interment))~~ disposition and the liability for the reasonable cost of ~~((interment))~~ preparation, care, and disposition of such remains devolves upon the following in the order named:

- (1) The surviving spouse.
- (2) The surviving children of the decedent.
- (3) The surviving parents of the decedent.

The liability for the reasonable cost of ~~((interment))~~ preparation, care, and disposition devolves jointly and severally upon all kin of the decedent hereinbefore mentioned in the same degree of kindred and upon the estate of the decedent.

Sec. 2. RCW 74.08.120 and 1987 c 75 s 39 are each amended to read as follows:

The term "funeral" shall mean the mortuary services needed for the proper preparation, ((transportation within the local service area defined by the department,)) preservation, and care of the remains of a deceased person with needed facilities and appropriate memorial services. "Transportation" shall mean transport of a body from place of death to mortuary and transportation to place of disposition, within the service area defined by the department. ((("Burial")) "Disposition" includes necessary costs of a ~~((lot))~~ burial and cemetery plot or cremation and disposition site, and all services related to interment and the ((customary)) minimal memorial marking of a grave.

The department is hereby authorized to assume responsibility for payment for the funeral, transportation, and ((burial)) disposition of deceased persons dying without assets sufficient to pay for the minimum standard ~~((funeral))~~ services herein provided: PROVIDED, HOWEVER, That the secretary may furnish funeral assistance for deceased recipients if they leave assets to a surviving spouse and/or to minor children and if the assets are resources permitted to be owned by or available to an eligible applicant or recipient under RCW 74.04.005, and the department shall thereby have a lien against said assets as provided in RCW 43.20B.120. If the deceased person is survived by a spouse or is a minor child survived by his parent or parents, the department may take into consideration the assets of such surviving spouse, parent, or parents in determining whether or not the department will assume responsibility for the funeral, or disposition costs.

The department shall not pay more than cost for a minimum standard service rendered by each vendor. Payments to the funeral director and to the cemetery or crematorium will be made by separate vouchers. The standard of such services and the uniform amounts to be paid shall be determined by the department after giving due consideration to such advice and counsel as it shall obtain from the trade associations of the various vendors and related state departments, agencies, and commissions. Payment made for any funeral, transportation, or burial service by relatives, friends, or any other third party above a donation level established by the department shall be subtracted from the payment made by the department.

NEW SECTION. Sec. 3. A new section is added to chapter 74.08 RCW to read as follows:

If the deceased person is an adult and is survived by a parent or parents, or children, the department may take into consideration the assets of such parent, parents, or children in determining whether or not the department will assume responsibility for the funeral, transportation, or disposition costs.

On page 1, line 1 of the title, after "person;" strike the remainder of the title and insert "amending RCW 68.50.160 and 74.08.120; and adding a new section to chapter 74.08 RCW."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Leonard moved that the House do concur in the Senate amendments to Substitute House Bill No. 2874. The motion was carried.

Ms. Leonard spoke in favor of the motion.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2874 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2874 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Locke, Riley - 02.

Substitute House Bill No. 2874 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

## HOUSE BILL NO. 2944, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 63.14.130 and 1989 c 112 s 1 and 1989 c 14 s 5 are each reenacted and amended to read as follows:

The service charge shall be inclusive of all charges incident to investigating and making the retail installment contract or charge agreement and for the privilege of making the installment payments thereunder and no other fee, expense or charge whatsoever shall be taken, received, reserved or contracted therefor from the buyer.

(1) ~~((Except as provided in subsections (2) and (3) of this section,))~~ The service charge, in a retail installment contract, shall not exceed the ~~((highest of the following:~~

~~(a) A rate on outstanding unpaid balances which exceeds six percentage points above the average, rounded to the nearest one quarter of one percent, of the equivalent coupon issue yields (as published by the Board of Governors of the Federal Reserve System) of the bill rates for twenty six week treasury bills for the last market auctions conducted during February, May, August, and November of the year prior to the year in which the retail installment contract is executed; or~~

~~(b) Ten dollars.~~

~~(2) The service charge in a retail installment contract for the purchase of a motor vehicle shall not exceed the highest of the following:~~

~~(a) A rate on outstanding unpaid balances which exceeds six percentage points above the average, rounded to the nearest one quarter of one percent, of the equivalent coupon issue yield (as published by the Board of Governors of the Federal Reserve System) of the bill rate for twenty six week treasury bills for the last market auction conducted during February, May, August, or November, as the case may be, prior to the quarter in which the retail installment contract for purchase of the motor vehicle is executed; or~~

~~(b) Ten dollars.~~

As used in this subsection, "motor vehicle" means 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 for devices moved by human or animal power or used exclusively upon stationary rails or tracks.

~~(3) The service charge in a retail installment contract for the purchase of a vessel shall not exceed the highest of the following:~~

~~(a) A rate on outstanding balances which exceeds six percentage points above the average, rounded to the nearest one quarter of one percent, of the equivalent coupon issue yield, as published by the federal reserve bank of San Francisco, of the bill rate for twenty six week treasury bills for the last market auction conducted prior to the quarter in which the retail installment contract for purchase of the vessel is expected; or~~

~~(b) Ten dollars.~~

As used in this subsection, "vessel" means any watercraft used or capable of being used as a means of transportation on the water, other than a seaplane) dollar amount or rate agreed to by contract and disclosed under RCW 63.14.040(1)(7)(g).

~~((4))~~ (2) The service charge in a retail charge agreement, revolving charge agreement, lender credit card agreement, or charge agreement, shall not exceed ~~((one and one half percent per month on the outstanding unpaid balances))~~ the schedule or rate agreed to by contract and disclosed under RCW 63.14.120(1). If the service charge so computed is less than one dollar for any month, then one dollar may be charged.

~~((5) A service charge may be computed on the median amount within a range which does not exceed ten dollars and which is a part of a published schedule of consecutive ranges applied to an outstanding balance, provided the median amount is used in computing the service charge for all balances within such range.))~~

Sec. 2. RCW 63.14.135 and 1989 c 112 s 2 are each amended to read as follows:

(1) On or before December 5th of each year the state treasurer shall compute the maximum service charge allowed under a retail installment contract or charge agreement under RCW 63.14.130(1)(a) for the succeeding calendar year. The treasurer shall file this charge with the state code reviser for publication in the first issue of the Washington State Register for the succeeding calendar year in compliance with RCW 34.08.020.

(2) On or before the first Wednesday of the last month of each calendar quarter the state treasurer shall compute the maximum service charge allowed for a retail installment contract for the purchase of a motor vehicle or vessel pursuant to RCW 63.14.130(2)(a) and (3)(a) respectively for the succeeding calendar quarter. The treasurer shall file this charge with the state code reviser for publication in the first issue of the Washington State Register for the succeeding calendar quarter in compliance with RCW 34.08.020.

(3) This section shall not apply from the effective date of this act until June 30, 1995.

NEW SECTION. Sec. 3. (1) The joint select committee on consumer credit is created. Membership of the committee shall consist of four members from the senate, two from each caucus, appointed by the president of the senate,

and four members from the house of representatives, two from each caucus, appointed by the speaker of the house of representatives.

(2) The committee shall review state and federal statutes governing consumer credit transactions and shall prepare a report:

- (a) Summarizing federal and state statutes governing consumer credit transactions;
- (b) Identifying any state statutes preempted or superseded by federal law or judicial interpretation;
- (c) Identifying any duplication or inconsistency among federal and state laws;
- (d) Discussing the beneficial and detrimental effects of state interest rate regulation and deregulation upon the state consumer credit market; and
- (e) Containing legislation that to the greatest extent possible adopts a single, comprehensive statutory title regulating consumer credit transactions including any regulation of interest rates, services charges, and other fees on consumer credit.

(3) The committee shall review the professional and academic literature addressing the impact of interest rate regulation on retail credit markets. The committee also shall consult with representatives of labor, consumer, retail, financial, and legal organizations possessing a working knowledge of consumer credit transactions.

(4) The committee shall submit its report to the legislature by December 1, 1994.

NEW SECTION. Sec. 4. Section 1 of this act shall expire June 30, 1995.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 1 of the title, after "transactions;" strike the remainder of the title and insert "amending RCW 63.14.135; reenacting and amending RCW 63.14.130; creating a new section; providing an expiration date; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Dellwo moved that the House do concur in the Senate amendments to House Bill No. 2944. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2944 as amended by the Senate.

Mr. Dellwo spoke in favor of passage of the bill. Representatives Broback and Braddock spoke against passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2944 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 77, Nays - 20, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Betrozoff, Bowman, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fomer, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott,

Sheldon, Silver, Sommers, D., Sommers, H., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Belcher, Braddock, Brekke, Cole, G., Fisher, G., Fisher, R., Fuhrman, Hine, Kohl, J., Locke, Ludwig, Myers, H., Nelson, Peery, Prentice, Spanel, Sprengle, Valle, Wang, Wineberry - 20.

Excused: Representative Riley - 01.

House Bill No. 2944 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

**SUBSTITUTE HOUSE BILL NO. 2498 with the following amendment(s):**

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** A new section is added to chapter 19.85 RCW to read as follows:

When any rule is proposed for which a small business economic impact statement is required, the adopting agency shall provide notice to small businesses of the proposed rule through any of the following:

(1) Direct notification of known interested small businesses or trade organizations affected by the proposed rule;

or

(2) Providing information of the proposed rule making to publications likely to be obtained by small businesses of the types affected by the proposed rule.

**NEW SECTION. Sec. 2.** A new section is added to chapter 19.85 RCW to read as follows:

When feasible, the adopting agency may appoint a committee, as provided in RCW 34.05.310, to comment on the subject of the possible rule making before the publication of notice of proposed rule adoption under RCW 34.05.320.

**NEW SECTION. Sec. 3.** A new section is added to chapter 34.05 RCW to read as follows:

The joint administrative rules review committee may review any rule to determine whether an agency complied with the regulatory fairness requirements of chapter 19.85 RCW.

**NEW SECTION. Sec. 4.** A new section is added to chapter 34.05 RCW to read as follows:

The joint administrative rules review committee shall provide notice, conduct its hearings and reviews, and provide notice of committee objections to small business economic impact statements required under chapter 19.85 RCW in the same manner as is provided for notice, hearings, reviews, and objections to rules under this chapter.

**NEW SECTION. Sec. 5.** A new section is added to chapter 43.17 RCW to read as follows:

The rules coordinator under RCW 34.05.310 shall be knowledgeable regarding the agency's rules that affect businesses. The rules coordinator shall provide a list of agency rules applicable at the time of the request to a specific class or line of business, which are limited to that specific class or line as opposed to generic rules applicable to most businesses, to the business assistance center when so requested by the business assistance center for the specific class or line of business.

**NEW SECTION. Sec. 6.** The business assistance center shall conduct a study of how it can best serve as a clearinghouse to coordinate with state agencies in compiling and providing, on request, lists of state rules that apply to specific classes or lines of small businesses. The business assistance center shall report the findings of the study to the legislature before December 1, 1992.

**NEW SECTION. Sec. 7.** A new section is added to chapter 43.31 RCW to read as follows:

The state shall not be financially liable for errors or omissions in providing any document required to be produced under section 6 of this act. Compliance with rules identified under section 6 of this act does not excuse the business from requirements to comply with other applicable rules.

**Sec. 8.** RCW 19.85.030 and 1989 c 374 s 2 and 1989 c 175 s 72 are each reenacted and amended to read as follows:

In the adoption of any rule pursuant to RCW 34.05.320 that will have an economic impact on more than twenty percent of all industries, or more than ten percent of any one industry, the adopting agency:

(1) Shall reduce the economic impact of the rule on small business by doing one or more of the following when it is legal and feasible in meeting the stated objective of the statutes which are the basis of the proposed rule:

- (a) Establish differing compliance or reporting requirements or timetables for small businesses;
- (b) Clarify, consolidate, or simplify the compliance and reporting requirements under the rule for small businesses;
- (c) Establish performance rather than design standards;
- (d) Exempt small businesses from any or all requirements of the rule;

(2) Shall prepare a small business economic impact statement in accordance with RCW 19.85.040 and file such statement with the code reviser ~~((along with))~~ at least forty-five days prior to publication of the notice required under RCW 34.05.320 during which time the adopting agency shall solicit comments pursuant to RCW 34.05.310 and shall make such modifications to the proposed rule as are feasible to minimize any identified economic impact;

(3) May request assistance from the business assistance center in the preparation of the small business economic impact statement.

**Sec. 9.** RCW 34.05.320 and 1989 c 175 s 7 are each amended to read as follows:

(1) At least twenty days before the rule-making hearing at which the agency receives public comment regarding adoption of a rule, the agency shall cause notice of the hearing to be published in the state register. The publication constitutes the proposal of a rule. The notice shall include all of the following:

- (a) A title, a description of the rule's purpose, and any other information which may be of assistance in identifying the rule or its purpose;
- (b) Citations of the statutory authority for adopting the rule and the specific statute the rule is intended to implement;
- (c) A summary of the rule and a statement of the reasons supporting the proposed action;
- (d) The agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;
- (e) The name of the person or organization, whether private, public, or governmental, proposing the rule;
- (f) Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;
- (g) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement;
- (h) When, where, and how persons may present their views on the proposed rule;
- (i) The date on which the agency intends to adopt the rule;
- (j) A short explanation of the rule, its purpose, and anticipated effects, including in the case of a proposal that would modify existing rules, a short description of the changes the proposal would make; and
- (k) A copy of the small business economic impact statement, if applicable, and a statement of steps taken to minimize the economic impact in accordance with RCW 19.85.030.

(2) Upon filing notice of the proposed rule with the code reviser, the adopting agency shall have copies of the notice on file and available for public inspection and shall forward three copies of the notice to the rules review committee.

(3) No later than three days after its publication in the state register, the agency shall cause a copy of the notice of proposed rule adoption to be mailed to each person who has made a request to the agency for a mailed copy of such notices. An agency may charge for the actual cost of providing individual mailed copies of these notices.

(4) In addition to the notice required by subsections (1) and (2) of this section, an institution of higher education shall cause the notice to be published in the campus or standard newspaper of the institution at least seven days before the rule-making hearing.

**NEW SECTION. Sec. 10.** If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1992, in the omnibus appropriations act, this act is null and void.

On page 1, line 1 of the title, after "fairness;" strike the remainder of the title and insert "amending RCW 34.05.320; reenacting and amending RCW 19.85.030; adding new sections to chapter 19.85 RCW; adding new sections to chapter 34.05 RCW; adding a new section to chapter 43.17 RCW; adding a new section to chapter 43.31 RCW; and creating new sections."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Ms. Spanel moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 2498 and ask the Senate to recede therefrom.

MESSAGE FROM THE SENATE

March 7, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to:

ENGROSSED SENATE BILL NO. 6128, and asks the House to recede therefrom,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Ms. Rust moved that the House refuse to recede in the House amendments to Engrossed Senate Bill No. 6128 and ask the Senate for a conference thereon. The motion was carried.

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The Senate refuses to grant conference on:

ENGROSSED HOUSE BILL NO. 2680, insists on its position, and once again asks the House to concur in the Senate amendments,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Mr. Wang moved that the House insist on its position regarding the Senate amendments to Engrossed House Bill No. 2680 and again ask the Senate for a conference thereon. The motion was carried.

## SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2551, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 28A.630.820 and 1991 c 265 s 1 are each amended to read as follows:

It is the intent of the legislature to (1) encourage school districts, individually and cooperatively, to develop innovative special services demonstration projects that use resources efficiently and increase student learning; (2) promote noncategorical approaches to special services program design, funding, and administration; (3) develop efficient and cost-effective means for identifying students as specific learning disabled, in order to increase the proportion of resources devoted to classroom instruction; ~~((and))~~ (4) avoid unnecessary labeling of students while still providing state funding for needed services; and (5) provide a means to grant waivers from state rules.

Sec. 2. RCW 28A.630.840 and 1991 c 265 s 5 are each amended to read as follows:

(1) Project funding may include state, federal, and local funds, as specified by the district in its approved project ~~((cost))~~ proposal. ~~((The superintendent of public instruction shall include all project funding for a participating district in a project contract and disburse the funds as contract payments.))~~

(2) As a general guideline, subject to refinements in the district ~~((cost))~~ proposal and approval by the superintendent of public instruction, the portion of state handicapped funding included as project funding shall be determined as follows:

(a) If the district serves specific learning disabled students in the project, the portion of the handicapped allocation attributed to specific learning disabled students shall be included, with proportional adjustments if the project serves only part of the district's specific learning disabled population;

(b) If other handicapped students are served in the project, the portions of the handicapped allocation attributed to those students shall be included, with proportional adjustments if the project serves only part of the district's population in those categories of handicapped students.

(3) State handicapped allocations shall be calculated for project districts according to the handicapped funding formula in use for other districts, ~~((but))~~ except for the provisions of section 3 of this act and with the following changes:

(a) ~~((Except as provided in (b) of this subsection, funding in each school year for specific learning disabled and other handicapped students served in a project shall be based on the average percentage of the kindergarten through twelfth grade enrollment in the particular handicapped category during the prior three years.))~~

~~((b))~~ Project funding for school districts that had pilot projects approved under section 13, chapter 233, Laws of 1989, and that were participating in projects under this section on January 31, 1992, shall be based for the duration of a project under RCW 28A.630.820 through 28A.630.840 on four percent of the kindergarten through twelfth grade enrollment considered as specific learning disabled, without regard to the actual number of students so identified. The legislature recognizes the importance of continuing and developing the pilot projects.

(b) School districts with approved projects as of January 31, 1992, may receive funding in each school year for handicapped students served in the project based on the average percentage of the kindergarten through twelfth grade enrollment in the particular handicapped category during the prior three years. School districts that wish to exercise this option shall notify the selection advisory committee and the superintendent of public instruction by May 1, 1992.

(c) The funding percentages for demonstration projects specified in (a) ~~((and (b)))~~ of this subsection shall be used to adjust basic education allocations under RCW 28A.150.260 and learning assistance program allocations under RCW 28A.165.070.

(d) State handicapped allocations under subsection (2) of this section up to the level required by federal maintenance of effort rules shall be expended for services to handicapped students in the project. Allocations greater than the amount needed to comply with federal maintenance of effort rules ~~((shall))~~ may at the option of the district be designated as noncategorical project funds and may be expended on services to any student served in the project.

(4) Federal handicapped allocations may be designated in whole or in part for project use ~~((if the amounts are included in the district's approved cost proposal and the project contract)).~~

(5) Learning assistance program allocations may be designated in whole or in part for project use ~~((if the amounts are included in the district's approved cost proposal and the project contract)).~~ These allocations shall be



calculated for project districts according to the funding formula in use for other districts, except that any increases in the district allocation above the fiscal year 1991 amount shall be designated as noncategorical project funds and may be expended on services to any student served in the project.

(6) Transitional bilingual program allocations may be designated in whole or in part for project use(~~(, if the amounts are included in the district's approved cost proposal and the project contract)~~). These allocations shall be calculated for project districts according to the funding formula in use for other districts, except that any increases in the district allocation above the fiscal year 1991 amount shall be designated as noncategorical project funds and may be expended on services to any student served in the project.

(7) Funding under the federal remediation program allocations may be designated in whole or in part for project use(~~(, if the amounts are included in the district's approved cost proposal and the project contract)~~).

(8) Funding from local sources may be designated for project use(~~(, if the amounts are included in the district's approved cost proposal and the project contract)~~).

(9) Expenditures of noncategorical project funds under subsections (3)(d), (5), and (6) of this section shall be accounted for in new and discrete program or subprogram codes designated by the superintendent of public instruction. The codes shall take effect by September 1, 1991.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.630 RCW to read as follows:

(1) The legislature finds that the state system of funding handicapped education has fiscal incentives to label children as handicapped and that unnecessary labeling can be detrimental to children. The legislature encourages demonstration projects that provide needed services without unnecessary labeling. To test this approach, the legislature intends to maintain the funding level for innovative special services programs that reduce the incidence of unnecessary labeling.

(2) School districts may propose demonstration projects under this section to provide needed services and achieve major reductions in the percentage of district students labeled as handicapped in one or more specified categories. State handicapped funding for districts with such projects shall be based for the duration of the project and for two years after the end of the project on the average percentage of the kindergarten through twelfth grade enrollment in the specified categories during the 1991-92 school year or, for projects approved after the effective date of this section, during the school year before the start of the project.

(3) Funding under subsection (2) of this section is contingent on the following: (a) The funding is spent on children needing special services; and (b) the overall percentage of first through twelfth grade students in the district labeled as handicapped declines each year of the project after the 1991-92 school year, excluding handicapped students who transfer into the district.

(4) School districts with approved demonstration projects that wish to convert to a project under this section shall by May 1, 1992, notify the selection advisory committee and the superintendent of public instruction and propose appropriate modifications to the project.

(5) This section expires September 1, 1997.

NEW SECTION. Sec. 4. Sections 1 and 2 of this act shall expire January 1, 1996.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 2 of the title, after "projects;" strike the remainder of the title and insert "amending RCW 28A.630.820 and 28A.630.840; adding a new section to chapter 28A.630 RCW; providing an expiration date; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. G. Fisher moved that the House do concur in the Senate amendments to Substitute House Bill No. 2551. The motion was carried.

Mr. G. Fisher spoke in favor of this motion.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2551 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2551 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Riley - 01.

Substitute House Bill No. 2551 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 4, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2609 with the following amendment(s):

On page 2, beginning on line 24, strike all of the material down to and including December 1, 1994 on page 3, line 2 and insert the following:

"No city, county, or county-wide port district in a county in the western part of Washington state, as divided by the summit of the cascade mountain range, with a population of one hundred fifty thousand or more on January 1, 1992 and contiguous to a county with a population of four hundred thousand or more, may construct a runway of one thousand feet or more, or cause a runway to be extended, or cause an air carrier to initiate new service at any other airport not presently receiving commercial service that is affected by this section, before the air transportation commission has submitted its final report to the legislative transportation committee, which shall occur no later than December 1, 1994"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Ms. R. Fisher moved that the House refuse to concur in the Senate amendments to Engrossed Substitute House Bill No. 2609 and ask the Senate to recede therefrom. The motion was carried.

## SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2681 with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 82.32.050 and 1991 c 142 s 9 are each amended to read as follows:

(1) If upon examination of any returns or from other information obtained by the department it appears that a tax or penalty has been paid less than that properly due, the department shall assess against the taxpayer such additional amount found to be due and shall add thereto interest at the rate of nine percent per annum from the last day of the year in which the deficiency is incurred until the date of payment for tax liabilities arising before January 1, 1992. For tax liabilities arising after December 31, 1991, until the date of payment, the rate of interest shall be variable and computed as provided in subsection (2) of this section. The rate so computed shall be adjusted on the first day of January of each year. The department shall notify the taxpayer by mail of the additional amount and the same shall become due and shall be paid within thirty days from the date of the notice, or within such further time as the department may provide.

(2) For the purposes of this section, the rate of interest to be charged to the taxpayer shall be an average of the federal short-term rate as defined in 26 U.S.C. Sec. 1274(d) plus two percentage points. The rate shall be computed by taking an arithmetical average to the nearest percentage point of the federal short-term rate, compounded annually, for the months of January, April, July, and October of the immediately preceding calendar year as published by the United States secretary of the treasury.

(3) No assessment or correction of an assessment for additional taxes, penalties, or interest due may be made by the department more than four years after the close of the tax year, except (a) against a taxpayer who has not registered as required by this chapter, (b) upon a showing of fraud or of misrepresentation of a material fact by the taxpayer, or (c) where a taxpayer has executed a written waiver of such limitation. The execution of a written waiver shall also extend the period for making a refund or credit as provided in RCW 82.32.060(2).

Sec. 2. RCW 82.32.060 and 1991 c 142 s 10 are each amended to read as follows:

(1) If, upon receipt of an application by a taxpayer for a refund or for an audit of the taxpayer's records, or upon an examination of the returns or records of any taxpayer, it is determined by the department that within the statutory period for assessment of taxes, penalties, or interest prescribed by RCW 82.32.050 ((a)) any amount of tax, penalty, or interest has been paid in excess of that properly due, the excess amount paid within, or attributable to, such period shall be credited to the taxpayer's account or shall be refunded to the taxpayer, at the taxpayer's option. Except as provided in subsections (2) and (3) of this section, no refund or credit shall be made for taxes, penalties, or interest paid more than four years prior to the beginning of the calendar year in which the refund application is made or examination of records is completed.

(2) The execution of a written waiver under RCW 82.32.050 or 82.32.100 shall extend the time for making a refund or credit of any taxes paid during, or attributable to, the years covered by the waiver if, prior to the expiration of the waiver period, an application for refund of such taxes is made by the taxpayer or the department discovers a refund or credit is due.

(3) Notwithstanding the foregoing limitations there shall be refunded or credited to taxpayers engaged in the performance of United States government contracts or subcontracts the amount of any tax paid, measured by that portion of the amounts received from the United States, which the taxpayer is required by contract or applicable federal statute to refund or credit to the United States, if claim for such refund is filed by the taxpayer with the department within one

year of the date that the amount of the refund or credit due to the United States is finally determined and filed within four years of the date on which the tax was paid: PROVIDED, That no interest shall be allowed on such refund.

(4) Any such refunds shall be made by means of vouchers approved by the department and by the issuance of state warrants drawn upon and payable from such funds as the legislature may provide. However, taxpayers who are required to pay taxes by electronic funds transfer under RCW 82.32.080 shall have any refunds paid by electronic funds transfer.

(5) Any judgment for which a recovery is granted by any court of competent jurisdiction, not appealed from, for tax, penalties, and interest which were paid by the taxpayer, and costs, in a suit by any taxpayer shall be paid in ~~((like))~~ the same manner, as provided in subsection (4) of this section, upon the filing with the department of a certified copy of the order or judgment of the court. Except as to the credits in computing tax authorized by RCW 82.04.435, interest at the rate of three percent per annum shall be allowed by the department and by any court on the amount of any refund, credit, or other recovery allowed to a taxpayer for taxes, penalties, or interest paid by the taxpayer before January 1, 1992. For refunds or credits of amounts paid or other recovery allowed to a taxpayer after December 31, 1991, the rate of interest shall be the rate as computed for assessments under RCW 82.32.050(2), less one percentage point.

Sec. 3. RCW 82.32.100 and 1989 c.378 s 21 are each amended to read as follows:

(1) If any person fails or refuses to make any return or to make available for examination the records required by this chapter, the department shall proceed, in such manner as it may deem best, to obtain facts and information on which to base its estimate of the tax; and to this end the department may examine the ~~((books,))~~ records ~~((and papers))~~ of any such person ~~((and may take evidence, on oath, of any person, relating to the subject of inquiry))~~ as provided in RCW 82.32.110.

(2) As soon as the department procures such facts and information as it is able to obtain upon which to base the assessment of any tax payable by any person who has failed or refused to make a return, it shall proceed to determine and assess against such person the tax and any applicable penalties or interest due, but such action shall not deprive such person from appealing ~~((to the superior court as hereinafter provided. To the assessment the department shall add the penalties provided in RCW 82.32.090))~~ the assessment as provided in this chapter. The department shall notify the taxpayer by mail of the total amount of such tax, penalties, and interest, and the total amount shall become due and shall be paid within thirty days from the date of such notice.

(3) No assessment or correction of an assessment may be made by the department more than four years after the close of the tax year, except ~~((1))~~ (a) against a taxpayer who has not registered as required by this chapter, ~~((2))~~ (b) upon a showing of fraud or of misrepresentation of a material fact by the taxpayer, or ~~((3))~~ (c) where a taxpayer has executed a written waiver of such limitation. The execution of a written waiver shall also extend the period for making a refund or credit as provided in RCW 82.32.060(2).

NEW SECTION. Sec. 4. (1) This act shall take effect July 1, 1992.

(2) This act is effective for all written waivers that remain enforceable as of July 1, 1992.

On page 1, line 1 of the title, after "taxes;" strike the remainder of the title and insert "amending RCW 82.32.050, 82.32.060, and 82.32.100; and providing an effective date."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Wang moved that the House do concur in the Senate amendments to House Bill No. 2681. The motion was carried.

Mr. Wang spoke in favor of this motion.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2681 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2681 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Riley - 01.

House Bill No. 2681 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

**SUBSTITUTE HOUSE BILL NO. 2720 with the following amendment(s):**

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** The legislature finds and declares that the continued existence of a strong and health maritime industry in this state is threatened by the unavailability and excessive cost of workers' compensation coverage required by the United States Longshoreman's and Harbor Worker's Compensation Act. The legislature, therefore, acting under its authority to protect industry and employment in this state hereby establishes a commission to devise and implement both a near and long term solution to this problem, for the purpose of maintaining employment for Washington workers and a vigorous maritime industry.

**Sec. 2.** RCW 48.32.020 and 1987 c 185 s 29 are each amended to read as follows:

This chapter shall apply to all kinds of direct insurance, except life, title, surety, disability, credit, mortgage guaranty, workers' compensation included in the state of Washington industrial insurance fund defined in RCW 51.08.175, and ocean marine insurance. However, this chapter applies to workers' compensation insurance only if the applicable order of liquidation is adjudicated on or after July 1, 1992.

**NEW SECTION. Sec. 3.** A new section is added to chapter 48.22 RCW to read as follows:

Before July 1, 1992, the commissioner shall adopt rules establishing a reasonable plan to insure that workers' compensation coverage as required by the United States Longshoreman's and Harbor Worker's Compensation Act, 33 U.S.C. Secs. 901 through 950, and maritime employer's liability coverage incidental to the workers' compensation coverage is available to those unable to purchase it through the normal insurance market. This plan shall require the participation of all authorized insurers writing primary and excess workers' compensation insurance or reinsurance and the Washington state industrial insurance fund as defined in RCW 51.08.175 in amounts proportional to the premiums written by each of these entities. The Washington state industrial insurance fund is authorized to participate in the plan and to make payments in support of the plan in accordance with rules adopted by the commissioner pursuant to this section. The rules shall require that the plan use generally accepted actuarial principles for rate making. An applicant for such insurance, a person insured under the plan, an insurer, or the Washington state industrial insurance fund affected by a ruling or decision of the manager or committee designated to operate the plan may appeal to the commissioner for resolution of a dispute.

NEW SECTION. Sec. 4. A new section is added to chapter 48.22 RCW to read as follows:

Before April 15, 1992, the commissioner shall appoint a committee to provide assistance in drafting the rules required by section 3 of this act. After July 1, 1992, the committee shall assist the commissioner in overseeing the operation of the plan. The committee shall consist of at least eight members. The commissioner and the director of the department of labor and industries shall be members. The remaining members shall be selected to insure equal representation of authorized insurers writing primary or excess workers compensation insurance, insurance producers, organized labor, and maritime employers.

NEW SECTION. Sec. 5. A new section is added to chapter 48.22 RCW to read as follows:

The committee appointed pursuant to section 4 of this act shall submit a report to the legislature no later than January 1, 1993, that examines all aspects of the United States Longshoreman's and Harbors Worker's Act (22 U.S.C. Secs. 901 through 950) coverage, and incidental maritime liability coverage, as it applies to Washington workers and employers. This study shall include but not be limited to the ability of private insurers to provide affordable coverage to eligible employers; whether the Washington state industrial insurance fund should participate in the plan adopted pursuant to section 3 of this act; whether there are methods that will satisfy the intent of this act that will not involve the Washington state industrial insurance fund; and the feasibility of requiring that this coverage be made directly available through the Washington state industrial insurance fund.

NEW SECTION. Sec. 6. A new section is added to chapter 48.22 RCW to read as follows:

The plan adopted pursuant to section 3 of this act shall terminate on July 1, 1993.

NEW SECTION. Sec. 7. Sections 3 and 4 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

In line 2 of the title, after "insurance;" strike the remainder of the title and insert "amending RCW 48.32.020; adding new sections to chapter 48.22 RCW; creating a new section; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Zellinsky moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 2720 and ask the Senate for a conference thereon. The motion was carried.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives R. Meyers, Dellwo and Broback as conferees on Substitute House Bill No. 2720.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Anderson, Spanel and Brumsickle as conferees on Engrossed Substitute House Bill No. 2025.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Heavey, G. Cole and Lisk as conferees on Engrossed Senate Bill No. 6407.

The Speaker assumed the chair.

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on SENATE BILL NO. 6155. The President has appointed the following members as Conferees:

Senators Barr, Hansen and Bailey

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8427,  
SENATE CONCURRENT RESOLUTION NO. 8429,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he had signed the following bills.

SUBSTITUTE HOUSE BILL NO. 1392  
HOUSE BILL NO. 1664  
HOUSE BILL NO. 1732  
SUBSTITUTE HOUSE BILL NO. 2055  
ENGROSSED HOUSE BILL NO. 2260  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2293  
ENGROSSED HOUSE BILL NO. 2316  
HOUSE BILL NO. 2368  
SUBSTITUTE HOUSE BILL NO. 2373  
SUBSTITUTE HOUSE BILL NO. 2457  
SUBSTITUTE HOUSE BILL NO. 2495

HOUSE BILL NO. 2554  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2293  
 SUBSTITUTE HOUSE BILL NO. 2299  
 SUBSTITUTE HOUSE BILL NO. 2302  
 SUBSTITUTE HOUSE BILL NO. 2348  
 HOUSE BILL NO. 2350  
 SUBSTITUTE HOUSE BILL NO. 2359  
 HOUSE BILL NO. 2417  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2490  
 SUBSTITUTE HOUSE BILL NO. 2555  
 SUBSTITUTE HOUSE BILL NO. 2594  
 ENGROSSED HOUSE BILL NO. 2643  
 SUBSTITUTE HOUSE BILL NO. 2659  
 SUBSTITUTE HOUSE BILL NO. 2660  
 HOUSE BILL NO. 2682  
 SUBSTITUTE HOUSE BILL NO. 2686  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2702  
 HOUSE BILL NO. 2727  
 SUBSTITUTE HOUSE BILL NO. 2747  
 SUBSTITUTE HOUSE BILL NO. 2766  
 SUBSTITUTE HOUSE BILL NO. 2796  
 ENGROSSED HOUSE BILL NO. 2813  
 SUBSTITUTE HOUSE BILL NO. 2831  
 SUBSTITUTE HOUSE BILL NO. 2833  
 HOUSE BILL NO. 2844  
 SUBSTITUTE HOUSE BILL NO. 2865  
 SUBSTITUTE HOUSE BILL NO. 2873  
 HOUSE BILL NO. 2896  
 HOUSE BILL NO. 2961

#### MOTION

Mr. Wineberry moved that the House work on the following bills in the following order, Engrossed Substitute House Bill No. 2553, Engrossed Senate Bill No. 5675, Engrossed Substitute Senate Bill No. 5727, Substitute Senate Bill No. 6428. The motion was adopted.

#### MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The Senate adheres to its position on:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2553, and refuses to grant a conference thereon, and again asks the House to concur in the Senate amendment(s).

and the same is herewith transmitted.



W. D. Naismith, Deputy Secretary.

MOTION

Ms. R. Fisher moved that the House insists on its position regarding the Senate amendments to Engrossed Substitute House Bill No. 2553 and again asks the Senate for a conference thereon. The motion was carried.

Ms. Casada moved to excuse Representatives Brough, Miller and Forner.

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The Senate insists on its position and refuses to concur in the House amendment(s) to:

ENGROSSED SENATE BILL NO. 5675, and asks the House for a Conference thereon. The President has appointed the following members as Conferees:

Senators Metcalf, McMullen and Oke

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Mr. R. King moved that the House adhere to its position regarding House amendment(s) ENGROSSED SENATE BILL NO. 5675 and again asks the Senate to concur therein. The motion was carried.

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5727, and asks the House for a Conference thereon. The President has appointed the following members as Conferees:

Senators Amondson, Skratek and Anderson

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Ms. Haugen moved that the House refuse to grant the request of the Senate for a conference on Engrossed Substitute Senate Bill No. 5727, adheres to its position and again asks the Senate to concur therein.

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The President ruled Sections 20 through 406 of the House amendment(s) to:

SUBSTITUTE SENATE BILL NO. 6428, beyond the Scope and Object of the bill. The Senate refused to concur in the House amendment(s) and asks the House to recede therefrom:

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Ms. Spanel moved that the House insist on its position regarding House amendments to Substitute Senate Bill No. 6428 and ask the Senate for a conference thereon.

MOTION

Mr. Wineberry moved that the House act on the following messages in the following order, Substitute House Bill No. 1258, House Bill No. 2259, Substitute House Bill No. 2344, Substitute House Bill No. 2501, Engrossed Substitute House Bill No. 2518, House Bill No. 2811, Substitute House Bill No. 2857, Engrossed Substitute House Bill No. 2985. The motion was carried.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1258 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 18.52.020 and 1991 c 3 s 116 are each amended to read as follows:

When used in this chapter, unless the context otherwise clearly requires:

(1) "Board" means the state board (~~(of examiners for the licensing)~~) of nursing home administrators representative of the professions and institutions concerned with the care of the chronically ill and infirm aged patients.

(2) "Secretary" means the secretary of health or the secretary's designee.

(3) "Nursing home" means any facility or portion thereof licensed under state law as a nursing home.

(4) "Nursing home administrator" means an individual (~~(in active administrative charge of nursing homes as defined herein, whether or not having an ownership interest in such homes, and although functions and duties may be shared with or delegated to other persons: PROVIDED HOWEVER, That)~~) qualified by education, experience, training, and examination to administer a nursing home. A nursing home administrator administering a nursing home must be in active administrative charge as defined by the board. Nothing in this definition or this chapter shall be construed to prevent any person, so long as he or she is otherwise qualified, from obtaining and maintaining a license even though he or she has not administered or does not continue to administer a nursing home.

NEW SECTION. Sec. 2. A new section is added to chapter 18.52 RCW to read as follows:

In addition to any other authority provided by law, the secretary shall have the following authority:

(1) To set all fees required in this chapter in accordance with RCW 43.70.250 which may include fees for approval of continuing competency, supervision of practical experience, all applications, verification, renewal, examination, and late penalties;

(2) To establish forms necessary to administer this chapter;

(3) To issue a license to any applicant who has met the education, training, and examination requirements for licensure and deny a license to applicants who do not meet the minimum qualifications for licensure, except that proceedings concerning the denial of licenses based on unprofessional conduct or impaired practice shall be governed by the uniform disciplinary act, chapter 18.130 RCW;

(4) To employ clerical, administrative, and investigative staff as needed to implement and administer this chapter and to employ individuals including those licensed under this chapter to serve as examiners or consultants as necessary to implement and administer this chapter; and

(5) To maintain the official department record of all applicants and licensees.

Sec. 3. RCW 18.52.030 and 1970 ex.s. c 57 s 3 are each amended to read as follows:

~~((On or after July 1, 1970))~~ Nursing homes operating within this state ((must)) shall be under the active, overall administrative charge and supervision of an on-site full-time administrator licensed as provided in this chapter. ((An administrator may delegate functions and duties to other persons.)) No person acting in any capacity, unless ((he is)) the holder of a nursing home administrator's license issued under this chapter, shall be charged with the overall responsibility to make decisions or direct actions involved in managing the internal operation of a nursing home, except as specifically delegated in writing by the administrator to identify a responsible person to act on the administrator's behalf when the administrator is absent. The administrator shall review the decisions upon the administrator's return and amend the decisions if necessary. The board shall define by rule the parameters for on-site full-time administrators in nursing homes with small resident populations and nursing homes in rural areas, or separately licensed facilities collocated on the same campus, as well as provide for the administrative requirements for nursing homes that are temporarily without administrators.

Sec. 4. RCW 18.52.040 and 1975 1st ex.s. c 97 s 1 are each amended to read as follows:

~~((There is hereby created a))~~ The state board of ((examiners for)) nursing home administrators ((which)) shall consist of nine members appointed by the governor. ((All members shall be representative of the professions and institutions concerned with the care and treatment of chronically ill or infirm elderly patients. However, at no time shall representatives of a single profession or a single institutional category compose a majority of the board membership. In addition, no member who is a noninstitutional representative shall have any direct financial interest in nursing homes while serving as a member of the board. For purposes of this section, nursing home administrators are considered representatives of institutions. Eight of the board's members shall be privately or self-employed persons who the governor finds have had at least four years of actual experience in the administration or overall management of licensed nursing homes in this state immediately prior to the governor's appointment of them to the board; or shall be representatives from the medical professions, or health care administration education, or persons with four years actual experience in the administration of the nursing home unit of a licensed hospital immediately preceding the governor's appointment of them to the board; and shall be privately or self-employed persons, or persons employed by educational institutions, whom the governor appoints because of their special knowledge or expertise in the field of long term care or the care of the aged and chronically ill: PROVIDED, That one member shall be a citizen eligible for medicare who shall have no financial interest in or family ownership connection with nursing homes. Board members selected who meet any of the preceding qualifications may in addition be nurses, physicians or other persons with special health care training.)) Four members shall be persons licensed under this chapter who have at least four years actual experience in

the administration of a licensed nursing home in this state immediately preceding appointment to the board and who are not employed by the state or federal government.

Four members shall be representatives of the health care professions providing medical or nursing services in nursing homes who are privately or self-employed; or shall be persons employed by educational institutions who have special knowledge or expertise in the field of health care administration, health care education or long-term care or both, or care of the aged and chronically ill.

One member shall be a resident of a nursing home or a family member of a resident or a person eligible for medicare. No member who is a nonadministrator representative shall have any direct or family financial interest in nursing homes while serving as a member of the board. The governor shall consult with and seek the recommendations of the appropriate state-wide business and professional organizations and societies primarily concerned with long term health care facilities in the course of considering his appointments to the board. Board members currently serving shall continue to serve until the expiration of their appointments.

Sec. 5. RCW 18.52.050 and 1970 ex.s. c 57 s 5 are each amended to read as follows:

Members of the board shall be citizens of the United States and residents of this state. ~~((Except for the initial appointments to the first board,))~~ All administrator members of the board shall be holders of licenses under this chapter. ((Three members of the board shall be appointed initially for terms of three years, three members shall be appointed for terms of two years, and three members shall be appointed for terms of one year. Thereafter)) The terms of all members shall be ((three)) five years. ((Members of the board may be removed by the governor for cause after appropriate notice and hearing.)) Any board member may be removed for just cause including a finding of fact of unprofessional conduct or impaired practice. The governor may appoint a new member to fill any vacancy on the board for the remainder of the unexpired term. No board member may serve more than two consecutive terms, whether full or partial. Board members shall serve until their successors are appointed. Board members 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. The board may elect annually a chair and vice-chair to direct the meetings of the board. The board shall meet at least four times each year and may hold additional meetings as called by the secretary or the chair.

NEW SECTION. Sec. 6. A new section is added to chapter 18.52 RCW to read as follows:

In addition to any authority provided by law, the board shall have the following authority:

- (1) To adopt rules in accordance with chapter 34.05 RCW necessary to implement this chapter;
- (2) To prepare and administer or approve the preparation and administration of examinations for licensure;
- (3) To conduct a hearing on an appeal of a denial of license based on the applicant's failure to meet the minimum qualifications for licensure. The hearing shall be conducted pursuant to chapter 34.05 RCW;
- (4) To establish by rule the procedures for an appeal of an examination failure;
- (5) To adopt rules implementing a continuing competency program;
- (6) To issue subpoenas, statements of charges, statements of intent to deny licenses, and orders, and to delegate in writing to a designee to issue subpoenas; and
- (7) To issue temporary license permits under circumstances defined by the board:

NEW SECTION. Sec. 7. A new section is added to chapter 18.52 RCW to read as follows:

The department shall issue a license to any person applying for a nursing home administrator's license after July 1, 1993, who meets the following requirements:

- (1) Successful completion of the requirements for a baccalaureate degree from a recognized institution of higher learning: PROVIDED, That if education requirements are adopted by the federal government, the board may adopt rules requiring educational qualifications to meet those requirements;
- (2) Successful completion of a practical experience requirement as determined by the board;
- (3) Successful completion of examinations administered or approved by the board, or both, which shall be designed to test the candidate's competence to administer a nursing home;
- (4) At least twenty-one years of age; and
- (5) Not having engaged in unprofessional conduct as defined in RCW 18.130.180 or being unable to practice with reasonable skill and safety as defined in RCW 18.130.170. The board shall establish by rule what constitutes adequate proof of meeting the above requirements.

A limited license indicating the limited extent of authority to administer institutions certified by such church or denomination teaching religious or spiritual means for healing through prayer, shall be issued to individuals demonstrating membership in such church or denomination. However, nothing in this chapter shall be construed to require an applicant certified by any well established and generally recognized church or religious denomination teaching reliance on spiritual means alone to demonstrate proficiency in any medical techniques or to meet any medical educational qualifications or medical standards not in accord with the remedial care and treatment provided in such institutions.

Sec. 8. RCW 18.52.110 and 1991 c 3 s 120 are each amended to read as follows:

(1) Every holder of a nursing home administrator's license shall reregister (~~((it annually with the secretary))~~) on dates specified by the secretary (~~((by making application for reregistration on forms provided by the secretary))~~). Such (~~((reregistration))~~) relicensure shall be granted (~~((automatically))~~) upon receipt of a fee determined by the secretary as provided in RCW 43.70.250, and upon fulfilling the continuing competency requirement. In the event that any license is not reregistered (~~((within thirty days after the date for reregistration specified by the secretary))~~), the secretary (~~((shall, in accordance with rules prescribed by the board, give notice to the license holder, and))~~) may (~~((thereafter in accordance with rules prescribed by the board))~~) charge up to double the (~~((normal reregistration))~~) relicensure fee. In the event that the license of an individual is not (~~((reregistered))~~) relicensed within two years from the most recent date for (~~((reregistration))~~) relicensure it shall lapse and such individual must again apply for licensing and meet all requirements of this chapter for a new applicant. The board may prescribe rules for maintenance of a license at a reduced fee for temporary or permanent withdrawal or retirement from the active practice of nursing home administration.

(2) A condition of (~~((reregistration))~~) relicensure shall be the presentation of proof by the applicant that (~~((he or she has attended the number of classroom hours of approved educational programs, classes, seminars, or proceedings set by the board. The board shall have the power to approve programs, classes, seminars, or proceedings offered in this state or elsewhere by any accredited institution of higher learning or any national or local group or society if such programs, classes, seminars, or proceedings are reasonably related to the administration of nursing homes. The board shall establish rules providing that the applicant for reregistration may present such proofs yearly, or may obtain the cumulative number of required hours over a three year period and present such proofs over periods of three years. In no event shall the number of classroom hours required for any time period exceed the number of such board approved classroom hours reasonably available over such time period on an adult or continuing education basis to nonmatriculating participants in this state.~~))

(3) ~~An individual may obtain and reregister a license under this chapter although he or she does not actively engage in nursing home administration. The licensee shall meet requirements set by the board to ensure the individual's continued competency))~~ the board requirement for continuing competency related to the administration of nursing homes has been met.

Sec. 9. RCW 18.52.130 and 1991 c 3 s 121 are each amended to read as follows:

The secretary may issue a nursing home administrator's license to anyone who holds a current administrator's license from another jurisdiction upon receipt of an application fee ((determined by the secretary as provided in RCW 43.70.250)) and an annual license fee, ((the secretary may issue a nursing home administrator's license, without examination, to any person who holds a current license as a nursing home administrator from another jurisdiction: PROVIDED, That the board finds that)) as provided in RCW 43.70.250, if the standards for licensing in such other jurisdiction are ((at least the substantial)) substantially equivalent ((ef)) to those prevailing in this state, and that the applicant is otherwise qualified((. In the event that there is developed a nationally recognized standard for the licensing of nursing home administrators which is in fact utilized in licensing procedures on a reasonably uniform basis the board may by rule or regulation provide for granting reciprocal licensing on a showing of compliance with such standard)) as determined by the board.

Sec. 10. RCW 18.52.140 and 1970 ex.s. c 57 s 14 are each amended to read as follows:

It shall be unlawful and constitute a gross misdemeanor for any person to act or serve in the capacity of a nursing home administrator unless he or she is the holder of a nursing home administrator's license issued in accordance with the provisions of this chapter: PROVIDED HOWEVER, That persons carrying out functions and duties delegated by a licensed administrator as defined in RCW 18.52.030 shall not be construed to be committing any unlawful act under this chapter.

NEW SECTION. Sec. 11. The following acts or parts of acts are each repealed:

(1) RCW 18.52.060 and 1991 c 3 s 117, 1984 c 287 s 40, 1979 c 158 s 45, 1975-'76 2nd ex.s. c 34 s 38, & 1970 ex.s. c 57 s 6;

(2) RCW 18.52.100 and 1991 c 3 s 119, 1987 c 150 s 33, 1977 ex.s. c 243 s 4, & 1970 ex.s. c 57 s 10; and

(3) RCW 18.52.170 and 1970 ex.s. c 57 s 19.

NEW SECTION. Sec. 12. RCW 18.52.070 and 1991 c 3 s 118, 1984 c 279 s 65, 1977 ex.s. c 243 s 2, 1975 1st ex.s. c 30 s 52, & 1970 ex.s. c 57 s 7 are each repealed, effective July 1, 1993.

On page 1, line 1 of the title, after "administration;" strike the remainder of the title and insert "amending RCW 18.52.020, 18.52.030, 18.52.040, 18.52.050, 18.52.110, 18.52.130, and 18.52.140; adding new sections to chapter 18.52 RCW; and repealing RCW 18.52.060, 18.52.100, 18.52.170, and 18.52.070."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to Substitute House Bill No. 1258. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 1258 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1258 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 90, Nays - 0, Absent - 0, Excused - 8.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, Fisher, G., Fisher, R., Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 90.

Excused: Representatives Brekke, Ebersole, Forner, Heavey, Leonard, Miller, Riley, Valle - 08.

Substitute House Bill No. 1258 as amended by the Senate, having received the constitutional majority, was declared passed.

SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2259 with the following amendment(s):

On page 30, after line 27, insert the following:

Sec. 11. RCW 41.50.133 and 1987 c 490 s 2 are each amended to read as follows:

(1) The director of the department of retirement systems shall not recover from surviving beneficiaries of members who died in service any pension overpayment based on the application of section 2, chapter 96, Laws of 1979 ex. sess., nor shall such benefits be reduced.

(2) The director of the department of retirement systems shall not recover from retirees any pension overpayments made between July 1, 1990, and February 1, 1992, based upon the application of RCW 41.40.198, 41.40.1981, 41.40.325, 41.32.485, 41.32.487, or 41.32.575 due to the incorrect calculation of the "age sixty-five allowance" as this term is defined in RCW 41.32.575(1)(a) and 41.40.325(1)(a).

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1 line 6 of the title, after "41.32.345," strike "and 41.32.812" and insert "41.32.812, and 41.50.133"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Spanel moved that the House refuse to concur in the Senate amendments to House Bill No. 2259 and ask the Senate for a conference thereon. The motion was carried.

Mr. McLean spoke in favor of the motion.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Hine, Spanel and McLean as conferees on House Bill No. 2259.

#### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

**SUBSTITUTE HOUSE BILL NO. 2344 with the following amendment(s):**

On page 14, line 14, after "by" strike "gang members" and insert "the criminal street gang"

On page 14, after line 14, insert the following:

**NEW SECTION. Sec. 3.** The legislature finds and declares that:

(1) The number of youth who are members and associates of gangs and commit gang violence has significantly increased throughout the entire greater Puget Sound, Spokane, and other areas of the state;

(2) Youth gang violence has caused a tremendous strain on the progress of the communities impacted. The loss of life, property, and positive opportunity for growth caused by youth gang violence has reached intolerable levels. Increased youth gang activity has seriously strained the budgets of many local jurisdictions, as well as threatened the ability of the educational system to educate our youth;

(3) Among youth gang members the high school drop-out rate is significantly higher than among nongang members. Since the economic future of our state depends on a highly educated and skilled work force, this high school drop-out rate threatens the economic welfare of our future work force, as well as the future economic growth of our state;

(4) The unemployment rate among youth gang members is higher than that among the general youth population. The unusual unemployment rate, lack of education and skills, and the increased criminal activity could significantly impact our future prison population;

(5) Most youth gangs are subcultural. This implies that gangs provide the nurturing, discipline, and guidance to gang youth and potential gang youth that is generally provided by communities and other social systems. The subcultural designation means that youth gang participation and violence can be effectively reduced in Washington communities and schools through the involvement of community, educational, criminal justice, and employment systems working in a unified manner with parents and individuals who have a firsthand knowledge of youth gangs and at-risk youth; and

(6) A strong unified effort among parents and community, educational, criminal justice, and employment systems would facilitate: (a) The learning process; (b) the control and reduction of gang violence; (c) the prevention of youth joining negative gangs; and (d) the intervention into youth gangs.

NEW SECTION. Sec. 4. It is the intent of the legislature to cause the development of positive prevention and intervention pilot programs for elementary and secondary age youth through cooperation between individual schools, local organizations, and government. It is also the intent of the legislature that if the prevention and intervention pilot programs are determined to be effective in reducing problems associated with youth gang violence, that other counties in the state be eligible to receive special state funding to establish similar positive prevention and intervention programs.

NEW SECTION. Sec. 5. Unless the context otherwise requires, the following definitions shall apply throughout sections 3 through 14 of this act:

(1) "School" means any public school within a school district any portion of which is in a county with a population of over three hundred fifty thousand.

(2) "Community organization" means any organization recognized by a city or county as such, as well as private, nonprofit organizations registered with the secretary of state.

(3) "Gang risk prevention and intervention pilot program" means a community-based positive prevention and intervention program for gang members, potential gang members, at-risk youth, and elementary through high school-aged youth directed at all of the following:

(a) Reducing the probability of youth involvement in gang activities and consequent violence.

(b) Establishing ties, at an early age, between youth and community organizations.

(c) Committing local business and community resources to positive programming for youth.

(d) Committing state resources to assist in creating the gang risk prevention and intervention pilot programs.

(4) "Cultural awareness retreat" means a program that temporarily relocates at-risk youth or gang members from their usual social environment to a different social environment, with the specific purpose of having them performing activities which will enhance or increase their positive behavior and potential life successes.

(5) "Criminal street gang" or "street gang" means the same as defined in RCW 9.94A.030 or a similar gang that has engaged in a pattern of violence.

NEW SECTION. Sec. 6. (1) The department of community development may contract with school districts for the development, administration, and implementation in the county of community-based gang risk prevention and intervention pilot programs.

(2) Proposals by the school district for gang risk prevention and intervention pilot program grant funding shall begin with school years no sooner than the 1993-94 session, and last for a duration of two years.

(3) The school district proposal shall include:

(a) A description of the program goals, activities, and curriculum. The description of the program goals shall include a list of measurable objectives for the purpose of evaluation by the school district. To the extent possible, proposals shall contain empirical data on current problems, such as drop-out rates and occurrences of violence on and off campus by school-age individuals.

(b) A description of the individual school or schools and the geographic area to be affected by the program.

(c) A demonstration of broad-based support for the program from business and community organizations.

(d) A clear description of the experience, expertise, and other qualifications of the community organizations to conduct an effective prevention and intervention program in cooperation with a school or a group of schools.

(e) A proposed budget for expenditure of the grant.

NEW SECTION. Sec. 7. (1) A school district in a county with a population of over three hundred fifty thousand may request proposals for establishing gang risk prevention and intervention pilot programs from either public entities that apply jointly with individual schools or community organizations. The proposals shall be reviewed and recommendations for awarding grants shall be made by a committee made up of: (a) A representative from the school district taking the proposal, appointed by the school district's board of directors; (b) a representative appointed by the director of the department of community development or designate; and (c) a representative from the local juvenile court administration.

(2) A school district, upon its election to enter into a contract pursuant to section 6 of this act, shall, no later than March 1, 1993, distribute a standard request for proposals.

(3) Proposals made to the school district must comply with the conditions of the grant.

(4) The school district shall additionally monitor and evaluate the gang risk prevention and intervention pilot programs pursuant to the following criteria:

(a) Success in obtaining stated goals.

(b) Reduction in drop-out rates.

(c) Reduction in violence among students, on and off campus.



(d) Development of techniques for early identification of at-risk youth.

(5) The school district shall report to the department of community development the results of the program.

**NEW SECTION. Sec. 8.** Gang risk prevention and intervention pilot programs shall include, but are not limited to:

(1) Counseling for targeted at-risk students, parents, and families, individually and collectively.

(2) Exposure to positive sports and cultural activities, promoting affiliations between youth and the local community.

(3) Job training, which may include apprentice programs in coordination with local businesses, job skills development at the school, or information about vocational opportunities in the community.

(4) Positive interaction with local law enforcement personnel.

(5) The use of local organizations to provide job search training skills.

(6) Cultural awareness retreats.

(7) The use of specified state resources, as requested.

(8) Full service schools under section 11 of this act.

(9) Community service such as volunteerism and citizenship.

**NEW SECTION. Sec. 9.** (1) Upon request from the local community organization receiving an award under section 7 of this act or the granting local school district, or both, the employment security department shall provide a job counselor or counselors to assist at cultural awareness retreats. The counselor shall provide assistance with the following:

(a) Testing for job occupation preferences.

(b) Information on the skills needed for different occupations.

(c) Coordinating the personal appearance of small business owners or corporate managers to explain the type of skills and characteristics businesses currently need in prospective employees, as well as those of prospective future employees.

(d) Establishing a business mentor program between the small business owners or corporate managers and the youth who are willing to participate.

(e) Establishing a specific program that provides help with employment opportunities for youth who attend cultural awareness retreats.

The department may provide other services than those specified.

(2) Upon request from the local community organization awarded the grant, the local school district, or both, the department may provide those services specified in subsection (1) of this section for the youth who are receiving services from the local community organization.

**NEW SECTION. Sec. 10.** Upon request from the local community organization receiving an award under section 7 of this act or the granting local school district, or both, the department of labor and industries shall:

(1) Provide information and assistance with regards to the skills and educational backgrounds needed to apply for apprenticeship programs.

(2) Provide direction and assistance with applications for apprenticeship programs.

(3) Explore and examine the feasibility of establishing preapprenticeship programs for those youth who cannot qualify for apprenticeships because of age or educational deficiencies, and are participating or have participated in the retreat.

(4) Provide assistance for and coordination of the personal appearance of representatives of the joint apprenticeship committee with the specific purpose of discussing the skills needed to perform different occupations.

(5) Provide assistance for and coordination of the establishment of a joint apprenticeship mentor program with those youth who are participating or have participated in the retreat program.

The department may provide other services.

Upon request from the local community organization receiving the award under section 7 of this act or the local school district, or both, the department shall provide the services in this section either at the grant-receiving school or at the cultural awareness retreat, or both.

**NEW SECTION. Sec. 11.** (1) The purpose of a full service school shall be to increase the interaction between youth and the community at large. A full service school shall provide a wide range of opportunities for all citizens, including goals under RCW 28A.620.010 (1), (2), (3), and (6), and subsection (2) of this section.

(2) The local school district and the local community organization that received a grant under section 7 of this act shall work with other community organizations, the superintendent of public instruction, and school personnel in the selected school to determine the services needed by the community that shall be offered at the full service school.

**NEW SECTION. Sec. 12.** (1) Upon request, the division of juvenile rehabilitation shall through cooperation with private business or through interagency agreement with the state parks and recreation commission or department of natural resources, or both, provide facilities for cultural awareness retreats. The requests for facilities must be made by

one of the following: (a) The community organization receiving the grant, or (b) the local school district that assisted in awarding the grant. The division may provide other services as requested.

(2) The services may be, but are not limited to, persons knowledgeable of juvenile gang behavior.

(3) Upon receiving a request for cultural awareness retreat facilities, the division shall notify the departments of employment security and labor and industries of the organization requesting the retreat, and the time, place, and date of the retreat.

NEW SECTION. Sec. 13. Cultural awareness retreats shall include but are not limited to the following programs:

(1) To develop positive attitudes and self-esteem.

(2) To develop youth decision-making ability.

(3) To assist with career development and educational development.

(4) To help develop respect for the community, and ethnic origin.

NEW SECTION. Sec. 14. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1992, in the omnibus appropriations act, this act shall be null and void.

NEW SECTION. Sec. 15. Sections 4 through 13 of this act shall constitute a new chapter in Title 43 RCW.

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 1, line 2 of the title, after "9.94A.030;" insert "adding a new chapter to Title 43 RCW; creating new sections;"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Ludwig moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 2344 and ask the Senate for a conference thereon.

#### APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Ludwig, Wineberry and Vance as conferees on Substitute House Bill No. 2344.

#### SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed:

**SUBSTITUTE HOUSE BILL NO. 2501** with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 69.50.505 and 1990 c 248 s 2 and 1990 c 213 s 12 are each reenacted and amended to read as follows:

(a) The following are subject to seizure and forfeiture and no property right exists in them:

(1) All controlled substances which have been manufactured, distributed, dispensed, acquired, or possessed in violation of this chapter or chapter 69.41 or 69.52 RCW, and all hazardous chemicals, as defined in RCW 64.44.010, used or intended to be used in the manufacture of controlled substances;

(2) All raw materials, products, and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this chapter or chapter 69.41 or 69.52 RCW;

(3) All property which is used, or intended for use, as a container for property described in paragraphs (1) or (2);

(4) All conveyances, including aircraft, vehicles, or vessels, which are used, or intended for use, in any manner to facilitate the sale, delivery, or receipt of property described in paragraphs (1) or (2), except that:

(i) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter or chapter 69.41 or 69.52 RCW;

(ii) No conveyance is subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the owner's knowledge or consent;

(iii) No conveyance is subject to forfeiture under this section if used in the receipt of only an amount of marijuana for which possession constitutes a misdemeanor under RCW 69.50.401(e);

(iv) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the act or omission; and

(v) When the owner of a conveyance has been arrested under this chapter or chapter 69.41 or 69.52 RCW the conveyance in which the person is arrested may not be subject to forfeiture unless it is seized or process is issued for its seizure within ten days of the owner's arrest;

(5) All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of this chapter or chapter 69.41 or 69.52 RCW;

(6) All drug paraphernalia;

(7) All moneys, negotiable instruments, securities, or other tangible or intangible property of value furnished or intended to be furnished by any person in exchange for a controlled substance in violation of this chapter or chapter 69.41 or 69.52 RCW, all tangible or intangible personal property, proceeds, or assets acquired in whole or in part with proceeds traceable to an exchange or series of exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this chapter or chapter 69.41 or 69.52 RCW: PROVIDED, That a forfeiture of money, negotiable instruments, securities, or other tangible or intangible property encumbered by a bona fide security interest is subject to the interest of the secured party if, at the time the security interest was created, the secured party neither had knowledge of nor consented to the act or omission: PROVIDED FURTHER, That no personal property may be forfeited under this paragraph, to the extent of the interest of an owner, by reason of any act or omission which that owner establishes was committed or omitted without the owner's knowledge or consent; and

(8) All real property, including any right, title, and interest in the whole of any lot or tract of land, and any appurtenances or improvements which are being used with the knowledge of the owner for the manufacturing, compounding, processing, delivery, importing, or exporting of any controlled substance, or which have been acquired in whole or in part with proceeds traceable to an exchange or series of exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW, if such activity is not less than a class C felony and a substantial nexus exists between the commercial production or sale of the controlled substance and the real property: PROVIDED, That:

(i) No property may be forfeited pursuant to this subsection, to the extent of the interest of an owner, by reason of any act or omission committed or omitted without the owner's knowledge or consent;

(ii) The bona fide gift of a controlled substance, legend drug, or imitation controlled substance shall not result in the forfeiture of real property;

(iii) The possession of marijuana shall not result in the forfeiture of real property unless the marijuana is possessed for commercial purposes, the amount possessed is five or more plants or one pound or more of marijuana, and a substantial nexus exists between the possession of marijuana and the real property. In such a case, the intent of the offender shall be determined by the preponderance of the evidence, including the offender's prior criminal history, the amount of marijuana possessed by the offender, the sophistication of the activity or equipment used by the offender, and other evidence which demonstrates the offender's intent to engage in commercial activity;

(iv) The unlawful sale of marijuana or a legend drug shall not result in the forfeiture of real property unless the sale was forty grams or more in the case of marijuana or one hundred dollars or more in the case of a legend drug, and a substantial nexus exists between the unlawful sale and the real property; and

(v) A forfeiture of real property encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party, at the time the security interest was created, neither had knowledge of nor consented to the act or omission.

(b) Real or personal property subject to forfeiture under this chapter may be seized by any board inspector or law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property. Seizure of real property shall include the filing of a lis pendens by the seizing agency. Real property seized under this section shall not be transferred or otherwise conveyed until ninety days after seizure or until a judgment of forfeiture is entered, whichever is later: PROVIDED, That real property seized under this section may be transferred or conveyed to any person or entity who acquires title by foreclosure or deed in lieu of foreclosure of a security interest. Seizure of personal property without process may be made if:

(1) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(2) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this chapter;

(3) A board inspector or law enforcement officer has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

(4) The board inspector or law enforcement officer has probable cause to believe that the property was used or is intended to be used in violation of this chapter.

(c) In the event of seizure pursuant to subsection (b), proceedings for forfeiture shall be deemed commenced by the seizure. The law enforcement agency under whose authority the seizure was made shall cause notice to be served within fifteen days following the seizure on the owner of the property seized and the person in charge thereof and any person having any known right or interest therein, including any community property interest, of the seizure and intended forfeiture of the seized property. Service of notice of seizure of real property shall be made according to the rules of civil procedure. However, the state may not obtain a default judgment with respect to real property against a party who is served by substituted service absent an affidavit stating that a good faith effort has been made to ascertain if the defaulted party is incarcerated within the state, and that there is no present basis to believe that the party is incarcerated within the state. The notice of seizure in other cases may be served by any method authorized by law or court rule including but not limited to service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen day period following the seizure.

(d) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (a)(4), (a)(7), or (a)(8) of this section within forty-five days of the seizure in the case of personal property and ninety days in the case of real property, the item seized shall be deemed forfeited. The community property interest in real property of a person whose spouse committed a violation giving rise to seizure of the real property may not be forfeited if the person did not participate in the violation.

(e) If any person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), (a)(7), or (a)(8) of this section within forty-five days of the seizure in the case of personal property and ninety days in the case of real property, the person or persons shall be afforded a reasonable opportunity to be heard as to the claim or right. The hearing shall be before the chief law enforcement officer of the seizing agency or the chief law enforcement officer's designee, except where the seizing agency is a state agency as defined in RCW 34.12.020(4), the hearing shall be before the chief law enforcement officer of the seizing agency or an administrative law judge appointed under chapter 34.12 RCW, except that any person asserting a claim or right may remove the matter to a court of competent jurisdiction if the aggregate value of the article or articles involved is more than five hundred dollars. The court to which the matter is to be removed shall be the district court when such aggregate value is ten thousand dollars or less of personal property. A hearing before the seizing agency and any appeal therefrom shall be under Title 34 RCW. In a court hearing between two or more claimants to the article or articles involved, the prevailing party shall be entitled to a judgment for costs and reasonable attorney's fees. In cases involving personal property, the burden of producing evidence shall be upon the person claiming to be the lawful owner or the person claiming to have the lawful right to possession of the property. In cases involving real property, the burden of producing evidence shall be upon the law enforcement agency. The burden of proof that the seized real property is subject to forfeiture shall be upon the law enforcement agency. The seizing law enforcement agency shall promptly return the article or articles to the claimant upon a determination by the administrative law judge or court that the claimant is the present lawful owner or is lawfully entitled to possession thereof of items specified in subsection (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), (a)(7), or (a)(8) of this section.

(f) When property is forfeited under this chapter the board or seizing law enforcement agency may:

(1) Retain it for official use or upon application by any law enforcement agency of this state release such property to such agency for the exclusive use of enforcing the provisions of this chapter;

(2)(i) Sell that which is not required to be destroyed by law and which is not harmful to the public. The proceeds and all moneys forfeited under this title shall be used for payment of all proper expenses of the investigation leading to the seizure, including any money delivered to the subject of the investigation by the law enforcement agency,

and of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, advertising, actual costs of the prosecuting or city attorney, and court costs. Money remaining after the payment of all expenses shall be distributed as follows:

(A) Twenty-five percent of the money derived from the forfeiture of real property and seventy-five percent of the money derived from the forfeiture of personal property shall be deposited in the general fund of the state, county, and/or city of the seizing law enforcement agency and shall be used exclusively for the expansion or improvement of law enforcement services. These services may include the creation of reward funds for the purpose of rewarding informants who supply information leading to the arrest, prosecution and conviction of persons who violate laws relating to controlled substances. Such moneys shall not supplant preexisting funding sources;

(B) Twenty-five percent of money derived from the forfeiture of real property and twenty-five percent of money derived from the forfeiture of personal property shall be remitted to the state treasurer for deposit in the public safety and education account established in RCW 43.08.250;

(C) Until July 1, 1995, fifty percent of money derived from the forfeiture of real property shall be remitted to the state treasurer for deposit in the drug enforcement and education account under RCW 69.50.520, on and after July 1, 1995, the fifty percent of the money shall be remitted in the same manner as the twenty-five percent of the money remitted under (2)(i)(A) of this subsection; and

(D) If an investigation involves a seizure of moneys and proceeds having an aggregate value of less than five thousand dollars, the moneys and proceeds may be deposited in total in the general fund of the governmental unit of the seizing law enforcement agency and shall be appropriated exclusively for the expansion of narcotics enforcement services. Such moneys shall not supplant preexisting funding sources.

(ii) Money deposited according to this section must be deposited within ninety days of the date of final disposition of either the administrative seizure or the judicial seizure;

(3) Request the appropriate sheriff or director of public safety to take custody of the property and remove it for disposition in accordance with law; or

(4) Forward it to the drug enforcement administration for disposition.

(g) Controlled substances listed in Schedule I, II, III, IV, and V that are possessed, transferred, sold, or offered for sale in violation of this chapter are contraband and shall be seized and summarily forfeited to the state. Controlled substances listed in Schedule I, II, III, IV, and V, which are seized or come into the possession of the board, the owners of which are unknown, are contraband and shall be summarily forfeited to the board.

(h) Species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this chapter, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the board.

(i) The failure, upon demand by a board inspector or law enforcement officer, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored to produce an appropriate registration or proof that he is the holder thereof constitutes authority for the seizure and forfeiture of the plants.

(j) Upon the entry of an order of forfeiture of real property, the court shall forward a copy of the order to the assessor of the county in which the property is located. Orders for the forfeiture of real property shall be entered by the superior court, subject to court rules. Such an order shall be filed by the seizing agency in the county auditor's records in the county in which the real property is located.

(k) A landlord may assert a claim against proceeds from the sale of assets seized and forfeited under subsection (f)(2) of this section, only if:

(1) A law enforcement officer, while acting in his or her official capacity, directly caused damage to the complaining landlord's property while executing a search of a tenant's residence; and

(2) The landlord has applied any funds remaining in the tenant's deposit, to which the landlord has a right under chapter 59.18 RCW, to cover the damage directly caused by a law enforcement officer prior to asserting a claim under the provisions of this section;

(i) Only if the funds applied under (2) of this subsection are insufficient to satisfy the damage directly caused by a law enforcement officer; may the landlord seek compensation for the damage by filing a claim against the governmental entity under whose authority the law enforcement agency operates;

(ii) Only if the governmental entity denies or fails to respond to the landlord's claim within sixty days of the date of filing, may the landlord collect damages under this subsection by filing within thirty days of denial or the expiration of the sixty-day period, whichever occurs first, a claim with the seizing law enforcement agency.

(3) For any claim filed under (2) of this subsection, the law enforcement agency shall pay the claim unless the agency provides substantial proof that the landlord either:

(i) Knew or consented to actions of the tenant in violation of this chapter or chapter 69.41 or 69.52 RCW; or

(ii) Failed to respond to a notification of the illegal activity, provided by a law enforcement agency under RCW 59.18.075, within seven days of receipt of notification of the illegal activity.

(l) The landlord's claim for damages under subsection (k) of this section may not include a claim for loss of business and is limited to:

(1) Damage to tangible property and clean-up costs;

(2) The lesser of the cost of repair or fair market value of the damage directly caused by a law enforcement officer;

(3) The proceeds from the sale of the specific tenant's property seized and forfeited under subsection (f)(2) of this section; and

(4) The proceeds available after the seizing law enforcement agency satisfies all its expenses and costs related to the seizure and forfeiture of the tenant's property as provided by subsection (f)(2)(i) of this section.

(m) Subsections (k) and (l) of this section do not limit any other rights a landlord may have against a tenant to collect for damages. However, if a law enforcement agency satisfies a landlord's claim under subsection (k) of this section, the rights the landlord has against the tenant for damages directly caused by a law enforcement officer under the terms of the landlord and tenant's contract are subrogated to the law enforcement agency.

On page 1, line 1 of the title, after "property;" strike the remainder of the title and insert "and reenacting and amending RCW 69.50.505."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Nelson moved that the House refuse to concur in the Senate amendments to Substitute House Bill No. 2501 and ask the Senate for a conference thereon. The motion was carried.

#### SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2518, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that additional safeguards are necessary to ensure the safety of Washington's school children. The legislature further finds that the results from state patrol record checks are more complete when fingerprints of individuals are provided, and that information from the federal bureau of investigation also is necessary to obtain information on out-of-state criminal records. The legislature further finds that confidentiality safeguards in state law are in place to ensure that the rights of applicants for certification or jobs and newly hired employees are protected.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.400 RCW to read as follows: School districts, educational service districts, and their contractors hiring employees who will have regularly scheduled unsupervised access to children shall require a record check through the Washington state patrol criminal identification system under RCW 43.43.830 through 43.43.834, 10.97.030, and 10.97.050 and through the federal bureau of investigation before hiring an employee. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card. The requesting entity shall provide a copy of the record report to the applicant. When necessary, applicants may be employed on a conditional basis pending completion of the investigation. If the applicant has had a record check within the previous two years, the district or contractor may waive the

requirement. The district, pursuant to chapter 41.59 or 41.56 RCW, or contractor hiring the employee shall determine who shall pay costs associated with the record check.

Sec. 3. RCW 28A.410.010 and 1988 c 172 s 3 and 1988 c 97 s 1 are each reenacted and amended to read as follows:

The state board of education shall establish, publish, and enforce rules and regulations determining eligibility for and certification of personnel employed in the common schools of this state, including certification for emergency or temporary, substitute or provisional duty and under such certificates or permits as the board shall deem proper or as otherwise prescribed by law. ~~((Except for applicants who are applying for certificates which restrict the holder of the certificate to the teaching of students who are sixteen years of age or older,))~~ The rules shall require that the initial application for certification shall require a ~~((background))~~ record check of the applicant through the Washington state patrol criminal identification system and through the federal bureau of investigation at the applicant's expense. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card. The superintendent of public instruction may waive the record check for any applicant who has had a record check within the two years before application.

In establishing rules pertaining to the qualifications of instructors of sign language the state board shall consult with the national association of the deaf, "sign instructors guidance network" (s.i.g.n.), and the Washington state association of the deaf for evaluation and certification of sign language instructors.

The superintendent of public instruction shall act as the administrator of any such rules and regulations and have the power to issue any certificates or permits and revoke the same in accordance with board rules and regulations.

Sec. 4. RCW 28A.410.090 and 1990 c 33 s 408 are each amended to read as follows:

(1) Any certificate or permit authorized under the provisions of this chapter, chapter 28A.405 RCW, or rules and regulations promulgated thereunder may be revoked or suspended by the authority authorized to grant the same upon complaint of any school district superintendent ~~((or))~~ educational service district superintendent, or private school administrator for immorality, violation of written contract, unprofessional conduct, intemperance, or crime against the law of the state.

If the superintendent of public instruction has reasonable cause to believe that an alleged violation of this chapter or rules adopted under it has occurred, but no complaint has been filed pursuant to this chapter, and that a school district superintendent, educational service district superintendent, or private school administrator has sufficient notice of the alleged violation and opportunity to file a complaint, the superintendent of public instruction may cause an investigation to be made of the alleged violation, together with such other matters that may be disclosed in the course of the investigation related to certificated personnel.

(2) Any such certificate or permit authorized under this chapter or chapter 28A.405 RCW shall be revoked by the authority authorized to grant the certificate upon a guilty plea or the conviction of any felony crime involving the physical neglect of a child under chapter 9A.42 RCW, the physical injury or death of a child under chapter 9A.32 or 9A.36 RCW (excepting motor vehicle violations under chapter 46.61 RCW), sexual exploitation of a child under chapter 9.68A RCW, sexual offenses under chapter 9A.44 RCW where a minor is the victim, promoting prostitution of a minor under chapter 9A.88 RCW, the sale or purchase of a minor child under RCW 9A.64.030, or violation of similar laws of another jurisdiction. The person whose certificate is in question shall be given an opportunity to be heard. Mandatory permanent revocation upon a guilty plea or the conviction of felony crimes specified under this subsection shall apply to such convictions or guilty pleas which occur after July 23, 1989. Revocation of any certificate or permit authorized under this chapter or chapter 28A.405 RCW for a guilty plea or criminal conviction occurring prior to July 23, 1989, shall be subject to the provisions of subsection (1) of this section.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.410 RCW to read as follows:

(1) The superintendent of public instruction may initiate and conduct investigations as may be reasonably necessary to establish the existence of any alleged violations of or noncompliance with this chapter or any rules adopted under it. For the purpose of any investigation or proceeding under this chapter, the superintendent or any officer designated by the superintendent may administer oaths and affirmations, subpoena witnesses and compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, agreements, or other documents or records that the superintendent deems relevant and material to the inquiry.

(2) If any person fails to obey a subpoena or obeys a subpoena but refuses to give evidence, any court of competent jurisdiction, upon application by the superintendent, may issue to that person an order requiring him or her to appear before the court and to show cause why he or she should not be compelled to obey the subpoena, and give evidence material to the matter under investigation. The failure to obey an order of the court may be punishable as contempt.

Sec. 6. RCW 28A.410.100 and 1990 c 33 s 409 are each amended to read as follows:

Any teacher whose certificate to teach has been questioned (~~by the filing of a complaint by a school district superintendent or educational service district superintendent~~) under RCW 28A.410.090 shall have a right to be heard by the issuing authority before his or her certificate is revoked. Any teacher whose certificate to teach has been revoked shall have a right of appeal to the state board of education if notice of appeal is given by written affidavit to the board within thirty days after the certificate is revoked.

An appeal to the state board of education within the time specified shall operate as a stay of revocation proceedings until the next regular or special meeting of said board and until the board's decision has been rendered.

Sec. 7. RCW 43.43.838 and 1990 c 3 s 1104 are each amended to read as follows:

(1) After January 1, 1988, and notwithstanding any provision of RCW 43.43.700 through 43.43.810 to the contrary, the state patrol shall furnish a transcript of the conviction record, disciplinary board final decision and any subsequent criminal charges associated with the conduct that is the subject of the disciplinary board final decision, or civil adjudication record pertaining to any person for whom the state patrol or the federal bureau of investigation has a record upon the written request of:

- (a) The subject of the inquiry;
- (b) Any business or organization for the purpose of conducting evaluations under RCW 43.43.832;
- (c) The department of social and health services;
- (d) Any law enforcement agency, prosecuting authority, or the office of the attorney general; or
- (e) The department of social and health services for the purpose of meeting responsibilities set forth in chapter 74.15, 18.51, 18.20, or 72.23 RCW, or any later-enacted statute which purpose is to regulate or license a facility which handles vulnerable adults. However, access to conviction records pursuant to this subsection (1)(e) does not limit or restrict the ability of the department to obtain additional information regarding conviction records and pending charges as set forth in RCW 74.15.030(2)(b).

After processing the request, if the conviction record, disciplinary board final decision and any subsequent criminal charges associated with the conduct that is the subject of the disciplinary board final decision, or adjudication record shows no evidence of a crime against children or other persons or, in the case of vulnerable adults, no evidence of crimes relating to financial exploitation in which the victim was a vulnerable adult, an identification declaring the showing of no evidence shall be issued to the applicant by the state patrol and shall be issued within fourteen working days of the request. Possession of such identification shall satisfy future ~~((background))~~ record check requirements for the applicant for a two-year period unless the prospective employee is any current school district employee who has applied for a position in another school district.

(2) The state patrol shall by rule establish fees for disseminating records under this section to recipients identified in subsection (1)(a) and (b) of this section. The state patrol shall also by rule establish fees for disseminating records in the custody of the national crime information center. The revenue from the fees shall cover, as nearly as practicable, the direct and indirect costs to the state patrol of disseminating the records: PROVIDED, That no fee shall be charged to a nonprofit organization ~~((, including school districts and educational service districts,))~~ for the records check: PROVIDED FURTHER, That in the case of record checks using fingerprints requested by school districts and educational service districts, the state patrol shall charge only for the incremental costs associated with checking fingerprints in addition to name and date of birth. Record checks requested by school districts and educational service districts using only name and date of birth shall continue to be provided free of charge.

(3) No employee of the state, employee of a business or organization, or the business or organization is liable for defamation, invasion of privacy, negligence, or any other claim in connection with any lawful dissemination of information under RCW 43.43.830 through 43.43.840 or 43.43.760.

(4) Before July 26, 1987, the state patrol shall adopt rules and forms to implement this section and to provide for security and privacy of information disseminated under this section, giving first priority to the criminal justice requirements of this chapter. The rules may include requirements for users, audits of users, and other procedures to prevent use of civil adjudication record information or criminal history record information inconsistent with this chapter.

(5) Nothing in RCW 43.43.830 through 43.43.840 shall authorize an employer to make an inquiry not specifically authorized by this chapter, or be construed to affect the policy of the state declared in chapter 9.96A RCW.

NEW SECTION. Sec. 8. A new section is added to chapter 43.43 RCW to read as follows:

The fingerprint identification account is created in the custody of the state treasurer. All receipts from incremental charges of fingerprint checks requested by school districts shall be deposited in the account. Receipts for fingerprint checks by the federal bureau of investigation may also be deposited in the account. Expenditures from the account may be used only for the cost of record checks. Only the chief of the state patrol or the chief's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW. No appropriation is required for expenditures prior to July 1, 1995. After June 30, 1995, the account shall be subject to appropriation.



NEW SECTION. Sec. 9. A new section is added to chapter 28A.400 RCW to read as follows:

The state patrol shall accept fingerprints obtained under this chapter only if it can ensure that the patrol will not retain a record of the fingerprints after the check is complete. It shall not forward fingerprints obtained under this chapter to the federal bureau of investigation unless it can ensure that the federal bureau of investigation will not retain a record of the fingerprints after the check is complete. The state patrol shall report to the house of representatives appropriations committee and the senate ways and means committee on measures taken to implement this section before accepting any fingerprints obtained under this chapter.

On page 1, line 1 of the title, after "employees;" strike the remainder of the title and insert "amending RCW 28A.410.090, 28A.410.100, and 43.43.838; reenacting and amending RCW 28A.410.010; adding new sections to chapter 28A.400 RCW; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 43.43 RCW; and creating a new section."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Mr. G. Fisher moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2518. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2518 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2518 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 92, Nays - 0, Absent - 0, Excused - 6.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, Fisher, G., Fisher, R., Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Brekke, Ebersole, Forner, Heavey, Leonard, Valle - 06.

Engrossed Substitute House Bill No. 2518 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2811, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 74.46.500 and 1980 c 177 s 50 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.

(2) Subject to subsection (4) of this section, 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.

(4) In applying the eighty-fifth percentile reimbursement limit authorized by subsection (2) of this section to the pilot facility specially designed to meet the needs of persons living with AIDS as defined by RCW 70.24.017, and specifically authorized for this purpose under the 1989 amendment to the Washington state health plan, the department shall exempt the cost of nursing supplies reported by the pilot facility in excess of the average of nursing supplies cost for medicaid nursing facilities state-wide.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1992, in the omnibus appropriations act, this act shall be null and void.

On page 1, line 2 of the title, after "AIDS;" strike the remainder of the title and insert "amending RCW 74.46.500; and creating a new section."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Braddock moved that the House do concur in the Senate amendments to House Bill No. 2811. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of House Bill No. 2811 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2811 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 92, Nays - 0, Absent - 0, Excused - 6.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, Fisher, G., Fisher, R., Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien,

Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Brekke, Ebersole, Forner, Heavey, Leonard, Valle - 06.

House Bill No. 2811 as amended by the Senate, having received the constitutional majority, was declared passed.

### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

#### SUBSTITUTE HOUSE BILL NO. 2857 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 28A.400 RCW to read as follows:

(1) Every group disability insurance policy, health care service contract, health maintenance agreement, and health and welfare benefit plan obtained or created to provide benefits to employees of school districts and their dependents shall contain provisions that permit retired and disabled employees to continue medical, dental, or vision coverage under the group policy, contract, agreement, or plan until June 30, 1994, or until the employee becomes eligible for federal medicare coverage, whichever occurs first. The terms and conditions for election and maintenance of such continued coverage shall conform to the standards established under the federal consolidated omnibus budget reconciliation act of 1985, as amended. The period of continued coverage provided under this section shall run concurrently with any period of coverage guaranteed under the federal consolidated omnibus budget reconciliation act of 1985, as amended.

(2) This section applies to:

(a) School district employees who retired or lost insurance coverage due to disability after July 28, 1991;

(b) School district employees who retired or lost insurance coverage due to disability within the eighteen-month period ending on July 28, 1991; and

(c) School district employees who retired or lost insurance coverage due to disability prior to January 28, 1990, and who were covered by their employing district's insurance plan on January 1, 1991.

(3) For the purposes of this section "retired employee" means an employee who separates from district service and is eligible at the time of separation from service to receive, immediately following separation from service, a retirement allowance under chapter 41.32 or 41.40 RCW.

(4) The superintendent of public instruction shall adopt administrative rules to implement this section.

NEW SECTION. Sec. 2. (1) The health care authority shall study and develop recommendations regarding group health insurance coverage for retired and disabled school district employees. The health care authority shall collect such information as it deems necessary to address the following issues:

(a) Alternatives for making appropriate health insurance coverage available to currently retired and disabled school district employees, including allowing these employees to participate in insurance plans offered by the state employees' benefits board at no additional cost to the state;

(b) Development of estimated costs and funding mechanisms to provide health insurance coverage for currently retired and disabled school district employees at a reasonable cost, including alternatives for partial subsidization of costs by active employees or the state; and

(c) Identification of issues and alternatives for defining eligibility for group health insurance coverage for currently retired and disabled school district employees.

(2) The health care authority may form technical advisory committees to assist with the study. The health care authority shall submit its findings and recommendations to the legislature by January 15, 1993.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.400 RCW to read as follows:

A group disability insurance policy, health care service contract, health maintenance agreement, or health and welfare benefit plan that provides benefits to retired school district employees and eligible dependents shall not require the

beneficiary to make payment by monthly deduction from the beneficiary's state retirement allowance if the payment exceeds the retirement allowance. In such cases, the payment may be made directly by the individual beneficiary.

NEW SECTION. Sec. 4. If specific funding for the purposes of section 2 of this act, referencing this act by bill number, is not provided by June 30, 1992, in the omnibus appropriations act, section 2 of this act shall be null and void.

NEW SECTION. Sec. 5. RCW 28A.400.390 and 1991 c 254 s 1 are each repealed.

On page 1, line 1 of the title, after "coverage;" strike the remainder of the title and insert "adding new sections to chapter 28A.400 RCW; creating new sections; and repealing RCW 28A.400.390."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Spanel moved that the House do concur in the Senate amendments to Substitute House Bill No. 2857. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2857 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2857 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 92, Nays - 0, Absent - 0, Excused - 6.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brunsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, Fisher, G., Fisher, R., Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Brekke, Ebersole, Forner, Heavey, Leonard, Valle - 06.

Substitute House Bill No. 2857 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

## ENGROSSED SUBSTITUTE HOUSE BILL NO. 2985, with the following amendment(s):

On page 2, after line 13, insert the following:

NEW SECTION. Sec. 3. A new section is added to chapter 41.40 RCW to read as follows:

Any active member of this retirement system who has previously established ten or more years' service credit in the city of Seattle's police relief and pension fund system, who withdrew his or her contributions from Seattle's police relief and pension fund system prior to July 1, 1961, and who has never been a member of the law enforcement officers' and fire fighters' pension system created in chapter 41.26 RCW, may receive credit in this retirement system for such service, subject to the terms and conditions specified in section 4 of this act.

NEW SECTION. Sec. 4. A new section is added to chapter 41.40 RCW to read as follows:

(1) A member who fulfills the requirements of section 3 of this act may file a written declaration no later than September 30, 1992, with the department and the Seattle police relief and pension fund system indicating the member's desire to make an irrevocable transfer of credit from the Seattle system to this retirement system. The member shall restore his or her contributions, with interest since the date of withdrawal as determined by the director, no later than December 31, 1992.

(2) Upon receipt of the written declaration, the Seattle police relief and pension fund system shall send the department a report of the member's service credit. It shall also transfer to the department the portion of such member's contributions that was retained in the Seattle police relief and pension fund pursuant to RCW 41.20.150, plus a sum equal to such member's total contributions to the Seattle police relief and pension fund, which shall be treated as matching contributions by the employer, plus the compound interest that would have been generated by such sums, as determined by the Seattle city treasurer. The Seattle police relief and pension fund system shall send the service credit report and transfer the funds within ninety days of receiving the member's written declaration.

NEW SECTION. Sec. 5. Sections 3 and 4 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 2 of the title, after "system;" strike the remainder of the title and insert "adding new sections to chapter 41.26 RCW; adding new sections to chapter 41.40 RCW; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Ms. Spanel moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2985. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2985 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2985 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 92, Nays - 0, Absent - 0, Excused - 6.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, Fisher, G., Fisher, R., Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine,

Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Brekke, Ebersole, Former, Heavey, Leonard, Valle - 06.

Engrossed Substitute House Bill No. 2985 as amended by the Senate, having received the constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 5318,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5728,  
 SUBSTITUTE SENATE BILL NO. 5953,  
 ENGROSSED SENATE BILL NO. 6054,  
 SUBSTITUTE SENATE BILL NO. 6055,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6069,  
 ENGROSSED SENATE BILL NO. 6093,  
 ENGROSSED SENATE BILL NO. 6261,  
 SENATE BILL NO. 6289,  
 ENGROSSED SENATE BILL NO. 6292,  
 SENATE BILL NO. 6296,  
 SUBSTITUTE SENATE BILL NO. 6321,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6326,  
 SUBSTITUTE SENATE BILL NO. 6377,  
 ENGROSSED SENATE BILL NO. 6401,  
 SENATE BILL NO. 6452,  
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8024,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

#### MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The President has signed:

FIFTY-SEVENTH DAY, MARCH 9, 1992

2167

ENGROSSED SENATE BILL NO. 6033,  
SUBSTITUTE SENATE BILL NO. 6111,  
ENGROSSED SENATE BILL NO. 6273,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The President has signed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5121,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

SIGNED BY THE SPEAKER

The Speaker has signed the following bills.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5121  
SECOND SUBSTITUTE SENATE BILL NO. 5318  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5728  
SUBSTITUTE SENATE BILL NO. 5953  
ENGROSSED SENATE BILL NO. 6033  
ENGROSSED SENATE BILL NO. 6054  
SUBSTITUTE SENATE BILL NO. 6055  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6069  
ENGROSSED SENATE BILL NO. 6093  
SUBSTITUTE SENATE BILL NO. 6111  
ENGROSSED SENATE BILL NO. 6261  
ENGROSSED SENATE BILL NO. 6273  
SENATE BILL NO. 6289  
ENGROSSED SENATE BILL NO. 6292  
SENATE BILL NO. 6296  
SUBSTITUTE SENATE BILL NO. 6321  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6326  
SUBSTITUTE SENATE BILL NO. 6377  
ENGROSSED SENATE BILL NO. 6401  
SENATE BILL NO. 6452  
SUBSTITUTE SENATE JOINT MEMORIAL NO. 8024

JOURNAL OF THE HOUSE

MOTION

There being no objection, the House advanced to the eleventh order of business.

MOTION

On motion of Mr. Dorn, the House adjourned until 9:30 a. m., Tuesday, March 10, 1992.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker



**FIFTY-EIGHTH DAY**

---

**MORNING SESSION**

---

House Chamber, Olympia, Tuesday, March 10, 1992

The House was called to order at 9:30 a. m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Locke. On motion of Ms. G. Cole, Representative Locke was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Joy Fehring, Jinni Mixon, Celeste Buechel, Geisla Green and Janell Blacketer. Page Julie Woods, lead the House in the Pledge of Allegiance. Prayer was offered by Reverend Avery Finger, Evangel Temple Church of God of Olympia.

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

**RESOLUTION**

HOUSE RESOLUTION NO. 92-4760, by Representatives Fraser, Miller, Belcher, Silver, Hargrove, Carlson, Basich, Vance, Heavey, Locke, Prentice, Nelson, Mitchell, Valle, Padden, R. Johnson, Nealey, Rayburn, Hochstatter, Bray, Casada, Pruitt, Bowman, J. Kohl, Tate, Spanel, Lisk, Braddock, Wynne, H. Sommers, Betrozoff, Anderson, Riley, Forner, Inslee, Ludwig, Leonard, Orr, Horn, Rasmussen, O'Brien, Wang, Van Luven, Cantwell, Dorn, Brekke, Brumsickle, Hine, Winsley, Peery, Paris, Franklin, Beck, Wood, Kremen, Dellwo, May, Brough, Rust, Edmondson and P. Johnson

WHEREAS, March 12, 1992, is the eightieth anniversary of the establishment of the Girl Scouts of the United States of America; and

WHEREAS, On March 16, 1950, the Girl Scouts became the first youth organization for girls and young women to be granted a federal charter; and

WHEREAS, Through annual reports required by its charter to be submitted to the Congress of the United States, the Girl Scouts regularly inform the nation of their progress; and

WHEREAS, The program and activities of the Girl Scouts instill in the girls and young women of the nation principles that are moral and ethical, and habits, practices, and attitudes that are conducive to good character, citizenship, health, and services; and

WHEREAS, By fostering in girls and young women the qualities upon which the strength of the nation depends, the Girl Scouts of America has significantly contributed to the advancement of the nation;

NOW, THEREFORE, BE IT RESOLVED, That March 12, 1992, is designated as "Girl Scouts of America Eightieth Anniversary Day" and the citizens of the state are called upon to honor the Girl Scouts of America; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Inland Empire Girl Scout Council, the

Mid-Columbia Girl Scout Council, the Pacific Peaks Girl Scout Council, and the national office of the Girl Scouts of the United States of America in Washington D.C.

Ms. Fraser moved adoption of the resolution. Representatives Fraser, Rust, Miller, Edmondson spoke in favor of adoption of the resolution.

House Resolution No. 92-4760 was adopted.

HOUSE RESOLUTION NO. 92-4769, by Representative Kremen

WHEREAS, Lynden High School won the Class A State Football Championship on December 7, 1991, by defeating Medical Lake 34-14; and

WHEREAS, The Lynden Lions went undefeated in the Class A football playoffs, laying waste to South Whidbey, Columbia, Montesano, and Lynden Christian in the process; and

WHEREAS, This Kingbowl victory represents a dramatic change in fortune for the Lions, who had struggled the two previous years; and

WHEREAS, Much of the credit for the improved football program at Lynden High School belongs to new coach Curt Kramme; and

WHEREAS, The players, Jay DeYoung, Scott Noteboom, Eric Benson, Colby Jones, Jeff Dykstra, Chad Vander Kooi, Curt Eshuis, Brian Boies, Casey Hughes, Jason Greenwood, Dion Terry, Toby Pasky, Dan MacPhee, Jason Overstreet, Ryan Bedlington, Bill Sires, Tim Hanson, Dave Foote, Ismael Cantu, Matt Robson, Ron Sorensen, Travis Lofland, Travis Schilke, Al Hartgraves, Joes DeJong, Troy Wilcox, Randy George, Jeff Vander Yacht, Russ Rhoads, Shane Wynn, Brent Clark, Phil Smith, Troy Otter, Darin Holman, Shane Ross, Shannon Holleman, Brian Foote, Gerrit Assink, and Chad Baar are deserving of honor for their accomplishments;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives offer its congratulations to all the coaches and players on the 1991 Lynden Lions championship football team; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Coach Kramme and Lynden High School.

Mr. Kremen moved adoption of the resolution. Mr. Kremen spoke in favor of adoption of the resolution.

House Resolution No. 92-4769 was adopted.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The President has signed:

HOUSE BILL NO. 1664,

FIFTY-EIGHTH DAY, MARCH 10, 1992

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SUBSTITUTE HOUSE BILL NO. 2055,  
ENGROSSED HOUSE BILL NO. 2260,  
SUBSTITUTE HOUSE BILL NO. 2299,  
SUBSTITUTE HOUSE BILL NO. 2302,  
SUBSTITUTE HOUSE BILL NO. 2348,  
HOUSE BILL NO. 2350,  
SUBSTITUTE HOUSE BILL NO. 2359,  
HOUSE BILL NO. 2417,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2490,  
SUBSTITUTE HOUSE BILL NO. 2555,  
SUBSTITUTE HOUSE BILL NO. 2594,  
HOUSE BILL NO. 2682,  
SUBSTITUTE HOUSE BILL NO. 2686,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2702,  
SUBSTITUTE HOUSE BILL NO. 2796,  
ENGROSSED HOUSE BILL NO. 2813,  
SUBSTITUTE HOUSE BILL NO. 2831,  
SUBSTITUTE HOUSE BILL NO. 2865,  
SUBSTITUTE HOUSE BILL NO. 2873,  
HOUSE BILL NO. 2896,  
HOUSE BILL NO. 2961,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2025. The President has appointed the following members as Conferees:

Senators Amondson, McMullen and Roach

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on ENGROSSED HOUSE BILL NO. 2680. The President has appointed the following members as Conferees:

Senators Craswell, Snyder and Cantu

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274. The President has appointed the following members as Conferees:

Senators Amondson, Vognild and Anderson

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

Mr. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 6085  
SUBSTITUTE SENATE BILL NO. 6393

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1392,  
HOUSE BILL NO. 1732,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2293,  
ENGROSSED HOUSE BILL NO. 2316,  
HOUSE BILL NO. 2368,  
SUBSTITUTE HOUSE BILL NO. 2373,  
SUBSTITUTE HOUSE BILL NO. 2457,  
SUBSTITUTE HOUSE BILL NO. 2495,  
HOUSE BILL NO. 2554,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2643,  
SUBSTITUTE HOUSE BILL NO. 2659,  
SUBSTITUTE HOUSE BILL NO. 2660,  
HOUSE BILL NO. 2727,  
SUBSTITUTE HOUSE BILL NO. 2747,  
SUBSTITUTE HOUSE BILL NO. 2766,  
SUBSTITUTE HOUSE BILL NO. 2833,  
HOUSE BILL NO. 2844,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Rust, Valle and Horn as conferees on Engrossed Senate Bill No. 6128.

#### SIGNED BY THE SPEAKER

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

SUBSTITUTE SENATE BILL NO. 6085  
SUBSTITUTE SENATE BILL NO. 6393

HOUSE RESOLUTION NO. 92-4743, by Representatives Morris, Cooper, Riley, Sheldon, R. Johnson and P. Johnson

WHEREAS, In the late 1800's the Andrews family immigrated to Washington; and  
WHEREAS, Mark F. Andrews, Jr. was born and raised in Cowlitz County and began tree farm activities on his parents' property as a teenager in the 1940's; and  
WHEREAS, Mark and Gina Andrews have owned and managed their land since 1960; and  
WHEREAS, This body honors Mark and Gina Andrews who were named Washington State's 1991-92 Outstanding Tree Farmer of the Year; and

WHEREAS, This prestigious honor is given to the top nonindustrial tree farmer who has demonstrated exemplary forest management skills, substantial interest in the Tree Farm Program, abilities in relating to other landowners, and special human interest; and

WHEREAS, Mark and Gina Andrews were nominated for the finals from among one thousand one hundred certified tree farmers state-wide, selected for the title from seven finalists, and will compete in the regional competition and, if successful, the national competition; and

WHEREAS, Mark and Gina Andrews manage their 2,965 acre tree farm in parcels ranging in size from ten to four hundred twenty acres located in Cowlitz, Wahkiakum, Lewis, and Pacific Counties; and

WHEREAS, Mark and Gina Andrews have been recognized by their peers for their outstanding example of what a nonindustrial forest landowner can and should do in forest management so as to obtain the highest possible wood fiber yield through conversions of nonproductive and low-productive forest lands to the cultivation of highly productive species, while at the same time taking steps to and accomplishing other conservation measures such as wildlife enhancement, recreational activities, and education; and

WHEREAS, Mark and Gina Andrews have conducted a cooperative fishery project over the last eight years in conjunction with the Fly Fishers Association and the Department of Wildlife, releasing 8,000-10,000 sea run Cutthroat Steelhead into the Coweeman River each year; and

WHEREAS, Mark and Gina Andrews host tree farm tours for foresters, tree farmers, political candidates and decision-makers, and local, state, and national groups to witness tree farm management, regulations, and economic factors; and

WHEREAS, Private nonindustrial forestry is an exercise in democracy and the private enterprise system;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives commend Mark and Gina Andrews for being named Washington's Outstanding Tree Farmer of the Year and wish them the best of luck in the regional competition; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Mark and Gina Andrews.

Ms. Morris moved adoption of the resolution. Representatives Morris, Bowman and Riley spoke in favor of the adoption of the resolution.

House Resolution No. 92-4743 was adopted.

SIGNED BY THE SPEAKER

The Speaker announced that he had signed.

SUBSTITUTE SENATE BILL NO. 6085  
SUBSTITUTE SENATE BILL NO. 6393

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on SUBSTITUTE HOUSE BILL NO. 2720. The President has appointed the following members as Conferees:

Senators Matson, McMullen and Amondson  
and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate receded from its amendment(s) to HOUSE BILL NO. 2448, and passed the bill without said amendment (s):

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Leonard, Riley and Winsley as conferees on Substitute Senate Bill No. 6428.

The Speaker (Mr. O'Brien presiding) appointed Representatives Nelson, Wineberry and Mitchell as conferees on Substitute House Bill No. 2501.

#### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 2876, with the following amendment(s):**

Strike everything after the enacting clause and insert the following:

**Sec. 1.** RCW 42.17.020 and 1991 sp.s. c 18 s 1 are each amended to read as follows:

(1) "Agency" includes all state agencies and all local agencies. "State agency" includes every state office, department, division, bureau, board, commission, or other state agency. "Local agency" includes every county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district, or any office, department, division, bureau, board, commission, or agency thereof, or other local public agency.

(2) "Ballot proposition" means any "measure" as defined by RCW 29.01.110, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of the state or any municipal corporation, political subdivision, or other voting constituency from and after the time when the proposition has been initially filed with the appropriate election officer of that constituency prior to its circulation for signatures.

(3) "Depository" means a bank designated by a candidate or political committee pursuant to RCW 42.17.050.

(4) "Treasurer" and "deputy treasurer" mean the individuals appointed by a candidate or political committee, pursuant to RCW 42.17.050, to perform the duties specified in that section.

(5) "Candidate" means any individual who seeks election to public office. An individual shall be deemed to seek election when he first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his candidacy for office; or

(b) Announces publicly or files for office.

(6) "Commercial advertiser" means any person who sells the service of communicating messages or producing printed material for broadcast or distribution to the general public or segments of the general public whether through the use of newspapers, magazines, television and radio stations, billboard companies, direct mail advertising companies, printing companies, or otherwise.

(7) "Commission" means the agency established under RCW 42.17.350.

(8) "Compensation" unless the context requires a narrower meaning, includes payment in any form for real or personal property or services of any kind: PROVIDED, That for the purpose of compliance with RCW 42.17.241, the term "compensation" shall not include per diem allowances or other payments made by a governmental entity to reimburse a public official for expenses incurred while the official is engaged in the official business of the governmental entity.

(9) "Continuing political committee" means a political committee that is an organization of continuing existence not established in anticipation of any particular election campaign.

(10) "Contribution" includes a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services for less than full consideration, but does not include interest on moneys deposited in a political committee's account, ordinary home hospitality and the rendering of personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of fifty dollars personally paid for by the worker. Volunteer services, for the purposes of this chapter, means services or labor for which the individual is not compensated by any person. For the purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. Sums paid for tickets to fund-raising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this chapter, by the actual cost of consumables furnished in connection with the purchase of the tickets, and only the excess over the actual cost of the consumables shall be deemed a contribution.

(11) "Elected official" means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

(12) "Election" includes any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters: PROVIDED, That an election in which the qualifications for voting include other than those requirements set forth in Article VI, section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this chapter.

(13) "Election campaign" means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.

(14) "Expenditure" includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. The term "expenditure" also includes a promise to pay, a payment, or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made. The term "expenditure" shall not include the partial or complete repayment by a candidate or political committee of the principal of a loan, the receipt of which loan has been properly reported.

(15) "Final report" means the report described as a final report in RCW 42.17.080(2).

(16) "Gift," for the purposes of RCW 42.17.170 and 42.17.2415, means a rendering of anything of value in return for which reasonable consideration is not given and received and includes a rendering of money, property, services, discount, loan forgiveness, payment of indebtedness, or reimbursements from or payments by persons (other than the federal government, or the state of Washington or any agency or political subdivision thereof) for travel or anything else of value. The term "reasonable consideration" refers to the approximate range of consideration that exists in transactions not involving donative intent. However, the value of the gift of partaking in a single hosted reception shall be determined by dividing the total amount of the cost of conducting the reception by the total number of persons partaking in the reception. "Gift" for the purposes of RCW 42.17.170 and 42.17.2415 does not include:



- (a) A gift, other than a gift of partaking in a hosted reception, with a value of fifty dollars or less;
- (b) The gift of partaking in a hosted reception if the value of the gift is one hundred dollars or less;
- (c) A contribution that is required to be reported under RCW 42.17.090 or 42.17.243;

(d) Informational material that is transferred for the purpose of informing the recipient about matters pertaining to official business of the governmental entity of which the recipient is an official or officer, and that is not intended to confer on that recipient any commercial, proprietary, financial, economic, or monetary advantage, or the avoidance of any commercial, proprietary, financial, economic, or monetary disadvantage;

(e) A gift that is not used and that, within thirty days after receipt, is returned to the donor or delivered to a charitable organization. However, this exclusion from the definition does not apply if the recipient of the gift delivers the gift to a charitable organization and claims the delivery as a charitable contribution for tax purposes;

(f) A gift given under circumstances where it is clear beyond any doubt that the gift was not made as part of any design to gain or maintain influence in the governmental entity of which the recipient is an officer or official or with respect to any legislative matter or matters of that governmental entity; or

- (g) A gift given prior to September 29, 1991.

(17) "Immediate family" includes the spouse, dependent children, and other dependent relatives, if living in the household.

(18) "Legislation" means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter that may be the subject of action by either house or any committee of the legislature and all bills and resolutions that, having passed both houses, are pending approval by the governor.

(19) "Lobby" and "lobbying" each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state Administrative Procedure Act, chapter 34.05 RCW. Neither "lobby" nor "lobbying" includes an association's or other organization's act of communicating with the members of that association or organization.

- (20) "Lobbyist" includes any person who lobbies either in his own or another's behalf.

(21) "Lobbyist's employer" means the person or persons by whom a lobbyist is employed and all persons by whom he is compensated for acting as a lobbyist.

(22) "Person" includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

(23) "Person in interest" means the person who is the subject of a record or any representative designated by that person, except that if that person is under a legal disability, the term "person in interest" means and includes the parent or duly appointed legal representative.

(24) "Political advertising" includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

(25) "Political committee" means any person (except a candidate or an individual dealing with his own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

(26) "Public office" means any federal, state, county, city, town, school district, port district, special district, or other state political subdivision elective office.

(27) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

(28) "Surplus funds" mean, in the case of a political committee or candidate, the balance of contributions that remain in the possession or control of that committee or candidate subsequent to the election for which the contributions were received, and that are in excess of the amount necessary to pay remaining debts incurred by the committee or candidate prior to that election. In the case of a continuing political committee, "surplus funds" mean those contributions remaining in the possession or control of the committee that are in excess of the amount necessary to pay all remaining debts when it makes its final report under RCW 42.17.065.

(29) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

As used in this chapter, the singular shall take the plural and any gender, the other, as the context requires.

**NEW SECTION. Sec. 2.** A new section is added to chapter 42.17 RCW under the subchapter heading "public records" to read as follows:

The people of this state do not yield their sovereignty to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may maintain control over the instruments that they have created. The public records subdivision of this chapter shall be liberally construed and its exemptions narrowly construed to promote this public policy.

**Sec. 3.** RCW 42.17.260 and 1989 c 175 s 36 are each amended to read as follows:

(1) Each agency, in accordance with published rules, shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of subsection ~~((5))~~ (6) of this section, RCW 42.17.310, 42.17.315, or other statute which exempts or prohibits disclosure of specific information or records. To the extent required to prevent an unreasonable invasion of personal privacy interests protected by RCW 42.17.310 and 42.17.315, an agency shall delete identifying details in a manner consistent with RCW 42.17.310 and 42.17.315 when it makes available or publishes any public record; however, in each case, the justification for the deletion shall be explained fully in writing.

(2) For informational purposes, each agency shall publish and maintain a current list containing every law, other than those listed in this chapter, that the agency believes exempts or prohibits disclosure of specific information or records of the agency. An agency's failure to list an exemption shall not affect the efficacy of any exemption.

(3) Each local agency shall maintain and make available for public inspection and copying a current index providing identifying information as to the following records issued, adopted, or promulgated after January 1, 1973:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute, and the Constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

~~((3))~~ (4) A local agency need not maintain such an index, if to do so would be unduly burdensome, but it shall in that event:

(a) Issue and publish a formal order specifying the reasons why and the extent to which compliance would unduly burden or interfere with agency operations; and

(b) Make available for public inspection and copying all indexes maintained for agency use.

~~((4) By July 1, 1990,))~~ (5) Each state agency shall, by rule, establish and implement a system of indexing for the identification and location of the following records:

(a) All records issued before July 1, 1990, for which the agency has maintained an index;

(b) Final orders entered after June 30, 1990, that are issued in adjudicative proceedings as defined in RCW 34.05.010(1) and that contain an analysis or decision of substantial importance to the agency in carrying out its duties;

(c) Declaratory orders entered after June 30, 1990, that are issued pursuant to RCW 34.05.240 and that contain an analysis or decision of substantial importance to the agency in carrying out its duties;

(d) Interpretive statements as defined in RCW 34.05.010(8) that were entered after June 30, 1990; and

(e) Policy statements as defined in RCW 34.05.010(14) that were entered after June 30, 1990.

Rules establishing systems of indexing shall include, but not be limited to, requirements for the form and content of the index, its location and availability to the public, and the schedule for revising or updating the index. State agencies that have maintained indexes for records issued before July 1, 1990, shall continue to make such indexes available for public inspection and copying. Information in such indexes may be incorporated into indexes prepared pursuant to this subsection. State agencies may satisfy the requirements of this subsection by making available to the public indexes prepared by other parties but actually used by the agency in its operations. State agencies shall make indexes available for public inspection and copying. State agencies may charge a fee to cover the actual costs of providing individual mailed copies of indexes.

~~((5))~~ (6) A public record may be relied on, used, or cited as precedent by an agency against a party other than an agency and it may be invoked by the agency for any other purpose only if--

- (a) It has been indexed in an index available to the public; or
- (b) Parties affected have timely notice (actual or constructive) of the terms thereof.

~~((6))~~ (7) This chapter shall not be construed as giving authority to any agency to give, sell or provide access to lists of individuals requested for commercial purposes, and agencies shall not do so unless specifically authorized or directed by law: PROVIDED, HOWEVER, That lists of applicants for professional licenses and of professional licensees shall be made available to those professional associations or educational organizations recognized by their professional licensing or examination board, upon payment of a reasonable charge therefor: PROVIDED FURTHER, That such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter 34.05 RCW, the Administrative Procedure Act.

Sec. 4. RCW 42.17.290 and 1975 1st ex.s. c 294 s 16 are each amended to read as follows:

Agencies shall adopt and enforce reasonable rules and regulations, consonant with the intent of this chapter to provide full public access to public records, to protect public records from damage or disorganization, and to prevent excessive interference with other essential functions of the agency. Such rules and regulations shall provide for the fullest assistance to inquirers and the most timely possible action on requests for information. Nothing in this section shall relieve agencies from honoring requests received by mail for copies of identifiable public records.

If a public record request is made at a time when such record exists but is scheduled for destruction in the near future, the agency shall retain possession of the record, and may not destroy or erase the record until the request is resolved.

Sec. 5. RCW 42.17.310 and 1991 c 301 s 13, 1991 c 87 s 13, and 1991 c 23 s 10 are each reenacted and amended to read as follows:

(1) The following are exempt from public inspection and copying:

(a) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients.

(b) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(c) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would (i) be prohibited to such persons by RCW 82.32.330 or (ii) violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer.

(d) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(e) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the public disclosure commission, if disclosure would endanger any person's life, physical safety, or property. If at the time ~~((the))~~ a complaint is filed the complainant, victim or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

(f) Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination.

(g) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(h) Valuable formulae, designs, drawings, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(i) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(j) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(k) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

(l) Any library record, the primary purpose of which is to maintain control of library materials, or to gain access to information, which discloses or could be used to disclose the identity of a library user.

(m) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070.

(n) Railroad company contracts filed prior to July 28, 1991, with the utilities and transportation commission under RCW 81.34.070, except that the summaries of the contracts are open to public inspection and copying as otherwise provided by this chapter.

(o) Financial and commercial information and records supplied by private persons pertaining to export services provided pursuant to chapter 43.163 RCW and chapter 53.31 RCW.

(p) Financial disclosures filed by private vocational schools under chapter 28C.10 RCW.

(q) Records filed with the utilities and transportation commission or attorney general under RCW 80.04.095 that a court has determined are confidential under RCW 80.04.095.

(r) Financial and commercial information and records supplied by businesses during application for loans or program services provided by chapter 43.163 RCW and chapters 43.31, 43.63A, and 43.168 RCW.

(s) Membership lists or lists of members or owners of interests of units in timeshare projects, subdivisions, camping resorts, condominiums, land developments, or common-interest communities affiliated with such projects, regulated by the department of licensing, in the files or possession of the department.

(t) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

(u) The residential addresses and residential telephone numbers of employees or volunteers of a public agency which are held by the agency in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers.

(v) The residential addresses and residential telephone numbers of the customers of a public utility contained in the records or lists held by the public utility of which they are customers.

(w) Information obtained by the board of pharmacy as provided in RCW 69.45.090.

(x) Information obtained by the board of pharmacy or the department of health and its representatives as provided in RCW 69.41.044, 69.41.280, and 18.64.420.

(y) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW.

(z) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information.

(aa) Financial and valuable trade information under RCW 51.36.120.

(bb) Client records maintained by an agency that is a domestic violence program as defined in RCW 70.123.020 or a rape crisis center as defined in RCW 70.125.030.

(cc) Information that identifies a person who, while an agency employee: (i) Seeks advice, under an informal process established by the employing agency, in order to ascertain his or her rights in connection with a possible unfair practice under chapter 49.60 RCW against the person; and (ii) requests his or her identity or any identifying information not be disclosed.

(2) Except for information described in subsection (1)(c)(i) of this section and confidential income data exempted from public inspection pursuant to RCW 84.40.020, the exemptions of this section are inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption may be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

(3) Inspection or copying of any specific records exempt under the provisions of this section may be permitted if the superior court in the county in which the record is maintained finds, after a hearing with notice thereof to every person in interest and the agency, that the exemption of such records is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

(4) Agency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

Sec. 6. RCW 42.17.320 and 1975 1st ex.s. c 294 s 18 are each amended to read as follows:

Responses to requests for public records shall be made promptly by agencies. Within five business days of receiving a public record request, an agency must respond by either (1) providing the record; (2) acknowledging that the agency has received the request and providing a reasonable estimate of the time the agency will require to respond to the request; or (3) denying the public record request. Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request. In acknowledging receipt of a public record request that is unclear, an agency may ask the requestor to clarify what information the requestor is seeking. If the requestor fails to clarify the request, the agency need not respond to it. Denials of requests must be accompanied by a written statement of the specific reasons therefor. Agencies shall establish mechanisms for the most prompt possible review of decisions denying inspection, and such review shall be deemed completed at the end of the second business day following the denial of inspection and shall constitute final agency action for the purposes of judicial review.

**Sec. 7.** RCW 42.17.330 and 1975 1st ex.s. c 294 s 19 are each amended to read as follows:

The examination of any specific public record may be enjoined if, upon motion and affidavit by an agency or its representative or a person who is named in the record or to whom the record specifically pertains, the superior court for the county in which the movant resides or in which the record is maintained, finds that such examination would clearly not be in the public interest and would substantially and irreparably damage any person, or would substantially and irreparably damage vital governmental functions. An agency has the option of notifying persons named in the record or to whom a record specifically pertains, that release of a record has been requested. However, this option does not exist where the agency is required by law to provide such notice.

**Sec. 8.** RCW 42.17.340 and 1987 c 403 s 5 are each amended to read as follows:

(1) Upon the motion of any person having been denied an opportunity to inspect or copy a public record by an agency, the superior court in the county in which a record is maintained may require the responsible agency to show cause why it has refused to allow inspection or copying of a specific public record or class of records. The burden of proof shall be on the agency to establish that refusal to permit public inspection and copying is in accordance with a statute that exempts or prohibits disclosure in whole or in part of specific information or records.

(2) Upon the motion of any person who believes that an agency has not made a reasonable estimate of the time that the agency requires to respond to a public record request, the superior court in the county in which a record is maintained may require the responsible agency to show that the estimate it provided is reasonable. The burden of proof shall be on the agency to show that the estimate it provided is reasonable.

(3) Judicial review of all agency actions taken or challenged under RCW 42.17.250 through 42.17.320 shall be de novo. Courts shall take into account the policy of this chapter that free and open examination of public records is in the public interest, even though such examination may cause inconvenience or embarrassment to public officials or others. Courts may examine any record in camera in any proceeding brought under this section. The court may conduct a hearing based solely on affidavits.

~~((3))~~ (4) Any person who prevails against an agency in any action in the courts seeking the right to inspect or copy any public record or the right to receive a response to a public record request within a reasonable amount of time shall be awarded all costs, including reasonable attorney fees, incurred in connection with such legal action. In addition, it shall be within the discretion of the court to award such person an amount not less than five dollars and not to exceed ~~((twenty five))~~ one hundred dollars for each day that he was denied the right to inspect or copy said public record.

**NEW SECTION. Sec. 9.** A new section is added to chapter 42.17 RCW under the subchapter heading "public records" to read as follows:

The attorney general's office shall publish, and update when appropriate, a pamphlet, written in plain language, explaining the provisions of the public records subdivision of this chapter.

**NEW SECTION. Sec. 10.** A new section is added to chapter 42.17 RCW under the subchapter heading "public records" to read as follows:

Whenever a state agency concludes that a public record is exempt from disclosure and denies a person opportunity to inspect or copy a public record for that reason, the person may request the attorney general to review the matter. The attorney general shall provide the person with his or her written opinion on whether the record is exempt.

Nothing in this section shall be deemed to establish an attorney-client relationship between the attorney general and a person making a request under this section.

**NEW SECTION. Sec. 11.** A new section is added to chapter 42.17 RCW under the subchapter heading "public records" to read as follows:

No public agency, public official, public employee, or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon the release of a public record if the public agency, public official, public employee, or custodian acted in good faith in attempting to comply with the provisions of this chapter.

NEW SECTION. Sec. 12. The legislature finds that electronic data and electronic records pose a number of challenging public disclosure questions. Included in these challenging questions are how to provide public access to electronic records while balancing personal privacy and vital governmental interests; how to best address requests for electronic records which require agencies to manipulate data; how to open electronic records to public inspection; how to calculate charges for data or products from electronic records, particularly if that data or product is to be used for a commercial purpose; and how public agencies and employees should handle the personal privacy issues associated with electronic mail.

The legislature finds that there is a large and growing number of exemptions of records from public disclosure. The legislature finds that certain types of information are treated inconsistently under current disclosure laws. The legislature further finds that there may be opportunities for consolidation of many individual record exemptions into fewer, broader exemptions. There is a need to thoroughly review both the content and organization of such exemptions.

The legislature recognizes that there is legal uncertainty regarding the status of investigative records under the open records law. It is important that clear statutory direction be provided in this area to ensure reasonable access to such records while protecting the integrity of the investigatory process and privacy interests.

The legislature also finds that certain entities that may have substantial impacts on public policy are not covered by the open public meetings act. Such entities include certain boards, councils, committees, or other groups of similar nomenclature that serve in an advisory capacity. To ensure that public agencies comply with the intent of the open public meetings act, it is important for the legislature to determine which categories of such groups should be covered by the open public meetings act.

The legislature shall investigate special meetings and notice procedures, emergency meetings, executive sessions and matters that may be properly addressed in an executive session, publication of and provision to the public a regular meeting agenda, and penalties related to failure to comply with open meeting violations.

Finally, while the open public meetings act authorizes agencies to use closed executive sessions to consider certain matters specified in the act, agencies when in closed executive session are required to restrict their consideration to those matters. The act's provisions may need to be amended to prevent or deter public agencies from considering matters in closed executive session that they are not entitled to consider.

The joint select committee on open government shall examine these five issues and shall report back to the legislature with any recommendations for statutory changes by January 1, 1993. In examining these issues, the committee shall provide ample opportunity for input from all interested parties.

On page 1, line 1 of the title, after "government;" strike the remainder of the title and insert "amending RCW 42.17.020, 42.17.260, 42.17.290, 42.17.320, 42.17.330, and 42.17.340; reenacting and amending RCW 42.17.310; adding new sections to chapter 42.17 RCW; and creating a new section."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Anderson moved that the House do concur in the Senate amendments to Engrossed Substitute Bill No. 2876. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2876 as amended by the Senate.

Representatives Anderson and McLean 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. 2876, as amended by the Senate and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Locke - 01.

Engrossed Substitute House Bill No. 2876 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 2812 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the creation of new jobs is crucial to the economic well-being of the state and its residents. As several commercial airlines are considering establishing major aircraft maintenance facilities in the state, it is important for the state to demonstrate the ability to provide a skilled work force with the technical skills essential for such a facility. Providing additional state assistance to vocational training programs on aircraft maintenance will ease job displacement in the state and offer an incentive for economic development.

NEW SECTION. Sec. 2. From biennial appropriations to the work force training and education coordinating board for the job skills training program, the board shall allocate the sum of five hundred thousand dollars for the 1991-93 biennium and the sum of one million dollars for the 1993-95 biennium to a state technical or community college for the purpose of a vocational training program for the maintenance of commercial aircraft. The board shall allocate the moneys under this section only after the governor determines that a commercial airline will establish a new facility in this state for the maintenance of commercial aircraft. If no determination is made by January 1, 1993, or if the governor determines before January 1, 1993, that no facility will be established, this section has no effect and the board may allocate these moneys for other purposes of the job skills training program.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

In line 1 of the title, after "training;" strike the remainder of the title and insert "creating new sections; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Ms. Cantwell moved that the House refuse to concur in the Senate amendments to Engrossed House Bill No. 2812 and ask the Senate to recede therefrom. The motion was carried.

Ms. Cantwell spoke in favor of the motion.

## MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has concurred in the House amendment(s) to ENGROSSED SUBSTITUTE SENATE BILL NO. 5727 and passed the bill as amended by the House.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## RESOLUTION

HOUSE RESOLUTION NO. 92-4764, by Representatives Jacobsen, Wineberry, Ogden, Wood, Sheldon, Peery, G. Cole, G. Fisher, Basich and Betrozoff

WHEREAS, In 1981 the Washington State Legislature created the Washington Scholars Program to honor outstanding seniors from high schools in this state; and

WHEREAS, Three students are selected from each of the state's forty-nine legislative districts for their exceptional academic achievements, leadership abilities, and contributions to their communities; and

WHEREAS, The students selected for special recognition as Washington Scholars in 1992 have distinguished themselves as student leaders and also through their enthusiastic and energetic participation in diverse activities including music, drama, debate, art, sports, Junior Achievement, and knowledge competitions; and

WHEREAS, These distinguished students have also contributed to the welfare of those less fortunate in their communities through volunteer efforts with organizations such as the Special Olympics, March of Dimes, Big Brothers, Big Sisters, community food drives, and church groups; and

WHEREAS, The State of Washington benefits from the accomplishments of these caring and gifted individuals, not only in their roles as students, but also as citizens, role models for other young people, and future leaders of our communities and our state;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honors and congratulates the Washington Scholars for their hard work, dedication, and maturity in achieving this noteworthy accomplishment; and

BE IT FURTHER RESOLVED, That the families of these students be commended for their encouragement and support; and



BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to all of the Washington Scholars selected in 1992.

Mr. Jacobsen moved adoption of the resolution. Representatives Jacobsen and Betrozoff spoke in favor of the resolution.

House Resolution No. 92-4764 was adopted.

MESSAGE FROM THE SENATE

March 10,, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on ENGROSSED SENATE BILL NO. 6128. The President has appointed the following members as Conferees:

Senators Metcalf, Owen and Craswell

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2553. The President has appointed the following members as Conferees:

Senators Patterson, Vognild and Nelson

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on SUBSTITUTE SENATE BILL NO. 6428. The President has appointed the following members as Conferees:

Senators Roach, Talmadge and L. Smith  
and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

No objection the House will advance to the eighth order of business.

#### MOTION

Mr. Dorn moved that the Rules committee be relieved of House Concurrent Resolution No. 4433 and House Concurrent Resolution No. 4435 and that they take their place on the Second Reading calendar. The motion was carried.

No objection the House will revert to the third order of business, message from the Senate.

The Speaker assumed the chair.

#### SIGNED BY THE SPEAKER

The Speaker announced that he had signed the following bills.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1150  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1495  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2262  
ENGROSSED HOUSE BILL NO. 2287  
SUBSTITUTE HOUSE BILL NO. 2502  
SUBSTITUTE HOUSE BILL NO. 2635  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928

#### SENATE AMENDMENTS TO HOUSE BILL

March 5, 1992

MR. SPEAKER:

The Senate has passed:

**SUBSTITUTE HOUSE BILL NO. 2370, with the following (attached) amendments:**

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** (1) A person who serves legal process for a fee in the state of Washington shall register as a process server with the auditor of the county in which the process server resides or operates his or her principal place of business.

(2) The requirement to register under subsection (1) of this section does not apply to any of the following persons:

(a) A sheriff, deputy sheriff, marshal, constable, or government employee who is acting in the course of employment;

(b) An attorney or the attorney's employees, who are not serving process on a fee basis;

- (c) A person who is court appointed to serve the court's process;
- (d) An employee of a person who is registered under this section;
- (e) A person who does not receive a fee or wage for serving process.

NEW SECTION. Sec. 2. A new section is added to chapter 36.22 RCW to read as follows:

(1) Each county auditor shall develop a registration process to register process servers required to register under section 1 of this act.

(2) The county auditor may collect an annual registration fee from the process server not to exceed ten dollars.

(3) The office of the administrator for the courts shall develop a registration form for the county auditors to use in the registration process for the purpose of identifying and locating the registrant, including the process server's name, birthdate, and social security number, and the process server's business name, business address, and business telephone number.

(4) The county auditor shall maintain a register of process servers and assign a number to each registrant. Upon renewal of the registration as required in section 3 of this act, the auditor shall continue to assign the same registration number. A successor entity composed of one or more registrants shall be permitted to transfer one or more registration numbers to the new entity.

NEW SECTION. Sec. 3. A process server required to register under section 1 of this act must renew the registration within one year of the date of the initial registration or when the registrant changes his or her name, the name of his or her business, business address, or business telephone number, whichever occurs sooner. If the renewal is required because of a change in the information identifying the process server, the process server must renew the registration within ten days of the date the identifying information changes. The process server shall pay the registration fee upon renewal.

NEW SECTION. Sec. 4. (1) A process server required to register under section 1 of this act shall indicate the process server's registration number and the process server's county of registration on any proof of service the process server signs.

(2) Employees of a process server required to register under section 1 of this act shall indicate the employer's registration number and the employer's county of registration on any proof of service the registrant's employee signs.

NEW SECTION. Sec. 5. (1) Except as provided in subsection (2) of this section, any person who is otherwise entitled to collect the costs of service of process shall not be entitled to collect those costs if the person does not use a process server who under this chapter either is required to register or is exempt from the registration requirement.

(2) The person may collect the costs of the service of process if the process server registers within forty-five days after serving the process.

(3) This section shall apply to all process served on or after August 1, 1992.

NEW SECTION. Sec. 6. Sections 1 and 3 through 5 of this act shall constitute a new chapter in Title 18 RCW.

NEW SECTION. Sec. 7. Nothing in this act modifies Superior Court Civil Rule 4.

On page 1, line 1 of the title, after "servers;" strike the remainder of the title and insert "adding a new chapter to Title 18 RCW; adding a new section to chapter 36.22 RCW; and creating a new section." and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Substitute House Bill No. 2370. The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2370 as amended by the Senate.

Mr. Padden spoke in favor of passage of the bill as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2370 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 91, Nays - 2, Absent - 4, Excused - 1.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Berozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Heavey, Hine, Hochstatter, Horn, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Sheldon, Silver, Sommers, D., Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Anderson, Haugen - 02.

Absent: Representatives Inslee, Locke, Sommers, H., Spanel - 04.

Excused: Representative Scott - 01.

Substitute House Bill No. 2370 as amended by the Senate, having received the constitutional majority, was declared passed.

### SENATE AMENDMENTS TO HOUSE BILL

March 3, 1992

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2514 with the following (attached) amendment(s):

On page 1, line 1 of the title, after "to" strike everything down through and including "spouse" on line 2, and insert "income for purposes of senior citizen property tax exemptions"

On page 3, after line 21, insert the following:

Sec. 2. RCW 84.36.383 and 1991 c 213 s 4 are each amended to read as follows:

As used in RCW 84.36.381 through 84.36.389, except where the context clearly indicates a different meaning:

(1) The term "residence" shall mean a single family dwelling unit whether such unit be separate or part of a multiunit dwelling, including the land on which such dwelling stands not to exceed one acre. The term shall also include a share ownership in a cooperative housing association, corporation, or partnership if the person claiming exemption can establish that his or her share represents the specific unit or portion of such structure in which he or she resides. The term shall also include a single family dwelling situated upon lands the fee of which is vested in the United States or any instrumentality thereof including an Indian tribe or in the state of Washington, and notwithstanding the provisions of RCW 84.04.080((;)) or 84.04.090 ((or 84.40.250)), such a residence shall be deemed real property.

(2) The term "real property" shall also include a mobile home which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe, connections with sewer, water, or other utilities: PROVIDED, That a mobile home located on land leased by the owner of the mobile home shall be subject, for tax billing, payment, and collection purposes, only to the personal property provisions of chapter 84.56 RCW and RCW 84.60.040.

(3) The term "preceding calendar year" shall mean the calendar year preceding the year in which the claim for exemption is to be made.

(4) "Department" shall mean the state department of revenue.

(5) "Combined disposable income" means the disposable income of the person claiming the exemption, plus the disposable income of his or her spouse, and the disposable income of each cotenant occupying the residence for the preceding calendar year, less amounts paid by the person claiming the exemption or his or her spouse during the previous year for the treatment or care of either person received in the home or in a nursing home.

(6) "Disposable income" means adjusted gross income as defined in the federal internal revenue code, as amended prior to January 1, 1989, or such subsequent date as the director may provide by rule consistent with the purpose of this section, plus all of the following items to the extent they are not included in or have been deducted from adjusted gross income:

(a) Capital gains, other than nonrecognized gain on the sale of a principal residence under section 1034 of the federal internal revenue code, or gain excluded from income under section 121 of the federal internal revenue code to the extent it is reinvested in a new principal residence;

(b) ~~((Amounts deducted for loss;~~

~~((e)))~~ Amounts deducted for depreciation;

~~((c)))~~ (c) Pension and annuity receipts;

~~((d)))~~ (d) Military pay and benefits other than attendant-care and medical-aid payments;

~~((f)))~~ (e) Veterans benefits other than attendant-care and medical-aid payments;

~~((g)))~~ (f) Federal social security act and railroad retirement benefits;

~~((h)))~~ (g) Dividend receipts; and

~~((i)))~~ (h) Interest received on state and municipal bonds.

(7) "Cotenant" means a person who resides with the person claiming the exemption and who has an ownership interest in the residence.

Renumber the remaining section consecutively.

On page 3, line 22, strike "Section 1 of this" and insert "This"

On page 1, line 2 of the title after "spouse;" insert "amending RCW 84.36.383;"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### POINT OF ORDER

Mr. Wang: Mr. Speaker, I would like a ruling on whether the Senate amendments go beyond the Scope and Object of the bill.

With consent of the House, we will defer further consideration of House Bill No. 2514, until the Speaker has had time to examine the amendments. The motion was carried.

#### SENATE AMENDMENTS TO HOUSE BILL

March 10, 1992

MR. SPEAKER:

Under suspension of rules, SUBSTITUTE HOUSE BILL NO. 1736 was returned to second reading. The Senate reconsidered the vote by which the Senate striking amendment(s) (1736-S AAS 3/5/91) were adopted, and did not adopt the striking amendment(s). The Senate passed the bill with the attached striking amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 39.76 RCW to read as follows:

(1) Except as provided in RCW 39.76.020, every state agency, county, city, town, school district, board, commission, or any other public body shall pay interest at a rate of one percent per month, but at least one dollar per month, on amounts

due on written contracts for public works, personal services, goods and services, equipment, and travel, whenever the public body fails to make timely payment.

(2) For purposes of this section, payment shall be timely if:

(a) Except as provided otherwise in this subsection, a check or warrant is mailed or is available on the date specified for the amount specified in the applicable contract documents but not later than thirty days of receipt of a properly completed invoice or receipt of goods or services, whichever is later. If a contract is funded by grant or federal money, the public body shall pay the prime contractor for satisfactory performance within thirty calendar days of the date the public body receives a payment request that complies with the contract or within thirty calendar days of the date the public body actually receives the grant or federal money, whichever is later.

(b) On written contracts for public works, when part or all of a payment is going to be withheld for unsatisfactory performance or if the payment request made does not comply with the requirements of the contract, the public body shall notify the prime contractor in writing within eight working days after receipt of the payment request stating specifically why part or all of the payment is being withheld and what remedial actions must be taken by the prime contractor to receive the withheld amount.

(c) If the notification by the public body required by (b) of this subsection does not comply with the notice contents required under (b) of this subsection, the public body shall pay the interest under subsection (1) of this section from the ninth working day after receipt of the initial payment request until the contractor receives notice that does comply with the notice contents required under (b) of this subsection.

(d) If part or all of a payment is withheld under (b) of this subsection, the public body shall pay the withheld amount within thirty calendar days after the prime contractor satisfactorily completes the remedial actions identified in the notice. If the withheld amount is not paid within the thirty calendar days, the public body shall pay interest under subsection (1) of this section from the thirty-first calendar day until the date paid.

(e)(i) If the prime contractor on a public works contract, after making a request for payment to the public body but before paying a subcontractor for the subcontractor's performance covered by the payment request, discovers that part or all of the payment otherwise due to the subcontractor is subject to withholding from the subcontractor under the subcontract for unsatisfactory performance, the prime contractor may withhold the amount as allowed under the subcontract. If the prime contractor withholds an amount under this subsection, the prime contractor shall:

(A) Give the subcontractor notice of the remedial actions that must be taken as soon as practicable after determining the cause for the withholding but before the due date for the subcontractor payment;

(B) Give the contracting officer of the public body a copy of the notice furnished to the subcontractor under (e)(i)(A) of this subsection; and

(C) Pay the subcontractor within eight working days after the subcontractor satisfactorily completes the remedial action identified in the notice.

(ii) If the prime contractor does not comply with the notice and payment requirements of (e)(i) of this subsection, the contractor shall pay the subcontractor interest on the withheld amount from the eighth working day at an interest rate that is equal to the amount set forth in subsection (1) of this section.

(3) For the purposes of this section:

(a) A payment is considered to be made when mailed or personally delivered to the party being paid.

(b) An invoice is considered to be received when it is date-stamped or otherwise marked as delivered. If the invoice is not date-stamped or otherwise marked as delivered, the date of the invoice is considered to be the date when the invoice is received.

**NEW SECTION. Sec. 2.** (1) Public improvement contracts shall provide, and public bodies shall reserve, a contract retainage not to exceed five percent of the moneys earned by the contractor as a trust fund for the protection and payment of: (a) The claims of any person arising under the contract; and (b) the state with respect to taxes imposed pursuant to Title 82 RCW which may be due from such contractor.

(2) Every person performing labor or furnishing supplies toward the completion of a public improvement contract shall have a lien upon moneys reserved by a public body under the provisions of a public improvement contract: PROVIDED, That the notice of the lien of the claimant shall be given within forty-five days of completion of the contract work, and in the manner provided in RCW 39.08.030.

(3) The contractor at any time may request the contract retainage be reduced to one hundred percent of the value of the work remaining on the project.

(a) After completion of all contract work other than landscaping, the contractor may request that the public body release and pay in full the amounts retained during the performance of the contract, and sixty days thereafter the public body must release and pay in full the amounts retained (other than continuing retention of five percent of the moneys earned for landscaping) subject to the provisions of chapters 39.12 and 60.28 RCW.

(b) Sixty days after completion of all contract work the public body must release and pay in full the amounts retained during the performance of the contract subject to the provisions of chapters 39.12 and 60.28 RCW.

(4) The moneys reserved by a public body under the provisions of a public improvement contract, at the option of the contractor, shall be:

(a) Retained in a fund by the public body;

(b) Deposited by the public body in an interest bearing account in a bank, mutual savings bank, or savings and loan association. Interest on moneys reserved by a public body under the provision of a public improvement contract shall be paid to the contractor;

(c) Placed in escrow with a bank or trust company by the public body. When the moneys reserved are placed in escrow, the public body shall issue a check representing the sum of the moneys reserved payable to the bank or trust company and the contractor jointly. This check shall be converted into bonds and securities chosen by the contractor and approved by the public body and the bonds and securities shall be held in escrow. Interest on the bonds and securities shall be paid to the contractor as the interest accrues.

(5) The contractor or subcontractor may withhold payment of not more than five percent from the moneys earned by any subcontractor or sub-subcontractor or supplier contracted with by the contractor to provide labor, materials, or equipment to the public project. Whenever the contractor or subcontractor reserves funds earned by a subcontractor or sub-subcontractor or supplier, the contractor or subcontractor shall pay interest to the subcontractor or sub-subcontractor or supplier at a rate equal to that received by the contractor or subcontractor from reserved funds.

(6) With the consent of the public body the contractor may submit a bond for all or any portion of the contract retainage in a form acceptable to the public body. This bond and any proceeds therefrom are subject to all claims and liens and in the same manner and priority as set forth for retained percentages in this chapter. The public body shall release the bonded portion of the retained funds to the contractor within thirty days of accepting the bond from the contractor. Whenever a public body accepts a bond in lieu of retained funds from a contractor, the contractor shall accept like bonds from any subcontractors or suppliers from which the contractor has retained funds. The contractor shall then release the funds retained from the subcontractor or supplier to the subcontractor or supplier within thirty days of accepting the bond from the subcontractor or supplier.

(7) If the public body administering a contract, after a substantial portion of the work has been completed, finds that an unreasonable delay will occur in the completion of the remaining portion of the contract for any reason not the result of a breach thereof, it may, if the contractor agrees, delete from the contract the remaining work and accept as final the improvement at the stage of completion then attained and make payment in proportion to the amount of the work accomplished and in this case any amounts retained and accumulated under this section shall be held for a period of sixty days following the completion. In the event that the work is terminated before final completion as provided in this section, the public body may thereafter enter into a new contract with the same contractor to perform the remaining work or improvement for an amount equal to or less than the cost of the remaining work as was provided for in the original contract without advertisement or bid. The provisions of this chapter are exclusive and shall supersede all provisions and regulations in conflict herewith.

(8) Whenever the department of transportation has contracted for the construction of two or more ferry vessels, sixty days after completion of all contract work on each ferry vessel, the department must release and pay in full the amounts retained in connection with the construction of the vessel subject to the provisions of RCW 60.28.020 and chapter 39.12 RCW: PROVIDED, That the department of transportation may at its discretion condition the release of funds retained in connection with the completed ferry upon the contractor delivering a good and sufficient bond with two or more sureties, or with a surety company, in the amount of the retained funds to be released to the contractor, conditioned that no taxes shall be certified or claims filed for work on the ferry after a period of sixty days following completion of the ferry; and if taxes are certified or claims filed, recovery may be had on the bond by the department of revenue and the materialmen and laborers filing claims.

(9) Except as provided in subsection (1) of this section, reservation by a public body for any purpose from the moneys earned by a contractor by fulfilling its responsibilities under public improvement contracts is prohibited.

(10) Contracts on projects funded in whole or in part by farmers home administration and subject to farmers home administration regulations are not subject to subsections (1) through (9) of this section.

(11) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this section.

(a) "Contract retainage" means an amount reserved by a public body from the moneys earned by a person under a public improvement contract.

(b) "Person" means a person or persons, mechanic, subcontractor, or materialperson who performs labor or provides materials for a public improvement contract, and any other person who supplies the person with provisions or supplies for the carrying on of a public improvement contract.

(c) "Public body" means the state, or a county, city, town, district, board, or other public body.

(d) "Public improvement contract" means a contract for public improvements or work, other than for professional services.

NEW SECTION. Sec. 3. After the expiration of the forty-five day period for giving notice of lien provided in section 2(2) of this act, and after receipt of the department of revenue's certificate, and the public body is satisfied that the taxes certified as due or to become due by the department of revenue are discharged, and the claims of materialmen and laborers who have filed their claims, together with a sum sufficient to defray the cost of foreclosing the liens of such claims, and to pay attorneys' fees, have been paid, the public body may withhold from the remaining retained amounts for claims the public body may have against the contractor and shall pay the balance, if any, to the contractor the fund retained by it or release to the contractor the securities and bonds held in escrow.

If such taxes have not been discharged or the claims, expenses, and fees have not been paid, the public body shall either retain in its fund, or in an interest bearing account, or retain in escrow, at the option of the contractor, an amount equal to such unpaid taxes and unpaid claims together with a sum sufficient to defray the costs and attorney fees incurred in foreclosing the lien of such claims, and shall pay, or release from escrow, the remainder to the contractor.

NEW SECTION. Sec. 4. Upon completion of a contract, the state, county or other municipal officer charged with the duty of disbursing or authorizing disbursement or payment of such contracts shall forthwith notify the department of revenue of the completion of contracts over twenty thousand dollars. Such officer shall not make any payment from the retained percentage fund or release any retained percentage escrow account to any person, until he has received from the department of revenue a certificate that all taxes, increases and penalties due from the contractor, and all taxes due and to become due with respect to such contract have been paid in full or that they are, in the department's opinion, readily collectible without recourse to the state's lien on the retained percentage.

NEW SECTION. Sec. 5. A new section is added to chapter 39.04 RCW to read as follows:

(1) When payment is received by a contractor or subcontractor for work performed on a public work, the contractor or subcontractor shall pay to any subcontractor not later than ten days after the receipt of the payment, amounts allowed the contractor on account of the work performed by the subcontractor, to the extent of each subcontractor's interest therein.

(2) In the event of a good faith dispute over all or any portion of the amount due on a payment from the state or a municipality to the prime contractor, or from the prime contractor or subcontractor to a subcontractor, then the state or the municipality, or the prime contractor or subcontractor, may withhold no more than one hundred fifty percent of the disputed amount. Those not a party to a dispute are entitled to full and prompt payment of their portion of a draw, progress payment, final payment, or released retainage.

(3) In addition to all other remedies, any person from whom funds have been withheld in violation of this section shall be entitled to receive from the person wrongfully withholding the funds, for every month and portion thereof that payment including retainage is not made, interest at the highest rate allowed under RCW 19.52.025. In any action for the collection of funds wrongfully withheld, the prevailing party shall be entitled to costs of suit and reasonable attorneys' fees.

NEW SECTION. Sec. 6. (1) The rights provided in this act may not be waived by the parties and a contract provision that provides for waiver of the rights provided in this act is void as against public policy.

(2) This act is to be liberally construed to provide security for all parties intended to be protected by its provisions.

NEW SECTION. Sec. 7. (1) Sections 1 through 6 of this act are applicable to all public works contracts entered into on or after September 1, 1992, relating to the construction of any work of improvement.

(2) RCW 39.76.010, 60.28.010, 60.28.020, and 60.28.050 are applicable to all public works contracts entered into prior to September 1, 1992, relating to the construction of any work of improvement.

NEW SECTION. Sec. 8. Sections 2 through 4 of this act are each added to chapter 60.28 RCW.

NEW SECTION. Sec. 9. This act shall take effect September 1, 1992.

On page 1, line 2 of the title, after "property;" strike the remainder of the title and insert "adding a new section to chapter 39.76 RCW; adding new sections to chapter 60.28 RCW; adding a new section to chapter 39.04 RCW; creating new sections; prescribing penalties; and providing an effective date."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION



Mr. Heavey moved that the House do concur in the Senate amendments to Substitute House Bill No. 1736. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 1736 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1736 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 2, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Padden, Winsley - 02.

Excused: Representative Scott - 01.

Substitute House Bill No. 1736 as amended by the Senate, having received the constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I would have voted "Yes" on final passage of Substitute House Bill No. 1736, as amended by the Senate.

SHIRLEY J. WINSLEY, 28th District

#### SENATE AMENDMENTS TO HOUSE BILL

March 10, 1992

MR. SPEAKER:

Under suspension of rules, ENGROSSED SUBSTITUTE HOUSE BILL NO. 2609, was returned to second reading. The Senate reconsidered the vote by which it adopted the Committee on Transportation amendment on page 2, beginning on line 24, and did not adopt the amendment. The bill was passed with the following amendment (2609-S.E AAS 3/10/92):

On page 2, beginning on line 24, strike all of the material down to and including "December 1, 1994" on page 3, line 2, and insert the following:

"No city, county, or county-wide port district in a county in the western part of Washington state as divided by the summit of the cascade mountain range, with a population of one hundred fifty thousand or more on January 1,

1992, and contiguous to a county with a population of four hundred thousand or more may construct a runway of one thousand feet or more, or cause a runway to be extended, or permit an air carrier to initiate new service at any airport not presently receiving commercial service that is affected by this section, before the air transportation commission has submitted its final report to the legislative transportation committee, which shall occur no later than December 1, 1994"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. R. Fisher moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2609. The motion was carried.

#### COLLOQUY

Representative Fraser: Mr. Speaker, will Representative Hine yield to a question?

Mr. Speaker: Representative Fraser, Representative Hine does yield.

Representative Fraser: Representative Hine, The Port of Olympia and the Olympia airport are working to establish commuter airline service here. If it passes, would the amendment not permitting initiation of new service prohibit the Olympia port and airport from obtaining commuter service?

Representative Hine: Representative Fraser, No, it would not. If the Port of Olympia and Olympia Airport want to invite commuter services, they may do so. This amendment would prohibit commercial airline service at airports which do not now have commercial service. Commuter services would not be effected. I have spoken with the Senate sponsors, and they concur with this interpretation of the amendment.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2609 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2609 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley,

Roland, Rust, Schmidt, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Scott - 01.

Engrossed Substitute House Bill No. 2609 as amended by the Senate, having received the constitutional majority, was declared passed.

MOTION

Mr. Wineberry moved that the House consider the following messages, in the following order from the Senate, Second Engrossed Substitute Senate Bill No. 5526 and Engrossed Senate Bill No. 6089. The motion was carried.

MESSAGE FROM THE SENATE

March 9, 1992

MR. SPEAKER:

The Senate refuses to grant the request of the House for a Conference on:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5526, adheres to its position regarding the House amendment(s), and once again asks the House to recede therefrom,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Mr. Heavey moved that the House insists on its position regarding the House amendments to Second Engrossed Substitute Senate Bill No. 5526 and again ask the Senate to concur therein. The motion was carried.

The Speaker called upon Representative O'Brien to preside.

MESSAGE FROM THE SENATE

March 10,, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to

ENGROSSED SENATE BILL NO. 6089, and asks the House to recede therefrom,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Braddock moved that the House insists on its position regarding the House amendments to Engrossed Senate Bill No. 6089 and ask the Senate for a conference thereon.

#### MOTION

Mr. Moyer moved that the House recede from the House amendments to Engrossed Senate Bill No. 6089 and pass the bill.

Mr. Tate demanded electric roll call. The demand was sustained.

Mr. Ebersole spoke against the motion to recede. Mr. Moyer spoke in favor of the motion. Mr. Braddock spoke against the motion. Mr. D. Sommers spoke in favor.

#### ROLL CALL

The Clerk called the roll on the motion to recede from the House amendments to Engrossed Senate Bill No. 6089, and the bill failed to pass the House by the following vote: Yeas - 42, Nays - 54, Absent - 1, Excused - 1.

Voting yea: Representatives Ballard, Beck, Betzoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Sheldon, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne, Zellinsky - 42.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslée, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Sommers, H., Spanel, Valle, Wang, Wineberry, and Mr. Speaker - 54.

Absent: Representative Sprenkle - 01.

Excused: Representative Scott - 01.

Motion having failed to received the constitutional majority, was declared lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to that the House insists on its position regarding the House amendments to Engrossed Senate Bill No. 6089 and ask the Senate for a conference thereon. The motion was carried.

#### APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Braddock, Day and Moyer as conferees on Engrossed Senate Bill No. 6089.

#### MESSAGE FROM THE SENATE

March 7, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5724, and asks the House to recede therefrom,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

Ms. Rust moved that the House insists on its position regarding the House amendments to Engrossed Second Substitute Senate Bill No. 5724 and ask the Senate for a conference thereon. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker (Mr. O'Brien presiding) appointed Representatives Rust, Valle and Horn as conferees on Engrossed Second Substitute Senate Bill No. 5724.

The Speaker (Mr. O'Brien presiding) called upon Representative Wineberry to preside.

MOTION

There being no objection, the House advanced to the eleventh order of business.

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a. m., Wednesday March 11, 1992.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

## JOURNAL OF THE HOUSE

## FIFTY-NINTH DAY

## MORNING SESSION

House Chamber, Olympia, Wednesday, March 11, 1992

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 Sprenkle and Winsley.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages April Schulz and Ross Nielson. Prayer was offered by Reverend Avery Finger, Minister of the Evangel Temple Church of God of Olympia.

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

## MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 6461,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on HOUSE BILL NO. 2259. The President has appointed the following members as Conferees:

Senators Hayner, Bauer and Saling

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on ENGROSSED SENATE BILL NO. 6407. The President has appointed the following members as Conferees:

Senators Anderson, McMullen and Bluechel

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has receded from its amendment(s) to:

SUBSTITUTE HOUSE BILL NO. 2344, and passed the bill without the Senate amendment(s),

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

Senator Sellar has been appointed to replace Senator Amondson as Conferee on SUBSTITUTE HOUSE BILL NO. 2720.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 10,, 1992

MR. SPEAKER:

Senator Stratton has been appointed to replace Senator Talmadge as Conferee on SUBSTITUTE SENATE BILL NO. 6428.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has granted the request of the House for a Conference on ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5724. The President has appointed the following members as Conferees:

Senators Amondson, Sutherland and Oke

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2887,  
SUBSTITUTE HOUSE BILL NO. 2993,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has concurred in the House amendment(s) to ENGROSSED SENATE BILL NO. 5675 and passed the bill as amended by the House

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.



## RESOLUTION

HOUSE RESOLUTION NO. 92-4771, by Representatives Basich, Hargrove, Jones, Ogden, Morris, Edmondson, Nealey, D. Sommers, Brumsickle, Neher, Wineberry, Heavey, G. Cole, Cooper, Peery, Appelwick, H. Myers, P. Johnson, Fraser, Sheldon, Zellinsky and Jacobsen

WHEREAS, In May of 1792, Captain Robert Gray sailed down the Pacific Coast, discovering Grays Harbor on the 7th, discovering and guiding his ship into the mouth of the long elusive "River of the West" on the 11th, and naming the river "Columbia's River" on the 17th; and

WHEREAS, The exploration of "Columbia's River" by Captain Gray was in part responsible for the successful United States claims to the Oregon Country; and

WHEREAS, The Columbia River is a mighty and beautiful asset shared by the states of Washington and Oregon and the joint 200th anniversary celebration of the exploration of "Columbia's River" will begin in May 1992; and

WHEREAS, The Tall Ship Lady Washington, built in Aberdeen in 1989, is a replica of the original Lady Washington, one of the vessels Captain Gray sailed into Northwest waters and is one of the most unique and valuable maritime heritage assets in our state's history and a valuable tourist attraction; and

WHEREAS, The celebration of the Columbia River Bicentennial could have significant economic meaning for the Grays Harbor area and the Northwest and draw great attention to this part of the world for its colorful maritime history;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the month of May be known as Captain Robert Gray month and the citizens of Washington and Oregon join together in celebration of the 200th anniversary of the exploration of the Columbia River; and

BE IT FURTHER RESOLVED, That the citizens of Washington and Oregon join together in encouraging visitors to tour the Lady Washington and take part in a hands-on experience while commemorating our Northwest maritime heritage.

Mr. Basich moved adoption of the resolution. Representatives Basich and Cooper spoke in favor of the adoption.

House Resolution No. 92-4771 was adopted.

## MESSAGE FROM THE SENATE

March 11, 1992

MR. SPEAKER:

The President has signed:

ENGROSSED SENATE BILL NO. 5675,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

## JOURNAL OF THE HOUSE

## SIGNED BY THE SPEAKER

The Speaker (Mr. Ludwig presiding) announced that the Speaker had signed the following bills:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1150  
 SUBSTITUTE HOUSE BILL NO. 1258  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1495  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2262  
 ENGROSSED HOUSE BILL NO. 2287  
 HOUSE BILL NO. 2290  
 SUBSTITUTE HOUSE BILL NO. 2319  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2337  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2389  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2459  
 SUBSTITUTE HOUSE BILL NO. 2502  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2518  
 SUBSTITUTE HOUSE BILL NO. 2551  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2610  
 SUBSTITUTE HOUSE BILL NO. 2635  
 HOUSE BILL NO. 2681  
 HOUSE BILL NO. 2811  
 SUBSTITUTE HOUSE BILL NO. 2857  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928  
 HOUSE BILL NO. 2944  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2985  
 SUBSTITUTE HOUSE BILL NO. 2344  
 ENGROSSED SENATE BILL NO. 5675  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5727

The Speaker (Mr. Ludwig presiding) called upon Representative O'Brien to preside.

## MOTION

Mr. Wineberry moved that the House consider the following messages in the following order, House Bill No. 2398, Substitute House Bill No. 2498, Substitute House Bill No. 2501, Substitute House Bill No. 2784 and Engrossed House Bill No. 2812. The motion was carried.

## MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate refuses to grant the request of the House for a Conference on HOUSE BILL NO. 2398, insists on its position regarding the Senate amendment (s) (2398 AAS 3/3/92), and once again asks the House to concur therein.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### POINT OF ORDER

Mr. Speaker (Mr. O'Brien presiding): Representative Nelson, for what purpose do you rise?

Representative Nelson: Mr. Speaker (Mr. O'Brien presiding), Point of Order.

Mr. Speaker (Mr. O'Brien presiding): Representative Nelson state your Point of Order.

Representative Nelson: I would like a ruling on the Scope and Object of the Senate amendments to House Bill No. 2398.

With consent of the House we will defer further consideration of House Bill No. 2398, pending a ruling on the Scope and Object, of the Senate amendments.

#### SENATE AMENDMENTS TO HOUSE BILL

March 10, 1992

#### MR. SPEAKER:

Under suspension of rules, the Senate returned SUBSTITUTE HOUSE BILL NO. 2498 to second reading. The Senate reconsidered the vote by which the Committee on Ways & Means amendment(s) (2498-S AAS 3/6/92) were adopted, adopted an amendment to the committee amendment, and passed the bill with the (attached) committee amendments as amended:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 19.85 RCW to read as follows:

When any rule is proposed for which a small business economic impact statement is required, the adopting agency shall provide notice to small businesses of the proposed rule through any of the following:

(1) Direct notification of known interested small businesses or trade organizations affected by the proposed rule;

or

(2) Providing information of the proposed rule making to publications likely to be obtained by small businesses of the types affected by the proposed rule.

NEW SECTION. Sec. 2. A new section is added to chapter 19.85 RCW to read as follows:

When feasible, the adopting agency may appoint a committee, as provided in RCW 34.05.310, to comment on the subject of the possible rule making before the publication of notice of proposed rule adoption under RCW 34.05.320.

NEW SECTION. Sec. 3. A new section is added to chapter 34.05 RCW to read as follows:

The joint administrative rules review committee may review any rule to determine whether an agency complied with the regulatory fairness requirements of chapter 19.85 RCW.

NEW SECTION. Sec. 4. A new section is added to chapter 34.05 RCW to read as follows:

The joint administrative rules review committee shall provide notice, conduct its hearings and reviews, and provide notice of committee objections to small business economic impact statements required under chapter 19.85 RCW in the same manner as is provided for notice, hearings, reviews, and objections to rules under this chapter.

NEW SECTION. Sec. 5. A new section is added to chapter 43.17 RCW to read as follows:

The rules coordinator under RCW 34.05.310 shall be knowledgeable regarding the agency's rules that affect businesses. The rules coordinator shall provide a list of agency rules applicable at the time of the request to a specific class or line of business, which are limited to that specific class or line as opposed to generic rules applicable to most businesses, to the business assistance center when so requested by the business assistance center for the specific class or line of business.

NEW SECTION. Sec. 6. The business assistance center shall conduct a study of how it can best serve as a clearinghouse to coordinate with state agencies in compiling and providing, on request, lists of state rules that apply to specific classes or lines of small businesses. The business assistance center shall report the findings of the study to the legislature before December 1, 1992.

NEW SECTION. Sec. 7. A new section is added to chapter 43.31 RCW to read as follows:  
The state shall not be financially liable for errors or omissions in providing any document required to be produced under section 6 of this act. Compliance with rules identified under section 6 of this act does not excuse the business from requirements to comply with other applicable rules.

Sec. 8. RCW 34.05.320 and 1989 c 175 s 7 are each amended to read as follows:

(1) At least twenty days before the rule-making hearing at which the agency receives public comment regarding adoption of a rule, the agency shall cause notice of the hearing to be published in the state register. The publication constitutes the proposal of a rule. The notice shall include all of the following:

- (a) A title, a description of the rule's purpose, and any other information which may be of assistance in identifying the rule or its purpose;
- (b) Citations of the statutory authority for adopting the rule and the specific statute the rule is intended to implement;
- (c) A summary of the rule and a statement of the reasons supporting the proposed action;
- (d) The agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;
- (e) The name of the person or organization, whether private, public, or governmental, proposing the rule;
- (f) Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;
- (g) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement;
- (h) When, where, and how persons may present their views on the proposed rule;
- (i) The date on which the agency intends to adopt the rule;
- (j) A short explanation of the rule, its purpose, and anticipated effects, including in the case of a proposal that would modify existing rules, a short description of the changes the proposal would make; and
- (k) A copy of the small business economic impact statement, if applicable, and a statement of steps taken to minimize the economic impact in accordance with RCW 19.85.030.

(2) Upon filing notice of the proposed rule with the code reviser, the adopting agency shall have copies of the notice on file and available for public inspection and shall forward three copies of the notice to the rules review committee.

(3) No later than three days after its publication in the state register, the agency shall cause a copy of the notice of proposed rule adoption to be mailed to each person who has made a request to the agency for a mailed copy of such notices. An agency may charge for the actual cost of providing individual mailed copies of these notices.

(4) In addition to the notice required by subsections (1) and (2) of this section, an institution of higher education shall cause the notice to be published in the campus or standard newspaper of the institution at least seven days before the rule-making hearing.

NEW SECTION. Sec. 9. If specific funding for the purpose of section 6 of this act, referencing this act by bill and section number, is not provided by June 30, 1992, in the omnibus appropriations act, section 6 of this act shall be null and void.

On page 1, line 1 of the title, after "fairness;" strike the remainder of the title and insert "amending RCW 34.05.320; adding new sections to chapter 19.85 RCW; adding new sections to chapter 34.05 RCW; adding a new section to chapter 43.17 RCW; adding a new section to chapter 43.31 RCW; and creating new sections."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Spanel moved that the House do concur in the Senate amendments to Substitute House Bill No. 2498. The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2498 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2498 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 2, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Sprenkle, Winsley - 02.

Substitute House Bill No. 2498 as amended by the Senate, having received the constitutional majority, was declared passed.

Ms. Casada moved to excuse Representative Winsley.

## SENATE AMENDMENTS TO HOUSE BILL

March 10, 1992

MR. SPEAKER:

The Senate refuses to grant the request of the House for a conference on SUBSTITUTE HOUSE BILL NO. 2501, adheres to its position on the Senate amendment(s) (2501-S AAS 3/5/92), and again asks the House to concur therein,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Mr. Nelson moved that the House insists on its position regarding the Senate amendments to Substitute House Bill No. 2501 and again ask the Senate to recede therefrom. The motion was carried.

## SENATE AMENDMENTS TO HOUSE BILL

March 10, 1992

MR. SPEAKER:

Under suspension of rules, SUBSTITUTE HOUSE BILL NO. 2784 was returned to second reading. The Senate adopted additional amendments and passed the bill with the following additional amendments:

On page 8, line 7, after "develop" strike "a"

On page 8, line 7, after "mandatory" strike "form" and insert "forms"

On page 8, line 8, after "The" strike "form" and insert "forms"

On page 8, line 15, after "courts." strike all material through "forms." on line 18.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Substitute House Bill No. 2784. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2784 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2784 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 1, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Sprenkle - 01.

Excused: Representative Winsley - 01.

Substitute House Bill No. 2784 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SENATE AMENDMENTS TO HOUSE BILL

March 10, 1992

MR. SPEAKER:

Under suspension of rules, ENGROSSED HOUSE BILL NO. 2812 was returned to second reading. The Senate reconsidered the vote by which the Committee on Commerce & Labor amendment(s) (2812.E AS 3/6/92) were adopted, adopted an amendment to the committee amendment, and passed the bill with the (attached) committee amendment as amended:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the creation of new jobs is crucial to the economic well-being of the state and its residents. As several commercial airlines are considering establishing major aircraft maintenance facilities in the state, it is important for the state to demonstrate the ability to provide a skilled work force with the technical skills essential for such a facility. Providing additional state assistance to vocational training programs on aircraft maintenance will ease job displacement in the state and offer an incentive for economic development.

NEW SECTION. Sec. 2. From biennial appropriations to the work force training and education coordinating board for the job skills training program, the board shall allocate the sum of five hundred thousand dollars for the 1991-93 biennium and the sum of one million dollars for the 1993-95 biennium to a state technical or community college for the purpose of a vocational training program for the maintenance of commercial aircraft. The board shall allocate the moneys under this section only after the governor determines that a commercial airline will establish a new facility in this state for the maintenance of commercial aircraft. If no determination is made by January 1, 1993, or if the governor determines before January 1, 1993, that no facility will be established, this section has no effect and the board may allocate these moneys for other purposes of the job skills training program.

Sec. 3. RCW 28C.04.420 and 1983 1st ex. s. c 21 § 4 are each amended to read as follows:

The commission may, subject to appropriation from the legislature or from funds made available from any other public or private source and pursuant to rules adopted by the commission, provide job skills grants to educational institutions. The job skills grants shall be used exclusively for programs which are consistent with the job skills program. A job skills grant may be awarded only after:

(1) Receipt of an application from an educational institution which contains a proposal for a program of skills training and education, including a description of the program, the type of skills training or education to be provided, a statement of the total cost of the program and a breakdown of the costs associated with equipment, personnel, facilities, and materials, a statement of the employment needs for the program and evidence in support thereof, demonstrates that the program does not unnecessarily duplicate existing programs in the area and is provided at a reasonable cost, a statement of the technical assistance and financial support for the program received or to be received from business and industry, and such other information as the commission requests; and

(2) The commission, based on the application submitted by the educational institution and such additional investigation as the staff of the commission shall make, finds that:

(a) The program is within the scope of the job skills program under this chapter and may reasonably be expected to succeed and thereby increase employment within the state;

(b) Provision has been made to use any available alternative funding from local, state, and federal sources;

(c) The job skills grant will only be used to cover the costs associated with the program;

(d) The program will not unnecessarily duplicate existing programs and could not be provided by another educational institution more effectively or efficiently;

(e) The program involves an area of skills training and education for which there is a demonstrable need;

(f) The applicant has made provisions for the use of existing federal and state resources for student financial assistance;

(g) The job skills grant is essential to the success of the program as the resources of the applicant are inadequate to attract the technical assistance and financial support necessary for the program from business and industry;

(h) The commitment of financial support from business and industry shall be equal to or greater than the amount of the requested job skills grant, except that no commitment is necessary for grants under section 2 of this act;

(i) Binding commitments have been made to the commission by the applicant for adequate reporting of information and data regarding the program to the commission, particularly information concerning the recruitment and employment of trainees and students, and including a requirement for an annual or other periodic audit of the books of the applicant directly related to the program, and for such control on the part of the commission as it considers prudent over the management of the program, so as to protect the use of public funds, including, in the discretion of the commission and without limitation, right of access to financial and other records of the applicant directly related to the programs;

(j) Provision has been made by the applicant to work, in cooperation with the employment security department, to identify and screen potential trainees and that provision has been made by the applicant of persons who are victims of economic dislocation and persons from minority and economically disadvantaged groups to participate in the program; and

(k) Binding commitments have been made to the commission by the applicant for compliance with the monitoring and evaluation rules of the commission.

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

In line 1 of the title, after "training;" strike the remainder of the title and insert "amending RCW 28C.04.420; creating new sections; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Cantwell moved that the House refuse to concur in the Senate amendments to Engrossed House Bill No. 2812 and ask the Senate to recede therefrom.

#### MOTION

Mr. Wineberry moved that the House consider the following messages from the Senate in the following order, Substitute House Bill No. 2967 and Substitute Senate Bill No. 6494. The motion was carried.

#### SENATE AMENDMENTS TO HOUSE BILL

March 10, 1992]

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2967, with the following amendment(s):

On page 3, after line 16, strike all of section 7

Renumber the remaining sections consecutively

On page 1, line 3 of the title, strike "making an appropriation;"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Wang moved that the House do concur in the Senate amendments to Substitute House Bill No. 2967. The motion was carried.



Mr. Wang moved the passage of the bill as amended by the Senate.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2967 as amended by the Senate.

Mr. Brumsickle spoke against the final passage as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2967 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 63, Nays - 34, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Horn, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, May, Meyers, R., Morris, Moyer, Myers, H., Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Valle, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 63.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Chandler, Dorn, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Johnson P., Lisk, McLean, Mielke, Miller, Mitchell, Morton, Nealey, Neher, Padden, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson - 34.

Absent: Representative Sprenkle - 01.

Substitute House Bill No. 2967 as amended by the Senate, having received the constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

March 8, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendment(s) to:

SUBSTITUTE SENATE BILL NO. 6494, and asks the House to recede therefrom,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Grant moved that the House insists on its position regarding the House amendments to Substitute Senate Bill No. 6494 and ask the Senate to concur therein. The motion was carried.

Ms. G. Cole moved to excuse Representative Sprenkle.

The Speaker assumed the Chair.

### RESOLUTIONS

HOUSE RESOLUTION NO. 92-4770, by Representatives Kremen and Braddock

WHEREAS, Lynden High School won the Class A State Boys Basketball Championship on March 8, 1992, by defeating Toppenish 64-61; and

WHEREAS, The Lynden Lions demonstrated their true dominance by shooting fifty-two percent while holding their opponent to thirty-seven percent in the championship game; and

WHEREAS, The Lynden boys basketball team has now won two Class A State Basketball championships in a row; and

WHEREAS, The Lions won their sixth Class A State Basketball championship, more championships than any other school in the history of the Class A tournament; and

WHEREAS, The coaches and players of the Lynden Lions boys basketball demonstrated all the characteristics of true champions, opening the season ranked number one, going 26-1 during the season, and finishing the season ranked number one; and

WHEREAS, Much of the credit for the boys basketball program at Lynden High School belongs to a great coaching staff including head coach John Clark, and assistant coaches Rob Visser, Rich Wahlgren, and Chuck Price, all ably assisted by team manager Tony Sealund; and

WHEREAS, The players are deserving of honor for their accomplishments as well: Brian Foote, Curt Eshuis, Jeff Dykstra, Lance Campbell, Shane Ross, Colby Jones, Brent Clark, Joel DeJong, Tim Hanson, Chad VanderKooi, Chad Baar, Shon TenKley, and Derek Monson;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives offer its congratulations to all the coaches and players on the 1992 Lynden Lions championship boys basketball team; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Coach Clark and Lynden High School.

Mr. Kremen moved adoption of the resolution. Mr. Kremen spoke in favor of adoption the resolution.

House Resolution No. 92-4770 was adopted.

HOUSE RESOLUTION NO. 92-4772, by Representatives Kremen and Braddock

WHEREAS, Lynden Christian High School won the Class A State Girls Basketball Championship on March 8, 1992, by defeating East Valley 58-48; and

WHEREAS, The Lynden Christian Lynes demonstrated their true dominance by out rebounding their opponent 42 to 29 in the championship game; and

WHEREAS, The Lynden Christian girls basketball team has now won three Class A State Basketball championships in a row; and

WHEREAS, Only one other team in the history of the girls Class A Basketball tournament has ever won three championships in a row; and

WHEREAS, The coaches and players of the Lynden Christian Lyncs girls basketball team demonstrated all the characteristics of true champions in both sport and academics by earning a 3.64 team grade point average; and

WHEREAS, Much of the credit for the girls basketball program at Lynden Christian High School belongs to a great coaching staff including head coach Curt De Haan, and assistant coaches Nadine Carberry and Keven Van Berkum, all ably assisted by team manager Donna Byeman; and

WHEREAS, The players are deserving of honor for their accomplishments as well: Tracy Lenssen, Tressa Hamstra, Raelene Bajema, Renee Bajema, Sara Faber, Andrea Vander Griend, Kelly Haugen, Carol Byeman, Amy Wynstra, Sally Shagren, Becky Timmermans, and Amy Dirksen;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives offer its congratulations to all the coaches and players on the 1992 Lynden Christian High School championship girls basketball team; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Coach De Haan and Lynden Christian High School.

Mr. Kremen moved adoption of the resolution.

House Resolution No. 92-4772 was adopted.

#### INTRODUCTIONS AND FIRST READING

HCR 4441 by Representative Ebersole

Exempting certain legislation from the cutoff dates.

#### MOTION

Mr. O'Brien moved that the rules be suspended, that House Concurrent Resolution No. 4441, be advanced to the second reading and be read in full.

#### SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4441, by Representative Ebersole

Exempting certain legislation from the cutoff dates.

The bill was read the second time.

On motion of Mr. O'Brien, 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 adoption of House Concurrent Resolution No. 4441, and the bill was adopted by the House by the following vote: Yeas - 97, Nays - 0, Absent - 0,

## Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sprengle - 01.

House Concurrent Resolution No. 4441, having received the constitutional majority, was declared adopted.

## MOTION

Mr. O'Brien moved that the Rules committee be relieved of the following bills, Engrossed Senate Bill No. 6319, Engrossed Senate Bill No. 6408, Engrossed Senate Bill No. 6441 and Engrossed Senate Joint Resolution 8231. The motion was carried.

## MESSAGE FROM THE SENATE

March 11, 1992

## MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1258,  
HOUSE BILL NO. 2290,  
SUBSTITUTE HOUSE BILL NO. 2319,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2337,  
SUBSTITUTE HOUSE BILL NO. 2344,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2389,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2459,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2518,  
SUBSTITUTE HOUSE BILL NO. 2551,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2610,  
HOUSE BILL NO. 2681,  
HOUSE BILL NO. 2811,  
SUBSTITUTE HOUSE BILL NO. 2857,  
HOUSE BILL NO. 2944,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2985,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

The Speaker called upon Representative R. Meyers to preside.

## MOTION

Mr. Ebersole moved that Substitute Senate Bill No. 6461 on today's introduction sheet, be advanced to second reading and read the second time in full. The motion was carried.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 6461, by Senate Committee on Ways & Means (originally sponsored by Senators Snyder, Newhouse, Sellar and von Reichbauer; by request of Department of Licensing)

Providing for self-support for the master license system.

The bill was read the second time.

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

Representatives Heavey, Fuhrman and Bowman spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6461, and the bill passed the House by the following vote: Yeas - 91, Nays - 6, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, Meyers, R., Mielke, Miller, Mitchell, Morris, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Ballard, Chandler, Fuhrman, McLean, Morton, Padden - 06.

Excused: Representative Sprengle - 01.

Substitute Senate Bill No. 6461, having received the constitutional majority, was declared passed.

If there's no objection the House will advance to the sixth order of business.

## MOTION

Mr. Ebersole moved that the House consider Substitute Senate Bill No. 6460 on the second reading calendar. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6460, by Senate Committee on Transportation (originally sponsored by Senators Sellar, Newhouse and McMullen; by request of Department of Licensing)

Removing redundant for hire vehicle provisions.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6460, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sprengle - 01.

Substitute Senate Bill No. 6460, having received the constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

March 11, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2479,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MESSAGE FROM THE SENATE

March 11, 1992

MR. SPEAKER:

The Senate has concurred in the House amendment(s) to SUBSTITUTE SENATE BILL NO. 6494 and passed the bill as amended by the House.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 11, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2268,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2964,  
SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4033,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

SECOND READING

Mr. Ebersole moved that the House immediately consider House Concurrent Resolution No. 4433. The motion carried.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4433, by Representatives Ebersole, Ferguson, Dorn, Brumsickle, Sheldon, Broback, Orr and Forner

Appointing a special task force on work force training and retraining finance.

The bill was read the second time.

Mr. Ebersole moved adoption of the following amendment, by Representatives Ebersole, Ferguson, Sheldon and Forner:

On page 2, line 16, after "study" insert "existing and"

On page 2, line 18, after "in" insert "this state and"

Mr. Ebersole moved adoption of the amendment. Representatives Ebersole, Forner and Ferguson spoke in favor of adoption of the amendment. The amendment was adopted.

With consent of the House, we will advance House Concurrent Resolution No. 4433 to third reading.

Mr. Ebersole spoke in favor of adoption of the resolution.

## FINAL PASSAGE OF HOUSE RESOLUTION

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be adoption of House Concurrent Resolution No. 4433.

House Concurrent Resolution No. 4433 was adopted.

## MOTION

Mr. Ebersole moved that the House immediately consider House Concurrent Resolution No. 4435 on second reading. The motion was carried.

HOUSE CONCURRENT RESOLUTION NO. 4435, by Representatives Rayburn, Grant, Edmondson, Roland, Lisk, Riley, Ludwig, Bowman, Bray, Fraser, Leonard, Chandler, Haugen, Nealey, Paris, Brumsickle, Padden, Wynne and Anderson

Recognizing Washington wine appreciation month.

The bill was read the second time.

With consent of the House, we will advance house Concurrent Resolution No. 4435, to third reading.

## FINAL PASSAGE OF HOUSE RESOLUTION

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be adoption of House Concurrent Resolution No.4435.

Ms. Rayburn spoke in favor of adoption of the resolution.

House Concurrent Resolution No. 4435 was adopted.

## MOTION

Mr. Ebersole moved that we consider Engrossed Senate Bill No. 6408, on tonight's second reading calendar.

ENGROSSED SENATE BILL NO. 6408, by Senators Matson, Vognild, Hayner, Sutherland, Madsen, McCaslin and Roach

Financing capital projects.

The bill was read the second time. Committee on Local Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Ms. Haugen moved the adoption of the committee recommendation.



Ms. Belcher moved adoption of the following amendment by Representatives Belcher, R. Fisher and Nelson to the committee amendment:

On page 2, line 28 of the amendment, after "facilities," insert "inventorying and mapping sensitive areas;"

Ms. Belcher spoke in favor of adoption of the amendment.

The Speaker assumed the chair.

Representatives Haugen and Ferguson spoke against adoption of the amendment. Ms. Fraser spoke for. The amendment was lost.

With consent of the House Ms. Belcher withdrew the following amendment:

On page 3, line 5 of the amendment, after "facilities" insert "inventorying and mapping sensitive areas"

Mr. Nelson moved adoption of the following amendment by Representatives Nelson, Wineberry, Ogden, Mitchell and Leonard to the committee amendment.

On page 1, at the beginning of the amendment, strike the entire amendment and title amendment and insert the following:

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 82.46.010 and 1990 1st ex.s. c 17 s 36 are each amended to read as follows:

(1) The legislative authority of any county or city shall identify in the adopted budget the capital projects funded in whole or in part from the proceeds of the tax authorized in this section, and shall indicate that such tax is intended to be in addition to other funds that may be reasonably available for such capital projects.

(2) The ~~((governing body))~~ legislative authority of any county or any city may impose an excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding one-quarter of one percent of the selling price. The revenues from this tax shall be used by the respective jurisdictions for local capital improvements, including those listed in RCW 35.43.040.

After ~~((July 1, 1990))~~ April 30, 1992, revenues generated from the tax imposed under this subsection in counties over five thousand population and cities over five thousand population that are required or choose to plan under RCW 36.70A.040 shall be used ~~((primarily))~~ solely for financing capital projects specified in a capital facilities plan element of a comprehensive plan, and housing relocation assistance under RCW 59.18.440 and 59.18.450. However, revenues (a) pledged by such counties and cities to debt retirement prior to ~~((July 1, 1990))~~ April 30, 1992, may continue to be used for that purpose until ~~((all outstanding))~~ the original debt for which the revenues were pledged is retired, or (b) committed prior to ~~((July 1, 1990))~~ April 30, 1992, by such counties or cities to a ~~((capital))~~ project may continue to be used for that purpose until the project is completed.

~~((2))~~ (3) In lieu of imposing the tax authorized in RCW 82.14.030(2), the ~~((governing body))~~ legislative authority of any county or any city may impose an additional excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding one-half of one percent of the selling price.

~~((3))~~ (4) Taxes imposed under this section shall be collected from persons who are taxable by the state under chapter 82.45 RCW upon the occurrence of any taxable event within the unincorporated areas of the county or within the corporate limits of the city, as the case may be.

~~((4))~~ (5) Taxes imposed under this section shall comply with all applicable rules, regulations, laws, and court decisions regarding real estate excise taxes as imposed by the state under chapter 82.45 RCW.

~~((5))~~ (6) As used in this section, "city" means any city or town and "capital project" means those public works projects of a local government for planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of streets; roads; highways; sidewalks; street and road lighting systems; traffic signals; bridges; domestic water systems; storm and sanitary sewer systems; parks; recreational facilities; law enforcement facilities; fire protection facilities; trails; libraries; administrative facilities; judicial facilities; low-income housing; and river and/or waterway flood control projects.

Sec. 2. RCW 82.46.030 and 1990 1st ex.s. c 17 s 37 are each amended to read as follows:

(1) The county treasurer shall place one percent of the proceeds of the taxes imposed under ~~((RCW 82.46.010))~~ this chapter in the county current expense fund to defray costs of collection.

(2) The remaining proceeds from the county tax under RCW 82.46.010(1) shall be placed in a county capital improvements fund. The remaining proceeds from city or town taxes under RCW 82.46.010(1) shall be distributed to the respective cities and towns monthly and placed by the city treasurer in a municipal capital improvements fund.

(3) This section does not limit the existing authority of any city, town, or county to impose special assessments on property specially benefited thereby in the manner prescribed by law.

Sec. 3. RCW 82.46.035 and 1990 1st ex.s. c 17 s 38 are each amended to read as follows:

(1) The legislative authority of any county or city shall identify in the adopted budget the capital projects funded in whole or in part from the proceeds of the tax authorized in this section, and shall indicate that such tax is intended to be in addition to other funds that may be reasonably available for such capital projects.

(2) ~~The ((governing body))~~ legislative authority of any county or any city that plans under RCW 36.70A.040(1) may impose an additional excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding one-quarter of one percent of the selling price. Any county choosing to plan under RCW 36.70A.040(2) and any city within such a county may only adopt an ordinance imposing the excise tax authorized by this section if the ordinance is first authorized by a proposition approved by a majority of the voters of the taxing district voting on the proposition at a general election held within the district or at a special election within the taxing district called by the district for the purpose of submitting such proposition to the voters.

~~((2))~~ (3) Revenues generated from the tax imposed under subsection ~~((4))~~ (2) of this section shall be used by such counties and cities solely for financing capital projects specified in a capital facilities plan element of a comprehensive plan. However, revenues (a) pledged by such counties and cities to debt retirement prior to March 1, 1992, may continue to be used for that purpose until the original debt for which the revenues were pledged is retired, or (b) committed prior to March 1, 1992, by such counties or cities to a project may continue to be used for that purpose until the project is completed.

~~((3))~~ (4) Revenues generated by the tax imposed by this section shall be deposited in a separate account.

~~((4))~~ (5) As used in this section, "city" means any city or town and "capital project" means those public works projects of a local government for planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, bridges, domestic water systems, storm and sanitary sewer systems, and planning, construction, reconstruction, repair, rehabilitation, or improvement of parks.

NEW SECTION. Sec. 4. All expenditures of revenues collected under RCW 82.46.010 made prior to the effective date of this act are deemed to be in compliance with RCW 82.46.010.

On page 1, line 1 of the title, after "projects;" strike the remainder of the title and insert "amending RCW 82.46.010, 82.46.030, and 82.46.035; and creating a new section."

Representatives Nelson, G. Cole, Ogden and Wineberry spoke in favor of adoption of the amendment. Representatives Haugen, Mitchell and Ferguson spoke against adoption of the amendment, and it was lost.

The committee amendment was adopted.

With consent of the House Engrossed Senate Bill No. 6408 as amended by the House, be advanced to third reading and final passage.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6408 as amended by the House, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day,

Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sprenkle - 01.

Engrossed Senate Bill No. 6408 as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6441, by Senators McMullen and Matson

Establishing construction lien rights.

Mr. Heavey moved adoption of the following amendment to the committee amendment, by Representatives Heavey and Fuhrman:

On page 7, beginning on line 10 of the striking amendment, strike "repair, remodel, or alteration" and insert "~~((repair, remodel, or alteration))~~ improvement"

Mr. Heavey spoke in favor of adoption of the amendment, and it was adopted.

Mr. Heavey spoke in favor of adoption of the committee amendment as amended, and it was adopted.

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

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

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6441 as amended by the House, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sprenkle - 01.

Engrossed Senate Bill No. 6441 as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6319, by Senators Niemi, West, Wojahn and Bailey

Modifying placement responsibilities for persons in the state mental health system.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.) Committee on Appropriations recommendation: Majority, do pass with amendments by Committee on Human Services as amended by Committee on Appropriations. (For committee amendment, see Journal, 50th Day, March 2, 1992.)

Ms. Spanel moved the adoption of the committee recommendation.

Ms. Leonard moved adoption of the following amendment to the committee amendment, by Representatives Mitchell, Leonard, Ferguson and Brekke:

On page 6, after line 5 of the amendment, insert the following:

Sec. 4. RCW 71A.10.080 and 1991 c 333 s 1 are each amended to read as follows:

~~((1))~~ The governor shall designate an agency to implement a program for the protection and advocacy of the rights of persons with developmental disabilities pursuant to the ~~((developmentally disabled))~~ developmental disabilities assistance and bill of rights act, 89 Stat. 486; 42 U.S.C. Secs. 6000-6083 (1975), (as amended). ~~((The designated agency shall have the authority to pursue legal, administrative, and other appropriate remedies to protect the rights of the developmentally disabled and to investigate allegations of abuse and neglect. The designated agency shall be independent of any state agency that provides treatment or services other than advocacy services to persons with developmental disabilities.~~

~~(2) The agency designated under subsection (1) of this section shall implement a program for the protection and advocacy of the rights of mentally ill persons pursuant to the protection and advocacy for mentally ill individuals act of 1986, 100 Stat. 478; 42 U.S.C. Secs. 10801-10851 (1986), (as amended). The designated agency shall have the authority to pursue legal, administrative, and other appropriate remedies to protect the rights of mentally ill persons and to investigate allegations of abuse or neglect of mentally ill persons. The designated agency shall be independent of any state agency that provides treatment or services other than advocacy services to mentally ill persons.~~

~~(3) The governor shall designate an appropriate state official to serve as liaison between the agency designated to implement the protection and advocacy programs and the state departments and agencies that provide services to persons with developmental disabilities and mentally ill persons.)~~

NEW SECTION. Sec. 5. A new section is added to chapter 71.05 RCW to read as follows:

The governor shall designate an agency to implement a program for the protection and advocacy of the rights of mentally ill persons pursuant to the protection and advocacy for mentally ill individuals act of 1986, 100 Stat. 478; 42 U.S.C. Secs. 10801-10851 (1986), (as amended).

NEW SECTION. Sec. 6. A new section is added to chapter 71A.10 RCW to read as follows:

The organization designated by the governor to act as the state's protection and advocacy agency pursuant to the developmental disabilities assistance and bill of rights act shall be independent of any agency that provides treatment or services other than advocacy services to persons with developmental disabilities. The designated organization shall provide the director of the department of community development or the director's designee, who is the state official responsible for state compliance with federal funding requirements, with all reports, assurances, and other documentation necessary to ensure the proper administration of the state's protection and advocacy system.

The designated organization shall have the authority to pursue legal, administrative, and other appropriate remedies or approaches to ensure the protection of, and the advocacy for, the rights of persons with developmental disabilities or those who may be eligible for services under the developmental disabilities assistance and bill of rights act. The designated organization shall have the authority to investigate incidents of abuse and neglect of persons with developmental disabilities if the incidents are reported to the system or if there is probable cause to believe the incidents occurred. In protecting and advocating for the rights of developmentally disabled persons and others eligible for services, the designated agency shall focus on the activities listed in the developmental disabilities assistance and bill of rights act, 89 Stat. 486; 42 U.S.C. Sec. 6042 (1975), (as amended).

NEW SECTION. Sec. 7. A new section is added to chapter 71.05 RCW to read as follows:

The organization designated by the governor to act as the state's protection and advocacy agency pursuant to the protection and advocacy of mentally ill individuals act of 1986 shall be independent of any agency that provides treatment or services other than advocacy services to persons with mental illness. The designated organization shall provide the director of the department of community development or the director's designee, who is the state official responsible for

state compliance with federal funding requirements, with all reports, assurances, and other documentation necessary to ensure the proper administration of the state's protection and advocacy system.

The designated organization shall have the authority to pursue administrative, legal, and other appropriate remedies to ensure the protection of mentally ill individuals who are eligible under the federal act. In pursuing the advocacy and protection of mentally ill persons, the designated agency shall focus on activities listed in the protection and advocacy for mentally ill individuals act of 1986, 100 Stat. 478; 42 U.S.C. Sec. 10805 (1986), (as amended).

**NEW SECTION. Sec. 8.** A new section is added to chapter 43.63A RCW to read as follows:

The director of the department of community development or the director's designee shall be the state official responsible for state compliance with federal requirements imposed when the protection and advocacy agency designated by the governor under RCW 71A.10.080 receives the state's allotment of federal funds. The director or designee shall obtain from the agency all reports, assurances, and other documentation necessary to ensure the proper administration of the state's protection and advocacy system.

**NEW SECTION. Sec. 9.** Nothing in this act shall be construed to limit or expand the authority of the designated protection and advocacy organization beyond that authority designated in the developmental disabilities assistance and bill of rights act, 89 Stat. 486; 42 U.S.C. Secs. 6000-6083 (1975), (as amended), and the protection and advocacy for mentally ill individuals act of 1986, 100 Stat. 478; 42 U.S.C. Secs. 10801-10851.

**NEW SECTION. Sec. 10.** A new section is added to chapter 43.131 RCW to read as follows:

The protection and advocacy programs for persons with developmental disabilities and persons who are mentally ill shall be terminated on June 30, 1997, as provided in section 11 of this 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, 1998:

- (1) RCW 71A.10.080 and 1992 c ... s 3 (section 4 of this act) & 1991 c 333 s 1;
- (2) RCW 71.05.--- and 1992 c ... s 4 (section 5 of this act);
- (3) RCW 71A.10.--- and 1992 c ... s 5 (section 6 of this act);
- (4) RCW 71.05.--- and 1992 c ... s 6 (section 7 of this act); and
- (5) RCW 43.63A.--- and 1992 c ... s 7 (section 8 of this act).

**Sec. 12.** RCW 70.96A.140 and 1991 c 364 s 10 are each amended to read as follows:

(1) When a designated chemical dependency specialist receives information alleging that a person is incapacitated as a result of ~~((alcoholism, or in the case of a minor incapacitated by alcoholism and/or other drug addiction))~~ chemical dependency, the designated chemical dependency specialist, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the information, may file a petition for commitment of such person with the superior court or district court. If the designated chemical dependency specialist finds that the initial needs of such person would be better served by placement within the mental health system, the person shall be referred to an evaluation and treatment facility as defined in RCW 71.05.020 or 71.34.020. If placement in ~~((an alcohol treatment program))~~ a chemical dependency program is available and deemed appropriate, the petition shall allege that: The person is ~~((an alcoholic who))~~ chemically dependent and is incapacitated by alcohol~~((,))~~ or ~~((in the case of a minor incapacitated by alcoholism and/or other))~~ drug addiction, or that the person has twice before in the preceding twelve months been admitted for detoxification or chemical dependency treatment ~~((for alcoholism))~~ pursuant to RCW 70.96A.110, ~~((or in the case of a minor, detoxification or treatment for alcohol or drug addiction,))~~ and is in need of a more sustained treatment program, or that the person is ~~((an alcoholic, or in the case of a minor, an alcoholic or other drug addict, who))~~ chemically dependent and has threatened, attempted, or inflicted physical harm on another and is likely to inflict physical harm on another unless committed. A refusal to undergo treatment, by itself, does not constitute evidence of lack of judgment as to the need for treatment. The petition shall be accompanied by a certificate of a licensed physician who has examined the person within five days before submission of the petition, unless the person whose commitment is sought has refused to submit to a medical examination, in which case the fact of refusal shall be alleged in the petition. The certificate shall set forth the licensed physician's findings in support of the allegations of the petition. A physician employed by the petitioning program or the department is eligible to be the certifying physician.

(2) Upon filing the petition, the court shall fix a date for a hearing no less than two and no more than seven days after the date the petition was filed unless the person petitioned against is presently being detained in a program, pursuant to RCW 70.96A.120, 71.05.210, or 71.34.050, as now or hereafter amended, in which case the hearing shall be held within seventy-two hours of the filing of the petition: PROVIDED, HOWEVER, That the above specified seventy-two hours shall be computed by excluding Saturdays, Sundays, and holidays: PROVIDED FURTHER, That, the court may, upon motion of the person whose commitment is sought, or upon motion of petitioner with written permission of the person whose commitment is sought, or his or her counsel and, upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of the hearing, including the date fixed by the court, shall be served by the designated chemical dependency specialist on the person whose commitment is sought, his or her next of kin, a

parent or his or her legal guardian if he or she is a minor, and any other person the court believes advisable. A copy of the petition and certificate shall be delivered to each person notified.

(3) At the hearing the court shall hear all relevant testimony, including, if possible, the testimony, which may be telephonic, of at least one licensed physician who has examined the person whose commitment is sought. Communications otherwise deemed privileged under the laws of this state are deemed to be waived in proceedings under this chapter when a court of competent jurisdiction in its discretion determines that the waiver is necessary to protect either the detained person or the public. The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person, or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

The record maker shall not be required to testify in order to introduce medical, nursing, or psychological records of detained persons so long as the requirements of RCW 5.45.020 are met, except that portions of the record that contain opinions as to whether the detained person is ~~((an alcoholic, or in the case of a minor incapacitated by alcoholism and/or other drug addiction, must))~~ chemically dependent shall be deleted from the records unless the person offering the opinions is available for cross-examination. The person shall be present unless the court believes that his or her presence is likely to be injurious to him or her; in this event the court may deem it appropriate to appoint a guardian ad litem to represent him or her throughout the proceeding. If deemed advisable, the court may examine the person out of courtroom. If the person has refused to be examined by a licensed physician, he or she shall be given an opportunity to be examined by a court appointed licensed physician. If he or she refuses and there is sufficient evidence to believe that the allegations of the petition are true, or if the court believes that more medical evidence is necessary, the court may make a temporary order committing him or her to the department for a period of not more than five days for purposes of a diagnostic examination.

(4) If after hearing all relevant evidence, including the results of any diagnostic examination, the court finds that grounds for involuntary commitment have been established by clear, cogent, and convincing proof, it shall make an order of commitment to an approved treatment program. It shall not order commitment of a person unless it determines that an approved treatment program is available and able to provide adequate and appropriate treatment for him or her.

(5) A person committed under this section shall remain in the program for treatment for a period of sixty days unless sooner discharged. At the end of the sixty-day period, he or she shall be discharged automatically unless the program, before expiration of the period, files a petition for his or her recommitment upon the grounds set forth in subsection (1) of this section for a further period of ninety days unless sooner discharged. If a person has been committed because he or she is ~~((an alcoholic, or, in the case of a minor, an alcoholic or other drug addict,))~~ chemically dependent and likely to inflict physical harm on another, the program shall apply for recommitment if after examination it is determined that the likelihood still exists.

(6) Upon the filing of a petition for recommitment under subsection (5) of this section, the court shall fix a date for hearing no less than two and no more than seven days after the date the petition was filed: PROVIDED, That, the court may, upon motion of the person whose commitment is sought and upon good cause shown, extend the date for the hearing. A copy of the petition and of the notice of hearing, including the date fixed by the court, shall be served by the treatment program on the person whose commitment is sought, his or her next of kin, the original petitioner under subsection (1) of this section if different from the petitioner for recommitment, one of his or her parents or his or her legal guardian if he or she is a minor, and his or her attorney and any other person the court believes advisable. At the hearing the court shall proceed as provided in subsection (3) of this section.

(7) The approved treatment program shall provide for adequate and appropriate treatment of a person committed to its custody. A person committed under this section may be transferred from one approved public treatment program to another if transfer is medically advisable.

(8) A person committed to the custody of a program for treatment shall be discharged at any time before the end of the period for which he or she has been committed and he or she shall be discharged by order of the court if either of the following conditions are met:

(a) In case of ~~((an alcoholic))~~ a chemically dependent person committed on the grounds of likelihood of infliction of physical harm upon himself, herself, or another, ~~((or, in the case of a minor, an alcoholic or other drug addict,))~~ the likelihood no longer exists; or further treatment will not be likely to bring about significant improvement in the person's condition, or treatment is no longer adequate or appropriate.

(b) In case of ~~((an alcoholic))~~ a chemically dependent person committed on the grounds of the need of treatment and incapacity ~~((or, in the case of a minor, incapacitated by alcoholism and/or other drug addiction)),~~ that the incapacity no longer exists.

(9) The court shall inform the person whose commitment or recommitment is sought of his or her right to contest the application, be represented by counsel at every stage of any proceedings relating to his or her commitment

and recommitment, and have counsel appointed by the court or provided by the court, if he or she wants the assistance of counsel and is unable to obtain counsel. If the court believes that the person needs the assistance of counsel, the court shall require, by appointment if necessary, counsel for him or her regardless of his or her wishes. The person shall, if he or she is financially able, bear the costs of such legal service; otherwise such legal service shall be at public expense. The person whose commitment or recommitment is sought shall be informed of his or her right to be examined by a licensed physician of his or her choice. If the person is unable to obtain a licensed physician and requests examination by a physician, the court shall employ a licensed physician.

(10) A person committed under this chapter may at any time seek to be discharged from commitment by writ of habeas corpus in a court of competent jurisdiction.

(11) The venue for proceedings under this section is the county in which person to be committed resides or is present.

(12) When in the opinion of the professional person in charge of the program providing involuntary treatment under this chapter, the committed patient can be appropriately served by less restrictive treatment before expiration of the period of commitment, then the less restrictive care may be required as a condition for early release for a period which, when added to the initial treatment period, does not exceed the period of commitment. If the program designated to provide the less restrictive treatment is other than the program providing the initial involuntary treatment, the program so designated must agree in writing to assume such responsibility. A copy of the conditions for early release shall be given to the patient, the designated chemical dependency specialist of original commitment, and the court of original commitment. The program designated to provide less restrictive care may modify the conditions for continued release when the modifications are in the best interests of the patient. If the program providing less restrictive care and the designated chemical dependency specialist determine that a conditionally released patient is failing to adhere to the terms and conditions of his or her release, or that substantial deterioration in the patient's functioning has occurred, then the designated chemical dependency specialist shall notify the court of original commitment and request a hearing to be held no less than two and no more than seven days after the date of the request to determine whether or not the person should be returned to more restrictive care. The designated chemical dependency specialist shall file a petition with the court stating the facts substantiating the need for the hearing along with the treatment recommendations. The patient shall have the same rights with respect to notice, hearing, and counsel as for the original involuntary treatment proceedings. The issues to be determined at the hearing are whether the conditionally released patient did or did not adhere to the terms and conditions of his or her release to less restrictive care or that substantial deterioration of the patient's functioning has occurred and whether the conditions of release should be modified or the person should be returned to a more restrictive program. The hearing may be waived by the patient and his or her counsel and his or her guardian or conservator, if any, but may not be waived unless all such persons agree to the waiver. Upon waiver, the person may be returned for involuntary treatment or continued on conditional release on the same or modified conditions.

NEW SECTION. Sec. 13. The purpose of section 12 of this act is solely to provide authority for the involuntary commitment of persons suffering from chemical dependency within available funds and current programs and facilities. Nothing in this act shall be construed to require the addition of new facilities nor affect the department of social and health services' authority for the uses of existing programs and facilities authorized by law.

Renumber the remaining sections consecutively.

On page 6, beginning on line 17 of the title amendment, after "72.23.025" strike "and 71.05.170" and insert ", 71.05.170, 71A.10.080, and 70.96A.140"

On page 6, line 18 of the title amendment, after "72.23 RCW;" insert "adding new sections to chapter 71.05 RCW; adding a new section to chapter 71A.10 RCW; adding a new section to chapter 43.63A RCW; adding new sections to chapter 43.131 RCW; creating new sections;"

Representatives Leonard and Mitchell spoke in favor of adoption of the amendment to the committee amendment and it was adopted.

With consent of the House we will defer consideration of Engrossed Senate Bill No. 6319.

With consent of the House we will move to Concurrence Calendar.

## SENATE AMENDMENTS TO HOUSE BILL

March 10, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1185 with the following amendment(s):

Strike everything after the enacting clause and insert the following:

**Sec. 1.** RCW 60.68.015 and 1988 c 73 s 2 are each amended to read as follows:

(1) Notices of liens, certificates, and other notices affecting federal tax liens or other federal liens must be recorded for record in accordance with this chapter.

(2) Notices of liens upon real property for obligations payable to the United States and certificates and notices affecting the liens shall be recorded in the office of the recorder of the county in which the real property subject to the liens is situated.

(3) Notices of federal liens upon personal property, whether tangible or intangible, for obligations payable to the United States and certificates and notices affecting the liens shall be ~~((recorded or))~~ filed ~~((as follows:~~

~~((a)) with the department of licensing ((if the person against whose interest the lien applies is a corporation or a partnership, as defined under federal internal revenue laws, whose principal executive office is in Washington;~~

~~((b) In all other cases, with the recorder of the county where the person against whose interest the lien applies resides at the time of recording of the notice of lien)).~~

**Sec. 2.** RCW 60.68.035 and 1988 c 73 s 4 are each amended to read as follows:

(1) The fee for recording a lien on ~~((personal property or))~~ real estate with the county auditor shall be as set forth in RCW 36.18.010.

(2) The fee for filing liens of personal property with the department of licensing of the state of Washington shall be as determined by the department.

(3) The recording or filing officer shall bill the district directors of the internal revenue service or other appropriate federal officials on a monthly basis for fees for documents filed for record by them.

**Sec. 3.** RCW 60.68.045 and 1988 c 73 s 5 are each amended to read as follows:

(1) When a notice of ((such)) a tax lien is recorded under RCW 60.68.015(2), the county auditor shall forthwith enter it in an alphabetical tax lien index to be provided by the board of county commissioners showing on one line the name and residence of the taxpayer named in the notice, the collector's serial number of the notice, the date and hour of recording, and the amount of tax and penalty assessed.

(2) When a notice of a tax lien is filed under RCW 60.68.015(3), the department of licensing shall enter it in the uniform commercial code filing system showing the name and address of the taxpayer as the debtor, and the internal revenue service as a secured party, and include the collector's serial number of the notice, the date and hour of filing, and the amount of tax and penalty assessed.

NEW SECTION. **Sec. 4.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1992.

On page 1, line 1 of the title, after "liens;" strike the remainder of the title and insert "amending RCW 60.68.015, 60.68.035, and 60.68.045; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Engrossed House Bill No. 1185. The motion was carried.



## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 1185 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1185 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luvan, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sprenkle - 01.

Engrossed House Bill No. 1185 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 11, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2466, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

"PART I - JUVENILE JUSTICE"

Sec. 101. RCW 13.40.010 and 1977 ex.s. c 291 s 55 are each amended to read as follows:

(1) This chapter shall be known and cited as the Juvenile Justice Act of 1977.

(2) It is the intent of the legislature that a system capable of having primary responsibility for, being accountable for, and responding to the needs of youthful offenders, as defined by this chapter, be established. It is the further intent of the legislature that youth, in turn, be held accountable for their offenses and that both communities and the juvenile courts carry out their functions consistent with this intent. To effectuate these policies, ~~((it shall be the purpose))~~ the legislature declares the following to be equally important purposes of this chapter ~~((to))~~:

- (a) Protect the citizenry from criminal behavior;
- (b) Provide for determining whether accused juveniles have committed offenses as defined by this chapter;
- (c) Make the juvenile offender accountable for his or her criminal behavior;
- (d) Provide for punishment commensurate with the age, crime, and criminal history of the juvenile offender;
- (e) Provide due process for juveniles alleged to have committed an offense;
- (f) Provide necessary treatment, supervision, and custody for juvenile offenders;
- (g) Provide for the handling of juvenile offenders by communities whenever consistent with public safety;
- (h) Provide for restitution to victims of crime;

(i) Develop effective standards and goals for the operation, funding, and evaluation of all components of the juvenile justice system and related services at the state and local levels; and

(j) Provide for a clear policy to determine what types of offenders shall receive punishment, treatment, or both, and to determine the jurisdictional limitations of the courts, institutions, and community services.

Sec. 102. RCW 13.40.020 and 1990 1st ex.s. c 12 s 1 are each amended to read as follows:

For the purposes of this chapter:

(1) "Serious offender" means a person fifteen years of age or older who has committed an offense which if committed by an adult would be:

(a) A class A felony, or an attempt to commit a class A felony;

(b) Manslaughter in the first degree; or

(c) Assault in the second degree, extortion in the first degree, child molestation in the second degree, kidnapping in the second degree, robbery in the second degree, residential burglary, or burglary in the second degree, where such offenses include the infliction of bodily harm upon another or where during the commission of or immediate withdrawal from such an offense the perpetrator is armed with a deadly weapon or firearm as defined in RCW 9A.04.110;

(2) "Community service" means compulsory service, without compensation, performed for the benefit of the community by the offender as punishment for committing an offense. Community service may be performed through public or private organizations or through work crews;

(3) "Community supervision" means an order of disposition by the court of an adjudicated youth not committed to the department. A community supervision order for a single offense may be for a period of up to two years for a sex offense as defined by RCW 9.94A.030 and up to one year for other offenses ~~((and))~~. Community supervision is an individualized program comprised of one or more of the following:

(a) Community-based sanctions;

(b) Community-based rehabilitation;

(c) Monitoring and reporting requirements;

(4) Community-based sanctions may include one or more of the following:

(a) A fine, not to exceed one hundred dollars;

(b) Community service not to exceed one hundred fifty hours of service;

~~((e))~~ (5) "Community-based rehabilitation" means one or more of the following: Attendance of information classes;

~~((d))~~ Counseling; or

~~(e) Such other services to the extent funds are available for such services,))~~ counseling, substance abuse treatment programs, outpatient mental health programs, anger management classes, or other services; or attendance at school or other educational programs appropriate for the juvenile as determined by the school district. Placement in community-based rehabilitation programs is subject to available funds;

(6) "Monitoring and reporting requirements" means one or more of the following: Curfews; requirements to remain at home, school, work, or court-ordered treatment programs during specified hours; restrictions from leaving or entering specified geographical areas; requirements to report to the probation officer as directed and to remain under the probation officer's supervision; and other conditions((,)) or limitations as the court may require which may not include confinement;

~~((4))~~ (7) "Confinement" means ((physical custody by the department of social and health services in a facility operated by or pursuant to a contract with the state, or physical custody in a facility operated by or pursuant to a contract with any county)) incarceration in a detention facility following: Arrest pending a detention hearing under RCW 13.40.050; entry of an order of detention entered pursuant to RCW 13.40.050; commitment to a county detention facility; modification of a disposition for violation of the disposition; or modification of parole for violation of parole. The county may operate or contract with vendors to operate county detention facilities. The department may operate or contract to operate detention facilities for juveniles committed to the department. Confinement of less than thirty-one days imposed as part of a disposition or modification order may be served consecutively or intermittently, in the discretion of the court;

~~((5))~~ (8) "Court", when used without further qualification, means the juvenile court judge(s) or commissioner(s);

~~((6))~~ (9) "Criminal history" includes all criminal complaints against the respondent for which, prior to the commission of a current offense:

(a) The allegations were found correct by a court. If a respondent is convicted of two or more charges arising out of the same course of conduct, only the highest charge from among these shall count as an offense for the purposes of this chapter; or

(b) The criminal complaint was diverted by a prosecutor pursuant to the provisions of this chapter on agreement of the respondent and after an advisement to the respondent that the criminal complaint would be considered as part of the respondent's criminal history;

~~((7))~~ (10) "Department" means the department of social and health services;

~~((8))~~ (11) "Detention facility" means a facility for the physical confinement of a juvenile alleged to have committed an offense or an adjudicated offender subject to a disposition or modification order. Detention facilities may be secure, semisecure, or nonsecure, and may include group homes, foster homes, and home detention with electronic or staff monitoring. Detention foster homes and group homes may not be used for placement of juveniles who are ordered into rehabilitation placements pursuant to a community supervision disposition. "Secure detention" means lockup or staff-secure facilities. "Nonsecure detention" means residential placement in the community in a physically nonrestrictive environment under the supervision of and funded by the local government department of youth services or equivalent department. "Home detention" means placement of the juvenile in the custody of the juvenile's parent, guardian, or custodian in a physically nonrestrictive environment under the supervision of and funded by the local government department of youth services or equivalent department with electronic monitoring or department staff monitoring;

(12) "Diversion unit" means any probation counselor who enters into a diversion agreement with an alleged youthful offender, or any other person or entity except a law enforcement official or entity, with whom the juvenile court administrator has contracted to arrange and supervise such agreements pursuant to RCW ~~((13.04.040, as now or hereafter amended,))~~ 13.40.080, or any person or entity specially funded by the legislature to arrange and supervise diversion agreements in accordance with the requirements of this chapter;

~~((9))~~ (13) "Institution" means a juvenile facility established pursuant to chapters 72.05 and 72.16 through 72.20 RCW;

~~((40))~~ (14) "Juvenile," "youth," and "child" mean any individual who is under the chronological age of eighteen years and who has not been previously transferred to adult court;

~~((11))~~ (15) "Juvenile offender" means any juvenile who has been found by the juvenile court to have committed an offense, including a person eighteen years of age or older over whom jurisdiction has been extended under RCW 13.40.300;

~~((12))~~ (16) "Manifest injustice" means a disposition that would either impose an excessive penalty on the juvenile or would impose a serious, and clear danger to society in light of the purposes of this chapter;

~~((13))~~ (17) "Middle offender" means a person who has committed an offense and who is neither a minor or first offender nor a serious offender;

~~((14))~~ (18) "Minor or first offender" means a person sixteen years of age or younger whose current offense(s) and criminal history fall entirely within one of the following categories:

- (a) Four misdemeanors;
- (b) Two misdemeanors and one gross misdemeanor;
- (c) One misdemeanor and two gross misdemeanors;
- (d) Three gross misdemeanors;
- (e) One class C felony except manslaughter in the second degree and one misdemeanor or gross misdemeanor;
- (f) One class B felony except: Any felony which constitutes an attempt to commit a class A felony; manslaughter in the first degree; assault in the second degree; extortion in the first degree; indecent liberties; kidnapping in the second degree; robbery in the second degree; burglary in the second degree; residential burglary; vehicular homicide; or arson in the second degree.

For purposes of this definition, current violations shall be counted as misdemeanors;

~~((15))~~ (19) "Offense" means an act designated a violation or a crime if committed by an adult under the law of this state, under any ordinance of any city or county of this state, under any federal law, or under the law of another state if the act occurred in that state;

~~((16))~~ (20) "Respondent" means a juvenile who is alleged or proven to have committed an offense;

~~((17))~~ (21) "Restitution" means financial reimbursement by the offender to the victim, and shall be limited to easily ascertainable damages for injury to or loss of property, actual expenses incurred for medical treatment for physical injury to persons, lost wages resulting from physical injury, and costs of the victim's counseling reasonably related to the offense if the offense is a sex offense. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. Nothing in this chapter shall limit or replace civil remedies or defenses available to the victim or offender;

~~((18))~~ (22) "Secretary" means the secretary of the department of social and health services;

~~((19))~~ (23) "Services" mean services which provide alternatives to incarceration for those juveniles who have pleaded or been adjudicated guilty of an offense or have signed a diversion agreement pursuant to this chapter;

~~((20))~~ (24) "Sex offense" means an offense defined as a sex offense in RCW 9.94A.030;

~~((21))~~ (25) "Sexual motivation" means that one of the purposes for which the respondent committed the offense was for the purpose of his or her sexual gratification;

~~((22))~~ (26) "Foster care" means temporary physical care in a foster family home or group care facility as defined in RCW 74.15.020 and licensed by the department, or other legally authorized care;

~~((23))~~ (27) "Violation" means an act or omission, which if committed by an adult, must be proven beyond a reasonable doubt, and is punishable by sanctions which do not include incarceration.

Sec. 103. RCW 13.40.027 and 1989 c 407 s 2 are each amended to read as follows:

(1) It is the responsibility of the commission to: (a) (i) Evaluate the effectiveness of existing disposition standards and related statutes in implementing policies set forth in RCW 13.40.010 generally and (ii) specifically review the guidelines relating to the confinement of minor and first offenders as well as the use of diversion; (b) solicit the comments and suggestions of the juvenile justice community concerning disposition standards; and (c) make recommendations to the legislature regarding revisions or modifications of the disposition standards in accordance with RCW 13.40.030. The evaluations shall be submitted to the legislature by December 1, 1992, and on December 1 of each even-numbered year thereafter.

(2) It is the responsibility of the department to: (a) Provide the commission with available data concerning the implementation of the disposition standards and related statutes and their effect on the performance of the department's responsibilities relating to juvenile offenders; (b) at the request of the commission, provide technical and administrative assistance to the commission in the performance of its responsibilities; and (c) provide the commission and legislature with recommendations for modification of the disposition standards.

Sec. 104. RCW 13.40.0357 and 1989 c 407 s 7 are each amended to read as follows:

SCHEDULE A

DESCRIPTION AND OFFENSE CATEGORY

JUVENILE DISPOSITION OFFENSE CATEGORY	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
<b>Arson and Malicious Mischief</b>		
A	Arson 1 (9A.48.020)	B+
B	Arson 2 (9A.48.030)	C
C	Reckless Burning 1 (9A.48.040)	D
D	Reckless Burning 2 (9A.48.050)	E
B	Malicious Mischief 1 (9A.48.070)	C
C	Malicious Mischief 2 (9A.48.080)	D
D	Malicious Mischief 3 (<\$50 is E class) (9A.48.090)	E
E	Tampering with Fire Alarm Apparatus (9.40.100)	E
A	Possession of Incendiary Device (9.40.120)	B+
<b>Assault and Other Crimes Involving Physical Harm</b>		
A	Assault 1 (9A.36.011)	B+
B+	Assault 2 (9A.36.021)	C+
C+	Assault 3 (9A.36.031)	D+
D+	Assault 4 (9A.36.041)	E
D+	Reckless Endangerment (9A.36.050)	E
C+	Promoting Suicide Attempt (9A.36.060)	D+
D+	Coercion (9A.36.070)	E
C+	Custodial Assault (9A.36.100)	D+

**Burglary and Trespass**

B+	Burglary 1 (9A.52.020)	C+
B	Burglary 2 (9A.52.030)	C
D	Burglary Tools (Possession of) (9A.52.060)	E
D	Criminal Trespass 1 (9A.52.070)	E
E	Criminal Trespass 2 (9A.52.080)	E
D	Vehicle Prowling (9A.52.100)	E

**Drugs**

E	Possession/Consumption of Alcohol (66.44.270)	E
C	Illegally Obtaining Legend Drug (69.41.020)	D
C+	Sale, Delivery, Possession of Legend Drug with Intent to Sell (69.41.030)	D+
E	Possession of Legend Drug (69.41.030)	E
B+	Violation of Uniform Controlled Substances Act - Narcotic Sale (69.50.401(a)(1)(i))	B+
C	Violation of Uniform Controlled Substances Act - Nonnarcotic Sale (69.50.401(a)(1)(ii))	C
E	Possession of Marihuana <40 grams (69.50.401(e))	E
C	Fraudulently Obtaining Controlled Substance (69.50.403)	C
C+	Sale of Controlled Substance for Profit (69.50.410)	C+
E	<del>((Glue Sniffing (9.47A.050)))</del> <u>Unlawful Inhalation (9.47A.020)</u>	E
B	Violation of Uniform Controlled Substances Act - Narcotic Counterfeit Substances (69.50.401(b)(1)(i))	B
C	Violation of Uniform Controlled Substances Act - Nonnarcotic Counterfeit Substances (69.50.401(b)(1) (ii), (iii), (iv))	C
C	Violation of Uniform Controlled Substances Act - Possession of a Controlled Substance (69.50.401(d))	C
C	Violation of Uniform Controlled Substances Act - Possession of a Controlled Substance (69.50.401(c))	C

**Firearms and Weapons**

<del>((C+</del>	<del>Committing Crime when Armed (9.41.025)</del>	<del>D+))</del>
E	Carrying Loaded Pistol Without Permit (9.41.050)	E
E	Use of Firearms by Minor (<14)	

	(9.41.240)	E
D+	Possession of Dangerous Weapon (9.41.250)	E
D	Intimidating Another Person by use of Weapon (9.41.270)	E
<b>Homicide</b>		
A+	Murder 1 (9A.32.030)	A
A+	Murder 2 (9A.32.050)	B+
B+	Manslaughter 1 (9A.32.060)	C+
C+	Manslaughter 2 (9A.32.070)	D+
B+	Vehicular Homicide (46.61.520)	C+
<b>Kidnapping</b>		
A	Kidnap 1 (9A.40.020)	B+
B+	Kidnap 2 (9A.40.030)	C+
C+	Unlawful Imprisonment (9A.40.040)	D+
<del>((D</del>	<del>Custodial Interference (9A.40.050)</del>	<del>E))</del>
<b>Obstructing Governmental Operation</b>		
E	Obstructing a Public Servant (9A.76.020)	E
E	Resisting Arrest (9A.76.040)	E
B	Introducing Contraband 1 (9A.76.140)	C
C	Introducing Contraband 2 (9A.76.150)	D
E	Introducing Contraband 3 (9A.76.160)	E
B+	Intimidating a Public Servant (9A.76.180)	C+
B+	Intimidating a Witness (9A.72.110)	C+
<del>((E</del>	<del>Criminal Contempt (9.23.010)</del>	<del>E))</del>
<b>Public Disturbance</b>		
C+	Riot with Weapon (9A.84.010)	D+
D+	Riot Without Weapon (9A.84.010)	E
E	Failure to Disperse (9A.84.020)	E
E	Disorderly Conduct (9A.84.030)	E
<b>Sex Crimes</b>		
A	Rape 1 (9A.44.040)	B+
A-	Rape 2 (9A.44.050)	B+
C+	Rape 3 (9A.44.060)	D+
A-	Rape of a Child 1 (9A.44.073)	B+
B	Rape of a Child 2 (9A.44.076)	C+
B	Incest 1 (9A.64.020(1))	C
C	Incest 2 (9A.64.020(2))	D
D+	<del>((Public Indecency))</del> <u>Indecent Exposure</u> (Victim <14) (9A.88.010)	E
E	<del>((Public Indecency))</del> <u>Indecent Exposure</u>	

	(Victim 14 or over) (9A.88.010)	E
B+	Promoting Prostitution 1 (9A.88.070)	C+
C+	Promoting Prostitution 2 (9A.88.080)	D+
E	O & A (Prostitution) (9A.88.030)	E
B+	Indecent Liberties (9A.44.100)	C+
B+	Child Molestation 1 (9A.44.083)	C+
C+	Child Molestation 2 (9A.44.086)	C

**Theft, Robbery, Extortion, and Forgery**

B	Theft 1 (9A.56.030)	C
C	Theft 2 (9A.56.040)	D
D	Theft 3 (9A.56.050)	E
B	Theft of Livestock (9A.56.080)	C
C	Forgery ( <del>(9A.56.020))</del> (9A.60.020)	D
A	Robbery 1 (9A.56.200)	B+
B+	Robbery 2 (9A.56.210)	C+
B+	Extortion 1 (9A.56.120)	C+
C+	Extortion 2 (9A.56.130)	D+
B	Possession of Stolen Property 1 (9A.56.150)	C
C	Possession of Stolen Property 2 (9A.56.160)	D
D	Possession of Stolen Property 3 (9A.56.170)	E
C	Taking Motor Vehicle Without Owner's Permission (9A.56.070)	D

**Motor Vehicle Related Crimes**

E	Driving Without a License (46.20.021)	E
C	Hit and Run - Injury (46.52.020(4))	D
D	Hit and Run-Attended (46.52.020(5))	E
E	Hit and Run-Unattended (46.52.010)	E
C	Vehicular Assault (46.61.522)	D
C	Attempting to Elude Pursuing Police Vehicle (46.61.024)	D
E	Reckless Driving (46.61.500)	E
D	Driving While Under the Influence (46.61.515)	E
B+	Negligent Homicide by Motor Vehicle (46.61.520)	C+
D	Vehicle Prowling (9A.52.100)	E
C	Taking Motor Vehicle Without Owner's Permission (9A.56.070)	D

**Other**

B	Bomb Threat (9.61.160)	C
C	Escape 1 <sup>1</sup> (9A.76.110)	C
C	Escape 2 <sup>1</sup> (9A.76.120)	C
D	Escape 3 (9A.76.130)	E
C	Failure to Appear in Court	

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	(10.19.130)	D
E	Tampering with Fire Alarm Apparatus (9.40.100)	E
E	Obscene, Harassing, Etc., Phone Calls (9.61.230)	E
A	Other Offense Equivalent to an Adult Class A Felony	B+
B	Other Offense Equivalent to an Adult Class B Felony	C
C	Other Offense Equivalent to an Adult Class C Felony	D
D	Other Offense Equivalent to an Adult Gross Misdemeanor	E
E	Other Offense Equivalent to an Adult Misdemeanor	E
V	Violation of Order of Restitution, Community Supervision, or Confinement (13.40.200) <sup>2</sup>	V

<sup>1</sup>Escape 1 and 2 and Attempted Escape 1 and 2 are classed as C offenses and the standard range is established as follows:

- 1st escape or attempted escape during 12-month period - 4 weeks confinement
- 2nd escape or attempted escape during 12-month period - 8 weeks confinement
- 3rd and subsequent escape or attempted escape during 12-month period - 12 weeks confinement

<sup>2</sup>If the court finds that a respondent has violated terms of an order, it may impose a penalty of up to 30 days of confinement.

**SCHEDULE B  
PRIOR OFFENSE INCREASE FACTOR**

For use with all CURRENT OFFENSES occurring on or after July 1, 1989.

**TIME SPAN**

OFFENSE CATEGORY	0-12 Months	13-24 Months	25 Months or More
A+	.9	.9	.9
A	.9	.8	.6
A-	.9	.8	.5
B+	.9	.7	.4
B	.9	.6	.3
C+	.6	.3	.2
C	.5	.2	.2
D+	.3	.2	.1
D	.2	.1	.1
E	.1	.1	.1

Prior history - Any offense in which a diversion agreement or counsel and release form was signed, or any offense which has been adjudicated by court to be correct prior to the commission of the current offense(s).



**SCHEDULE C  
CURRENT OFFENSE POINTS**

For use with all CURRENT OFFENSES occurring on or after July 1, 1989.

**AGE**

OFFENSE CATEGORY	12 & Under	13	14	15	16	17
.....						
A+	STANDARD RANGE 180-224 WEEKS					
A	250	300	350	375	375	375
A-	150	150	150	200	200	200
B+	110	110	120	130	140	150
B	45	45	50	50	57	57
C+	44	44	49	49	55	55
C	40	40	45	45	50	50
D+	16	18	20	22	24	26
D	14	16	18	20	22	24
E	4	4	4	6	8	10

**JUVENILE SENTENCING STANDARDS  
SCHEDULE D-1**

This schedule may only be used for minor/first offenders. After the determination is made that a youth is a minor/first offender, the court has the discretion to select sentencing option A, B, or C. A disposition order for a minor/first offender may not include an order of confinement.

**MINOR/FIRST OFFENDER**

**OPTION A  
STANDARD RANGE**

Points	Community Supervision	Community Service Hours	Fine
1-9	<del>((0-3))</del> <u>0-12</u> months	and/or 0-8	and/or 0-\$10
10-19	<del>((0-3))</del> <u>0-12</u> months	and/or 0-8	and/or 0-\$10
20-29	<del>((0-3))</del> <u>0-12</u> months	and/or 0-16	and/or 0-\$10
30-39	<del>((0-3))</del> <u>0-12</u> months	and/or 8-24	and/or 0-\$25
40-49	<del>((3-6))</del> <u>0-12</u> months	and/or 16-32	and/or 0-\$25
50-59	<del>((3-6))</del> <u>0-12</u> months	and/or 24-40	and/or 0-\$25
60-69	<del>((6-9))</del> <u>0-12</u> months	and/or 32-48	and/or 0-\$50
70-79	<del>((6-9))</del> <u>0-12</u> months	and/or 40-55	and/or 0-\$50
80-89	<del>((9-12))</del> <u>0-12</u> months	and/or 48-64	and/or 10-\$100
90-109	<del>((9-12))</del> <u>0-12</u> months	and/or 56-72	and/or 10-\$100

OR

**OPTION B  
STATUTORY OPTION**

- 0-12 Months Community Supervision
- 0-150 Hours Community Service
- 0-100 Fine

A term of community supervision with a maximum of 150 hours, \$100.00 fine, and 12 months supervision.

OR

**OPTION C  
MANIFEST INJUSTICE**

When a term of community supervision would effectuate a manifest injustice, another disposition may be imposed. When a judge imposes a sentence of confinement exceeding 30 days, the court shall sentence the juvenile to a maximum term and the provisions of RCW ((13.40.030(5))) 13.40.030(2), as now or hereafter amended, shall be used to determine the range.

**JUVENILE SENTENCING STANDARDS  
SCHEDULE D-2**

This schedule may only be used for middle offenders. After the determination is made that a youth is a middle offender, the court has the discretion to select sentencing option A, B, or C.

**MIDDLE OFFENDER**

**OPTION A  
STANDARD RANGE**

Points	Community Supervision	Community Service Hours	Fine	Confinement Days Weeks
1-9	((0-3)) <u>0-12</u> months	and/or 0-8	and/or 0-\$10	and/or 0
10-19	((0-3)) <u>0-12</u> months	and/or 0-8	and/or 0-\$10	and/or 0
20-29	((0-3)) <u>0-12</u> months	and/or 0-16	and/or 0-\$10	and/or 0
30-39	((0-3)) <u>0-12</u> months	and/or 8-24	and/or 0-\$25	and/or ((2-4)) <u>0-10</u>
40-49	((3-6)) <u>0-12</u> months	and/or 16-32	and/or 0-\$25	and/or ((2-4)) <u>0-10</u>
50-59	((3-6)) <u>0-12</u> months	and/or 24-40	and/or 0-\$25	and/or ((5-10)) <u>0-10</u>
60-69	((6-9)) <u>0-12</u> months	and/or 32-48	and/or 0-\$50	and/or ((5-10)) <u>10-20</u>
70-79	((6-9)) <u>0-12</u> months	and/or 40-56	and/or 0-\$50	and/or 10-20
80-89	((9-12)) <u>0-12</u> months	and/or 48-64	and/or 0-\$100	and/or 10-20
90-109	((9-12)) <u>0-12</u> months	and/or 56-72	and/or 0-\$100	and/or ((15-30)) <u>20-30</u>
110-129			8-12	
130-149			13-16	
150-199			21-28	
200-249			30-40	
250-299			52-65	
300-374			80-100	
375+			103-129	

Middle offenders with more than 110 points do not have to be committed. They may be assigned community supervision under option B.

All A+ offenses 180-224 weeks

OR

**OPTION B  
STATUTORY OPTION**

- 0-12 Months Community Supervision
- 0-150 Hours Community Service
- 0-100 Fine

The court may impose a determinate disposition of community supervision and/or up to 30 days confinement; in which case, if confinement has been imposed, the court shall state either aggravating or mitigating factors as set forth in RCW 13.40.150, as now or hereafter amended.

OR

**OPTION C  
MANIFEST INJUSTICE**

If the court determines that a disposition under A or B would effectuate a manifest injustice, the court shall sentence the juvenile to a maximum term and the provisions of RCW ((13.40.030(5))) 13.40.030(2), as now or hereafter amended, shall be used to determine range.

**JUVENILE SENTENCING STANDARDS  
SCHEDULE D-3**

This schedule may only be used for serious offenders. After the determination is made that a youth is a serious offender, the court has the discretion to select sentencing option A or B.

**SERIOUS OFFENDER  
OPTION A  
STANDARD RANGE**

Points	Institution Time
0-129	8-12 weeks
130-149	13-16 weeks
150-199	21-28 weeks
200-249	30-40 weeks
250-299	52-65 weeks
300-374	80-100 weeks
375+	103-129 weeks
All A+ Offenses	180-224 weeks

OR

**OPTION B  
MANIFEST INJUSTICE**

A disposition outside the standard range shall be determined and shall be comprised of confinement or community supervision or a combination thereof. When a judge finds a manifest injustice and imposes a sentence of confinement exceeding 30 days, the court shall sentence the juvenile to a maximum term, and the provisions of RCW ((13.40.030(5))) 13.40.030(2), as now or hereafter amended, shall be used to determine the range.

Sec. 105. RCW 13.40.038 and 1986 c 288 s 7 are each amended to read as follows:

It is the policy of this state that all county juvenile detention facilities provide a humane, safe, and rehabilitative environment and that unadjudicated youth remain in the community whenever possible, consistent with public safety and the provisions of chapter 13.40 RCW.

The counties shall develop and implement detention intake standards and risk assessment standards to determine whether detention is warranted and if so whether the juvenile should be placed in secure, nonsecure, or home detention to implement the goals of this section. Inability to pay for a less restrictive detention placement shall not be a basis for denying a respondent a less restrictive placement in the community. The detention and risk assessment standards shall be developed and implemented no later than December 31, 1992.

**Sec. 106.** RCW 13.40.050 and 1979 c 155 s 58 are each amended to read as follows:

(1) When a juvenile taken into custody is held in detention:

(a) An information, a community supervision modification or termination of diversion petition, or a parole modification petition shall be filed within seventy-two hours, Saturdays, Sundays, and holidays excluded, or the juvenile shall be released; and

(b) A detention hearing, a community supervision modification or termination of diversion petition, or a parole modification petition shall be held within seventy-two hours, Saturdays, Sundays, and holidays excluded, from the time of filing the information or petition, to determine whether continued detention is necessary under RCW 13.40.040.

(2) Notice of the detention hearing, stating the time, place, and purpose of the hearing, and stating the right to counsel, shall be given to the parent, guardian, or custodian if such person can be found and shall also be given to the juvenile if over twelve years of age.

(3) At the commencement of the detention hearing, the court shall advise the parties of their rights under this chapter and shall appoint counsel as specified in this chapter.

(4) The court shall, based upon the allegations in the information, determine whether the case is properly before it or whether the case should be treated as a diversion case under RCW 13.40.080. If the case is not properly before the court the juvenile shall be ordered released.

(5) Notwithstanding a determination that the case is properly before the court and that probable cause exists, a juvenile shall at the detention hearing be ordered released on the juvenile's personal recognizance pending further hearing unless the court finds detention is necessary under RCW 13.40.040 as now or hereafter amended.

(6) If detention is not necessary under RCW 13.40.040, as now or hereafter amended, the court shall impose the most appropriate of the following conditions or, if necessary, any combination of the following conditions:

(a) Place the juvenile in the custody of a designated person agreeing to supervise such juvenile;

(b) Place restrictions on the travel of the juvenile during the period of release;

(c) Require the juvenile to report regularly to and remain under the supervision of the juvenile court;

(d) Impose any condition other than detention deemed reasonably necessary to assure appearance as required;

or

(e) Require that the juvenile return to detention during specified hours.

(7) If the parent, guardian, or custodian of the juvenile in detention is available, the court shall consult with them prior to a determination to further detain or release the juvenile or treat the case as a diversion case under RCW 13.40.080.

**Sec. 107.** RCW 13.40.070 and 1989 c 407 s 9 are each amended to read as follows:

(1) Complaints referred to the juvenile court alleging the commission of an offense shall be referred directly to the prosecutor. The prosecutor, upon receipt of a complaint, shall screen the complaint to determine whether:

(a) The alleged facts bring the case within the jurisdiction of the court; and

(b) On a basis of available evidence there is probable cause to believe that the juvenile did commit the offense.

(2) If the identical alleged acts constitute an offense under both the law of this state and an ordinance of any city or county of this state, state law shall govern the prosecutor's screening and charging decision for both filed and diverted cases.

(3) If the requirements of subsections (1) (a) and (b) of this section are met, the prosecutor shall either file an information in juvenile court or divert the case, as set forth in subsections (5), (6), and (7) of this section. If the prosecutor finds that the requirements of subsection (1) (a) and (b) of this section are not met, the prosecutor shall maintain a record, for one year, of such decision and the reasons therefor. In lieu of filing an information or diverting an offense a prosecutor may file a motion to modify community supervision where such offense constitutes a violation of community supervision.

(4) An information shall be a plain, concise, and definite written statement of the essential facts constituting the offense charged. It shall be signed by the prosecuting attorney and conform to chapter 10.37 RCW.

(5) Where a case is legally sufficient, the prosecutor shall file an information with the juvenile court if:

(a) An alleged offender is accused of a class A felony, a class B felony, an attempt to commit a class B felony, ~~((assault in the third degree, rape in the third degree))~~ a class C felony listed in RCW 9.94A.440(2) as a crime against persons, or any other offense listed in RCW 13.40.020(1) (b) or (c); or

(b) An alleged offender is accused of a felony and has a criminal history of at least one class A or class B felony, or two class C felonies, or at least two gross misdemeanors, or at least two misdemeanors and one additional misdemeanor or gross misdemeanor, or at least one class C felony and one misdemeanor or gross misdemeanor; or

(c) An alleged offender has previously been committed to the department; or

(d) An alleged offender has been referred by a diversion unit for prosecution or desires prosecution instead of diversion; or

~~((d))~~ (e) An alleged offender has three or more diversions on the alleged offender's criminal history ~~((within eighteen months of the current alleged offense))~~.

(6) Where a case is legally sufficient the prosecutor shall divert the case if the alleged offense is a misdemeanor or gross misdemeanor or violation and the alleged offense(s) in combination with the alleged offender's criminal history do not exceed two offenses or violations and do not include any felonies: PROVIDED, That if the alleged offender is charged with a related offense that must or may be filed under subsections (5) and (7) of this section, a case under this subsection may also be filed.

(7) Where a case is legally sufficient and falls into neither subsection (5) nor (6) of this section, it may be filed or diverted. In deciding whether to file or divert an offense under this section the prosecutor shall be guided only by the length, seriousness, and recency of the alleged offender's criminal history and the circumstances surrounding the commission of the alleged offense.

(8) Whenever a juvenile is placed in custody or, where not placed in custody, referred to a diversionary interview, the parent or legal guardian of the juvenile shall be notified as soon as possible concerning the allegation made against the juvenile and the current status of the juvenile. Where a case involves victims of crimes against persons or victims whose property has not been recovered at the time a juvenile is referred to a diversionary unit, the victim shall be notified of the referral and informed how to contact the unit.

(9) The responsibilities of the prosecutor under subsections (1) through (8) of this section may be performed by a juvenile court probation counselor for any complaint referred to the court alleging the commission of an offense which would not be a felony if committed by an adult, if the prosecutor has given sufficient written notice to the juvenile court that the prosecutor will not review such complaints.

(10) The prosecutor, juvenile court probation counselor, or diversion unit may, in exercising their authority under this section or RCW 13.40.080, refer juveniles to mediation or victim offender reconciliation programs. Such mediation or victim offender reconciliation programs shall be voluntary for victims.

**Sec. 108.** RCW 13.40.080 and 1985 c 73 s 2 are each amended to read as follows:

(1) A diversion agreement shall be a contract between a juvenile accused of an offense and a diversionary unit whereby the juvenile agrees to fulfill certain conditions in lieu of prosecution. Such agreements may be entered into only after the prosecutor, or probation counselor pursuant to this chapter, has determined that probable cause exists to believe that a crime has been committed and that the juvenile committed it. Such agreements shall be entered into as expeditiously as possible.

(2) A diversion agreement shall be limited to:

(a) Community service not to exceed one hundred fifty hours, not to be performed during school hours if the juvenile is attending school;

(b) Restitution limited to the amount of actual loss incurred by the victim, and to an amount the juvenile has the means or potential means to pay;

(c) Attendance at up to ~~((two))~~ ten hours of counseling and/or up to ~~((ten))~~ twenty hours of educational or informational sessions at a community agency: PROVIDED, That the state shall not be liable for costs resulting from the diversionary unit exercising the option to permit diversion agreements to mandate attendance at up to ~~((two))~~ ten hours of counseling and/or up to ~~((ten))~~ twenty hours of educational or informational sessions; and

(d) A fine, not to exceed one hundred dollars. In determining the amount of the fine, the diversion unit shall consider only the juvenile's financial resources and whether the juvenile has the means to pay the fine. The diversion unit shall not consider the financial resources of the juvenile's parents, guardian, or custodian in determining the fine to be imposed.

(3) In assessing periods of community service to be performed and restitution to be paid by a juvenile who has entered into a diversion agreement, the court officer to whom this task is assigned shall consult with victims who have contacted the diversionary unit and, to the extent possible, involve members of the community. Such members of the community shall meet with the juvenile and advise the court officer as to the terms of the diversion agreement and shall supervise the juvenile in carrying out its terms.

(4) A diversion agreement may not exceed a period of six months ~~((for a misdemeanor or gross misdemeanor or one year for a felony))~~ and may include a period extending beyond the eighteenth birthday of the divertee. Any restitution assessed during its term may not exceed an amount which the juvenile could be reasonably expected to pay during this period. If additional time is necessary for the juvenile to complete restitution to the victim, the time period limitations of this subsection may be extended by an additional six months.

(5) The juvenile shall retain the right to be referred to the court at any time prior to the signing of the diversion agreement.

(6) Divertees and potential divertees shall be afforded due process in all contacts with a diversionary unit regardless of whether the juveniles are accepted for diversion or whether the diversion program is successfully completed. Such due process shall include, but not be limited to, the following:

(a) A written diversion agreement shall be executed stating all conditions in clearly understandable language;

(b) Violation of the terms of the agreement shall be the only grounds for termination;

(c) No divertee may be terminated from a diversion program without being given a court hearing, which hearing shall be preceded by:

(i) Written notice of alleged violations of the conditions of the diversion program; and

(ii) Disclosure of all evidence to be offered against the divertee;

(d) The hearing shall be conducted by the juvenile court and shall include:

(i) Opportunity to be heard in person and to present evidence;

(ii) The right to confront and cross-examine all adverse witnesses;

(iii) A written statement by the court as to the evidence relied on and the reasons for termination, should that be the decision; and

(iv) Demonstration by evidence that the divertee has substantially violated the terms of his or her diversion agreement.

(e) The prosecutor may file an information on the offense for which the divertee was diverted:

(i) In juvenile court if the divertee is under eighteen years of age; or

(ii) In superior court or the appropriate court of limited jurisdiction if the divertee is eighteen years of age or older.

(7) The diversion unit shall, subject to available funds, be responsible for providing interpreters when juveniles need interpreters to effectively communicate during diversion unit hearings or negotiations.

(8) The diversion unit shall be responsible for advising a divertee of his or her rights as provided in this chapter.

~~((8))~~ (9) The diversion unit may refer a juvenile to community-based counseling or treatment programs;

(10) The right to counsel shall inure prior to the initial interview for purposes of advising the juvenile as to whether he or she desires to participate in the diversion process or to appear in the juvenile court. The juvenile may be represented by counsel at any critical stage of the diversion process, including intake interviews and termination hearings. The juvenile shall be fully advised at the intake of his or her right to an attorney and of the relevant services an attorney can provide. For the purpose of this section, intake interviews mean all interviews regarding the diversion agreement process.

The juvenile shall be advised that a diversion agreement shall constitute a part of the juvenile's criminal history as defined by RCW 13.40.020~~((6))~~(9) as now or hereafter amended. A signed acknowledgment of such advisement shall be obtained from the juvenile, and the document shall be maintained by the diversionary unit together with the diversion agreement, and a copy of both documents shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language.

~~((9))~~ (11) When a juvenile enters into a diversion agreement, the juvenile court may receive only the following information for dispositional purposes:

(a) The fact that a charge or charges were made;

(b) The fact that a diversion agreement was entered into;

(c) The juvenile's obligations under such agreement;

(d) Whether the alleged offender performed his or her obligations under such agreement; and

(e) The facts of the alleged offense.

~~((10))~~ (12) A diversionary unit may refuse to enter into a diversion agreement with a juvenile. When a diversionary unit refuses to enter a diversion agreement with a juvenile, it shall immediately refer such juvenile to the court for action and shall forward to the court the criminal complaint and a detailed statement of its reasons for refusing to enter into a diversion agreement. The diversionary unit shall also immediately refer the case to the prosecuting attorney for action if such juvenile violates the terms of the diversion agreement.

~~((11))~~ (13) A diversionary unit may, in instances where it determines that the act or omission of an act for which a juvenile has been referred to it involved no victim, or where it determines that the juvenile referred to it has no

prior criminal history and is alleged to have committed an illegal act involving no threat of or instance of actual physical harm and involving not more than fifty dollars in property loss or damage and that there is no loss outstanding to the person or firm suffering such damage or loss, counsel and release or release such a juvenile without entering into a diversion agreement(~~(= PROVIDED, That)~~). A diversion unit's authority to counsel and release a juvenile under this subsection shall include the authority to refer the juvenile to community-based counseling or treatment programs. Any juvenile (~~(so handled)~~) released under this subsection shall be advised that the act or omission of any act for which he or she had been referred shall constitute a part of the juvenile's criminal history as defined by RCW 13.40.020(~~((6))~~)(9) as now or hereafter amended. A signed acknowledgment of such advisement shall be obtained from the juvenile, and the document shall be maintained by the unit, and a copy of the document shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language(~~(= PROVIDED FURTHER, That)~~). A juvenile determined to be eligible by a diversionary unit for (~~such~~) release as provided in this subsection shall retain the same right to counsel and right to have his or her case referred to the court for formal action as any other juvenile referred to the unit.

~~((12))~~ (14) A diversion unit may supervise the fulfillment of a diversion agreement entered into before the juvenile's eighteenth birthday and which includes a period extending beyond the divertee's eighteenth birthday.

~~((13))~~ (15) If a fine required by a diversion agreement cannot reasonably be paid due to a change of circumstance, the diversion agreement may be modified at the request of the divertee and with the concurrence of the diversion unit to convert an unpaid fine into community service. The modification of the diversion agreement shall be in writing and signed by the divertee and the diversion unit. The number of hours of community service in lieu of a monetary penalty shall be converted at the rate of the prevailing state minimum wage per hour.

~~((14))~~ (16) Fines imposed under this section shall be collected and paid into the county general fund in accordance with procedures established by the juvenile court administrator under RCW 13.04.040 and may be used only for juvenile services. In the expenditure of funds for juvenile services, there shall be a maintenance of effort whereby counties exhaust existing resources before using amounts collected under this section.

**Sec. 109.** RCW 13.40.150 and 1990 c 3 s 605 are each amended to read as follows:

(1) In disposition hearings all relevant and material evidence, including oral and written reports, may be received by the court and may be relied upon to the extent of its probative value, even though such evidence may not be admissible in a hearing on the information. The youth or the youth's counsel and the prosecuting attorney shall be afforded an opportunity to examine and controvert written reports so received and to cross-examine individuals making reports when such individuals are reasonably available, but sources of confidential information need not be disclosed. The prosecutor and counsel for the juvenile may submit recommendations for disposition.

(2) For purposes of disposition:

- (a) Violations which are current offenses count as misdemeanors;
- (b) Violations may not count as part of the offender's criminal history;
- (c) In no event may a disposition for a violation include confinement.

(3) Before entering a dispositional order as to a respondent found to have committed an offense, the court shall hold a disposition hearing, at which the court shall:

- (a) Consider the facts supporting the allegations of criminal conduct by the respondent;
- (b) Consider information and arguments offered by parties and their counsel;
- (c) Consider any predisposition reports;
- (d) Consult with the respondent's parent, guardian, or custodian on the appropriateness of dispositional options under consideration and afford the respondent and the respondent's parent, guardian, or custodian an opportunity to speak in the respondent's behalf;
- (e) Allow the victim or a representative of the victim and an investigative law enforcement officer to speak;
- (f) Determine the amount of restitution owing to the victim, if any;
- (g) Determine whether the respondent is a serious offender, a middle offender, or a minor or first offender;
- (h) Consider whether or not any of the following mitigating factors exist:
  - (i) The respondent's conduct neither caused nor threatened serious bodily injury or the respondent did not contemplate that his or her conduct would cause or threaten serious bodily injury;
  - (ii) The respondent acted under strong and immediate provocation;
  - (iii) The respondent was suffering from a mental or physical condition that significantly reduced his or her culpability for the offense though failing to establish a defense;
  - (iv) Prior to his or her detection, the respondent compensated or made a good faith attempt to compensate the victim for the injury or loss sustained; and
  - (v) There has been at least one year between the respondent's current offense and any prior criminal offense;
- (i) Consider whether or not any of the following aggravating factors exist:

(i) In the commission of the offense, or in flight therefrom, the respondent inflicted or attempted to inflict serious bodily injury to another;

(ii) The offense was committed in an especially heinous, cruel, or depraved manner;

(iii) The victim or victims were particularly vulnerable;

(iv) The respondent has a recent criminal history or has failed to comply with conditions of a recent dispositional order or diversion agreement;

(v) The current offense included a finding of sexual motivation pursuant to RCW 9.94A.127;

(vi) The respondent was the leader of a criminal enterprise involving several persons; and

(vii) There are other complaints which have resulted in diversion or a finding or plea of guilty but which are not included as criminal history.

(4) The following factors may not be considered in determining the punishment to be imposed:

- (a) The sex of the respondent;
- (b) The race or color of the respondent or the respondent's family;
- (c) The creed or religion of the respondent or the respondent's family;
- (d) The economic or social class of the respondent or the respondent's family; and
- (e) Factors indicating that the respondent may be or is a dependent child within the meaning of this chapter.

(5) A court may not commit a juvenile to a state institution solely because of the lack of facilities, including treatment facilities, existing in the community.

**NEW SECTION. Sec. 110.** (1) The counties are expressly authorized to implement and operate a youthful offender discipline program to provide an intensive educational and physical training and rehabilitative program for appropriate children.

(2) A child may be placed in a youth offender discipline program if he is at least fourteen years of age but less than eighteen years of age at the time of adjudication and has been committed to the department as:

- (a) A serious offender, as defined in RCW 13.40.020(1); or
- (b) A minor or first offender, as defined in RCW 13.40.020(14).

**NEW SECTION. Sec. 111.** (1) Each county establishing a youth offender discipline program shall screen children sent to the program, so that only those children who have medical and psychological profiles conducive to successfully completing an intensive work, educational, and disciplinary program may be admitted to the program. A participating county shall adopt rules for screening such admissions.

(2) The program shall include educational assignments, work assignments, and physical training exercises. Children shall be required to participate in educational, vocational, and substance abuse programs.

**NEW SECTION. Sec. 112.** Each county establishing a youth offender discipline program shall:

(1) Provide an aftercare component for monitoring and assisting the release of program participants into the community;

(2) Adopt rules for the program and aftercare which provide for at least six months of participation in the program and aftercare for successful completion and which also provide disciplinary sanctions and restrictions on the privileges of the general population of children in the program; and

(3) Keep records and monitor criminal activity, educational progress, and employment placement of program participants after their release from the program. An outcome evaluation study shall be published no later than eighteen months after the program becomes operational, which includes a comparison of criminal activity, educational progress, and employment placements of children completing the program with the criminal activity, educational progress, and employment records of children completing other types of programs.

**NEW SECTION. Sec. 113.** A participating county may also contract with private organizations for the operation of the youth offender discipline program and aftercare.

**NEW SECTION. Sec. 114.** (1) If a child in the youth offender discipline program becomes unmanageable or medically or psychologically ineligible, the participating county shall remove the child from the program.

(2) A participating county shall either establish criteria for training contract staff or provide a special training program for county personnel selected for the youth offender discipline program, which shall include appropriate methods of dealing with children who have been placed in such a stringent program.

**Sec. 115.** RCW 2.56.030 and 1989 c 95 s 2 are each amended to read as follows:

The administrator for the courts shall, under the supervision and direction of the chief justice:

(1) Examine the administrative methods and systems employed in the offices of the judges, clerks, stenographers, and employees of the courts and make recommendations, through the chief justice, for the improvement of the same;

(2) Examine the state of the dockets of the courts and determine the need for assistance by any court;



(3) Make recommendations to the chief justice relating to the assignment of judges where courts are in need of assistance and carry out the direction of the chief justice as to the assignments of judges to counties and districts where the courts are in need of assistance;

(4) Collect and compile statistical and other data and make reports of the business transacted by the courts and transmit the same to the chief justice to the end that proper action may be taken in respect thereto;

(5) Prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and make recommendations in respect thereto;

(6) Collect statistical and other data and make reports relating to the expenditure of public moneys, state and local, for the maintenance and operation of the judicial system and the offices connected therewith;

(7) Obtain reports from clerks of courts in accordance with law or rules adopted by the supreme court of this state on cases and other judicial business in which action has been delayed beyond periods of time specified by law or rules of court and make report thereof to supreme court of this state;

(8) Act as secretary of the judicial conference referred to in RCW 2.56.060;

(9) Formulate and submit to the judicial council of this state recommendations of policies for the improvement of the judicial system;

(10) Submit annually, as of February 1st, to the chief justice and the judicial council, a report of the activities of the administrator's office for the preceding calendar year;

(11) Administer programs and standards for the training and education of judicial personnel;

(12) Examine the need for new superior court and district judge positions under a weighted caseload analysis that takes into account the time required to hear all the cases in a particular court and the amount of time existing judges have available to hear cases in that court. The results of the weighted caseload analysis shall be reviewed by the board for judicial administration and the judicial council, both of which shall make recommendations to the legislature by January 1, 1989. It is the intent of the legislature that weighted caseload analysis become the basis for creating additional district court positions, and recommendations should address that objective;

(13) Provide staff to the judicial retirement account plan under chapter 2.14 RCW;

(14) Attend to such other matters as may be assigned by the supreme court of this state;

(15) Within available funds, develop a curriculum for a general understanding of child development, placement, and treatment resources, as well as specific legal skills and knowledge of relevant statutes including chapters 13.32A ~~((and))~~, 13.34, and 13.40 RCW, cases, court rules, interviewing skills, and special needs of the abused or neglected child. This curriculum shall be completed and made available to all juvenile court judges, court personnel, and service providers by July 1, 1988. The curriculum shall be updated yearly to reflect changes in statutes, court rules, or case law;

(16) Develop a curriculum for a general understanding of ~~((hate or bias))~~ crimes of malicious harassment, as well as specific legal skills and knowledge of RCW 9A.36.080, relevant cases, court rules, and the special needs of malicious harassment victims. This curriculum shall be completed and made available to all superior court and court of appeals judges and to all justices of the supreme court by July 1, 1989.

**Sec. 116.** RCW 4.24.190 and 1977 ex.s. c 145 s 1 are each amended to read as follows:

The parent or parents of any minor child under the age of eighteen years who is living with the parent or parents and who shall willfully or maliciously destroy property, real or personal or mixed, or who shall willfully and maliciously inflict personal injury on another person, shall be liable to the owner of such property or to the person injured in a civil action at law for damages in an amount not to exceed ~~((three))~~ five thousand dollars. This section shall in no way limit the amount of recovery against the parent or parents for their own common law negligence.

**Sec. 117.** RCW 9.41.010 and 1983 c 232 s 1 are each amended to read as follows:

(1) "Short firearm" or "pistol" as used in this chapter means any firearm with a barrel less than twelve inches in length.

(2) "Crime of violence" as used in this chapter 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, burglary in the second degree, and robbery in the second degree;

(b) Any conviction or adjudication for a felony offense in effect at any time prior to July 1, 1976, which is comparable to a felony classified as a crime of violence in subsection (2)(a) of this section; and

(c) Any federal or out-of-state conviction or adjudication for an offense comparable to a felony classified as a crime of violence under subsection (2) (a) or (b) of this section.

(3) "Firearm" as used in this chapter means a weapon or device from which a projectile may be fired by an explosive such as gunpowder.

(4) "Commercial seller" as used in this chapter means a person who has a federal firearms license.

**Sec. 118.** RCW 9.41.040 and 1983 c 232 s 2 are each amended to read as follows:

(1) A person is guilty of the crime of unlawful possession of a short firearm or pistol, if, having previously been convicted or, as a juvenile, adjudicated in this state or elsewhere of a crime of violence or of a felony in which a firearm was used or displayed, the person owns or has in his possession any short firearm or pistol.

(2) Unlawful possession of a short firearm or pistol shall be punished as a class C felony under chapter 9A.20 RCW.

(3) As used in this section, a person has been "convicted or adjudicated" at such time as a plea of guilty has been accepted or a verdict of guilty has been filed, notwithstanding the pendency of any future proceedings including but not limited to sentencing or disposition, post-trial or post-factfinding motions, and appeals. A person shall not be precluded from possession if the conviction or adjudication has been the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or adjudicated or the conviction or disposition has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(4) Except as provided in subsection (5) of this section, a person is guilty of the crime of unlawful possession of a short firearm or pistol if, after having been convicted or adjudicated of any felony violation of the uniform controlled substances act, chapter 69.50 RCW, or equivalent statutes of another jurisdiction, or after any period of confinement under RCW 71.05.320 or an equivalent statute of another jurisdiction, or following a record of commitment pursuant to chapter 10.77 RCW or equivalent statutes of another jurisdiction, he owns or has in his possession or under his control any short firearm or pistol.

(5) Notwithstanding subsection (1) of this section, a person convicted of an offense other than murder, manslaughter, robbery, rape, indecent liberties, arson, assault, kidnapping, extortion, burglary, or violations with respect to controlled substances under RCW 69.50.401(a) and 69.50.410, who received a probationary sentence under RCW 9.95.200, and who received a dismissal of the charge under RCW 9.95.240, shall not be precluded from ownership, possession, or control of a firearm as a result of the conviction.

**Sec. 119.** RCW 13.04.011 and 1979 c 155 s 1 are each amended to read as follows:

For purposes of this title:

(1) Except as specifically provided in RCW 13.40.020 and chapter 13.24 RCW, as now or hereafter amended, "juvenile," "youth," and "child" mean any individual who is under the chronological age of eighteen years;

(2) "Juvenile offender" and "juvenile offense" have the meaning ascribed in RCW (~~13.40.010 through 13.40.240~~) 13.40.020;

(3) "Court" when used without further qualification means the juvenile court judge(s) or commissioner(s);

(4) "Parent" or "parents," except as used in chapter 13.34 RCW, as now or hereafter amended, means that parent or parents who have the right of legal custody of the child. "Parent" or "parents" as used in chapter 13.34 RCW, means the biological or adoptive parents of a child unless the legal rights of that person have been terminated by judicial proceedings;

(5) "Custodian" means that person who has the legal right to custody of the child.

**NEW SECTION.** **Sec. 120.** A new section is added to chapter 28A.600 RCW to read as follows:

School districts may participate in the exchange of information with law enforcement and juvenile court officials to the extent permitted by the family educational and privacy rights act of 1974, 20 U.S.C. Sec. 1232g. When directed by court order or pursuant to any lawfully issued subpoena, a school district shall make student records and information available to law enforcement officials, probation officers, court personnel, and others legally entitled to the information. Parents and students shall be notified by the school district of all such orders or subpoenas in advance of compliance with them.

#### **"PART II - FAMILIES AT RISK"**

**NEW SECTION.** **Sec. 201.** A new section is added to chapter 28A.225 RCW to read as follows:

Each school within a school district shall inform the students and the parents of the students enrolled in the school about the compulsory education requirements under this chapter. The school shall distribute the information at least annually.

**Sec. 202.** RCW 28A.225.020 and 1986 c 132 s 2 are each amended to read as follows:

If a juvenile required to attend school under the laws of the state of Washington fails to attend school without valid justification (~~(recurrently or for an extended period of time)~~), the juvenile's school(~~(, where appropriate,)~~) shall:

(1) Inform the juvenile's custodial parent, parents or guardian by a notice in writing (~~(in English and, if different, in the primary language of the custodial parent, parents or guardian and by other means reasonably necessary to achieve notice of the fact)~~) or by telephone that the juvenile has failed to attend school without valid justification (~~(recurrently or for an extended period of time)~~) after one unexcused absence within any month during the current school year;

(2) Schedule a conference or conferences with the custodial parent, parents or guardian and juvenile at a time and place reasonably convenient for all persons included for the purpose of analyzing the causes of the juvenile's absences

after two unexcused absences within any month during the current school year. If a regularly scheduled parent-teacher conference day is to take place within thirty days of the second unexcused absence, then the school district may schedule this conference on that day; and

(3) Take steps to eliminate or reduce the juvenile's absences. These steps shall include, where appropriate, adjusting the juvenile's school program or school or course assignment, providing more individualized or remedial instruction, preparing the juvenile for employment with specific vocational courses or work experience, or both, and assisting the parent or student to obtain supplementary services that might eliminate or ameliorate the cause or causes for the absence from school.

**Sec. 203.** RCW 28A.225.030 and 1990 c 33 s 220 are each amended to read as follows:

If action taken by a school pursuant to RCW 28A.225.020 is not successful in substantially reducing a student's absences from school, any of the following actions may be taken after five or more unexcused absences during the current school year: (1) The attendance officer of the school district through its attorney may petition the juvenile court to assume jurisdiction under RCW 28A.200.010, 28A.200.020, and 28A.225.010 through 28A.225.150 for the purpose of alleging a violation of RCW 28A.225.010 by the parent; or (2) a petition alleging a violation of RCW 28A.225.010 by a child may be filed with the juvenile court by the parent of such child or by the attendance officer of the school district through its attorney at the request of the parent. If the court assumes jurisdiction in such an instance, the provisions of RCW 28A.200.010, 28A.200.020, and 28A.225.010 through 28A.225.150, except where otherwise stated, shall apply.

**Sec. 204.** RCW 28A.225.090 and 1990 c 33 s 226 are each amended to read as follows:

Any person violating any of the provisions of either RCW 28A.225.010 or 28A.225.080 shall be fined not more than twenty-five dollars for each day of unexcused absence from school. However, a child found to be in violation of RCW 28A.225.010 shall be required to attend school and shall not be fined. If the child fails to comply with the court order to attend school, the court may order the child be punished by detention or may impose alternatives to detention such as community service hours or participation in dropout prevention programs or referral to a community truancy board, if available. Failure by a child to comply with an order issued under this section shall not be punishable by detention for a period greater than that permitted pursuant to a contempt proceeding against a child under chapter 13.32A RCW. It shall be a defense for a parent charged with violating RCW 28A.225.010 to show that he or she exercised reasonable diligence in attempting to cause a child in his or her custody to attend school or that the juvenile's school did not perform its duties as required in RCW 28A.225.020. Any fine imposed pursuant to this section may be suspended upon the condition that a parent charged with violating RCW 28A.225.010 shall participate with the school and the juvenile in a supervised plan for the juvenile's attendance at school or upon condition that the parent attend a conference or conferences scheduled by a school for the purpose of analyzing the causes of a child's absence.

Attendance officers shall make complaint for violation of the provisions of RCW 28A.225.010 through 28A.225.140 to a judge of the superior or district court.

**Sec. 205.** RCW 28A.225.150 and 1990 c 33 s 232 are each amended to read as follows:

The school district attendance officer shall report biannually to the educational service district superintendent, in the instance of petitions filed alleging a violation by a child under RCW 28A.225.030:

- (1) The number of petitions filed by a school district or by a parent;
- (2) The frequency of each action taken under RCW 28A.225.020 prior to the filing of such petition;
- (3) When deemed appropriate under RCW 28A.225.020, the frequency of delivery of supplemental services;

and

(4) Disposition of cases filed with the juvenile court, including the frequency of contempt orders issued to enforce a court's order under RCW 28A.225.090.

The educational service district superintendent shall compile such information and report annually to the superintendent of public instruction. The superintendent of public instruction shall compile such information and report to the committees of the house of representatives and the senate by ~~((January 1, 1988))~~ September 1 of each year.

**Sec. 206.** RCW 13.32A.130 and 1990 c 276 s 8 are each amended to read as follows:

A child admitted to a crisis residential center under this chapter who is not returned to the home of his or her parent or who is not placed in an alternative residential placement under an agreement between the parent and child, shall, except as provided for by RCW 13.32A.140 and 13.32A.160(2), reside in such placement under the rules and regulations established for the center for a period not to exceed ~~((seventy two hours, excluding Saturdays, Sundays, and holidays,))~~ five consecutive days from the time of intake, except as otherwise provided by this chapter. Crisis residential center staff shall make a concerted effort to achieve a reconciliation of the family. If a reconciliation and voluntary return of the child has not been achieved within forty-eight hours ~~((excluding Saturdays, Sundays and holidays,))~~ from the time of intake, and if the person in charge of the center does not consider it likely that reconciliation will be achieved within the ~~((seventy two hour))~~ five-day period, then the person in charge shall inform the parent and child of (1) the availability of counseling services; (2) the right to file a petition for an alternative residential placement, the right of a parent to file

an at-risk youth petition, and the right of the parent and child to obtain assistance in filing the petition; and (3) the right to request a review of any alternative residential placement: PROVIDED, That at no time shall information regarding a parent's or child's rights be withheld if requested: PROVIDED FURTHER, That the department shall develop and distribute to all law enforcement agencies and to each crisis residential center administrator a written statement delineating such services and rights. Every officer taking a child into custody shall provide the child and his or her parent(s) or responsible adult with whom the child is placed with a copy of such statement. In addition, the administrator of the facility or his or her designee shall provide every resident and parent with a copy of such statement.

**Sec. 207.** RCW 13.32A.140 and 1990 c 276 s 9 are each amended to read as follows:

The department shall file a petition to approve an alternative residential placement on behalf of a child under any of the following sets of circumstances:

(1) The child has been admitted to a crisis residential center or has been placed with a responsible person other than his or her parent, and:

(a) The parent has been notified that the child was so admitted or placed;

(b) (~~Seventy two hours, including Saturdays, Sundays, and holidays,~~) Five consecutive days have passed since such notification;

(c) No agreement between the parent and the child as to where the child shall live has been reached;

(d) No petition requesting approval of an alternative residential placement has been filed by either the child or parent or legal custodian;

(e) The parent has not filed an at-risk youth petition; and

(f) The child has no suitable place to live other than the home of his or her parent.

(2) The child has been admitted to a crisis residential center and:

(a) (~~Seventy two hours, including Saturdays, Sundays, and holidays,~~) Five consecutive days have passed since such placement;

(b) The staff, after searching with due diligence, have been unable to contact the parent of such child; and

(c) The child has no suitable place to live other than the home of his or her parent.

(3) An agreement between parent and child made pursuant to RCW 13.32A.090(2)(e) or pursuant to RCW 13.32A.120(1) is no longer acceptable to parent or child, and:

(a) The party to whom the arrangement is no longer acceptable has so notified the department;

(b) (~~Seventy two hours, including Saturdays, Sundays, and holidays,~~) Five consecutive days have passed since such notification;

(c) No new agreement between parent and child as to where the child shall live has been reached;

(d) No petition requesting approval of an alternative residential placement has been filed by either the child or the parent;

(e) The parent has not filed an at-risk youth petition; and

(f) The child has no suitable place to live other than the home of his or her parent.

Under the circumstances of subsections (1), (2), or (3) of this section, the child shall remain in a licensed child care facility, including but not limited to a crisis residential center, or in any other suitable residence to be determined by the department until an alternative residential placement petition filed by the department on behalf of the child is reviewed by the juvenile court and is resolved by such court. The department may authorize emergency medical or dental care for a child placed under this section. The state, when the department files a petition for alternative residential placement under this section, shall be represented as provided for in RCW 13.04.093.

**Sec. 208.** RCW 13.32A.150 and 1990 c 276 s 10 are each amended to read as follows:

(1) Except as otherwise provided in this section the juvenile court shall not accept the filing of an alternative residential placement petition by the child or the parents or the filing of an at-risk youth petition by the parent, unless verification is provided that a family assessment has been completed by the department. The family assessment shall be aimed at family reconciliation and avoidance of the out-of-home placement of the child. If the department is unable to complete an assessment within two working days following a request for assessment the child or the parents may proceed under subsection (2) of this section or the parent may proceed under subsection (3) of this section.

(2) A child or a child's parent may file with the juvenile court a petition to approve an alternative residential placement for the child outside the parent's home. The department shall, when requested, assist either a parent or child in the filing of the petition. The petition shall only ask that the placement of a child outside the home of his or her parent be approved. The filing of a petition to approve such placement is not dependent upon the court's having obtained any prior jurisdiction over the child or his or her parent, and confers upon the court a special jurisdiction to approve or disapprove an alternative residential placement.

(3) A child's parent may file with the juvenile court a petition in the interest of a child alleged to be an at-risk youth. The department shall, when requested, assist the parent in filing the petition. The petition shall be filed in the

county where the petitioning parent resides. The petition shall set forth the name, age, and residence of the child and the names and residence of the child's parents and shall allege that:

- (a) The child is an at-risk youth as defined in this chapter;
- (b) The petitioning parent has the right to legal custody of the child;
- (c) Court intervention and supervision are necessary to assist the parent to maintain the care, custody, and control of the child; and
- (d) Alternatives to court intervention have been attempted or there is good cause why such alternatives have not been attempted.

The petition shall set forth facts that support the allegations in this subsection and shall generally request relief available under this chapter. The petition need not specify any proposed disposition following adjudication of the petition. The filing of an at-risk youth petition is not dependent upon the court's having obtained any prior jurisdiction over the child or his or her parent and confers upon the court the special jurisdiction to assist the parent in maintaining parental authority and responsibility for the child. An at-risk youth petition may not be filed if the court has approved an alternative residential placement petition regarding the child or if the child is the subject of a proceeding under chapter 13.34 RCW. A petition may be accepted for filing only if alternatives to court intervention have been attempted (~~or if there is good cause why they were not attempted~~). Juvenile court personnel may screen all at-risk youth petitions and may refuse to allow the filing of any petition that lacks merit, fails to comply with the requirements of this section, or fails to allege sufficient facts in support of allegations in the petition.

NEW SECTION. Sec. 209. To the extent possible within existing funds, the department of social and health services shall transfer children who are inappropriately housed in crisis residential centers to residential and treatment services designed to meet their specific, unique needs by June 30, 1993.

NEW SECTION. Sec. 210. A new section is added to chapter 13.32A RCW to read as follows:  
The department of social and health services shall not administratively split-code staff responsible for family reconciliation services between separate and distinct functions, except in remote rural offices where to do otherwise proves impractical.

NEW SECTION. Sec. 211. A new section is added to chapter 13.32A RCW to read as follows:  
All placements into crisis residential centers shall be approved by and coordinated through the family reconciliation services supervisor. The department of social and health services shall establish uniform procedures for the use of crisis residential centers, which shall be adhered to by all family reconciliation services supervisors. The department shall ensure procedures established under this section will facilitate and complement law enforcement officer's existing responsibility to pick up and transport children to crisis residential centers and other places authorized by law under this chapter.

Sec. 212. RCW 74.13.032 and 1979 c 155 s 78 are each amended to read as follows:

(1) The department (~~shall establish, by contracts with private vendors,~~) may operate or contract to operate not less than eight regional crisis residential centers, which shall be structured group care facilities licensed under rules adopted by the department. Each regional center shall have (~~an average of at least four adult staff members and in no event less than~~) three adult staff members to every (~~eight~~) nine children. The staff shall be trained so that they may effectively counsel juveniles admitted to the centers, provide treatment, supervision, and structure to the juveniles, and carry out the responsibilities outlined in RCW 13.32A.090.

(2) The department shall, in addition to the regional facilities established under subsection (1) of this section, establish not less than thirty additional crisis residential centers pursuant to contract with licensed private group care or specialized foster home facilities. The staff at the facilities shall be trained so that they may effectively counsel juveniles admitted to the centers, provide treatment, supervision, and structure to the juveniles, and carry out the responsibilities stated in RCW 13.32A.090. The responsibilities stated in RCW 13.32A.090 may, in any of the centers, be carried out by the department.

Crisis residential facilities shall be operated as semi-secure facilities.

Sec. 213. RCW 74.13.033 and 1979 c 155 s 79 are each amended to read as follows:

(1) If a resident of a center becomes by his or her behavior disruptive to the facility's program, such resident may be immediately removed to a separate area within the facility and counseled on an individual basis until such time as the child regains his or her composure. The department may set rules and regulations establishing additional procedures for dealing with severely disruptive children on the premises, which procedures are consistent with the federal juvenile justice and delinquency prevention act of 1974 and regulations and clarifying instructions promulgated thereunder. Nothing in this section shall prohibit a center from referring any child who, as the result of a mental or emotional disorder, or intoxication by alcohol or other drugs, is suicidal, seriously assaultive or seriously destructive toward others, or otherwise similarly evidences an immediate need for emergency medical evaluation and possible care. (~~to a community mental health center~~) for evaluation pursuant to chapter 71.34 RCW (~~(72.23.070)~~) or to a mental health professional pursuant to chapter 71.05 RCW whenever such action is deemed appropriate and consistent with law.

(2) When the juvenile resides in this facility, all services deemed necessary to the juvenile's reentry to normal family life shall be made available to the juvenile as required by chapter 13.32A RCW. In providing these services, the facility shall:

- (a) Interview the juvenile as soon as possible;
- (b) Contact the juvenile's parents and arrange for a counseling interview with the juvenile and his or her parents as soon as possible;
- (c) Conduct counseling interviews with the juvenile and his or her parents, to the end that resolution of the child/parent conflict is attained and the child is returned home as soon as possible; and
- (d) Provide additional crisis counseling as needed, to the end that placement of the child in the crisis residential center will be required for the shortest time possible, but not to exceed ~~((seventy-two hours))~~ five consecutive days.

(3) A juvenile taking unauthorized leave from this residence may be apprehended and returned to it by law enforcement officers or other persons designated as having this authority as provided in RCW 13.32A.050. If returned to the facility after having taken unauthorized leave for a period of more than twenty-four hours a juvenile may be supervised by such a facility for a period, pursuant to this chapter, which, unless where otherwise provided, may not exceed ~~((seventy-two hours))~~ five consecutive days on the premises. Costs of housing juveniles admitted to crisis residential centers shall be assumed by the department for a period not to exceed ~~((seventy-two hours))~~ five consecutive days.

**Sec. 214.** RCW 74.13.034 and 1991 c 364 s 5 are each amended to read as follows:

(1) A child taken into custody and taken to a crisis residential center established pursuant to RCW 74.13.032(2) may, if the center is unable to provide appropriate treatment, supervision, and structure to the child, be taken at department expense to another crisis residential center or the nearest regional crisis residential center. Placement in both centers shall not exceed ~~((seventy-two hours))~~ five consecutive days from the point of intake as provided in RCW 13.32A.130.

(2) A child taken into custody and taken to a crisis residential center established by this chapter may be placed physically by the department or the department's designee and, at departmental expense and approval, in a secure juvenile detention facility operated by the county in which the center is located for a maximum of forty-eight hours, including Saturdays, Sundays, and holidays, if the child has taken unauthorized leave from the center and the person in charge of the center determines that the center cannot provide supervision and structure adequate to ensure that the child will not again take unauthorized leave. Juveniles placed in such a facility pursuant to this section may not, to the extent possible, come in contact with alleged or convicted juvenile or adult offenders.

(3) Any child placed in secure detention pursuant to this section shall, during the period of confinement, be provided with appropriate treatment by the department or the department's designee, which shall include the services defined in RCW 74.13.033(2). If the child placed in secure detention is not returned home or if an alternative living arrangement agreeable to the parent and the child is not made within twenty-four hours after the child's admission, the child shall be taken at the department's expense to a crisis residential center. Placement in the crisis residential center or centers plus placement in juvenile detention shall not exceed ~~((seventy-two hours))~~ five consecutive days from the point of intake as provided in RCW 13.32A.130.

(4) Juvenile detention facilities used pursuant to this section shall first be certified by the department to ensure that juveniles placed in the facility pursuant to this section are provided with living conditions suitable to the well-being of the child. Where space is available, juvenile courts, when certified by the department to do so, shall provide secure placement for juveniles pursuant to this section, at department expense.

(5) It is the intent of the legislature that by July 1, 1982, crisis residential centers, supplemented by community mental health programs and mental health professionals, will be able to respond appropriately to children admitted to centers under this chapter and will be able to respond to the needs of such children with appropriate treatment, supervision, and structure.

### **"PART III - INVOLUNTARY COMMITMENT AND TREATMENT"**

**Sec. 301.** RCW 74.04.055 and 1991 c 126 s 2 are each amended to read as follows:

In furtherance of the policy of this state to cooperate with the federal government in the programs included in this title the secretary shall issue such rules and regulations as may become necessary to entitle this state to participate in federal grants-in-aid, goods, commodities and services unless the same be expressly prohibited by this title. The secretary shall ensure that the department's services and programs are designed and implemented to maximize the allocation of federal funds to the state.

Any section or provision of this title which may be susceptible to more than one construction shall be interpreted in favor of the construction most likely to satisfy federal laws entitling this state to receive federal matching or other funds for the various programs of public assistance. If any part of this chapter is found to be in conflict with federal requirements which are a prescribed condition to the receipts of federal funds to the state, the conflicting part of

this chapter is hereby inoperative solely to the extent of the conflict with respect to the agencies directly affected, and such finding or determination shall not affect the operation of the remainder of this chapter.

**Sec. 302.** RCW 71.34.010 and 1985 c 354 s 1 are each amended to read as follows:

It is the purpose of this ~~((legislation))~~ chapter to ensure that minors in need of mental health care and treatment receive an appropriate continuum of culturally relevant care and treatment, ((and to enable treatment decisions to be made in response to clinical needs and in accordance with sound professional judgment while also recognizing parents' rights to participate in treatment decisions for their minor children, and to protect minors against needless hospitalization and deprivations of liberty)) from prevention and early intervention to involuntary treatment. To facilitate the continuum of care and treatment to minors in out-of-home placements, all divisions of the department that provide mental health services to minors shall jointly plan and deliver those services.

It is also the purpose of this chapter to protect the rights of minors against needless hospitalization and deprivations of liberty and to enable treatment decisions to be made in response to clinical needs in accordance with sound professional judgment. The mental health care and treatment providers shall encourage the use of voluntary services and, whenever clinically appropriate, the providers shall offer less restrictive alternatives to inpatient treatment. Additionally, all mental health care and treatment providers shall ensure that minors' parents are given an opportunity to participate in the treatment decisions for their minor children. The mental health care and treatment providers shall, to the extent possible, offer services that involve minors' parents or family.

**NEW SECTION. Sec. 303.** A new section is added to chapter 71.34 RCW to read as follows:

For the purpose of encouraging the expansion of existing evaluation and treatment facilities and the creation of new facilities, the department shall endeavor to redirect federal Title XIX funds which are expended on out-of-state placements to fund placements within the state.

**NEW SECTION. Sec. 304.** A new section is added to chapter 71.34 RCW to read as follows:

The department shall ensure that the provisions of this chapter are applied by the counties in a consistent and uniform manner. The department shall also ensure that, to the extent possible within available funds, the county-designated mental health professionals are specifically trained in adolescent mental health issues, the mental health civil commitment laws, and the criteria for civil commitment.

**NEW SECTION. Sec. 305.** A new section is added to chapter 71.34 RCW to read as follows:

Whenever a county-designated mental health professional makes a determination under RCW 71.34.050 that a minor, thirteen years or older, does not meet the criteria for an involuntary detention at an evaluation and treatment facility, the county-designated mental health professional shall:

- (1) Provide written notice to the minor's parent of the parent's right to file petitions and obtain services available under chapter 13.32A RCW;
- (2) Provide a written evaluation to the minor's parent detailing the county-designated mental health professional's reasons for not detaining the minor at an evaluation and treatment facility. The evaluation shall include the specific facts investigated, the credibility of the person or persons providing the information, and the criteria for an involuntary detention; and
- (3) Refer the minor and the parents to other available services.

**NEW SECTION. Sec. 306.** A new section is added to chapter 70.96A RCW to read as follows:

The department shall ensure that the provisions of this chapter are applied by the counties in a consistent and uniform manner. The department shall also ensure that, to the extent possible within available funds, the county-designated chemical dependency specialists are specifically trained in adolescent chemical dependency issues, the chemical dependency commitment laws, and the criteria for commitment.

**NEW SECTION. Sec. 307.** A new section is added to chapter 70.96A RCW to read as follows:

Whenever a county-designated chemical dependency specialist makes a determination under RCW 70.96A.140 that a minor does not meet the criteria for a commitment to a chemical dependency program, the county-designated chemical dependency specialist shall:

- (1) Provide written notice to the minor's parent of the parent's right to file petitions and obtain services available under chapter 13.32A RCW;
- (2) Provide a written evaluation to the minor's parent detailing the county-designated chemical dependency specialist's reasons for not committing the minor in a chemical dependency program. The evaluation shall include the specific facts investigated, the credibility of the person or persons providing the information, and the criteria for a commitment to a chemical dependency treatment program; and
- (3) Refer the minor and the parents to other available services.

#### "PART IV - MISCELLANEOUS"

**Sec. 401.** 1991 c 234 s 1 (uncodified) is amended to read as follows:

A joint select committee on juvenile issues (~~(task force)~~) is created to review the operation of the 1977 Juvenile Justice Act, the Family Reconciliation Act, the 1990 "at-risk" youth legislation, and to study related issues. The (~~(task force)~~) joint select committee is charged with issuing a report and making recommendations to the legislature by December 15, (~~(1991)~~) 1992.

The (~~(task force)~~) joint select committee shall consist of the following members:

(1) (~~(Three)~~) Two co-chairs, one from the state senate appointed by the president of the senate(~~(s))~~) and one from the state house of representatives appointed by the speaker of the house of representatives(~~(s) and one appointed by the governor from among the members of the task force named in subsection (3) of this section)~~).

(2) Eight legislators in addition to the two legislative cochair selected under subsection (1) of this section, two each from the majority and minority caucuses of the senate and two each from the majority and minority caucuses of the house of representatives.

(3) (~~(The governor shall appoint the following members of the task force)~~) Advisory committees shall be composed of the following:

(a) (~~(Three)~~) Two superior court judges;

(b) (~~(Two)~~) One prosecuting attorney(~~(s))~~;

(c) (~~(Two)~~) One juvenile public defender(~~(s))~~;

(d) The secretary of social and health services or the secretary's designee;

(e) (~~(Two)~~) One juvenile court administrator(~~(s))~~;

(f) One police chief or county sheriff;

(g) (~~(One child psychologist;~~

~~(h) One child psychiatrist;~~

~~(i))~~) Two directors of (~~(a))~~) youth service organizations;

~~(j))~~) (h) One person from the Washington council on crime and delinquency;

~~(k))~~) (i) One person from a parents' organization;

~~(l) One person from a crisis residential center;~~

~~(m))~~) (j) One juvenile court caseworker;

~~(n) One representative of the executive branch;~~

~~(o) One)~~) (k) Two members of the mental health treatment community; (~~(and~~

~~(p))~~) (l) One member from the substance abuse treatment community;

(m) One member from the education system;

(n) One member from local government; and

(o) One member representing the employees of state institutions.

~~((The department of social and health services shall fund the task force in an amount sufficient to meet its mission. The task force shall be staffed, to the extent possible, by staff available from the membership of the task force.~~

~~The governor shall ensure that the racial diversity of the task force membership appointed by the governor reflects the racial diversity of juveniles served under the Family Reconciliation Act, the 1977 Juvenile Justice Act, and the 1990 "at risk" youth legislation.))~~

The joint select committee shall develop a statutory community-based planning, allocation, and service system for children and families, including at-risk youth, runaways, and families in conflict, and submit it to the appropriate legislative committees no later than December 1, 1992. The joint select committee shall: (i) Identify which state agencies, programs, and services should be included in the system; (ii) identify the various youth populations to be served by the system; and (iii) determine how to coordinate this system with existing community-based planning and coordination requirements, including, but not limited to, chapter 326, Laws of 1991, and chapter 13.06 RCW.

**Sec. 402.** 1991 c 234 s 2 (uncodified) is amended to read as follows:

The department of social and health services, in cooperation with the commission on African American affairs, shall contract for an independent study of racial disproportionality in the juvenile justice system. The study shall identify key decision points in the juvenile justice system where race and/or ethnicity-based disproportionality exists in the treatment and incarceration of juvenile offenders. The study shall identify the causes of disproportionality, and propose new policies and procedures to address disproportionality.

~~((The department shall submit the study's preliminary findings and recommendations to the juvenile justice task force established under section 1 of this act by September 13, 1991.))~~ The final report shall be submitted to the appropriate committees of the legislature by December (~~(1, 1991)~~) 15, 1992.

The juvenile justice task force shall utilize the information on disproportionality in developing its report and recommendations to the legislature required under section (~~(4)~~) 401 of this act. (~~(If by June 30, 1991, the omnibus operating budget appropriations act for the 1991-93 biennium does not provide specific funding for this section, referencing this section by bill number and section, this section is null and void.))~~)



NEW SECTION. Sec. 403. A new section is added to chapter 13.40 RCW to read as follows:

The department shall within existing funds collect such data as may be necessary to monitor any disparity in processing or disposing of cases involving juvenile offenders due to economic, gender, geographic, or racial factors that may result from implementation of chapter ..., Laws of 1992 (this act). Beginning December 1, 1993, the department shall report annually to the legislature on economic, gender, geographic, or racial disproportionality in the rates of arrest, detention, trial, treatment, and disposition in the state's juvenile justice system. The report shall cover the preceding calendar year. The annual report shall identify the causes of such disproportionality and shall specifically point out any economic, gender, geographic, or racial disproportionality resulting from implementation of chapter ..., Laws of 1992 (this act).

NEW SECTION. Sec. 404. Sections 110 through 114 of this act are each added to chapter 13.16 RCW.

NEW SECTION. Sec. 405. Part headings as used in this act do not constitute any part of the law.

NEW SECTION. Sec. 406. 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. 407. The purpose of this act is solely to provide authority for the counties and the department of social and health services to provide services within existing funds and current programs and facilities unless otherwise specifically funded by June 30, 1992, by reference to this bill and section number, in the supplemental omnibus appropriations act for the 1992. Nothing in this act shall be construed to require the addition of new facilities nor affect the department of social and health services' nor county authority for the uses of existing programs and funding.

NEW SECTION. Sec. 408. Sections 102, 104, 106, 206, 207, 212, 214, and 304 through 307 of this act shall take effect July 1, 1993.

On page 1, line 2 of the title, after "force;" strike the remainder of the title and insert "amending RCW 13.40.010, 13.40.020, 13.40.027, 13.40.0357, 13.40.038, 13.40.050, 13.40.070, 13.40.080, 13.40.150, 2.56.030, 4.24.190, 9.41.010, 9.41.040, 13.04.011, 28A.225.020, 28A.225.030, 28A.225.090, 28A.225.150, 13.32A.130, 13.32A.140, 13.32A.150, 74.13.032, 74.13.033, 74.13.034, 74.04.055, and 71.34.010; amending 1991 c 234 s 1 (uncodified); amending 1991 c 234 s 2 (uncodified); adding new sections to chapter 13.16 RCW; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.225 RCW; adding new sections to chapter 13.32A RCW; adding new sections to chapter 71.34 RCW; adding new sections to chapter 70.96A RCW; adding a new section to chapter 13.40 RCW; creating new sections; prescribing penalties; and providing an effective date."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2466. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2466 as amended by the Senate.

Representatives Appelwick, Padden, Ebersole, McLean and Basich 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. 2466 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sprenkle - 01.

Engrossed Substitute House Bill No. 2466 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SIGNED BY THE SPEAKER

The Speaker announced that he had signed the following bills.

SUBSTITUTE HOUSE BILL NO. 1736  
 SUBSTITUTE HOUSE BILL NO. 2370  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2876  
 SUBSTITUTE HOUSE BILL NO. 2887  
 SUBSTITUTE HOUSE BILL NO. 2993

#### MOTION

Mr. Wineberry moved that the House act on the following bills, Substitute House Bill No. 2501, Engrossed Substitute House Bill No. 2640, Substitute House Bill No. 2676 and Substitute House Bill No. 2937. Their motion was carried.

#### SENATE AMENDMENTS TO HOUSE BILL

March 11, 1992

#### MR. SPEAKER:

Under suspension of rules, SUBSTITUTE HOUSE BILL NO. 2501 was returned to second reading. The Senate reconsidered the vote by which the striking amendment(s) by the Senate Committee on Law & Justice were adopted and did not adopt the amendment(s). The bill was passed with the following (attached) amendment(s) by Senators Nelson and A. Smith (2501-S AAS 3/11/92 S4677.1):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 69.50.505 and 1990 c 248 s 2 and 1990 c 213 s 12 are each reenacted and amended to read as follows:

(a) The following are subject to seizure and forfeiture and no property right exists in them:

(1) All controlled substances which have been manufactured, distributed, dispensed, acquired, or possessed in violation of this chapter or chapter 69.41 or 69.52 RCW, and all hazardous chemicals, as defined in RCW 64.44.010, used or intended to be used in the manufacture of controlled substances;

(2) All raw materials, products, and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this chapter or chapter 69.41 or 69.52 RCW;

(3) All property which is used, or intended for use, as a container for property described in paragraphs (1) or (2);

(4) All conveyances, including aircraft, vehicles, or vessels, which are used, or intended for use, in any manner to facilitate the sale, delivery, or receipt of property described in paragraphs (1) or (2), except that:

(i) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter or chapter 69.41 or 69.52 RCW;

(ii) No conveyance is subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the owner's knowledge or consent;

(iii) No conveyance is subject to forfeiture under this section if used in the receipt of only an amount of marijuana for which possession constitutes a misdemeanor under RCW 69.50.401(e);

(iv) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party neither had knowledge of nor consented to the act or omission; and

(v) When the owner of a conveyance has been arrested under this chapter or chapter 69.41 or 69.52 RCW the conveyance in which the person is arrested may not be subject to forfeiture unless it is seized or process is issued for its seizure within ten days of the owner's arrest;

(5) All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of this chapter or chapter 69.41 or 69.52 RCW;

(6) All drug paraphernalia;

(7) All moneys, negotiable instruments, securities, or other tangible or intangible property of value furnished or intended to be furnished by any person in exchange for a controlled substance in violation of this chapter or chapter 69.41 or 69.52 RCW, all tangible or intangible personal property, proceeds, or assets acquired in whole or in part with proceeds traceable to an exchange or series of exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this chapter or chapter 69.41 or 69.52 RCW: PROVIDED, That a forfeiture of money, negotiable instruments, securities, or other tangible or intangible property encumbered by a bona fide security interest is subject to the interest of the secured party if, at the time the security interest was created, the secured party neither had knowledge of nor consented to the act or omission: PROVIDED FURTHER, That no personal property may be forfeited under this paragraph, to the extent of the interest of an owner, by reason of any act or omission which that owner establishes was committed or omitted without the owner's knowledge or consent; and

(8) All real property, including any right, title, and interest in the whole of any lot or tract of land, and any appurtenances or improvements which are being used with the knowledge of the owner for the manufacturing, compounding, processing, delivery, importing, or exporting of any controlled substance, or which have been acquired in whole or in part with proceeds traceable to an exchange or series of exchanges in violation of this chapter or chapter 69.41 or 69.52 RCW, if such activity is not less than a class C felony and a substantial nexus exists between the commercial production or sale of the controlled substance and the real property: PROVIDED, That:

(i) No property may be forfeited pursuant to this subsection, to the extent of the interest of an owner, by reason of any act or omission committed or omitted without the owner's knowledge or consent;

(ii) The bona fide gift of a controlled substance, legend drug, or imitation controlled substance shall not result in the forfeiture of real property;

(iii) The possession of marijuana shall not result in the forfeiture of real property unless the marijuana is possessed for commercial purposes, the amount possessed is five or more plants or one pound or more of marijuana, and a substantial nexus exists between the possession of marijuana and the real property. In such a case, the intent of the offender shall be determined by the preponderance of the evidence, including the offender's prior criminal history, the amount of marijuana possessed by the offender, the sophistication of the activity or equipment used by the offender, and other evidence which demonstrates the offender's intent to engage in commercial activity;

(iv) The unlawful sale of marijuana or a legend drug shall not result in the forfeiture of real property unless the sale was forty grams or more in the case of marijuana or one hundred dollars or more in the case of a legend drug, and a substantial nexus exists between the unlawful sale and the real property; and

(v) A forfeiture of real property encumbered by a bona fide security interest is subject to the interest of the secured party if the secured party, at the time the security interest was created, neither had knowledge of nor consented to the act or omission.

(b) Real or personal property subject to forfeiture under this chapter may be seized by any board inspector or law enforcement officer of this state upon process issued by any superior court having jurisdiction over the property. Seizure of real property shall include the filing of a lis pendens by the seizing agency. Real property seized under this section shall not be transferred or otherwise conveyed until ninety days after seizure or until a judgment of forfeiture is

entered, whichever is later: PROVIDED, That real property seized under this section may be transferred or conveyed to any person or entity who acquires title by foreclosure or deed in lieu of foreclosure of a security interest. Seizure of personal property without process may be made if:

(1) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(2) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this chapter;

(3) A board inspector or law enforcement officer has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

(4) The board inspector or law enforcement officer has probable cause to believe that the property was used or is intended to be used in violation of this chapter.

(c) In the event of seizure pursuant to subsection (b), proceedings for forfeiture shall be deemed commenced by the seizure. The law enforcement agency under whose authority the seizure was made shall cause notice to be served within fifteen days following the seizure on the owner of the property seized and the person in charge thereof and any person having any known right or interest therein, including any community property interest, of the seizure and intended forfeiture of the seized property. Service of notice of seizure of real property shall be made according to the rules of civil procedure. However, the state may not obtain a default judgment with respect to real property against a party who is served by substituted service absent an affidavit stating that a good faith effort has been made to ascertain if the defaulted party is incarcerated within the state, and that there is no present basis to believe that the party is incarcerated within the state. The notice of seizure in other cases may be served by any method authorized by law or court rule including but not limited to service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen day period following the seizure.

(d) If no person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (a)(4), (a)(7), or (a)(8) of this section within forty-five days of the seizure in the case of personal property and ninety days in the case of real property, the item seized shall be deemed forfeited. The community property interest in real property of a person whose spouse committed a violation giving rise to seizure of the real property may not be forfeited if the person did not participate in the violation.

(e) If any person notifies the seizing law enforcement agency in writing of the person's claim of ownership or right to possession of items specified in subsection (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), (a)(7), or (a)(8) of this section within forty-five days of the seizure in the case of personal property and ninety days in the case of real property, the person or persons shall be afforded a reasonable opportunity to be heard as to the claim or right. The hearing shall be before the chief law enforcement officer of the seizing agency or the chief law enforcement officer's designee, except where the seizing agency is a state agency as defined in RCW 34.12.020(4), the hearing shall be before the chief law enforcement officer of the seizing agency or an administrative law judge appointed under chapter 34.12 RCW, except that any person asserting a claim or right may remove the matter to a court of competent jurisdiction if the aggregate value of the article or articles involved is more than five hundred dollars. The court to which the matter is to be removed shall be the district court when ~~((such))~~ the aggregate value ~~((is ten thousand dollars or less))~~ of personal property is within the jurisdictional limit set forth in RCW 3.66.020. A hearing before the seizing agency and any appeal therefrom shall be under Title 34 RCW. In a court hearing between two or more claimants to the article or articles involved, the prevailing party shall be entitled to a judgment for costs and reasonable attorney's fees. In cases involving personal property, the burden of producing evidence shall be upon the person claiming to be the lawful owner or the person claiming to have the lawful right to possession of the property. In cases involving real property, the burden of producing evidence shall be upon the law enforcement agency. The burden of proof that the seized real property is subject to forfeiture shall be upon the law enforcement agency. The seizing law enforcement agency shall promptly return the article or articles to the claimant upon a determination by the administrative law judge or court that the claimant is the present lawful owner or is lawfully entitled to possession thereof of items specified in subsection (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), (a)(7), or (a)(8) of this section.

(f) When property is forfeited under this chapter the board or seizing law enforcement agency may:

(1) Retain it for official use or upon application by any law enforcement agency of this state release such property to such agency for the exclusive use of enforcing the provisions of this chapter;

(2) ~~((#))~~ Sell that which is not required to be destroyed by law and which is not harmful to the public ~~((The proceeds and all moneys forfeited under this title shall be used for payment of all proper expenses of the investigation leading to the seizure, including any money delivered to the subject of the investigation by the law enforcement agency, and of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, advertising, actual costs of the prosecuting or city attorney, and court costs. Money remaining after the payment of all expenses shall be distributed as follows:~~

~~(A) Twenty five percent of the money derived from the forfeiture of real property and seventy five percent of the money derived from the forfeiture of personal property shall be deposited in the general fund of the state, county, and/or city of the seizing law enforcement agency and shall be used exclusively for the expansion or improvement of law enforcement services. These services may include the creation of reward funds for the purpose of rewarding informants who supply information leading to the arrest, prosecution and conviction of persons who violate laws relating to controlled substances. Such moneys shall not supplant preexisting funding sources;~~

~~(B) Twenty five percent of money derived from the forfeiture of real property and twenty five percent of money derived from the forfeiture of personal property shall be remitted to the state treasurer for deposit in the public safety and education account established in RCW 43.08.250;~~

~~(C) Until July 1, 1995, fifty percent of money derived from the forfeiture of real property shall be remitted to the state treasurer for deposit in the drug enforcement and education account under RCW 69.50.520, on and after July 1, 1995, the fifty percent of the money shall be remitted in the same manner as the twenty five percent of the money remitted under (2)(i)(A) of this subsection; and~~

~~(D) If an investigation involves a seizure of moneys and proceeds having an aggregate value of less than five thousand dollars, the moneys and proceeds may be deposited in total in the general fund of the governmental unit of the seizing law enforcement agency and shall be appropriated exclusively for the expansion of narcotics enforcement services. Such moneys shall not supplant preexisting funding sources.~~

~~(ii) Money deposited according to this section must be deposited within ninety days of the date of final disposition of either the administrative seizure or the judicial seizure);~~

~~(3) Request the appropriate sheriff or director of public safety to take custody of the property and remove it for disposition in accordance with law; or~~

~~(4) Forward it to the drug enforcement administration for disposition.~~

~~(g)(1) When property is forfeited, the seizing agency shall keep a record indicating the identity of the prior owner, if known, a description of the property, the disposition of the property, the value of the property at the time of seizure, and the amount of proceeds realized from disposition of the property.~~

~~(2) Each seizing agency shall retain records of forfeited property for at least seven years.~~

~~(3) Each seizing agency shall file a report including a copy of the records of forfeited property with the state treasurer each calendar quarter.~~

~~(4) The quarterly report need not include a record of forfeited property that is still being held for use as evidence during the investigation or prosecution of a case or during the appeal from a conviction.~~

~~(h)(1) By January 31st of each year, each seizing agency shall remit to the state treasurer an amount equal to ten percent of the net proceeds of any property forfeited during the preceding calendar year. Money remitted shall be deposited in the drug enforcement and education account under RCW 69.50.520.~~

~~(2) The net proceeds of forfeited property is the value of the forfeitable interest in the property after deducting the cost of satisfying any bona fide security interest to which the property is subject at the time of seizure; and in the case of sold property, after deducting the cost of sale, including reasonable fees or commissions paid to independent selling agents, and the cost of any valid landlord's claim for damages under subsection (n) of this section.~~

~~(3) The value of sold forfeited property is the sale price. The value of retained forfeited property is the fair market value of the property at the time of seizure, determined when possible by reference to an applicable commonly used index, such as the index used by the department of licensing for valuation of motor vehicles. A seizing agency may use, but need not use, an independent qualified appraiser to determine the value of retained property. If an appraiser is used, the value of the property appraised is net of the cost of the appraisal. The value of destroyed property and retained firearms or illegal property is zero.~~

~~(i) Forfeited property and net proceeds not required to be paid to the state treasurer shall be retained by the seizing law enforcement agency exclusively for the expansion and improvement of controlled substances related law enforcement activity. Money retained under this section may not be used to supplant pre-existing funding sources.~~

~~(j) Controlled substances listed in Schedule I, II, III, IV, and V that are possessed, transferred, sold, or offered for sale in violation of this chapter are contraband and shall be seized and summarily forfeited to the state. Controlled substances listed in Schedule I, II, III, IV, and V, which are seized or come into the possession of the board, the owners of which are unknown, are contraband and shall be summarily forfeited to the board.~~

~~((h)) (k) Species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this chapter, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the board.~~

~~((i)) (l) The failure, upon demand by a board inspector or law enforcement officer, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored to produce an appropriate registration or proof that he is the holder thereof constitutes authority for the seizure and forfeiture of the plants.~~

~~((+))~~ (m) Upon the entry of an order of forfeiture of real property, the court shall forward a copy of the order to the assessor of the county in which the property is located. Orders for the forfeiture of real property shall be entered by the superior court, subject to court rules. Such an order shall be filed by the seizing agency in the county auditor's records in the county in which the real property is located.

(n) A landlord may assert a claim against proceeds from the sale of assets seized and forfeited under subsection (f)(2) of this section, only if:

(1) A law enforcement officer, while acting in his or her official capacity, directly caused damage to the complaining landlord's property while executing a search of a tenant's residence; and

(2) The landlord has applied any funds remaining in the tenant's deposit, to which the landlord has a right under chapter 59.18 RCW, to cover the damage directly caused by a law enforcement officer prior to asserting a claim under the provisions of this section;

(i) Only if the funds applied under (2) of this subsection are insufficient to satisfy the damage directly caused by a law enforcement officer, may the landlord seek compensation for the damage by filing a claim against the governmental entity under whose authority the law enforcement agency operates within thirty days after the search;

(ii) Only if the governmental entity denies or fails to respond to the landlord's claim within sixty days of the date of filing, may the landlord collect damages under this subsection by filing within thirty days of denial or the expiration of the sixty-day period, whichever occurs first, a claim with the seizing law enforcement agency. The seizing law enforcement agency must notify the landlord of the status of the claim by the end of the thirty-day period. Nothing in this section requires the claim to be paid by the end of the sixty-day or thirty-day period.

(3) For any claim filed under (2) of this subsection, the law enforcement agency shall pay the claim unless the agency provides substantial proof that the landlord either:

(i) Knew or consented to actions of the tenant in violation of this chapter or chapter 69.41 or 69.52 RCW; or

(ii) Failed to respond to a notification of the illegal activity, provided by a law enforcement agency under RCW 59.18.075, within seven days of receipt of notification of the illegal activity.

(o) The landlord's claim for damages under subsection (n) of this section may not include a claim for loss of business and is limited to:

(1) Damage to tangible property and clean-up costs;

(2) The lesser of the cost of repair or fair market value of the damage directly caused by a law enforcement officer;

(3) The proceeds from the sale of the specific tenant's property seized and forfeited under subsection (f)(2) of this section; and

(4) The proceeds available after the seizing law enforcement agency satisfies any bona fide security interest in the tenant's property and costs related to sale of the tenant's property as provided by subsection (h)(2) of this section.

(p) Subsections (n) and (o) of this section do not limit any other rights a landlord may have against a tenant to collect for damages. However, if a law enforcement agency satisfies a landlord's claim under subsection (n) of this section, the rights the landlord has against the tenant for damages directly caused by a law enforcement officer under the terms of the landlord and tenant's contract are subrogated to the law enforcement agency.

NEW SECTION. Sec. 2. 1992 c ... (2SSB 5318) s 5 is hereby repealed.

On page 1, line 1 of the title, after "property;" strike the remainder of the title and insert "reenacting and amending RCW 69.50.505; and repealing 1992 c ... (2SSB 5318) s 5."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Nelson moved that the House do concur in the Senate amendments to Substitute House Bill No. 2501. The motion was carried.

Representatives Nelson and Mitchell spoke in favor of passage of the bill.

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2501 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2501 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sprengle - 01.

Substitute House Bill No. 2501 as amended by the Senate, having received the constitutional majority, was declared passed.

## SENATE AMENDMENTS TO HOUSE BILL

March 11, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2640, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature finds that:

- (a) Municipal sewage sludge is an unavoidable byproduct of the wastewater treatment process;
- (b) Population increases and technological improvements in wastewater treatment processes will double the amount of sludge generated within the next ten years;
- (c) Sludge management is often a financial burden to municipalities and to ratepayers;
- (d) Properly managed municipal sewage sludge is a valuable commodity and can be beneficially used in agriculture, silviculture, and in landscapes as a soil conditioner; and
- (e) Municipal sewage sludge can contain metals and microorganisms that, under certain circumstances, may pose a risk to public health.

(2) The legislature declares that a program shall be established to manage municipal sewage sludge and that the program shall, to the maximum extent possible, ensure that municipal sewage sludge is reused as a beneficial commodity and is managed in a manner that minimizes risk to public health and the environment.

NEW SECTION. Sec. 2. The purpose of this chapter is to provide the department of ecology and local governments with the authority and direction to meet federal regulatory requirements for municipal sewage sludge. The department of ecology may seek delegation and administer the sludge permit program required by the federal clean water act as it existed February 4, 1987.

NEW SECTION. Sec. 3. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Biosolids" means municipal sewage sludge that is a primarily organic, semisolid product resulting from the waste water treatment process, that can be beneficially recycled and meets all requirements under this chapter. For the purposes of this chapter, "biosolids" includes septic tank sludge, also known as septage, that can be beneficially recycled and meets all requirements under this chapter.

(2) "Department" means the department of ecology.

(3) "Local health department" has the same meaning as "jurisdictional health department" in RCW 70.95.030.

(4) "Municipal sewage sludge" means a semisolid substance consisting of settled sewage solids combined with varying amounts of water and dissolved materials generated from a publicly owned wastewater treatment plant.

**NEW SECTION. Sec. 4.** (1) The department shall adopt rules to implement a biosolid management program within twelve months of the adoption of federal rules, 40 C.F.R. Sec. 503, relating to technical standards for the use and disposal of sewage sludge. The biosolid management program shall, at a minimum, conform with all applicable federal rules adopted pursuant to the federal clean water act as it existed on February 4, 1987.

(2) In addition to any federal requirements, the state biosolid management program may include, but not be limited to, an education program to provide relevant legal and scientific information to local governments and citizen groups.

(3) Rules adopted by the department under this section shall provide for public input and involvement for all state and local permits.

(4) Materials that have received a permit as a biosolid shall be regulated pursuant to this chapter.

(5) The transportation of biosolids and municipal sewage sludge shall be governed by Title 81 RCW. Certificates issued by the utilities and transportation commission before the effective date of this section that include or authorize transportation of municipal sewage sludge shall continue in force and effect and be interpreted to include biosolids.

**NEW SECTION. Sec. 5.** The department may work with all appropriate state agencies, local governments, and private entities to establish beneficial uses for biosolids and glassified sewage sludge.

**NEW SECTION. Sec. 6.** If a person violates any provision of this chapter, or a permit issued or rule adopted pursuant to this chapter, the department may issue an appropriate order to assure compliance with the chapter, permit, or rule.

**NEW SECTION. Sec. 7.** The department, with the assistance of the attorney general, may bring an action at law or in equity, including an action for injunctive relief, to enforce this chapter or a permit issued or rule adopted by the department pursuant to this chapter.

**NEW SECTION. Sec. 8.** A person who willfully violates, without sufficient cause, any of the provisions of this chapter, or a permit or order issued pursuant to this chapter, is guilty of a gross misdemeanor. Willful violation of this chapter, or a permit or order issued pursuant to this chapter is a gross misdemeanor punishable by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment for up to one year, or by both. Each day of violation may be deemed a separate violation.

**NEW SECTION. Sec. 9.** In addition to any other penalty provided by law, a person who violates this chapter or rules or orders adopted or issued pursuant to it shall be subject to a penalty in an amount of up to five thousand dollars a day for each violation. Each violation shall be a separate violation. In the case of a continuing violation, each day of violation is a separate violation. An act of commission or omission that procures, aids, or abets in the violation shall be considered a violation under this section.

**NEW SECTION. Sec. 10.** The department may delegate to a local health department the powers necessary to issue and enforce permits to use or dispose of biosolids. A delegation may be withdrawn if the department finds that a local health department is not effectively administering the permit program.

**NEW SECTION. Sec. 11.** (1) Any permit issued by a local health department under section 10 of this act may be reviewed by the department to ensure that the proposed site or facility conforms with all applicable laws, rules, and standards under this chapter.

(2) If the department does not approve or disapprove a permit within sixty days, the permit shall be considered approved.

(3) A local health department may appeal the department's decision to disapprove a permit to the pollution control hearings board, as provided in chapter 43.21B RCW.

**Sec. 12.** RCW 43.19A.010 and 1991 c 297 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Compost products" means mulch, soil amendments, ground cover, or other landscaping material derived from the biological or mechanical conversion of biosolids or cellulose-containing waste materials.

(2) "Department" means the department of general administration.

(3) "Director" means the director of the department of general administration.



(4) "Local government" means a city, town, county, special purpose district, school district, or other municipal corporation.

(5) "Lubricating oil" means petroleum-based oils for reducing friction in engine parts and other mechanical parts.

(6) "Mixed waste paper" means assorted low-value grades of paper that have not been separated into individual grades of paper at the point of collection.

(7) "Municipal sewage sludge" means a semisolid substance consisting of settled sewage solids combined with varying amounts of water and dissolved materials generated from a publicly owned wastewater treatment plant.

(8) "Biosolids" means municipal sewage sludge or septic tank septage sludge that meets the requirements of chapter 70.-- RCW (sections 1 through 11 of this act).

(9) "Paper and paper products" means all items manufactured from paper or paperboard.

~~((8))~~ (10) "Postconsumer waste" means a material or product that has served its intended use and has been discarded for disposal or recovery by a final consumer.

~~((9))~~ (11) "Procurement officer" means the person that has the primary responsibility for procurement of materials or products.

~~((10))~~ (12) "State agency" means all units of state government, including divisions of the governor's office, the legislature, the judiciary, state agencies and departments, correctional institutions, vocational technical institutions, and universities and colleges.

~~((11))~~ (13) "Recycled content product" or "recycled product" means a product containing recycled materials.

~~((12))~~ (14) "Recycled materials" means waste materials and by-products that have been recovered or diverted from solid waste and that can be utilized in place of a raw or virgin material in manufacturing a product and consists of materials derived from postconsumer waste, manufacturing waste, industrial scrap, agricultural wastes, and other items, all of which can be used in the manufacture of new or recycled products.

~~((13))~~ (15) "Re-refined oils" means used lubricating oils from which the physical and chemical contaminants acquired through previous use have been removed through a refining process. Re-refining may include distillation, hydrotreating, or treatments employing acid, caustic, solvent, clay, or other chemicals, or other physical treatments other than those used in reclaiming.

~~((14))~~ (16) "USEPA product standards" means the product standards of the United States environmental protection agency for recycled content published in the code of federal regulations.

Sec. 13. RCW 43.21B.110 and 1989 c 175 s 102 are each amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, and the air pollution control boards or authorities as established pursuant to chapter 70.94 RCW, or local health departments:

(a) Civil penalties imposed pursuant to RCW 70.94.431, 70.105.080, 70.107.050, 90.03.600, 90.48.144, and ~~(90.48.350)~~ 90.56.330.

(b) Orders issued pursuant to RCW 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 86.16.020, 90.14.130, and 90.48.120.

(c) The issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, or the modification of the conditions or the terms of a waste disposal permit.

(d) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70.95 RCW.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under section 10 of this act.

(f) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70.94.332, 70.94.390, 70.94.395, 70.94.400, 70.94.405, 70.94.410, and 90.44.180.

(c) Proceedings by the department relating to general adjudications of water rights pursuant to chapter 90.03 or 90.44 RCW.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the Administrative Procedure Act, chapter 34.05 RCW.

Sec. 14. RCW 47.28.220 and 1991 c 297 s 14 are each amended to read as follows:

(1) A contract awarded in whole or in part for the purchase of compost products as a soil cover or soil amendment to state highway rights of way shall specify that compost products be purchased in accordance with the following schedule:

(a) For the period July 1, 1991, through June 30, 1993, twenty-five percent of the total dollar amount purchased;

(b) For the period July 1, 1993, through June 30, 1995, fifty percent of the total dollar amount purchased. The percentages in this subsection apply only to the materials' value, and do not include services or other materials.

(2) In order to carry out the provisions of this section, the department of transportation shall develop and adopt bid specifications for compost products used in state highway construction projects.

(3)(a) For purposes of this section, "compost products" means mulch, soil amendments, ground cover, or other landscaping material derived from the biological or mechanical conversion of biosolids or cellulose-containing waste materials.

(b) For purposes of this section, "biosolids" means municipal sewage sludge or septic tank septage sludge that meets the requirements of chapter 70.-- RCW (sections 1 through 11 of this act).

Sec. 15. RCW 70.95.255 and 1986 c 297 s 1 are each amended to read as follows:

After January 1, 1988, the department of ecology may prohibit disposal of ~~((municipal))~~ sewage sludge or septic tank sludge (septage) in landfills for final disposal, except on a temporary, emergency basis, if the jurisdictional health department determines that a potentially unhealthful circumstance exists. Beneficial uses of sludge in landfill reclamation is acceptable utilization and not considered disposal.

The department of ecology shall adopt rules that provide exemptions from this section on a case-by-case basis. Exemptions shall be based on the economic infeasibility of using or disposing of the sludge material other than in a landfill.

~~(The department of ecology, after consulting with representatives from cities, counties, special purpose districts, and operators of septic tank pump-out services, shall adopt rules for the environmentally safe use of municipal sewage sludge and septage in this state.~~

~~The department of ecology, after consulting with representatives from the pulp and paper industry and the food processing industry, may adopt rules for the environmentally safe use of appropriate industrial sludges, such as pulp and paper sludges or food processing wastes, used to improve the texture or nutrient content of soils.))~~

The department of ecology, in conjunction with the department of ~~((social and))~~ health ~~((services))~~ and the department of agriculture, shall adopt rules establishing labeling and notification requirements for sludge material sold commercially or given away to the public. The department shall specify mandatory wording for labels and notification to warn the public against improper use of the material.

Sec. 16. RCW 70.95.030 and 1991 c 298 s 2 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) "Commission" means the utilities and transportation commission.

(3) "Committee" means the state solid waste advisory committee.

(4) "Department" means the department of ecology.

(5) "Director" means the director of the department of ecology.

(6) "Disposal site" means the location where any final treatment, utilization, processing, or deposit of solid waste occurs.

(7) "Energy recovery" means a process operating under federal and state environmental laws and regulations for converting solid waste into usable energy and for reducing the volume of solid waste.

(8) "Functional standards" means criteria for solid waste handling expressed in terms of expected performance or solid waste handling functions.

(9) "Incineration" means a process of reducing the volume of solid waste operating under federal and state environmental laws and regulations by use of an enclosed device using controlled flame combustion.

(10) "Jurisdictional health department" means city, county, city-county, or district public health department.

(11) "Landfill" means a disposal facility or part of a facility at which solid waste is placed in or on land and which is not a land treatment facility.

(12) "Local government" means a city, town, or county.

(13) "Multiple family residence" means any structure housing two or more dwelling units.

(14) "Person" means individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.

(15) "Recyclable materials" means those solid wastes that are separated for recycling or reuse, such as papers, metals, and glass, that are identified as recyclable material pursuant to a local comprehensive solid waste plan. Prior to

the adoption of the local comprehensive solid waste plan, adopted pursuant to RCW 70.95.110(2), local governments may identify recyclable materials by ordinance from July 23, 1989.

(16) "Recycling" means transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill disposal or incineration.

(17) "Residence" means the regular dwelling place of an individual or individuals.

(18) "Sewage sludge" means a semisolid substance consisting of settled sewage solids combined with varying amounts of water and dissolved materials, generated from a wastewater treatment system, that does not meet the requirements of chapter 70.-- RCW (sections 1 through 11 of this act).

(19) "Solid waste" or "wastes" means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable materials.

~~((19))~~ (20) "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 solid wastes or the conversion of the energy in solid wastes to more useful forms or combinations thereof.

~~((20))~~ (21) "Source separation" means the separation of different kinds of solid waste at the place where the waste originates.

~~((21))~~ (22) "Vehicle" includes every device physically capable of being moved upon a public or private highway, road, street, or watercourse and in, upon, or by which any person or property is or may be transported or drawn upon a public or private highway, road, street, or watercourse, except devices moved by human or animal power or used exclusively upon stationary rails or tracks.

~~((22))~~ (23) "Waste reduction" means reducing the amount or toxicity of waste generated or reusing materials.

Sec. 17. RCW 90.48.465 and 1991 c 307 s 1 are each amended to read as follows:

(1) The department shall establish annual fees to collect expenses for issuing and administering each class of permits under RCW 90.48.160, 90.48.162, ~~((and))~~ 90.48.260, and sections 4 through 11 of this act. An initial fee schedule shall be established by rule within one year of March 1, 1989, and thereafter the fee schedule shall be adjusted no more often than once every two years. This fee schedule shall apply to all permits, regardless of date of issuance, and fees shall be assessed prospectively. All fees charged shall be based on factors relating to the complexity of permit issuance and compliance and may be based on pollutant loading and toxicity and be designed to encourage recycling and the reduction of the quantity of pollutants. Fees shall be established in amounts to fully recover and not to exceed expenses incurred by the department in processing permit applications and modifications, monitoring and evaluating compliance with permits, conducting inspections, securing laboratory analysis of samples taken during inspections, reviewing plans and documents directly related to operations of permittees, overseeing performance of delegated pretreatment programs, and supporting the overhead expenses that are directly related to these activities.

(2) The annual fee paid by a municipality, as defined in 33 U.S.C. Sec. 1362, for all domestic wastewater facility permits issued under RCW 90.48.162 ~~((and))~~, 90.48.260, and sections 4 through 11 of this act shall not exceed the total of a maximum of fifteen cents per month per residence or residential equivalent contributing to the municipality's wastewater system. The department shall adopt by rule a schedule of credits for any municipality engaging in a comprehensive monitoring program beyond the requirements imposed by the department, with the credits available for five years from March 1, 1989, and with the total amount of all credits not to exceed fifty thousand dollars in the five-year period.

(3) The department shall ensure that indirect dischargers do not pay twice for the administrative expense of a permit. Accordingly, administrative expenses for permits issued by a municipality under RCW 90.48.165 are not recoverable by the department.

(4) In establishing fees, the department shall consider the economic impact of fees on small dischargers and the economic impact of fees on public entities required to obtain permits for storm water runoff and shall provide appropriate adjustments.

(5) All fees collected under this section shall be deposited in the water quality permit account hereby created in the state treasury. Moneys in the account may be appropriated only for purposes of administering permits under RCW 90.48.160, 90.48.162, ~~((and))~~ 90.48.260, and sections 4 through 11 of this act.

(6) The department shall submit an annual report to the legislature showing detailed information on fees collected, actual expenses incurred, and anticipated expenses for the current and following fiscal years.

(7) The legislative budget committee in 1993 shall review the fees established under this section and report its findings to the legislature in January 1994.

NEW SECTION. Sec. 18. Sections 1 through 11 of this act shall constitute a new chapter in Title 70 RCW.

On page 1, line 1 of the title, after "sludge;" strike the remainder of the title and insert "amending RCW 43.19A.010, 43.21B.110, 47.28.220, 70.95.255, 70.95.030, and 90.48.465; adding a new chapter to Title 70 RCW; and prescribing penalties."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Rust moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2640. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2640 as amended by the Senate.

Representative R. Johnson and Horn 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. 2640 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sprenkle - 01.

Engrossed Substitute House Bill No. 2640 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SENATE AMENDMENTS TO HOUSE BILL

March 6, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2676, with the following (attached) amendment(s):

On page 3, after line 15, insert the following:

NEW SECTION. Sec. 5. A new section is added to chapter 36.70A RCW to read as follows:

A county required or choosing to plan under RCW 36.70A.040 may establish, in consultation with cities, a process for reviewing proposals to authorize siting of major industrial developments outside urban growth areas.

(1) "Major industrial development" means a master planned location for a specific manufacturing, industrial, or commercial business that: (a) Requires a parcel of land devoid of critical areas and so large that no suitable parcels are available within an urban growth area; or (b) is a natural resource-based industry requiring a location near agricultural land, forest land, or mineral resource land upon which it is dependent. The major industrial development shall not be for the purpose of retail shopping developments.

(2) A major industrial development may be approved outside an urban growth area in a county planning under this chapter if criteria including, but not limited to the following, are met:

(a) New infrastructure is provided for and impact fees are established consistent with the requirements of RCW 82.02.060;

(b) Transit-oriented site planning and traffic demand management programs are implemented;

(c) Buffers are provided between the major industrial development and adjacent nonurban areas;

(d) Environmental protection including air and water quality has been addressed and provided for;

(e) Development regulations are established to ensure that urban growth will not occur in adjacent nonurban areas;

(f) Provision is made to mitigate adverse impacts on designated agricultural lands, forest lands, and mineral resource lands;

(g) The plan for the major industrial development is consistent with the county's development regulations established for protection of critical areas; and

(h) The county has determined and entered findings that land suitable to site the major industrial development is unavailable within the urban growth area. Priority shall be given to applications for sites that are adjacent to or in close proximity to the urban growth area.

(3) Final approval of an application for a major industrial development may be considered an adopted amendment to the comprehensive plan adopted pursuant to RCW 36.70A.070 designating the major industrial development site on the land use map as an urban growth area.

Renumber the remaining section consecutively.

On page 1, line 2 of the title, after "significance;" strike "adding a new section" and insert "adding new sections" and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Cantwell moved that the House do concur in the Senate amendments to Substitute House Bill No. 2676. Ms. Brough moved that we not concur. The motion was adopted.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2676 as amended by the Senate.

Representatives Sheldon, Former, Riley, Betrozoff and R. Meyers spoke in favor of passage of the bill. Representatives Brough and Haugen spoke against passage of the bill.

#### COLLOQUY

Representative Cantwell: Mr. Speaker, will Representative Riley yield to a question?

Mr. Speaker: Representative Cantwell, Representative Riley does yield, state your question?

Representative Cantwell: Representative Riley, can the process for siting major industrial developments allow office parks or speculative projects outside urban growth areas?

Representative Riley: Representative Cantwell, No. Currently; the Growth Management Act does not allow development that is urban in nature outside counties and cities to develop a process for siting large manufacturing, industrial, or commercial developments in rural areas as an exception to urban growth areas when there are compelling reasons for not siting these developments in urban growth areas. Office parks should not be considered major industrial developments under this legislation. In addition, it is not the intent of this legislation to allow speculative development in rural area as major industrial developments.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2676 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 67, Nays - 30, Absent - 0, Excused - 1.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cooper, Day, Dorn, Ebersole, Edmondson, Ferguson, Forner, Fuhrman, Grant, Hargrove, Hochstatter, Horn, Johnson P., Johnson R., Jones, Kremen, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Padden, Paris, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Schmidt, Sheldon, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Anderson, Belcher, Brekke, Cole, G., Dellwo, Fisher, G., Fisher, R., Franklin, Fraser, Haugen, Heavey, Hine, Inslee, Jacobsen, King, R., Kohl, J., Leonard, Locke, Nelson, Ogden, Orr, Peery, Prentice, Rust, Scott, Sommers, H., Spanel, Valle, Wang, Wineberry - 30.

Excused: Representative Sprenkle - 01.

Substitute House Bill No. 2676 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SENATE AMENDMENTS TO HOUSE BILL

March 11, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2937, with the following (attached) amendment(s):

On page 6, after line 15, insert the following:

NEW SECTION. Sec. 9. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of community development.

(2) "Director" means the director of the department of community development.

(3) "State fire marshal" means the assistant director of the division of fire protection services in the department of community development.

(4) "Fire chief" includes the chief officer of a statutorily authorized fire agency, or the fire chief's authorized representative. Also included are the department of natural resources fire control chief, and the department of natural resources regional managers.

(5) "Jurisdiction" means state, county, city, fire district, or port district fighting units, or other units covered by this chapter.

(6) "Mobilization" means that fire fighting resources beyond those available through existing agreements will be requested and, when available, sent to fight a fire that has or soon will exceed the capabilities of available local resources. During a large scale fire emergency, mobilization includes redistribution of regional or state-wide fire fighting resources to either direct fire fighting assignments or to assignment in communities where fire fighting resources are needed. This chapter shall not reduce or suspend the authority or responsibility of the department of natural resources under chapter 76.04 RCW.

(7) "Mutual aid" means emergency interagency assistance provided without compensation under an agreement between jurisdictions under chapter 39.34 RCW.

**NEW SECTION. Sec. 10.** Because of the possibility of the occurrence of disastrous fires or other disasters of unprecedented size and destructiveness, the need to insure that the state is adequately prepared to respond to such a fire or disaster, the need to establish a mechanism and a procedure to provide for reimbursement to fire fighting agencies that respond to help others in time of need, and generally to protect the public peace, health, safety, lives, and property of the people of Washington, it is hereby declared necessary to:

(1) Provide the policy and organizational structure for large scale mobilization of fire fighting resources in the state through creation of the Washington state fire services mobilization plan;

(2) Confer upon the director of the department of community development the powers provided herein; and

(3) Provide a means for reimbursement to fire jurisdictions that incur expenses when mobilized by the director under the Washington state fire services mobilization plan.

**NEW SECTION. Sec. 11.** There is created the state fire defense board consisting of the state fire marshal, a representative from the department of natural resources appointed by the commissioner of public lands, the assistant director of the emergency management division of the department of community development, and one representative selected by each regional fire defense board in the state. Members of the state fire defense board shall select from among themselves a chairperson. Members serving on the board do so in a voluntary capacity and are not eligible for reimbursement for meeting-related expenses from the state.

The state fire defense board shall develop and maintain the Washington state fire services mobilization plan, which shall include the procedures to be used during fire emergencies for coordinating local, regional, and state fire jurisdiction resources. The Washington state fire services mobilization plan shall be consistent with, and made part of, the Washington state comprehensive emergency management plan. The director shall review the fire services mobilization plan as submitted by the state fire defense board and after consultation with the fire protection policy board, recommend changes that may be necessary, and approve the fire services mobilization plan for inclusion within the state comprehensive emergency management plan.

It is the responsibility of the director to mobilize jurisdictions under the Washington state fire services mobilization plan. The state fire marshal shall serve as the state fire resources coordinator when the Washington state fire services mobilization plan is mobilized.

**NEW SECTION. Sec. 12.** Regions within the state are initially established as follows but may be adjusted as necessary by the director:

(1) Northwest region - Whatcom, Skagit, Snohomish, San Juan, and Island counties;

(2) Northeast region - Okanogan, Ferry, Stevens, Pend Oreille, Spokane, and Lincoln counties;

(3) Olympic region - Clallam and Jefferson counties;

(4) South Puget Sound region - Kitsap, Mason, King, and Pierce counties;

(5) Southeast region - Chelan, Douglas, Kittitas, Grant, Adams, Whitman, Yakima, Klickitat, Benton, Franklin, Walla Walla, Columbia, Garfield, and Asotin counties;

(6) Central region - Grays Harbor, Thurston, Pacific, and Lewis counties; and

(7) Southwest region - Wahkiakum, Cowlitz, Clark, and Skamania counties.

Within each of these regions there is created a regional fire defense board. The regional fire defense boards shall consist of two members from each county in the region. One member from each county shall be appointed by the county fire chiefs' association or, in the event there is no such county association, by the county's legislative authority. Each county's office of emergency management or, in the event there is no such office, the county's legislative authority shall select the second representative to the regional board. The department of natural resources fire control chief shall appoint a representative from each department of natural resources region to serve as a member of the appropriate regional fire defense board. Members of each regional board will select a chairperson and secretary as officers. Members

serving on the regional boards do so in a voluntary capacity and are not eligible for reimbursement for meeting-related expenses from the state.

Regional defense boards shall develop regional fire service plans that include provisions for organized fire agencies to respond across municipal, county, or regional boundaries. Each regional plan shall be consistent with the incident command system, the Washington state fire services mobilization plan, and regional response plans already adopted and in use in the state. The regional boards shall work with the relevant local government entities to facilitate development of intergovernmental agreements if any such agreements are required to implement a regional fire service plan. Each regional plan shall be approved by the state fire defense board before implementation.

NEW SECTION. Sec. 13. The department of community development in consultation with the office of financial management shall develop procedures to facilitate reimbursement to jurisdictions from appropriate federal and state funds when jurisdictions are mobilized by the director under the Washington state fire services mobilization plan.

NEW SECTION. Sec. 14. Sections 9 through 13 of this act shall constitute a new chapter in Title 38 RCW.

Renumber the remaining section consecutively and correct internal references accordingly.

On page 1, line 3 of the title, after "35.21 RCW;" insert "adding a new chapter to Title 38 RCW;"

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Spanel moved that the House do concur in the Senate amendments to Substitute House Bill No. 2937. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2937 as amended by the Senate.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2937 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sprenkle - 01.

Substitute House Bill No. 2937 as amended by the Senate, having received the constitutional majority, was declared passed.



## MOTION TO RECONSIDER

ENGROSSED SENATE BILL NO. 6319, by Senators Niemi, West, Wojahn and Bailey

Modifying placement responsibilities for persons in the state mental health system.

(For previous action see today's Journal)

Ms. Leonard having voted on the prevailing side in which floor amendment 364 to Engrossed Senate Bill No. 6319 passed, moves to reconsider that vote and the amendment was lost.

Ms. Leonard moved adoption of the following amendment to the committee amendment, by Representatives Leonard, Ogden and Winsley:

On page 6, after line 5 of the amendment, insert the following:

NEW SECTION. Sec. 4. It is the intent of this act to:

(1) Focus, restate, and emphasize the legislature's commitment to the mental health reform embodied in chapter 111, Laws of 1989 (SB 5400);

(2) Eliminate, or schedule for repeal, statutes that are no longer relevant to the regulation of the state's mental health program; and

(3) Reaffirm the state's commitment to provide incentives that reduce reliance on inappropriate state hospital or other inpatient care.

Sec. 5. RCW 71.24.035 and 1991 c 306 s 3, 1991 c 262 s 1, and 1991 c 29 s 1 are each reenacted and amended to read as follows:

(1) The department is designated as the state mental health authority.

(2) The secretary may provide for public, client, and licensed service provider participation in developing the state mental health program.

(3) The secretary shall provide for participation in developing the state mental health program for children and other underserved populations, by including representatives on any committee established to provide oversight to the state mental health program.

(4) The secretary shall be designated as the county authority if a county fails to meet state minimum standards or refuses to exercise responsibilities under RCW 71.24.045.

(5) The secretary shall:

(a) ~~((Develop a biennial state mental health program that incorporates county biennial needs assessments and county mental health service plans and state services for mentally ill adults and children. The secretary may also develop a six-year state mental health plan;~~

~~((b)))~~ Assure that any county community mental health program provides access to treatment for the county's residents in the following order of priority: (i) The acutely mentally ill; (ii) chronically mentally ill adults and severely emotionally disturbed children; and (iii) the seriously disturbed. Such programs shall provide:

(A) Outpatient services;

(B) Emergency care services for twenty-four hours per day;

(C) Day treatment for mentally ill persons which includes training in basic living and social skills, supported work, vocational rehabilitation, and day activities. Such services may include therapeutic treatment. In the case of a child, day treatment includes age-appropriate basic living and social skills, educational and prevocational services, day activities, and therapeutic treatment;

(D) Screening for patients being considered for admission to state mental health facilities to determine the appropriateness of admission;

(E) Employment services, which may include supported employment, transitional work, placement in competitive employment, and other work-related services, that result in mentally ill persons becoming engaged in meaningful and gainful full or part-time work. Other sources of funding such as the division of vocational rehabilitation may be utilized by the secretary to maximize federal funding and provide for integration of services;

(F) Consultation and education services; and

(G) Community support services;

~~((b)))~~ (b) Develop and promulgate rules establishing state minimum standards for the delivery of mental health services including, but not limited to:

- (i) Licensed service providers;
- (ii) Regional support networks; and
- (iii) Residential and inpatient services, evaluation and treatment services and facilities under chapter 71.05 RCW, resource management services, and community support services;
- ~~((c))~~ (c) Assure that the special needs of minorities, the elderly, disabled, children, and low-income persons are met within the priorities established in this section;
- ~~((d))~~ (d) Establish a standard contract or contracts, consistent with state minimum standards, which shall be used by the counties;
- ~~((e))~~ (e) Establish, to the extent possible, a standardized auditing procedure which minimizes paperwork requirements of county authorities and licensed service providers;
- ~~((f))~~ (f) Develop and maintain an information system to be used by the state, counties, and regional support networks when they are established which shall include a tracking method which allows the department and regional support networks to identify mental health clients' participation in any mental health service or public program on an immediate basis. The information system shall not include individual patient's case history files. Confidentiality of client information and records shall be maintained as provided in this chapter and in RCW 71.05.390, 71.05.400, 71.05.410, 71.05.420, 71.05.430, and 71.05.440. The state-operated system shall be fully operational no later than January 1, 1993(~~PROVIDED, HOWEVER, That when a regional support network is established, the department shall have an operational interim tracking system for that network that will be adequate for the regional support network to perform its required duties under this chapter~~) and a regional support network system shall be fully operational by June 30, 1993;
- ~~((g))~~ (g) License service providers who meet state minimum standards;
- ~~((h))~~ (h) Certify regional support networks that meet state minimum standards;
- ~~((i))~~ (i) Periodically inspect certified regional support networks and licensed service providers at reasonable times and in a reasonable manner; and
- ~~((j))~~ (j) Fix fees to be paid by evaluation and treatment centers to the secretary for the required inspections;
- ~~((k))~~ (k) Monitor and audit counties, regional support networks, and licensed service providers as needed to assure compliance with contractual agreements authorized by this chapter;
- ~~((m) Prior to September 1, 1989,)~~ (l) Adopt such rules as are necessary to implement the department's responsibilities under this chapter pursuant to chapter 34.05 RCW(~~PROVIDED, That such rules shall be submitted to the appropriate committees of the legislature for review and comment prior to adoption; and~~);
- ~~((n) Beginning July 1, 1989, and continuing through July 1, 1993,);~~
- (m) Track by region and county, diagnosis, and to the extent information is available, eligibility for state funded nonmental health services, the use and cost of state hospital and local evaluation and treatment facilities for seventy-two hour detention, fourteen, ninety, and one hundred eighty day commitments pursuant to chapter 71.05 RCW, voluntary care in state hospitals, and voluntary community inpatient care covered by the medical assistance program. Service use and cost reports shall be provided to regions and appropriate operating divisions of the department in a timely fashion at six-month intervals; and
- (n) Administer a fund that may be appropriated by the legislature from state hospital and regional support network funds to enhance contracts with regional support networks that agree to provide periods of stable community living according to RCW 71.24.300(5).
- (6) The secretary shall use available resources appropriated specifically for community mental health programs only for (~~programs under RCW 71.24.045. After July 1, 1995, or when regional support networks are established, available resources may be used only for~~) regional support networks.
- (7) Each certified regional support network and licensed service provider shall file with the secretary, on request, such data, statistics, schedules, and information as the secretary reasonably requires. A certified regional support network or licensed service provider which, without good cause, fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent reports thereof, may have its certification or license revoked or suspended.
- (8) The secretary may suspend, revoke, limit, or restrict a certification or license, or refuse to grant a certification or license for failure to conform to the law, applicable rules and regulations, or applicable standards, or failure to meet the minimum standards established pursuant to this section.
- (9) The superior court may restrain any regional support network or service provider from operating without certification or a license or any other violation of this section. The court may also review, pursuant to procedures contained in chapter 34.05 RCW, any denial, suspension, limitation, restriction, or revocation of certification or license, and grant other relief required to enforce the provisions of this chapter.
- (10) Upon petition by the secretary, and after hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the secretary authorizing him or her to enter at reasonable times,

and examine the records, books, and accounts of any regional support network or service provider refusing to consent to inspection or examination by the authority.

(11) The secretary shall adopt such rules as may be necessary to effectuate the intent and purposes of this chapter, which shall include but not be limited to certification and licensing and other action relevant to certifying regional support networks and licensing service providers.

(12) Notwithstanding the existence or pursuit of any other remedy, the secretary may, in the manner provided by law, upon the advice of the attorney general who shall represent the secretary in the proceedings, maintain an action in the name of the state for an injunction or other process against any person or governmental unit to restrain or prevent the establishment, conduct, or operation of a regional support network or service provider without certification or a license under this chapter.

(13) The standards for certification of evaluation and treatment facilities shall include standards relating to maintenance of good physical and mental health and other services to be afforded persons pursuant to this chapter and chapter 71.05 RCW, and shall otherwise assure the effectuation of the purposes and intent of this chapter and chapter 71.05 RCW.

(14)((a)) The department, in consultation with affected parties, shall establish a distribution formula that reflects county needs assessments based on the number of persons who are acutely mentally ill, chronically mentally ill, severely emotionally disturbed, and seriously disturbed as defined in chapter 71.24 RCW. The formula shall take into consideration the impact on counties of demographic factors in counties which result in concentrations of priority populations as defined in subsection (15) of this section. These factors shall include the population concentrations resulting from commitments under the involuntary treatment act, chapter 71.05 RCW, to state psychiatric hospitals, as well as concentration in urban areas, at border crossings at state boundaries, and other significant demographic and workload factors. Beginning with the contracting period July 1, 1993, the funding formula for participating regional support networks may include a factor related to use of state hospitals.

~~((b) The department shall submit a proposed distribution formula in accordance with this section to the ways and means and health and long term care committees of the senate and to the ways and means and human services committees of the house of representatives by October 1, 1991. The formula shall also include a projection of the funding allocations that will result for each county, which specifies allocations according to priority populations, including the allocation for services to children and other underserved populations.))~~

(15) To ~~((supersede duties assigned under subsection (5) (a) and (b) of this section, and to))~~ assure a county-based, integrated system of care for acutely mentally ill adults and children, chronically mentally ill adults, severely emotionally disturbed children, and seriously disturbed adults and children who are determined by regional support networks at their sole discretion to be at risk of becoming acutely or chronically mentally ill, or severely emotionally disturbed, the secretary shall encourage the development of regional support networks as follows:

~~((By December 1, 1989,))~~ The secretary shall recognize regional support networks requested by counties or groups of counties.

~~((All counties wishing to be recognized as a regional support network on December 1, 1989, shall submit their intentions regarding participation in the regional support networks by October 30, 1989, along with preliminary plans.))~~ Counties wishing to be recognized as a regional support network by January 1 of any year ~~((thereafter))~~ shall submit their intentions by October 30 of the previous year along with preliminary plans. The secretary shall assume all duties assigned to the nonparticipating counties under chapters 71.05 and 71.24 RCW on July 1, 1995, or sooner if requested by the county. Such responsibilities shall include those which would have been assigned to the nonparticipating counties under regional support networks.

The implementation of regional support networks, or the secretary's assumption of all responsibilities under chapters 71.05 and 71.24 RCW, shall be included in all state and federal plans, contracts, or agreements affecting the state mental health program including at least those required by this chapter, the medicaid program, and P.L. 99-660. Nothing in these plans, contracts, or agreements shall be inconsistent with the intent and requirements of this chapter.

(16) ~~((By January 1, 1992,))~~ The secretary shall provide available resources to regional support networks to operate freestanding evaluation and treatment facilities or for regional support networks to contract with local hospitals to assure access for regional support network patients. Any savings achieved through reduction in the use of state or local hospital bed days, or free standing evaluation and treatment facility bed days, shall be retained by the regional support network, and may not be diverted to other state programs or purposes.

(17) The secretary shall:

(a) Disburse the first funds for the regional support networks ~~((that are ready to begin implementation by January 1, 1990, or))~~ within sixty days of approval of the biennial contract. The department must either approve or reject the biennial contract within sixty days of receipt.

(b) Enter into biennial contracts with regional support networks to ~~((begin implementation between January 1, 1990, and March 1, 1990, and))~~ complete implementation by June 1995. The contracts shall be consistent with available resources. No contract shall be approved that does not include progress toward meeting the goals of this chapter by taking responsibility for: (i) Short-term commitments; (ii) residential care; ~~((and))~~ (iii) ~~((emergency))~~ crisis response systems; and (iv) the return to the community of long-term state hospital patients who no longer need state hospital level care.

(c) By July 1, 1993, allocate one hundred percent of available resources to regional support networks created by January 1, 1990, in a single grant. Regional support networks created by January 1, 1991, shall receive a single block grant by July 1, 1993; regional support networks created by January 1, 1992, shall receive a single block grant by July 1, 1994; and regional support networks created by January 1, 1993, shall receive a single block grant by July 1, 1995. The grants shall include funds currently provided for all residential services, all services pursuant to chapter 71.05 RCW, and all community support services and shall be distributed in accordance with a formula submitted to the legislature by January 1, 1993, in accordance with subsection (14) of this section.

~~(d) ((By January 1, 1990, allocate available resources to regional support networks for community support services, resource management services, and residential services excluding evaluation and treatment facilities provided pursuant to chapter 71.05 RCW in a single grant using the distribution formula established in subsection (14) of this section.~~

~~(e) By March 1, 1990, or)~~ By August 1, 1992, report to the senate committees on health and long-term care and ways and means and the house committees on human services and appropriations options and recommendations for using allowable medicaid payment systems and other methods to support regionally managed mental health care.

(e) Within sixty days of approval of the contract continuing through July 1, 1993, provide grants as specifically appropriated by the legislature to regional support networks for evaluation and treatment facilities for persons detained or committed for periods up to seventeen days according to chapter 71.05 RCW. For regional support networks created by January 1, 1993, provide grants as specifically appropriated by the legislature to regional support networks for evaluation and treatment facilities for persons detained or committed for periods up to seventeen days according to chapter 71.05 RCW through July 1, 1995.

(f) Notify regional support networks of their allocation of available resources at least sixty days prior to the start of a new biennial contract period.

(g) Deny funding allocations to regional support networks based solely upon formal findings of noncompliance with the terms of the regional support network's contract with the department. Written notice and at least thirty days for corrective action must precede any such action. In such cases, regional support networks shall have full rights to appeal under chapter 34.05 RCW.

(h) Identify in its departmental biennial operating and capital budget requests the funds requested by regional support networks to implement their responsibilities under this chapter.

(i) Contract to provide or, if requested, make grants to counties to provide technical assistance to county authorities or groups of county authorities to develop regional support networks.

(18) The department of social and health services, in cooperation with the state congressional delegation, shall actively seek waivers of federal requirements and such modifications of federal regulations as are necessary to allow (a) federal medicaid reimbursement for services provided by free-standing evaluation and treatment facilities certified under chapter 71.05 RCW and (b) regional support networks to retain savings that accrue from their ability to avoid the use of medicaid or state general fund reimbursed local hospital or state hospital bed days. The department shall ~~((periodically))~~ report its efforts to the health and long-term care ~~((and corrections))~~ committee of the senate and the human services committee of the house of representatives by January 1993.

~~(19) ((The secretary shall establish a task force to examine the recruitment, training, and compensation of qualified mental health professionals in the community, which shall include the advantages and disadvantages of establishing a training academy, loan forgiveness program, or educational stipends offered in exchange for commitments of employment in mental health. The task force shall report back to the appropriate committees of the legislature by January 1, 1990))~~ The department shall cooperate with other departments of state government and its political subdivisions in the following manner:

(a) By disseminating educational information relating to the prevention, diagnosis, early intervention, and treatment of mental illness.

(b) Upon request therefor, by advising public officers, organizations and agencies interested in the mental health of the people of the state.

(20) The department and the several state hospitals for the mentally ill shall cooperate with local mental health programs by providing necessary information, recommendations relating to proper after care for patients paroled or

discharged from such institutions and shall also supply the services of psychiatrists, psychologists and other persons specialized in mental illness as they are available.

Sec. 6. RCW 71.24.045 and 1991 c 363 s 147 and 1991 c 306 s 5 are each reenacted and amended to read as follows:

The county authority shall:

~~(1) ((Submit biennial needs assessments beginning January 1, 1983, and mental health service plans which incorporate all services provided for by the county authority consistent with state minimum standards and which provide access to treatment for the county's residents including children and other underserved populations who are acutely mentally ill, chronically mentally ill, severely emotionally disturbed, or seriously disturbed. The county program shall provide:~~

- ~~(a) Outpatient services;~~
- ~~(b) Emergency care services for twenty four hours per day;~~
- ~~(c) Day treatment for mentally ill persons which includes training in basic living and social skills, supported work, vocational rehabilitation, and day activities. Such services may include therapeutic treatment. In the case of a child, day treatment includes age appropriate basic living and social skills, educational and prevocational services, day activities, and therapeutic treatment;~~
- ~~(d) Screening for patients being considered for admission to state mental health facilities to determine appropriateness of admission;~~
- ~~(e) Employment services, which may include supported employment, transitional work, placement in competitive employment, and other work related services, that result in mentally ill persons becoming engaged in meaningful and gainful full or part time work;~~
- ~~(f) Consultation and education services;~~
- ~~(g) Residential and inpatient services, if the county chooses to provide such optional services; and~~
- ~~(h) Community support services.~~

~~The county shall develop the biennial needs assessment based on clients to be served, services to be provided, and the cost of those services, and may include input from the public, clients, and licensed service providers. Each county authority may appoint a county mental health advisory board which shall review and provide comments on plans and policies developed by the county authority under this chapter. The composition of the board shall be broadly representative of the demographic character of the county and the mentally ill persons served therein. Length of terms of board members shall be determined by the county authority;~~

~~(2))~~ Contract as needed with licensed service providers. The county authority may, in the absence of a licensed service provider entity, become a licensed service provider entity pursuant to minimum standards required for licensing by the department for the purpose of providing services not available from licensed service providers;

~~((3))~~ (2) Operate as a licensed service provider if it deems that doing so is more efficient and cost effective than contracting for services. When doing so, the county authority shall comply with rules promulgated by the secretary that shall provide measurements to determine when a county provided service is more efficient and cost effective;

~~((4))~~ (3) Monitor and perform biennial fiscal audits of licensed service providers who have contracted with the county to provide services required by this chapter. The monitoring and audits shall be performed by means of a formal process which insures that the licensed service providers and professionals designated in this subsection meet the terms of their contracts, including the minimum standards of service delivery as established by the department;

~~((5))~~ (4) Assure that the special needs of minorities, the elderly, disabled, children, and low-income persons are met within the priorities established in this chapter;

~~((6))~~ (5) Maintain patient tracking information in a central location as required for resource management services;

~~((7))~~ (6) Use not more than two percent of state-appropriated community mental health funds, which shall not include federal funds, to administer community mental health programs under RCW 71.24.155: PROVIDED, That county authorities serving a county or combination of counties whose population is one hundred twenty-five thousand or more may be entitled to sufficient state-appropriated community mental health funds to employ up to one full-time employee or the equivalent thereof in addition to the two percent limit established in this subsection when such employee is providing staff services to a county mental health advisory board;

~~((8))~~ (7) Coordinate services for individuals who have received services through the community mental health system and who become patients at a state mental hospital.

Sec. 7. RCW 71.24.300 and 1991 c 295 s 3, 1991 c 262 s 2, and 1991 c 29 s 3 are each reenacted and amended to read as follows:

A county authority or a group of county authorities whose combined population is no less than forty thousand may enter into a joint operating agreement to form a regional support network. The roles and responsibilities of county authorities

shall be determined by the terms of that agreement and the provisions of law. The state mental health authority may not determine the roles and responsibilities of county authorities as to each other under regional support networks by rule, except to assure that all duties required of regional support networks are assigned and that a single authority has final responsibility for all available resources and performance under the regional support network's contract with the secretary.

(1) Regional support networks shall within three months of recognition submit an overall six-year operating and capital plan, timeline, and budget and submit progress reports and an updated two-year plan biennially thereafter, to assume within available resources all of the following duties by July 1, 1995, instead of those presently assigned to counties under RCW 71.24.045(1):

(a) Administer and provide for the availability of all resource management services, residential services, and community support services.

(b) Administer and provide for the availability of all investigation, transportation, court-related, and other services provided by the state or counties pursuant to chapter 71.05 RCW.

(c) By July 1, 1993, provide within the boundaries of each regional support network evaluation and treatment services for at least eighty-five percent of persons detained or committed for periods up to seventeen days according to chapter 71.05 RCW. Regional support networks with populations of less than one hundred fifty thousand may contract to purchase evaluation and treatment services from other networks. Insofar as the original intent of serving persons in the community is maintained, the secretary is authorized to approve exceptions on a case-by-case basis to the requirement to provide evaluation and treatment services within the boundaries of each regional support network. Such exceptions are limited to contracts with neighboring or contiguous regions. For regional support networks that are created after June 30, 1991, the requirements of (c) of this subsection must be met by July 1, 1995.

(d) By July 1, 1993, administer a portion of funds appropriated by the legislature to house mentally ill persons in state institutions from counties within the boundaries of any regional support network, with the exception of mentally ill offenders, and provide for the care of all persons needing evaluation and treatment services for periods up to seventeen days according to chapter 71.05 RCW in appropriate residential services, which may include state institutions. The regional support networks shall reimburse the state for use of state institutions at a rate equal to that assumed by the legislature when appropriating funds for such care at state institutions during the biennium when reimbursement occurs. The duty of a state hospital to accept persons for evaluation and treatment under chapter 71.05 RCW is limited by the responsibilities assigned to regional support networks under this section. For regional support networks that are created after June 30, 1991, the requirements of (d) of this subsection must be met by July 1, 1995.

(e) Administer and provide for the availability of all other mental health services, which shall include patient counseling, day treatment, consultation, education services, employment services as defined in RCW 71.24.035, and mental health services to children as provided in this chapter.

(f) Establish standards and procedures for reviewing individual service plans and determining when that person may be discharged from resource management services.

(2) Regional support networks shall assume all duties assigned to county authorities by this chapter and chapter 71.05 RCW.

(3) A regional support network may request that any state-owned land, building, facility, or other capital asset which was ever purchased, deeded, given, or placed in trust for the care of the mentally ill and which is within the boundaries of a regional support network be made available to support the operations of the regional support network. State agencies managing such capital assets shall give first priority to requests for their use pursuant to this chapter.

(4) Each regional support network shall appoint a mental health advisory board which shall review and provide comments on plans and policies developed under this chapter. The composition of the board shall be broadly representative of the demographic character of the region and the mentally ill persons served therein. Length of terms of board members shall be determined by the regional support network.

(5) Regional support networks shall assume all duties specified in their plans and joint operating agreements through biennial contractual agreements with the secretary. Such contracts may include agreements to provide periods of stable community living and work or other day activities for specific chronically mentally ill persons who have completed commitments at state hospitals on ninety-day or one hundred eighty-day civil commitments or who have been residents at state hospitals for no less than one hundred eighty days within the previous year. Periods of stable community living may involve acute care in local evaluation and treatment facilities but may not involve use of state hospitals.

(6) Counties or groups of counties participating in a regional support network are not subject to RCW 71.24.045(7). The office of financial management shall consider information gathered in studies required in this chapter and information about the experience of other states to propose a mental health services administrative cost lid to the ((1994)) 1993 legislature which shall include administrative costs of licensed service providers, the state psychiatric hospitals and the department.

(7) ~~((The first regional support network contract may include a pilot project to: Establish standards and procedures for (a) making referrals for comprehensive medical examinations and treatment programs for those whose mental illness is caused or exacerbated by organic disease, and (b) training staff in recognizing the relationship between mental illness and organic disease.~~

~~((8)))~~ (8) By November 1, 1991, and as part of each biennial plan thereafter, each regional support network shall establish and submit to the state, procedures and agreements to assure access to sufficient additional local evaluation and treatment facilities to meet the requirements of this chapter while reducing short-term admissions to state hospitals. These shall be commitments to construct and operate, or contract for the operation of, freestanding evaluation and treatment facilities or agreements with local evaluation and treatment facilities which shall include (a) required admission and treatment for short-term inpatient care for any person enrolled in community support or residential services, (b) discharge planning procedures, (c) limitations on admissions or transfers to state hospitals, (d) adequate psychiatric supervision, (e) prospective payment methods, and (f) contractual assurances regarding referrals to local evaluation and treatment facilities from regional support networks.

~~((9)))~~ (8) Regional support networks may receive technical assistance from the housing trust fund and may identify and submit projects for housing and housing support services to the housing trust fund established under chapter 43.185 RCW. Projects identified or submitted under this subsection must be fully integrated with the regional support network six-year operating and capital plan, timeline, and budget required by subsection (1) of this section.

NEW SECTION. Sec. 8. The following acts or parts of acts are each repealed:

- (1) RCW 72.06.010 and 1970 ex.s. c 18 s 59 & 1959 c 28 s 72.06.010;
- (2) RCW 72.06.050 and 1977 ex.s. c 80 s 46 & 1959 c 28 s 72.06.050;
- (3) RCW 72.06.060 and 1979 c 141 s 185, 1977 ex.s. c 80 s 47, & 1959 c 28 s 72.06.060; and
- (4) RCW 72.06.070 and 1959 c 28 s 72.06.070.

NEW SECTION. Sec. 9. Section 6 of this act shall take effect July 1, 1995.

Renumber the remaining section consecutively.

On page 6, beginning on line 17 of the title amendment, after "insert" strike the remainder of the title amendment and insert "amending RCW 72.23.025 and 71.05.170; reenacting and amending RCW 71.24.035, 71.24.045, and 71.24.300; adding a new section to chapter 72.23 RCW; creating a new section; repealing RCW 72.06.010, 72.06.050, 72.06.060, and 72.06.070; providing effective dates; and declaring an emergency."

Ms. Leonard spoke in favor of adoption of the amendment.

The committee amendment as amended was adopted.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6319 as amended by the House, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sprengle - 01.

Engrossed Senate Bill No. 6319 as amended by the House, having received the constitutional majority, was declared passed.

## MESSAGE FROM THE SENATE

March 11, 1992

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274, and passed the bill as recommended by the Conference Committee,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## REPORT OF CONFERENCE COMMITTEE

ESHB 2274

March 10, 1992

Includes "NEW ITEM": YES

Prohibiting employer discrimination for the consumption of lawful products off premises by employees during nonworking hours.

MR. PRESIDENT:

MR. SPEAKER:

We of your CONFERENCE COMMITTEE, to whom was referred **ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274, Employee privacy**, have had the same under consideration and we recommend:

That the Senate Committee on Commerce & Labor amendment(s) (2274-S.E AAS 3/6/92) not be adopted, and

That the Conference Committee amendment(s) (2274-S.E AMC CONF H5142.1) be adopted,

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 49.44 RCW to read as follows:

(1) It is unlawful for an employer to refuse to hire or to discharge any individual, or otherwise disadvantage any individual, with respect to compensation, terms, conditions, or privileges of employment because the individual engages in the consumption of lawful products off the premises of the employer during nonworking hours, provided the individual complies with applicable laws or policies regulating that consumption of lawful products on the premises of the employer during working hours.

(2) It is not unlawful or an unfair employment practice under this section for an employer to offer, impose, or have in effect a health, disability, or life insurance policy that makes distinctions between employees for the type of coverage or the coverage based upon the employees' consumption of lawful products if:



- (a) Differential premium rates charged employees reflect a differential cost to the employer; and
  - (b) The employer provides employees with a written statement delineating differential rates used by insurance carriers.
- (3) It is not unlawful or an unfair employment practice under this section for an employer to refuse to hire, to discharge, or otherwise disadvantage an individual with respect to compensation, terms, conditions, or privileges of employment if that decision is based on:
- (a) The individual's failure to meet job-related standards set by the employer;
  - (b) An employer's legitimate conflict of interest policy reasonably designed to protect the employer's trade secrets, proprietary information, or other proprietary interests;
  - (c) A bona fide occupational qualification or requirement, including qualifications or requirements implemented by the employer to screen for respiratory diseases in occupations where the individual will be exposed to smoke and noxious fumes; or
  - (d) The employer's drug and alcohol free workplace program, including those adopted in response to federal requirements.
- (4) The court shall award the prevailing party in an action under this section court costs and reasonable attorneys' fees.
- (5) The remedy for any individual claiming to be aggrieved by a violation of this section is a civil action for damages for all wages and benefits deprived the individual by reason of the violation.
- (6) An individual aggrieved by a violation of this section must file the civil action within six months after the alleged unlawful or unfair employment practice or the discovery of that practice.
- (7) Nothing in this section shall be applied to any matter that is also subject to collective bargaining between the employer and the affected employee.

NEW SECTION. Sec. 2. A new section is added to chapter 49.44 RCW to read as follows:  
Nothing in section 1 of this act precludes a religious or health organization whose tenets prohibit the use of an otherwise lawful product or a company or nonprofit organization whose primary business purpose is the prevention of heart and lung disease, from refusing to employ an individual who uses an otherwise lawful product.

NEW SECTION. Sec. 3. A new section is added to chapter 49.44 RCW to read as follows:  
Sections 1 and 2 of this act do not apply to businesses with twenty-five employees or less.

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.

On page 1, line 1 of the title, after "privacy;" strike the remainder of the title and insert "and adding new sections to chapter 49.44 RCW."

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators Amondson, Vognild: Representatives Heavey, Appelwick.

#### MOTION

Mr. Heavey moved that the House adopt the Report of Conference Committee on Engrossed Substitute House Bill No. 2274. The motion was carried.

Representatives Valle and Brough spoke against passage of the Conference Committee report. Mr. Wilson spoke in favor. Representatives D. Sommers and Moyer spoke against. Mr. R. King spoke in favor. Mr. Hochstatter spoke against.

The Speaker stated the question before the House, to be the adoption of the Report of Conference Committee.

The Speaker being in doubt called upon the House to divide. The result of the division was Yeas - 52, Nays - 45. The motion was carried.

FINAL PASSAGE OF HOUSE BILL  
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2274 as recommended by Conference Committee.

Mr. Inslee spoke in favor of final passage as recommended by Conference Committee. Representatives Vance, Fuhrman and Van Luven spoke against. Representatives Hargrove and Schmidt spoke in favor.

COLLOQUY

Representative Appelwick: Mr. Speaker, will Representative Heavey yield to a question?

Mr. Speaker: Representative Appelwick, Representative Heavey does yield, state your question.

Representative Appelwick: Representative Heavey, would anything in this bill prevent an employer from disciplining or firing an employee who comes to work with alcohol on his or her breath in violation of the employer's policy.

Representative Heavey: Representative Appelwick, No. Where an employer for internal personnel or customer reasons does not permit alcohol on the breath, any violation of this policy could result in disciplinary action.

Representatives Appelwick and Wynne spoke in favor.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2274 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 60, Nays - 37, Absent - 0, Excused - 1.

Voting yea: Representatives Appelwick, Ballard, Belcher, Bowman, Braddock, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, G., Cooper, Day, Ebersole, Ferguson, Fisher, G., Fisher, R., Fraser, Grant, Hargrove, Heavey, Hine, Horn, Inslee, Jacobsen, Johnson P., Jones, King, R., Kremen, Lisk, Locke, May, McLean, Meyers, R., Mielke, Miller, Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Padden, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Schmidt, Scott, Spanel, Tate, Wang, Wilson, Wood, Wynne, Zellinsky, and Mr. Speaker - 60.

Voting nay: Representatives Anderson, Basich, Beck, Betzoff, Bray, Brekke, Broback, Carlson, Dellwo, Dorn, Edmondson, Forner, Franklin, Fuhrman, Haugen, Hochstatter, Johnson R., Kohl, J., Leonard, Ludwig, Mitchell, Morris, Morton, Moyer, Nealey, Paris, Riley, Rust, Sheldon, Silver, Sommers, D., Sommers, H., Valle, Vance, Van Luven, Wineberry, Winsley - 37.

Excused: Representative Sprenkle - 01.

Engrossed Substitute House Bill No. 2274 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 11, 1992

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2553, and passed the bill as recommended by the Conference Committee,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

REPORT OF CONFERENCE COMMITTEE

ESHB 2553

March 10, 1992

Includes "NEW ITEM": YES

Adopting the 1992 supplemental transportation budget.

MR. PRESIDENT:

MR. SPEAKER:

We of your CONFERENCE COMMITTEE, to whom was referred **ENGROSSED SUBSTITUTE HOUSE BILL NO. 2553, Supp transportation budget**, have had the same under consideration and we recommend that:

The Senate Floor Amendment (see Journal, 56th Day, March 8, 1992) by Senators Patterson and Vognild (2553-S.E AAS 3/7/92) be adopted with the following change:

On page 24, line 26, after "completion of" strike "an auto passenger vessel or vessels-jumboclass" and insert "auto or passenger vessels or jumbo-class vessels"

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators Patterson, Vognild, Nelson: Representatives R. Fisher, R. Meyers, Betrozoff.

MOTION

Ms. R. Fisher moved that the House adopt the Report of Conference Committee on Engrossed Substitute House Bill No. 2553. The motion was carried.

FINAL PASSAGE OF HOUSE BILL  
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2553 as recommended by Conference Committee.

Representatives R. Fisher and Betrozoff spoke in favor of passage of the bill as recommended by the Conference Committee.

COLLOQUY

Representative Belcher: Mr. Speaker, will Representative R. Fisher yield to a question?

Mr. Speaker: Representative Belcher, Representative R. Fisher does yield, state your question.

Representative Belcher: Representative R. Fisher, with regard to the language in subsection (6) on page 13, line 21 of the Senate striking amendment, is it your understanding that the prohibition on mitigating additional wetlands, beyond what is required by the 1987 manual, applies only to DOT's Program B - Interstate construction and 4-R projects?

Representative R. Fisher: Representative Belcher, Yes -- It applies only to projects on the Interstate highway system.

Representative Belcher: Representative R. Fisher, is the language intended in any way to **require** cities and counties to adopt the 1987 manual for wetlands mitigation?

Representative R. Fisher: Representative Belcher, No, this language **in no way** restricts the ability of cities and counties to adopt whatever ordinances they choose with regard to wetlands mitigation.

Representatives Belcher, Betrozoff and Kremen spoke in favor of passage of the bill as recommended by the Conference Committee

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2553 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 95, Nays - 2, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Fomer, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Heavey, Valle - 02.

Excused: Representative Sprenkle - 01.

Engrossed Substitute House Bill No. 2553 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

## REPORT OF CONFERENCE COMMITTEE

Bill No: ESB 6128

Date: March 9, 1992

Includes "new item": YES

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Mr. Speaker:

Mr. President:

We of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 6128, regarding erosion of shoreline uplands used for residential purposes, have had the same under consideration and we recommend that:

The House Environmental Affairs Committee striking amendment (see Journal 52nd DAY, March 4, 1992) (6128.E AMH ENA REIH1) be adopted with the following change:

On page 7, line 20 of the striking amendment, after "(6)" strike all material through "protection." on line 23 of the striking amendment and insert "Each master program shall contain standards governing the protection of single family residences and appurtenant structures against damage or loss due to shoreline erosion. The standards shall govern the issuance of substantial development permits for shoreline protection, including structural methods such as construction of bulkheads, and non-structural methods of protection. The standards shall provide for methods which achieve effective and timely protection against loss or damage to single family residences and appurtenant structures due to shoreline erosion."

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators Metcalf, Owen, Craswell: Representatives Rust, Horn, Valle.

## MOTION

Ms. Rust moved that the House adopt the Report of Conference Committee on Engrossed Senate Bill No. 6128. The motion was carried.

FINAL PASSAGE OF SENATE BILL  
AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed Senate Bill No. 6128 as recommended by Conference Committee.

Representatives Rust and Horn spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6128 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sprenkle - 01.

Engrossed Senate Bill No. 6128 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

## REPORT OF CONFERENCE COMMITTEE

Bill No: ESB 6407

Date: March 10, 1992

Includes "new item": NO

Mr. Speaker:

Mr. President:

We of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 6407, providing for awards in construction contract actions, have had the same under consideration and we recommend that:

All previous amendments not be adopted, and the striking amendment by the Conference Committee (see attached 6407.E AMC CONF CORD1) be adopted, and

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 39.04 RCW to read as follows:

(1) The provisions of RCW 4.84.250 through 4.84.280 shall apply to an action arising out of a public works contract in which the state or a municipality, or other public body that contracts for public works, is a party, except that: (a) The maximum amount of the pleading shall be two hundred fifty thousand dollars; and (b) in applying RCW 4.84.280, the time period for serving offers of settlement on the adverse party shall be the period not less than thirty days and not more than one hundred twenty days after completion of the service and filing of the summons and complaint.

(2) The rights provided for under this section may not be waived by the parties to a public works contract that is entered into on or after the effective date of this act, and a provision in such a contract that provides for waiver of these rights is void as against public policy. However, this subsection shall not be construed as prohibiting the parties from mutually agreeing to a clause in a public works contract that requires submission of a dispute arising under the contract to arbitration.

On page 1, line 1 of the title, after "contracts;" strike the remainder of the title and insert "and adding a new section to chapter 39.04 RCW."

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators Anderson, Bluechel, McMullen: Representatives Heavey, G. Cole, Lisk.

#### MOTION

Mr. Heavey moved that the House adopt the Report of the Conference Committee on Engrossed Senate Bill No. 6407. The motion was carried.

#### FINAL PASSAGE OF SENATE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed Senate Bill No. 6407 as recommended by the Conference Committee.

Representatives Heavey and Lisk spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6407 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative, Sprenkle - 01.

Engrossed Senate Bill No. 6407 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

#### REPORT OF CONFERENCE COMMITTEE

Bill No: SB 6155

Date: March 9, 1992

Includes "new item": YES

Mr. Speaker:  
Mr. President:

We of your Conference Committee, to whom was referred SENATE BILL NO. 6155, clarifying milk marketing order regulations, have had the same under consideration and we recommend that:

All of the House amendments (see Journal, 53rd DAY, March 5, 1992) (6155 AMH RAYB H5056.4) be adopted with the following changes:

On page 2, line 18 of the amendments, after "the" strike "quota" and insert "facility"

On page 2, line 20 of the amendments, after "sales" strike "on an annual basis" and insert "in any year"

On page 2, beginning on line 22 of the amendments, after "during" strike all material through "plan," on line 23 and insert "any of the previous five years," ; and

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators Barr, Bailey, Hansen: Representatives Rayburn, Kremen, Nealey.

#### MOTION

Ms. Rayburn moved that the House adopt the Report of Conference Committee on Senate Bill No. 6155. The motion was carried.

#### FINAL PASSAGE OF BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Senate Bill No. 6155 as recommended by Conference Committee.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6155 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Chandler, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Sprenkle - 01.

Senate Bill No. 6155 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

#### SPEAKER'S RULING

The Speaker: (For previous action, see Journal, 58th Day, March 10, 1992.) Ruling on Point of Order raised by Representative Wang to the Senate amendments to House Bill No. 2514.



The House Bill was rather straight forward and dealt with an act relating to averaging income for senior citizens property tax exemption on the death of a spouse. The Senate in a procedural move not often used in the House opted to amend the title. This is a pretty good signal that when you have amend the title of the bill, that the amendment is not within the scope and object of the bill. The amendment offered tries to also amend property tax exemption for death in loss when determining disposal income. I fine Representative Wang your point is well taken, that the amendment offered by the Senate is outside the scope and object of the original bill.

MOTION

Mr. Wang moved that the House refuse to concur in the Senate amendments to House Bill No. 2514 and ask the Senate to recede therefrom. The motion was carried.

SPEAKER'S RULING

Mr. Speaker: (For previous action, see Journal, today, March 11, 1992.) Ruling on point of order by Representative Nelson, ruling on the scope and object of the Senate amendments to House Bill No. 2398. The original House Bill No. 2398 an act relating to volunteer fire fighter relief and pension fund increases annual contributions to the volunteer fire fighters pension and relief fund. The Senate amendments extends benefits, death, disability and pension benefits to volunteer emergency medical service personnel. The Speaker finds that the amendment broadens the purpose of the original bill. Representative Nelson, the Speaker finds that your point is well taken, the amendment is outside the scope and object of the bill.

Ms. Spanel moved that the House insist on its position regarding the Senate amendments to House Bill No. 2398 and ask the Senate to recede therefrom.

MOTION

Mr. Ebersole moved that the House revert to fourth order of business.

Mr. Ebersole moved that the rules be suspended, that Engrossed Substitute Senate Bill No. 6180 and Engrossed Senate Bill No. 6285 on today's Introduction sheet be advanced to second reading Second reading and read the second time in full. The motion was carried.

There being no objection, the House advanced to the eleventh order of business.

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a. m., Thursday, March 12, 1992.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

**SIXTIETH DAY****MORNING SESSION**

House Chamber, Olympia, Thursday, March 12, 1992

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 Carlson and Chandler. On motion of Ms. Casada, Representatives Carlson and Chandler were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lonnie Franklin and Emily Reiter. Prayer was offered by Reverend Joe Mason, Faith Lutherland Church of Lacey.

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

**MESSAGE FROM THE SENATE**

March 11, 1992

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SENATE BILL NO. 6004,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

**MESSAGE FROM THE SENATE**

March 11, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2983,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 11, 1992

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4441,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 11, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2947,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

The Speaker (Mr. O'Brien presiding) called upon Representative Wineberry to preside.

The Speaker assumed the chair.

MOTION

Mr. Wineberry moved that the House act on the following Conference Committee Report of Substitute Senate Bill No. 6428.

REPORT OF CONFERENCE COMMITTEE

Bill No: SSB 6428

Date: March 11, 1992

Includes "new item": YES

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Mr. Speaker:

Mr. President:

We of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 6428, relating to at-risk families, have had the same under consideration and we recommend that:

H-5148.2/92 be adopted; and

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that a primary goal of public involvement in the lives of children has been to strengthen the family unit.

However, the legislature recognizes that traditional two-parent families with one parent routinely at home are now in the minority. In addition, extended family and natural community supports have eroded drastically. The legislature recognizes that public policy assumptions must be altered to account for this new social reality. Public effort must be redirected to expand, support, strengthen, and help refashion family and community associations to care for children.

The legislature finds that a broad variety of services for children and families has been independently designed over the years and that the coordination and cost-effectiveness of these services will be enhanced through the adoption of a common approach to their delivery. The legislature further finds that the most successful programs for reaching and working with at-risk families and children treat individuals' problems in the context of the family, offer a broad spectrum of services, are flexible in the use of program resources, and use staff who are trained in crossing traditional program categories in order to broker services necessary to fully meet a family's needs.

The legislature further finds that eligibility criteria, expenditure restrictions, and reporting requirements of state and federal categorical programs often create barriers toward the effective use of resources for addressing the multiple problems of at-risk families and children.

The purposes of this chapter are (1) to modify public policy and programs to empower communities to support and respond to the needs of individual families and children and (2) to improve the responsiveness of services for children and families at risk by facilitating greater coordination and flexibility in the use of funds by state and local service agencies.

NEW SECTION. Sec. 2. A new section is added to chapter 74.14A RCW to read as follows:  
To update, specify, and expand the policy stated in RCW 74.14A.020, the following is declared:

It is the policy of the state of Washington to promote:

- (1) Family-oriented services and supports that:
  - (a) Respond to the changing nature of families; and
  - (b) Respond to what individuals and families say they need, and meet those needs in a way that maintains their dignity and respects their choices;
- (2) Culturally relevant services and supports that:
  - (a) Explicitly recognize the culture and beliefs of each family and use these as resources on behalf of the family;
  - (b) Provide equal access to culturally unique communities in planning and programs, and day-to-day work, and actively address instances where clearly disproportionate needs exist; and
  - (c) Enhance every culture's ability to achieve self-sufficiency and contribute in a productive way to the larger community;
- (3) Coordinated services that:
  - (a) Develop strategies and skills for collaborative planning, problem solving, and service delivery;
  - (b) Encourage coordination and innovation by providing both formal and informal ways for people to communicate and collaborate in planning and programs;
  - (c) Allow clients, vendors, community people, and other agencies to creatively provide the most effective, responsive, and flexible services; and
  - (d) Commit to an open exchange of skills and information; and expect people throughout the system to treat each other with respect, dignity, and understanding;
- (4) Locally planned services and supports that:
  - (a) Operate on the belief that each community has special characteristics, needs, and strengths;
  - (b) Include a cross-section of local community partners from the public and private sectors, in the planning and delivery of services and supports; and
  - (c) Support these partners in addressing the needs of their communities through both short-range and long-range planning and in establishing priorities within state and federal standards;
- (5) Community-based prevention that encourages and supports state residents to create positive conditions in their communities to promote the well-being of families and reduce crises and the need for future services;

(6) Outcome-based services and supports that:

(a) Include a fair and realistic system for measuring both short-range and long-range progress and determining whether efforts make a difference;

(b) Use outcomes and indicators that reflect the goals that communities establish for themselves and their children;

(c) Work towards these goals and outcomes at all staff levels and in every agency; and

(d) Provide a mechanism for informing the development of program policies;

(7) Customer service that:

(a) Provides a climate that empowers staff to deliver quality programs and services;

(b) Is provided by courteous, sensitive, and competent professionals; and

(c) Upholds the dignity and respect of individuals and families by providing appropriate staff recognition, information, training, skills, and support;

(8) Creativity that:

(a) Increases the flexibility of funding and programs to promote innovation in planning, development, and provision of quality services; and

(b) Simplifies and reduces or eliminates rules that are barriers to coordination and quality services.

**NEW SECTION. Sec. 3.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Comprehensive plan" means a two-year plan that examines available resources and unmet needs for a county or multicounty area, barriers that limit the effective use of resources, and a plan to address these issues that is broadly supported.

(2) "Participating state agencies" means the office of the superintendent of public instruction, the department of social and health services, the department of health, the employment security department, the department of community development, and such other departments as may be specifically designated by the governor.

(3) "Family policy council" or "council" means the superintendent of public instruction, the secretary of social and health services, the secretary of health, the commissioner of the employment security department, and the director of the department of community development or their designees, one legislator from each caucus of the senate and house of representatives, and one representative of the governor.

(4) "Outcome based" means defined and measurable outcomes and indicators that make it possible for communities to evaluate progress in meeting their goals and whether systems are fulfilling their responsibilities.

(5) "Matching funds" means an amount no less than twenty-five percent of the amount budgeted for a consortium's project. Up to half of the consortium's matching funds may be in-kind goods and services. Funding sources allowable for match include appropriate federal or local levy funds, private charitable funding, and other charitable giving. Basic education funds shall not be used as a match.

(6) "Consortium" means a diverse group of individuals that includes at least representatives of local service providers, service recipients, local government administering or funding children or family service programs, participating state agencies, school districts, existing children's commissions, ethnic and racial minority populations, and other interested persons organized for the purpose of designing and providing collaborative and coordinated services under this chapter. Consortia shall represent a county, multicounty, or municipal service area. In addition, consortia may represent Indian tribes applying either individually or collectively.

**NEW SECTION. Sec. 4.** To the extent that any power or duty of the council created according to this act may duplicate efforts of existing councils, commissions, advisory committees, or other entities, the governor is authorized to take necessary actions to eliminate such duplication. This shall include authority to consolidate similar councils or activities in a manner consistent with the goals of this act.

**NEW SECTION. Sec. 5.** (1) The family policy council shall annually solicit from consortia proposals to facilitate greater flexibility, coordination, and responsiveness of services at the community level. The council shall consider such proposals only if:

(a) A comprehensive plan has been prepared by the consortium; and

(b) The consortium has identified and agreed to contribute matching funds as specified in section 3 of this act;

and

(c) An interagency agreement has been prepared by the family policy council and the participating local service and support agencies that governs the use of funds, specifies the relationship of the project to the principles listed in section 2 of this act, and identifies specific outcomes and indicators; and

(d) Funds are to be used to provide support or services needed to implement a family's or child's case plan that are not otherwise adequately available through existing categorical services or community programs;

(e) The consortium has provided written agreements that identify a lead agency that will assume fiscal and programmatic responsibility for the project, and identify participants in a consortium council with broad participation and that shall have responsibility for ensuring effective coordination of resources; and

(f) The consortium has designed into its comprehensive plan standards for accountability. Accountability standards include, but are not limited to, the public hearing process eliciting public comment about the appropriateness of the proposed comprehensive plan. The consortium must submit reports to the family policy council outlining the public response regarding the appropriateness and effectiveness of the comprehensive plan.

(2) The family policy council may submit a prioritized list of projects recommended for funding in the governor's budget document.

(3) The participating state agencies shall identify funds to implement the proposed projects from budget requests or existing appropriations for services to children and their families.

**Sec. 6.** RCW 28A.300.040 and 1991 c. 116 s 2 are each amended to read as follows:

In addition to any other powers and duties as provided by law, the powers and duties of the superintendent of public instruction shall be:

(1) To have supervision over all matters pertaining to the public schools of the state.

(2) To report to the governor and the legislature such information and data as may be required for the management and improvement of the schools.

(3) To prepare and have printed such forms, registers, courses of study, rules and regulations for the government of the common schools, questions prepared for the examination of persons as provided for in RCW 28A.305.130(9), and such other material and books as may be necessary for the discharge of the duties of teachers and officials charged with the administration of the laws relating to the common schools, and to distribute the same to educational service district superintendents.

(4) To travel, without neglecting his or her other official duties as superintendent of public instruction, for the purpose of attending educational meetings or conventions, of visiting schools, of consulting educational service district superintendents or other school officials.

(5) To prepare and from time to time to revise a manual of the Washington state common school code, copies of which shall be provided in such numbers as determined by the superintendent of public instruction at no cost to those public agencies within the common school system and which shall be sold at approximate actual cost of publication and distribution per volume to all other public and nonpublic agencies or individuals, said manual to contain Titles 28A and 28C RCW, rules and regulations related to the common schools, and such other matter as the state superintendent or the state board of education shall determine. Proceeds of the sale of such code shall be transmitted to the public printer who shall credit the state superintendent's account within the state printing plant revolving fund by a like amount.

(6) To act as ex officio member and the chief executive officer of the state board of education.

(7) To file all papers, reports and public documents transmitted to the superintendent by the school officials of the several counties or districts of the state, each year separately. Copies of all papers filed in the superintendent's office, and the superintendent's official acts, may, or upon request, shall be certified by the superintendent and attested by the superintendent's official seal, and when so certified shall be evidence of the papers or acts so certified to.

(8) To require annually, on or before the 15th day of August, of the president, manager, or principal of every educational institution in this state, a report as required by the superintendent of public instruction; and it is the duty of every president, manager or principal, to complete and return such forms within such time as the superintendent of public instruction shall direct.

(9) To keep in the superintendent's office a record of all teachers receiving certificates to teach in the common schools of this state.

(10) To issue certificates as provided by law.

(11) To keep in the superintendent's office at the capital of the state, all books and papers pertaining to the business of the superintendent's office, and to keep and preserve in the superintendent's office a complete record of statistics, as well as a record of the meetings of the state board of education.

(12) With the assistance of the office of the attorney general, to decide all points of law which may be submitted to the superintendent in writing by any educational service district superintendent, or that may be submitted to the superintendent by any other person, upon appeal from the decision of any educational service district superintendent; and the superintendent shall publish his or her rulings and decisions from time to time for the information of school officials and teachers; and the superintendent's decision shall be final unless set aside by a court of competent jurisdiction.

(13) To administer oaths and affirmations in the discharge of the superintendent's official duties.

(14) To deliver to his or her successor, at the expiration of the superintendent's term of office, all records, books, maps, documents and papers of whatever kind belonging to the superintendent's office or which may have been received by the superintendent's for the use of the superintendent's office.

(15) To administer family services and programs to promote the state's policy as provided in section 2 of this act.

(16) To perform such other duties as may be required by law.

Sec. 7. RCW 43.63A.065 and 1990 1st ex.s. c 17 s 70 are each amended to read as follows:

The department shall have the following functions and responsibilities:

(1) Cooperate with and provide technical and financial assistance to the local governments and to the local agencies serving the communities of the state for the purpose of aiding and encouraging orderly, productive, and coordinated development of the state, and, unless stipulated otherwise, give priority to local communities with the greatest relative need and the fewest resources.

(2) Administer state and federal grants and programs which are assigned to the department by the governor or the legislature.

(3) Administer community services programs through private, nonprofit organizations and units of general purpose local government; these programs are directed to the poor and infirm and include community-based efforts to foster self-sufficiency and self-reliance, energy assistance programs, head start, and weatherization.

(4) Study issues affecting the structure, operation, and financing of local government as well as those state activities which involve relations with local government and report the results and recommendations to the governor, legislature, local government, and citizens of the state.

(5) Assist the governor in coordinating the activities of state agencies which have an impact on local governments and communities.

(6) Provide technical assistance to the governor and the legislature on community development policies for the state.

(7) Assist in the production, development, rehabilitation, and operation of owner-occupied or rental housing for low and moderate income persons, and qualify as a participating state agency for all programs of the Department of Housing and Urban Development or its successor.

(8) Support and coordinate local efforts to promote volunteer activities throughout the state.

(9) Participate with other states or subdivisions thereof in interstate programs and assist cities, counties, municipal corporations, governmental conferences or councils, and regional planning commissions to participate with other states or their subdivisions.

(10) Hold public hearings and meetings to carry out the purposes of this chapter.

(11) Provide a comprehensive state-level focus for state fire protection services, funding, and policy.

(12) Administer a program to identify, evaluate, and protect properties which reflect outstanding elements of the state's cultural heritage.

(13) Coordinate a comprehensive state program for mitigating, preparing for, responding to, and recovering from emergencies and disasters.

(14) Administer family services and programs to promote the state's policy as provided in section 2 of this act.

Sec. 8. RCW 43.70.020 and 1989 1st ex.s. c 9 s 103 are each amended to read as follows:

(1) There is hereby created a department of state government to be known as the department of health. The department shall be vested with all powers and duties transferred to it by this act and such other powers and duties as may be authorized by law. The main administrative office of the department shall be located in the city of Olympia. The secretary may establish administrative facilities in other locations, if deemed necessary for the efficient operation of the department, and if consistent with the principles set forth in subsection (2) of this section.

(2) The department of health shall be organized consistent with the goals of providing state government with a focus in health and serving the people of this state. The legislature recognizes that the secretary needs sufficient organizational flexibility to carry out the department's various duties. To the extent practical, the secretary shall consider the following organizational principles:

(a) Clear lines of authority which avoid functional duplication within and between subelements of the department;

(b) A clear and simplified organizational design promoting accessibility, responsiveness, and accountability to the legislature, the consumer, and the general public;

(c) Maximum span of control without jeopardizing adequate supervision;

(d) A substate or regional organizational structure for the department's health service delivery programs and activities that encourages joint working agreements with local health departments and that is consistent between programs;

(e) Decentralized authority and responsibility, with clear accountability;

(f) A single point of access for persons receiving like services from the department which would limit the number of referrals between divisions.

(3) The department shall provide leadership and coordination in identifying and resolving threats to the public health by:

(a) Working with local health departments and local governments to strengthen the state and local governmental partnership in providing public protection;

(b) Developing intervention strategies;

(c) Providing expert advice to the executive and legislative branches of state government;

(d) Providing active and fair enforcement of rules;

(e) Working with other federal, state, and local agencies and facilitating their involvement in planning and implementing health preservation measures;

(f) Providing information to the public; and

(g) Carrying out such other related actions as may be appropriate to this purpose.

(4) In accordance with the administrative procedure act, chapter 34.05 RCW, the department shall ensure an opportunity for consultation, review, and comment by the department's clients before the adoption of standards, guidelines, and rules.

(5) Consistent with the principles set forth in subsection (2) of this section, the secretary may create such administrative divisions, offices, bureaus, and programs within the department as the secretary deems necessary. The secretary shall have complete charge of and supervisory powers over the department, except where the secretary's authority is specifically limited by law.

(6) The secretary shall appoint such personnel as are necessary to carry out the duties of the department in accordance with chapter 41.06 RCW.

(7) The secretary shall appoint the state health officer and such deputy secretaries, assistant secretaries, and other administrative positions as deemed necessary consistent with the principles set forth in subsection (2) of this section. All persons who administer the necessary divisions, offices, bureaus, and programs, and five additional employees shall be exempt from the provisions of chapter 41.06 RCW. The officers and employees appointed under this subsection shall be paid salaries to be fixed by the governor in accordance with the procedure established by law for the fixing of salaries for officers exempt from the state civil service law.

(8) The secretary shall administer family services and programs to promote the state's policy as provided in section 2 of this act.

NEW SECTION. Sec. 9. A new section is added to chapter 43.20A RCW to read as follows:

The secretary shall administer family services and programs to promote the state's policy as provided in section 2 of this act.

NEW SECTION. Sec. 10. A new section is added to chapter 50.08 RCW to read as follows:

The commissioner shall administer family services and programs to promote the state's policy as provided in section 2 of this act.

NEW SECTION. Sec. 11. By June 30, 1995, the family policy council shall report to the appropriate committees of the legislature on the expenditures made, outcomes attained, and other pertinent aspects of its experience in the implementation of section 5 of this act.

NEW SECTION. Sec. 12. The juvenile issues task force reauthorized under chapter --, Laws of 1992 (either Engrossed Substitute House Bill No. 2466 or Second Substitute Senate Bill No. 6041), or the entity given the duties of the task force created in chapter 234, Laws of 1991, shall conduct a study to determine whether a network of consortia on children, youth, and families may be authorized to receive a transfer of authority to administer: (1) The program funds from council agencies including at least: (a) The prevention and early intervention programs that the department of social and health services contracted for with private agencies on January 1, 1992; (b) consolidated juvenile services within the department of social and health services; (c) all residential and foster care services within the department of social and health services; (d) drug and alcohol prevention under chapter 28A.170 RCW; (e) the Fair Start program from the superintendent of public instruction; (f) school psychological and social counseling services from the superintendent of public instruction; (g) school health and nutrition services from the superintendent of public instruction; (h) the early childhood education and assistance program in the department of community development; and (i) the first steps program and for other department of health funded health education and health promotion programs where the primary target population is children; (2) a requirement that consortia prepare two-year plans that respond at a minimum to needs assessments, interagency service plans, and the goals of local school districts, public health departments, juvenile courts, and children's protective services; and (3) ways in which consortia can improve access to assistance that will strengthen the healthy family unit or community organizations, including at a minimum ways to reduce abuse of alcohol and illegal substances by children and their parents, and interpersonal violence and intentional injury to children. The study should



recommend specific financial incentives to encourage the transfer of authority as outlined under this section. The juvenile issues task force shall also assess existing resources and institutes on children and family services and recommend whether an institute on children and family services affiliated with a college or university be established, or, if existing, modified or expanded.

**NEW SECTION. Sec. 13.** A new section is added to chapter 74.14A RCW to read as follows:

The implementation of council, consortia, and institute, shall be included in all federal and state plans affecting the state's children, youth, and families, including at least those required by this chapter and applicable federal law. These plans shall be consistent with the intent and requirements of this chapter.

**NEW SECTION. Sec. 14.** The legislature finds that there is an urgent and substantial need to:

(1) Enhance the development of infants and toddlers with disabilities in the state of Washington in order to minimize developmental delay and maximize individual potential and enhance the capability of families to meet the needs of their infants and toddlers with disabilities and maintain family integrity;

(2) Coordinate and enhance the state's existing early intervention services to ensure a state-wide, community-based, coordinated, interagency program of early intervention services for infants and toddlers with disabilities and their families; and

(3) Facilitate the coordination of payment for early intervention services from federal, state, local, and private sources including public and private insurance coverage.

**NEW SECTION. Sec. 15.** For the purposes of implementing this chapter, the governor shall appoint a state birth-to-six interagency coordinating council and ensure that state agencies involved in the provision of, or payment for, early intervention services to infants and toddlers with disabilities and their families shall coordinate and collaborate in the planning and delivery of such services. The coordinating council shall report to the appropriate committees of the legislature on the implementation of this chapter by January 15, 1993.

No state or local agency currently providing early intervention services to infants and toddlers with disabilities may use funds appropriated for early intervention services for infants and toddlers with disabilities to supplant funds from other sources.

All state and local agencies shall ensure that the implementation of this chapter will not cause any interruption in existing early intervention services for infants and toddlers with disabilities.

Nothing in this chapter shall be construed to permit the restriction or reduction of eligibility under Title V of the Social Security Act, P.L. 90-248, relating to maternal and child health or Title XIX of the Social Security Act, P.L. 89-97, relating to Medicaid for infants and toddlers with disabilities.

**NEW SECTION. Sec. 16.** State agencies providing or paying for early intervention services shall enter into formal interagency agreements with each other and where appropriate, with school districts, counties, and other providers, to define their relationships and financial and service responsibilities. Local agencies or entities, including local school districts, counties, and service providers receiving public money for providing or paying for early intervention services shall enter into formal interagency agreements with each other that define their relationships and financial responsibilities to provide services within each county. In establishing priorities, school districts, counties, and other service providers shall give due regard to the needs of children birth to three years of age and shall ensure that they continue to participate in providing services and collaborate with each other. The interagency agreements shall include procedures for resolving disputes, provisions for establishing maintenance requirements, and all additional components necessary to ensure collaboration and coordination.

**NEW SECTION. Sec. 17.** The state birth-to-six interagency coordinating council shall identify and work with county early childhood interagency coordinating councils to coordinate and enhance existing early intervention services and assist each community to meet the needs of infants and toddlers with disabilities and their families.

**NEW SECTION. Sec. 18.** Sections 14 through 17 of this act shall constitute a new chapter in Title 70 RCW.

**NEW SECTION. Sec. 19.** Sections 1 and 3 through 5 of this act shall constitute a new chapter in Title 70 RCW.

**NEW SECTION. Sec. 20.** 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. 21.** Sections 1 through 13 of this act shall take effect July 1, 1992.

On page 1, line 1 of the title, after "families;" strike the remainder of the title and insert "amending RCW 28A.300.040, 43.63A.065, and 43.70.020; adding new sections to chapter 74.14A RCW; adding a new section to chapter 43.20A RCW; adding a new section to chapter 50.08 RCW; adding new chapters to Title 70 RCW; creating new sections; and providing an effective date."

that the bill do pass as recommended by the Conference Committee.

Signed by Senators L. Smith, Roach; Representatives Leonard, Riley, Winsley.

#### MOTION

Ms. Leonard moved that the House adopt the Report of the Conference Committee on Substitute Senate Bill No. 6428. The motion was carried.

#### FINAL PASSAGE OF SENATE BILL AS RECOMMENDED BY THE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Substitute Senate Bill No. 6428 as recommended by the Conference Committee.

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

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6428 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Carlson, Chandler - 02.

Substitute Senate Bill No. 6428 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House consider Engrossed Senate Bill No. 6285, on today's second reading calendar. The motion carried.

ENGROSSED SENATE BILL NO. 6285, by Senators McDonald and Niemi; by request of Governor Gardner

Making higher education tuition and fee waivers permissive.

The bill was read the second time.

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

Ms. Miller spoke against passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6285, and the bill passed the House by the following vote: Yeas - 55, Nays - 41, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Cantwell, Cole, G., Cooper, Day, Dellwo, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, and Mr. Speaker - 55.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Brekke, Broback, Brough, Brumsickle, Casada, Dorn, Edmondson, Ferguson, Forner, Fuhrman, Haugen, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne, Zellinsky - 41.

Excused: Representatives Carlson, Chandler - 02.

Engrossed Senate Bill No. 6285, having received the constitutional majority, was declared passed.

## MOTION

Mr. Ebersole moved that the House recess until 1:30 p.m.

## AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m. The Clerk called the roll and all members were present except Representative Chandler. On motion of Ms. Casada, Representative Chandler was excused.

## MOTION

Mr. Ebersole having voted on the prevailing side of Engrossed Senate Bill No. 6285, moved for immediate reconsideration. The motion was carried.

## MOTION

Mr. Ebersole moved that Engrossed Senate Bill No. 6285 be returned to second reading, for purpose of amendment. The motion was carried.

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

Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt and others:

On page 3, line 28, strike "(3) Active-duty military personnel stationed in the state of Washington and the spouse and dependents of such person." and insert: "~~(((3) Active duty military personnel stationed in the state of Washington and the spouse and dependents of such persons.)))~~"

**"NEW SECTION.** Sec. 3. A new section is added to Chapter 28B. 15 RCW as follows:  
Active-duty military personnel stationed in the state of Washington and the spouse and dependents of such military personnel shall be exempted from paying the nonresident tuition and fee differential."

On page 1, line 8, of the title, strike "a new section" and insert: "new sections"

Representatives Schmidt, Zellinsky, Wilson, Wood and Ballard spoke in favor of the amendment. Representatives Inslee, Jacobsen and Locke spoke against. Representative Schmidt again spoke in favor. Representatives Forner and Morton spoke in favor.

#### ROLL CALL

The Clerk called the roll on adoption to the amendment to page 1, 3 and lines 8, and 28, by Representative Schmidt and others to Engrossed Senate Bill No. 6285, and the amendment was not adopted by the following vote: Yeas - 45, Nays - 52, Absent - 0, Excused - 1.

Voting yea: Representatives Ballard, Beck, Berozoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Dorn, Edmondson, Ferguson, Forner, Fuhrman, Haugen, Hochstatter, Horn, Johnson P., Johnson R., Lisk, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Sheldon, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne, Zellinsky - 45.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Heavey, Hine, Inslee, Jacobsen, Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sommers, H., Spanel, Sprengle, Valle, Wang, Wineberry, and Mr. Speaker - 52.

Excused: Representative Chandler - 01.

#### MOTION

On motion of Mr. Ebersole, 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. 6285, and the bill passed the House by the following vote: Yeas - 52, Nays - 45, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Cantwell, Cole, G., Cooper, Day, Dellwo, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., O'Brien, Ogden, Orr, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Sheldon, Sommers, H., Spanel, Sprengle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 52.

Voting nay: Representatives Ballard, Beck, Berozoff, Bowman, Brekke, Broback, Brough, Brumsickle, Carlson, Casada, Dorn, Edmondson, Ferguson, Forner, Fuhrman, Haugen, Hochstatter, Horn, Johnson P., King, R., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Nelson, Padden, Paris, Prince, Schmidt, Scott, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 45.

Excused: Representative Chandler - 01.

Engrossed Senate Bill No. 6285, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Wineberry moved that the House act on the following messages in the following order Engrossed House Bill No. 2812, Engrossed Substitute House Bill No. 2025 and Engrossed House Bill No. 2680. The motion was carried.

There was a undetected malfunction in the sound recording equipment on the House floor. As a result there is no sound record of floor action on the following bills. The Journal reflects the

action taken on these bills, but does not include who may have spoke for or against there passage. The sound resumes with the motion on Second Engrossed Senate Bill No. 6004.

MESSAGE FROM THE SENATE

March 11, 1992

MR. SPEAKER:

The Senate insists on its position regarding the amended Senate Committee on Commerce & Labor amendment(s) to:

ENGROSSED HOUSE BILL NO. 2812, and asks the House to concur therein,  
and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION

The House insists on it's position regarding Senate amendments to Engrossed House Bill No. 2812 and again ask the Senate to recede therefrom.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2025, and passed the bill as amended by the Conference Committee,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

REPORT OF CONFERENCE COMMITTEE

ESHB 2025

March 11, 1992

Includes "NEW ITEM": YES

Permitting employee payroll deductions to be deposited into banks or savings banks.

MR. PRESIDENT:

MR. SPEAKER:

We of your CONFERENCE COMMITTEE, to whom was referred **ENGROSSED SUBSTITUTE HOUSE BILL NO. 2025, Employee payroll deductions**, have had the same under consideration and we recommend that:

The Senate Committee on Governmental Operations amendment(s) (2025-S.E AAS 3/3/92) not be adopted;

The Conference Committee striking amendment(s) (2025-S.E AMC CONF S4679.1) be adopted.

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 41.04.230 and 1988 c 107 s 19 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. An agency may, in its own discretion, establish a minimum participation requirement of fewer than twenty-five employees.

(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) Voluntary deductions for political committees duly registered with the public disclosure commission and/or the federal election commission: 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 political committee.

(8) Insurance contributions to the authority for payment of premiums under contracts authorized by the state health care authority.

(9) Deductions to a bank, savings bank, or savings and loan association if (a) the bank, savings bank, or savings and loan association is authorized to do business in this state; and (b) twenty-five or more employees of a single agency, or fewer, if a lesser number is established by such agency, or a total of one hundred or more state employees of several agencies have authorized a deduction for payment to the same bank, savings bank, or savings and loan association.

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 health care authority.

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.

NEW SECTION. Sec. 2. A new section is added to chapter 41.04 RCW to read as follows:

Any official of any local political subdivision of the state, municipal corporation, or quasi-municipal corporation authorized to disburse funds in payment of salaries and wages of employees is authorized upon written request of any employee; to deduct all or part of such employee's salary or wages for payment to any bank, savings bank, credit union, or savings and loan association if (1) the bank, savings bank, credit union, or savings and loan association is authorized to do business in this state; and (2) twenty-five or more employees of a single local political subdivision, or fewer, if a lesser number is established by such local political subdivision, authorize such a deduction for payment to the same bank, savings bank, credit union, or savings and loan association.

On page 1, line 1 of the title, after "deductions;" strike the remainder of the title and insert "amending RCW 41.04.230; and adding a new section to chapter 41.04 RCW."

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators Amondson, McMullen; Representatives Anderson, Spanel, Brumsickle.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2025 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Berozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Chandler - 01.

Engrossed Substitute House Bill No. 2025 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

Under suspension of rules, the Senate has adopted the report of the Conference Committee to:

ENGROSSED HOUSE BILL NO. 2680, and passed the bill as amended by the Conference Committee,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## REPORT OF CONFERENCE COMMITTEE

EHB 2680

March 11, 1992

Includes "NEW ITEM": YES

Modifying provisions for the assessment and collection of taxes.

MR. PRESIDENT:

MR. SPEAKER:

We of your CONFERENCE COMMITTEE, to whom was referred **ENGROSSED HOUSE BILL NO. 2680, Tax assessment/collection**, have had the same under consideration and we recommend that:

The amended Committee on Ways & Means amendment(s) (2680.E AAS 3/5/92) not be adopted;

The Conference Committee striking amendment(s) (2680.E AMC CONF S4642.3) be adopted,

Strike everything after the enacting clause and insert the following:

**Sec. 1.** RCW 82.04.170 and 1985 c 135 s 1 are each amended to read as follows:

"Tuition fee" includes library, laboratory, health service and other special fees, and amounts charged for room and board by an educational institution when the property or service for which such charges are made is furnished exclusively to the students or faculty of such institution. "Educational institution," as used in this section, means only those institutions created or generally accredited as such by the state, or defined as a degree granting institution under RCW ((28B.05.030(10))) 28B.85.010(3) and accredited by an accrediting association recognized by the United States secretary of education, and offering to students an educational program of a general academic nature or those institutions which are not operated for profit and which are privately endowed under a deed of trust to offer instruction in trade, industry, and agriculture, but not including specialty schools, business colleges, other trade schools, or similar institutions.

**Sec. 2.** RCW 82.08.050 and 1986 c 36 s 1 are each amended to read as follows:

The tax hereby imposed shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale in accordance with the schedule of collections adopted by the department pursuant to the provisions of RCW 82.08.060. The tax required by this chapter, to be collected by the seller, shall be deemed to be held in trust by the seller until paid to the department, and any seller who appropriates or converts the tax collected to his or her own use or to any use other than the payment of the tax to the extent that the money required to be collected is not available for payment on the due date as prescribed in this chapter shall be guilty of a gross misdemeanor.

In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay it to the department in the manner prescribed by this chapter, whether such failure is the result of his or her own acts or the result of acts or conditions beyond his or her control, he or she shall, nevertheless, be personally liable to the state for the amount of the tax.

The amount of tax, until paid by the buyer to the seller or to the department, shall constitute a debt from the buyer to the seller and any seller who fails or refuses to collect the tax as required with intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any buyer who refuses to pay any tax due under this chapter shall be guilty of a misdemeanor. The tax required by this chapter to be collected by the seller shall be stated separately from the selling price in any sales invoice or other instrument of sale. On all retail sales through vending machines, the tax need not be stated separately from the selling price or collected separately from the buyer. For purposes of determining the tax due from the buyer to the seller and from the seller to the department it shall



be conclusively presumed that the selling price quoted in any price list, sales document, contract or other agreement between the parties does not include the tax imposed by this chapter, but if the seller advertises the price as including the tax or that the seller is paying the tax, the advertised price shall not be considered the selling price.

Where a buyer has failed to pay to the seller the tax imposed by this chapter and the seller has not paid the amount of the tax to the department, the department may, in its discretion, proceed directly against the buyer for collection of the tax, in which case a penalty of ten percent may be added to the amount of the tax for failure of the buyer to pay the same to the seller, regardless of when the tax may be collected by the department; and all of the provisions of chapter 82.32 RCW, including those relative to interest and penalties, shall apply in addition; and, for the sole purpose of applying the various provisions of chapter 82.32 RCW, the ~~((fifteenth))~~ twenty-fifth day of the month following the tax period in which the purchase was made shall be considered as the due date of the tax.

**Sec. 3.** RCW 82.32.090 and 1991 c 142 s 11 are each amended to read as follows:

(1) If payment of any tax due on a return to be filed by a taxpayer is not received by the department of revenue by the due date, there shall be assessed a penalty of five percent of the amount of the tax; and if the tax is not received within thirty days after the due date, there shall be assessed a total penalty of ten percent of the amount of the tax; and if the tax is not received within sixty days after the due date, there shall be assessed a total penalty of twenty percent of the amount of the tax. No penalty so added shall be less than five dollars.

(2) If payment of any tax assessed by the department of revenue is not received by the department by the due date specified in the notice, or any extension thereof, the department shall add a penalty of ten percent of the amount of the additional tax found due. No penalty so added shall be less than five dollars.

(3) If a warrant be issued by the department of revenue for the collection of taxes, increases, and penalties, there shall be added thereto a penalty of five percent of the amount of the tax, but not less than ten dollars.

(4) If the department finds that all or any part of a deficiency resulted from the disregard of specific written instructions as to reporting or tax liabilities, the department shall add a penalty of ten percent of the amount of the additional tax found due because of the failure to follow the instructions. A taxpayer disregards specific written instructions when the department of revenue has informed the taxpayer in writing of the taxpayer's tax obligations and the taxpayer fails to act in accordance with those instructions unless the department has not issued final instructions because the matter is under appeal pursuant to this chapter or departmental regulations. The department shall not assess the penalty under this section upon any taxpayer who has made a good faith effort to comply with the specific written instructions provided by the department to that taxpayer. Specific written instructions may be given as a part of a tax assessment, audit, determination, or closing agreement, provided that such specific written instructions shall apply only to the taxpayer addressed or referenced on such documents. Any specific written instructions by the department of revenue shall be clearly identified as such and shall inform the taxpayer that failure to follow the instructions may subject the taxpayer to the penalties imposed by this subsection.

(5) If the department finds that all or any part of the deficiency resulted from an intent to evade the tax payable hereunder, a further penalty of fifty percent of the additional tax found to be due shall be added.

(6) The aggregate of penalties imposed under this section for failure to pay a tax due on a return by the due date, late payment of any tax, increase, or penalty, or issuance of a warrant shall not exceed thirty-five percent of the tax due, or twenty dollars, whichever is greater.

(7) The department of revenue may not impose both the evasion penalty and the penalty for disregarding specific written instructions on the same tax found to be due.

**Sec. 4.** RCW 82.32.180 and 1989 c 378 s 23 are each amended to read as follows:

Any person, except one who has failed to keep and preserve books, records, and invoices as required in this chapter and chapter 82.24 RCW, having paid any tax as required and feeling aggrieved by the amount of the tax may appeal to the superior court of Thurston county, within the time limitation for a refund provided in chapter 82.32 RCW or, if an application for refund has been made to the department within that time limitation, then within thirty days after rejection of the application, whichever time limitation is later. In the appeal the taxpayer shall set forth the amount of the tax imposed upon the taxpayer which the taxpayer concedes to be the correct tax and the reason why the tax should be reduced or abated. The appeal shall be perfected by serving a copy of the notice of appeal upon the department within the time herein specified and by filing the original thereof with proof of service with the clerk of the superior court of Thurston county. ~~((Within ten days after filing the notice of appeal, the taxpayer shall file with the clerk of the superior court a good and sufficient surety bond payable to the state in the sum of two hundred dollars, conditioned to diligently prosecute the appeal and pay the state all costs that may be awarded if the appeal of the taxpayer is not sustained.))~~

The trial in the superior court on appeal shall be de novo and without the necessity of any pleadings other than the notice of appeal. The burden shall rest upon the taxpayer to prove that the tax as paid by the taxpayer is incorrect, either in whole or in part, and to establish the correct amount of the tax. In such proceeding the taxpayer shall be deemed the plaintiff, and the state, the defendant; and both parties shall be entitled to subpoena the attendance of witnesses as

in other civil actions and to produce evidence that is competent, relevant, and material to determine the correct amount of the tax that should be paid by the taxpayer. Either party may seek appellate review in the same manner as other civil actions are appealed to the appellate courts.

It shall not be necessary for the taxpayer to protest against the payment of any tax or to make any demand to have the same refunded or to petition the director for a hearing in order to appeal to the superior court, but no court action or proceeding of any kind shall be maintained by the taxpayer to recover any tax paid, or any part thereof, except as herein provided.

The provisions of this section shall not apply to any tax payment which has been the subject of an appeal to the board of tax appeals with respect to which appeal a formal hearing has been elected.

Sec. 5. RCW 67.28.183 and 1988 c 61 s 2 are each amended to read as follows:

(1) The ~~((tax))~~ taxes levied ~~((by RCW 67.28.180 and 67.28.182))~~ under this chapter shall not apply to emergency lodging provided for homeless persons for a period of less than thirty consecutive days under a shelter voucher program administered by an eligible organization.

(2) For the purposes of this exemption, an eligible organization includes only cities, towns, and counties, or their respective agencies, and groups providing emergency food and shelter services.

Sec. 6. RCW 82.29A.050 and 1975-'76 2nd ex.s. c 61 s 5 are each amended to read as follows:

(1) The leasehold excise taxes provided for in RCW 82.29A.030 and 82.29A.040 shall be paid by the lessee to the lessor and the lessor shall collect such tax and remit the same to the department of revenue. The tax shall be payable at the same time as payments are due to the lessor for use of the property from which the leasehold interest arises, and in the case of payment of contract rent to a person other than the lessor, at the time of payment. The tax payment shall be accompanied by such information as the department of revenue may require. In the case of prepaid contract rent the payment may be prorated in accordance with instructions of the department of revenue and the prorated portion of the tax shall be due, one-half not later than May 31 and the other half not later than November 30 each year.

(2) The lessor receiving taxes payable under the provisions of this chapter shall remit the same together with a return provided by the department, to the department of revenue on or before the ~~((fifteenth))~~ last day of the month following the month in which the tax is collected. The department may relieve any taxpayer or class of taxpayers from the obligation of filing monthly returns and may require the return to cover other reporting periods, but in no event shall returns be filed for a period greater than one year. The lessor shall be fully liable for collection and remittance of the tax. The amount of tax until paid by the lessee to the lessor shall constitute a debt from the lessee to the lessor. The tax required by this chapter shall be stated separately from contract rent, and if not so separately stated for purposes of determining the tax due from the lessee to the lessor and from the lessor to the department, the contract rent does not include the tax imposed by this chapter. Where a lessee has failed to pay to the lessor the tax imposed by this chapter and the lessor has not paid the amount of the tax to the department, the department may, in its discretion, proceed directly against the lessee for collection of the tax: PROVIDED, That taxes due where contract rent has not been paid shall be reported by the lessor to the department and the lessee alone shall be liable for payment of the tax to the department.

(3) Each person having a leasehold interest subject to the tax provided for in this chapter arising out of a lease of federally owned or federal trust lands shall report and remit the tax due directly to the department of revenue in the same manner and at the same time as the lessor would be required to report and remit the tax if such lessor were a state public entity.

Sec. 7. RCW 82.04.300 and 1983 c 3 s 213 are each amended to read as follows:

This chapter shall apply to any person engaging in any business activity taxable under RCW 82.04.230, 82.04.240, 82.04.250, 82.04.260, 82.04.270, 82.04.280 and 82.04.290 other than those whose value of products, gross proceeds of sales, or gross income of the business is less than one thousand dollars per month: PROVIDED, That where one person engages in more than one business activity and the combined measures of the tax applicable to such businesses equal or exceed one thousand dollars per month, no exemption or deduction from the amount of tax is allowed by this section.

Any person claiming exemption under the provisions of this section may be required, according to rules adopted by the department, to file returns even though no tax may be due ~~((: PROVIDED, FURTHER, That))~~. The department of revenue may allow exemptions, by general rule or regulation, in those instances in which quarterly, semiannual, or annual returns are permitted. Exemptions for such periods shall be equivalent in amount to the total of exemptions for each month of a reporting period.

Sec. 8. RCW 82.32.030 and 1982 1st ex.s. c 4 s 1 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, if any person engages in any business or performs any act upon which a tax is imposed by the preceding chapters, he or she shall, ~~((whether taxable or not,))~~ under such rules ~~((and regulations))~~ as the department of revenue shall prescribe, apply for and obtain from the department a registration certificate upon payment of fifteen dollars. Such registration certificate shall be personal and nontransferable and shall be valid as long as the taxpayer continues in business and pays the tax accrued to the state. In case business is transacted

at two or more separate places by one taxpayer, a separate registration certificate for each place at which business is transacted with the public shall be required, but, for such additional certificates no additional payment shall be required. Each certificate shall be numbered and shall show the name, residence, and place and character of business of the taxpayer and such other information as the department of revenue deems necessary and shall be posted in a conspicuous place at the place of business for which it is issued. Where a place of business of the taxpayer is changed, the taxpayer must return to the department the existing certificate, and a new certificate will be issued for the new place of business free of charge. No person required to be registered under this section shall engage in any business taxable hereunder without first being so registered ~~((in compliance with the provisions of this section, except that))~~. The department, by ~~((general regulation))~~ rule, may provide for the issuance of certificates of registration, without requiring payment, to temporary places of business ((without requiring payment)) or to persons who are exempt from tax under RCW 82.04.300.

(2) Registration under this section is not required if the following conditions are met:

(a) A person's value of products, gross proceeds of sales, or gross income of the business is below the tax reporting threshold provided in RCW 82.04.300;

(b) The person is not required to collect or pay to the department of revenue any other tax which the department is authorized to collect; and

(c) The person is not otherwise required to obtain a license subject to the master application procedure provided in chapter 19.02 RCW.

**Sec. 9.** RCW 82.03.130 and 1989 c 378 s 4 are each amended to read as follows:

The board shall have jurisdiction to decide the following types of appeals:

(1) Appeals taken pursuant to RCW 82.03.190.

(2) Appeals from a county board of equalization pursuant to RCW 84.08.130.

(3) Appeals by an assessor or landowner from an order of the director of revenue made pursuant to RCW 84.08.010 and 84.08.060, if filed with the board of tax appeals within thirty days after the mailing of the order, the right to such an appeal being hereby established.

(4) Appeals by an assessor or owner of an intercounty public utility or private car company from determinations by the director of revenue of equalized assessed valuation of property and the apportionment thereof to a county made pursuant to chapter 84.12 RCW and 84.16 RCW, if filed with the board of tax appeals within thirty days after mailing of the determination, the right to such appeal being hereby established.

(5) Appeals by an assessor, landowner, or owner of an intercounty public utility or private car company from a determination of any county indicated ratio for such county compiled by the department of revenue pursuant to RCW 84.48.075: PROVIDED, That

(a) Said appeal be filed after review of the ratio under RCW 84.48.075(3) and not later than fifteen days after the mailing of the certification; and

(b) The hearing before the board shall be expeditiously held in accordance with rules prescribed by the board and shall take precedence over all matters of the same character.

(6) Appeals from the decisions of sale price of second class shorelands on navigable lakes by the department of natural resources pursuant to RCW 79.94.210.

(7) Appeals from urban redevelopment property tax apportionment district proposals established by governmental ordinances pursuant to RCW 39.88.060.

(8) Appeals from interest rates as determined by the department of revenue for use in valuing farmland under current use assessment pursuant to RCW 84.34.065.

(9) Appeals from revisions to stumpage value tables used to determine value by the department of revenue pursuant to RCW 84.33.091.

(10) Appeals from denial of tax exemption application by the department of revenue pursuant to RCW 84.36.850.

(11) Appeals pursuant to RCW 84.40.038(2).

**Sec. 10.** RCW 84.08.130 and 1989 c 378 s 7 are each amended to read as follows:

Any taxpayer or taxing unit feeling aggrieved by the action of any county board of equalization may appeal to the board of tax appeals by filing with the county auditor a notice of appeal in duplicate within thirty days after the mailing of the decision of such board of equalization, which notice shall specify the actions complained of, and said auditor shall forthwith transmit one of said notices to the board of tax appeals; and in like manner any county assessor may appeal to the board of tax appeals from any action of any county board of equalization. There shall be no fee charged for the filing of an appeal. The petitioner shall provide a copy of the notice of appeal to all named parties within the time period provided in the rules of practice and procedure of the board of tax appeals. Appeals which are not filed as provided in this section shall be continued or dismissed. The board of tax appeals shall require the board appealed from to file a true and correct copy of its decision in such action and all evidence taken in connection therewith, and may receive further

evidence, and shall make such order as in its judgment is just and proper. An appeal of an action by a county board of equalization shall be deemed to have been filed within the thirty-day period if it is postmarked on or before the thirtieth day after the mailing of the decision of the board of equalization.

Sec. 11. RCW 84.40.038 and 1988 c 222 s 19 are each amended to read as follows:

(1) The owner or person responsible for payment of taxes on any property may petition the county board of equalization for a change in the assessed valuation placed upon such property by the county assessor. Such petition must be made on forms prescribed or approved by the department of revenue and any petition not conforming to those requirements or not properly completed shall not be considered by the board. The petition must be filed with the board on or before July 1st of the year of the assessment or within thirty days after the date an assessment or value change notice has been mailed, whichever is later.

(2) The owner or person responsible for payment of taxes on any property may request that the appeal be heard by the state board of tax appeals without a hearing by the county board of equalization when the assessor, the owner or person responsible for payment of taxes on the property, and a majority of the county board of equalization agree that a direct appeal to the state board of tax appeals is appropriate. The state board of tax appeals may reject the appeal, in which case the county board of equalization shall consider the appeal under RCW 84.48.010. Notice of such a rejection, together with the reason therefor, shall be provided to the affected parties and the county board of equalization within thirty days of receipt of the direct appeal by the state board.

Sec. 12. RCW 84.48.065 and 1989 c 378 s 14 are each amended to read as follows:

(1) The county assessor or treasurer may cancel or correct assessments on the assessment or tax rolls which are erroneous due to manifest errors in description, double assessments, clerical errors in extending the rolls, and such manifest errors in the listing of the property which do not involve a revaluation of property, such as the assessment of property exempted by law from taxation or the failure to deduct the exemption allowed by law to the head of a family. When the county assessor cancels or corrects an assessment, the assessor shall send a notice to the taxpayer in accordance with RCW 84.40.045, advising the taxpayer that the action ~~((of the county assessor is not final and shall be considered by the county board of equalization, and that such notice shall constitute legal notice of such fact))~~ has been taken and notifying the taxpayer of the right to appeal the cancellation or correction to the county board of equalization, in accordance with RCW 84.40.038. When the county assessor or treasurer cancels or corrects an assessment, a record of such action shall be prepared ~~((and filed with the county board of equalization)),~~ setting forth therein the facts relating to the error. The record shall also set forth by legal description all property belonging exclusively to the state, any county, or any municipal corporation whose property is exempt from taxation, upon which there remains, according to the tax roll, any unpaid taxes. No manifest error cancellation or correction shall be made for any period more than three years preceding the year in which the error is discovered.

~~((The county board of equalization shall consider only such matters as appear in the record filed with it by the county assessor or treasurer and shall correct only such matters as are set forth in the record, but it shall have no power to change or alter the assessment of any person, or change the aggregate value of the taxable property of the county, except insofar as it is necessary to correct the errors mentioned in this section. If the county board of equalization finds that the action of the assessor was not correct, it shall issue a supplementary roll including such corrections as are necessary, and the assessment and levy shall have the same force and effect as if made in the first instance, and the county treasurer shall proceed to collect the taxes due on the supplementary roll. The board shall make findings of the facts upon which it bases its decision on all matters submitted to it, and when so made the assessment and levy shall have the same force as if made in the first instance, and the county treasurer shall proceed to collect the taxes due on the rolls as modified.~~

~~The county board of equalization shall convene on a day fixed by the board for the purpose of considering such matters as appear in the record filed by the county assessor or treasurer.))~~

(2) An assessor shall make corrections that involve a revaluation of property to the assessment roll when:

(a) The assessor and taxpayer have signed an agreement as to the true and fair value of the taxpayer's property setting forth in the agreement the valuation information upon which the agreement is based; and

(b) The following conditions are met:

(i) The assessment roll has previously been certified in accordance with RCW 84.40.320;

(ii) The taxpayer has timely filed a petition with the county board of equalization pursuant to RCW 84.40.038

for the current assessment year;

(iii) The county board of equalization has not yet held a hearing on the merits of the taxpayer's petition.

(3) The assessor shall issue a supplementary roll or rolls including such cancellations and corrections, and the assessment and levy shall have the same force and effect as if made in the first instance, and the county treasurer shall proceed to collect the taxes due on the rolls as modified.

Sec. 13. RCW 84.36.385 and 1988 c 222 s 10 are each amended to read as follows:

(1) A claim for exemption under RCW 84.36.381 as now or hereafter amended, shall be made and filed at any time during the year for exemption from taxes payable the following year and thereafter and solely upon forms as prescribed and furnished by the department of revenue. However, an exemption from tax under RCW 84.36.381 shall continue for no more than four years unless a renewal application is filed as provided in subsection (3) of this section. The county assessor may also require, by written notice, a renewal application following an amendment of the income requirements set forth in RCW 84.36.381. Renewal applications shall be on forms prescribed and furnished by the department of revenue.

(2) A person granted an exemption under RCW 84.36.381 shall inform the county assessor of any change in status affecting the person's entitlement to the exemption on forms prescribed and furnished by the department of revenue.

(3) Each person exempt from taxes under RCW 84.36.381 in 1993 and thereafter, shall file with the county assessor a renewal application not later than December 31 of the year the assessor notifies such person of the requirement to file the renewal application.

(4) Beginning in 1992 and in each of the three succeeding years, the county assessor shall notify approximately one-fourth of those persons exempt from taxes under RCW 84.36.381 in the current year who have not filed a renewal application within the previous four years, of the requirement to file a renewal application.

(5) If the assessor finds that the applicant does not meet the qualifications as set forth in RCW 84.36.381, as now or hereafter amended, the claim or exemption shall be denied but such denial shall be subject to appeal under the provisions of RCW 84.48.010(5). If the applicant had received exemption in prior years based on erroneous information, the taxes shall be collected subject to penalties as provided in RCW 84.40.130 for a period of not to exceed three years.

(6) The department and each local assessor is hereby directed to publicize the qualifications and manner of making claims under RCW 84.36.381 through 84.36.389, through communications media, including such paid advertisements or notices as it deems appropriate. Notice of the qualifications, method of making applications, the penalties for not reporting a change in status, and availability of further information shall be included on or with property tax statements and revaluation notices for all residential property including mobile homes, except rental properties.

**Sec. 14.** RCW 84.36.387 and 1980 c 185 s 6 are each amended to read as follows:

(1) All claims for exemption shall be made and signed by the person entitled to the exemption, by his or her attorney in fact or in the event the residence of such person is under mortgage or purchase contract requiring accumulation of reserves out of which the holder of the mortgage or contract is required to pay real estate taxes, by such holder or by the owner, either before two witnesses or the county assessor or his deputy in the county where the real property is located: PROVIDED, That if a claim for exemption is made by a person living in a cooperative housing association, corporation, or partnership, such claim shall be made and signed by the person entitled to the exemption and by the authorized agent of such cooperative.

(2) If the taxpayer is unable to submit his own claim, the claim shall be submitted by a duly authorized agent or by a guardian or other person charged with the care of the person or property of such taxpayer.

(3) All claims for exemption and renewal applications shall be accompanied by such documented verification of income as shall be prescribed by rule adopted by the department of revenue.

(4) Any person signing a false claim with the intent to defraud or evade the payment of any tax shall be guilty of the offense of perjury.

~~((4))~~ (5) The tax liability of a cooperative housing association, corporation, or partnership shall be reduced by the amount of tax exemption to which a claimant residing therein is entitled and such cooperative shall reduce any amount owed by the claimant to the cooperative by such exact amount of tax exemption or, if no amount be owed, the cooperative shall make payment to the claimant of such exact amount of exemption.

~~((5))~~ (6) A remainderman or other person who would have otherwise paid the tax on real property that is the subject of an exemption granted under RCW 84.36.381 for an estate for life shall reduce the amount which would have been payable by the life tenant to the remainderman or other person to the extent of the exemption. If no amount is owed or separately stated as an obligation between these persons, the remainderman or other person shall make payment to the life tenant in the exact amount of the exemption.

**NEW SECTION.** Sec. 15. RCW 82.32.040 and 1971 ex.s. c 299 s 15 & 1961 c 15 s 82.32.040 are each repealed.

**NEW SECTION.** Sec. 16. This act shall take effect July 1, 1992, except sections 7 and 8 of this act which shall take effect January 1, 1993, and sections 9 through 12 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect June 1, 1992.

On page 1, line 2 of the title, after "taxes;" strike the remainder of the title and insert "amending RCW 82.04.170, 82.08.050, 82.32.090, 82.32.180, 67.28.183, 82.29A.050, 82.04.300, 82.32.030, 82.03.130, 84.08.130,

84.40.038, 84.48.065, 84.36.385, and 84.36.387; repealing RCW 82.32.040; providing effective dates; and declaring an emergency."

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators Craswell, Cantu; Representatives Wang, J. Köhl, Carlson.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2680 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97:

Excused: Representative Chandler - 01.

Engrossed House Bill No. 2680 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on:

SUBSTITUTE HOUSE BILL NO. 2720, and passed the bill as amended by the Conference Committee,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### REPORT OF CONFERENCE COMMITTEE

SHB 2720

March 11, 1992

Includes "NEW ITEM": YES

Studying longshore and harbor worker's insurance needs.

MR. PRESIDENT:  
MR. SPEAKER:

We of your CONFERENCE COMMITTEE, to whom was referred **SUBSTITUTE HOUSE BILL NO. 2720, Longshore and harbor workers**, have had the same under consideration and we recommend that:

The Senate Commerce & Labor Committee amendment(s) (2720-S AAS 3/6/92) not be adopted, and

The Conference Committee amendment(s) (2720-S AMC CONF S4676.1) be adopted,

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 1.** The legislature finds and declares that the continued existence of a strong and healthy maritime industry in this state is threatened by the unavailability and excessive cost of workers' compensation coverage required by the United States longshoreman's and harbor worker's compensation act. The legislature, therefore, acting under its authority to protect industry and employment in this state hereby establishes a commission to devise and implement both a near and long-term solution to this problem, for the purpose of maintaining employment for Washington workers and a vigorous maritime industry.

**NEW SECTION. Sec. 2.** A new section is added to chapter 48.22 RCW to read as follows:

(1) Before July 1, 1992, the commissioner shall adopt rules establishing a reasonable plan to insure that workers' compensation coverage as required by the United States longshoreman's and harbor worker's compensation act, 33 U.S.C. Secs. 901 through 950, and maritime employer's liability coverage incidental to the workers' compensation coverage is available to those unable to purchase it through the normal insurance market. This plan shall require the participation of all authorized insurers writing primary and excess workers' compensation insurance or reinsurance and the Washington state industrial insurance fund as defined in RCW 51.08.175 which is authorized to participate in the plan and to make payments in support of the plan in accordance with this section. Any underwriting losses incurred by the plan shall be shared by plan participants in accordance with the following ratios: The state industrial insurance fund, fifty percent; authorized insurers writing United States longshoreman's and harbor workers' compensation insurance, forty-eight percent; and authorized insurers writing excess workers' compensation insurance or reinsurance, two percent.

(2) The Washington state industrial insurance fund shall obtain or provide coverage for the plan created under subsection (1) of this section on an excess of loss basis that would cover plan losses exceeding the net earned and retained premiums written including investment income of the plan as negotiated between the state fund and the plan. If such coverage is not provided by July 1, 1992, or if the commissioner determines that the premium to be charged for such coverage would result in unaffordable rates for coverage provided by the plan, the industrial insurance fund shall be relieved of responsibility for obtaining or providing excess of loss coverage. In considering whether excess of loss coverage premiums would result in unaffordable rates for workers' compensation coverage provided by the plan, the commissioner shall compare the resulting plan rates to those provided under any similar pool or plan of other states in existence prior to July 1, 1992.

(3) An applicant for plan insurance, a person insured under the plan, or an insurer, affected by a ruling or decision of the manager or committee designated to operate the plan may appeal to the commissioner for resolution of a dispute. In adopting rules under this section, the commissioner shall require that the plan use generally accepted actuarial principles for rate making.

**NEW SECTION. Sec. 3.** A new section is added to chapter 48.22 RCW to read as follows:

Before April 15, 1992, the commissioner shall appoint a committee to provide assistance in drafting the rules required by section 2 of this act. After July 1, 1992, the committee shall assist the commissioner in overseeing the operation of the plan. The committee shall consist of at least eight members. The commissioner and the director of the department of labor and industries shall be members. The remaining members shall be selected to insure equal representation of authorized insurers writing primary or excess workers' compensation insurance, insurance producers, organized labor, and maritime employers.

**NEW SECTION. Sec. 4.** A new section is added to chapter 48.22 RCW to read as follows:

The committee appointed pursuant to section 3 of this act shall submit a report to the legislature no later than January 1, 1993, that examines all aspects of the United States longshoreman's and harbor worker's act, 22 U.S.C. Secs. 901 through 950, coverage, and incidental maritime liability coverage, as it applies to Washington workers and employers.

This study shall include but not be limited to the ability of private insurers to provide affordable coverage to eligible employers; whether the Washington state industrial insurance fund should participate in the plan adopted pursuant to section 2 of this act; whether there are methods that will satisfy the intent of chapter ..., Laws of 1992 (this act) that will not involve the Washington state industrial insurance fund; and the feasibility of requiring that this coverage be made directly available through the Washington state industrial insurance fund.

NEW SECTION. Sec. 5. A new section is added to chapter 48.15 RCW to read as follows:

An unauthorized insurer shall not solicit or provide federally required longshore and harbor workers' insurance on subjects located, resident, or to be performed within the state.

NEW SECTION. Sec. 6. This act shall expire on July 1, 1993.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 2 of the title, after "insurance;" strike the remainder of the title and insert "adding new sections to chapter 48.22 RCW; adding a new section to chapter 48.15 RCW; creating a new section; providing an expiration date; and declaring an emergency."

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators McMullen, Sellar; Representatives R. Meyers, Dellwo, Broback.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2720 as recommended by the Conference Committee, and the bill passed the House by the following vote:  
Yeas - 95, Nays - 2, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Retrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Fuhrman, Wang - 02.

Excused: Representative Chandler - 01.

Substitute House Bill No. 2720 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

### SECOND READING

ENGROSSED. SUBSTITUTE SENATE BILL NO. 6180, by Senate Committee on Education (originally sponsored by Senators Bailey, Erwin, Oke, Barr, Nelson and Skratek)

Protecting education programs.

The bill was read the second time.

The following amendment to Engrossed Substitute Senate Bill No. 6180, by Representatives G. Fisher, Brough and Peery was adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) A student's ability to learn can be adversely impacted by a number of factors, including but not limited to: Lack of parent involvement and support; child abuse and neglect; poverty, including parental



unemployment or underemployment; family transiency and homelessness; drug and alcohol abuse; poor health and nutrition; crime; and peer influence.

(2) The legislature finds that:

(a) Prevention and intervention services at the elementary school level can offer early identification, encouragement, and follow-up of each child's special interests, creative talents, and particular abilities as well as identification of and cooperative assistance with learning, emotional, environmental, social, or physical obstacles to normal child growth and development; and

(b) The provision of counseling and related prevention and intervention services at the elementary school level can contribute to enhancement of the classroom environment for students and teachers, and better enable students to realize their academic and personal potential.

(c) The legislature finds that services should be provided to the extent possible by public or private human service agencies.

**NEW SECTION. Sec. 2.** Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 2 through 7 of this act.

(1) "Child intervention specialist" or "community-based public or private human service provider" means a person who provides early intervention and prevention services and includes but is not limited to services provided by licensed mental health professionals, child psychiatrists, health care providers, social service caseworkers or social workers, school counselors, school psychologists, school nurses, and school social workers.

(2) "Early grades," "elementary grades," and "elementary level" mean kindergarten through grade six and may include preschool age children served by the school district.

(3) "Elementary grades prevention and intervention program" means a district-wide program or plan of early detection, prevention, and intervention of learning, emotional, environmental, social, or physical problems of elementary students, that addresses student and family needs; the appropriate use and roles of child intervention specialists, including training and necessary supervision; interprofessional cooperation; and interagency, public and private, collaboration and coordination of the planning, delivery, and evaluation of programs and services.

(4) "Early intervention services" means services that are provided to address social and emotional factors that can affect student performance and behavior and that are provided when problems just begin to emerge.

(5) "Prevention services" means services that are provided to address social and emotional factors that can affect student performance and behavior and that are provided to students before problems occur.

(6) "Superintendent" means the superintendent of public instruction.

**NEW SECTION. Sec. 3.** (1) From funds appropriated by the legislature, the superintendent shall establish the fair start program to assist school districts in providing prevention and intervention programs for elementary grade students. The fair start program shall not become a part of the state's basic program of education obligation as set forth under Article IX of the state Constitution.

(2) The superintendent shall distribute funds equitably to all school districts based on the district's enrollment in grades kindergarten through six. However, the allocations for school districts enrolling fewer than one thousand full-time equivalent students shall be distributed to the educational service district in which the district is located. The educational service district shall use the allocation to provide early intervention and prevention services under a cooperative agreement between the district and the educational service district. Educational service districts shall coordinate the use of staff and resources to serve school districts. Fair start funds shall not be used to replace funding for existing activities. However, any district currently providing elementary students with prevention and intervention services that loses the source of funding for those services, for reasons beyond the control of the district, may use fair start funds to continue or enhance the existing level of prevention and intervention services.

(3) Two or more school districts may cooperatively administer an elementary prevention and intervention program. An educational service district may administer a program on behalf of one or more school districts.

**NEW SECTION. Sec. 4.** (1) School districts and educational service districts accepting fair start funds shall submit not later than June 1, 1993, the following information to the superintendent of public instruction:

(a) District goals relating to prevention and early intervention services for elementary students and the district's plan, based on the goals, for providing prevention and early intervention services to students. To ensure delivery of appropriate services to students through a coordinated network of service providers, districts shall document that community-based public and/or private human service providers, district-level and building-level staff and administrators, and parents participated in developing the goals and plan;

(b) Documentation of written interagency agreements or contracts between school and educational service districts, and public and/or private community-based human service providers to provide prevention and early intervention services to students;

(c) Procedures for notifying parents or guardians regarding the referral of students for prevention and intervention services and liability issues relating to the provision of prevention and intervention services to students outside school buildings;

(d) Use of grant funds for prevention and intervention-related inservice purposes, including as necessary and appropriate, multicultural in-service training; and

(e) Other information as requested by the superintendent.

(2) To the greatest extent possible, the delivery of prevention and early intervention services to students:

(a) Shall not be duplicative of other programs;

(b) Shall be consistent with the applicable children's mental health delivery system developed under chapter 71.36 RCW;

(c) Shall emphasize the most efficient and cost-effective use of fair start funds; and

(d) Shall be provided on a twelve-month basis.

(3) When using school personnel to provide prevention and intervention services, school districts are encouraged to utilize paraprofessionals.

(4) School districts and educational service districts accepting fair start funds shall enter into written interagency agreements with community-based public and/or private human service providers to assure delivery of appropriate services to students.

**NEW SECTION. Sec. 5.** (1) Districts shall use fair start funds to provide prevention and intervention services to students with priority given to students based on need. Districts shall establish the criteria determining need.

(2) Funds from the fair start program regarding health care shall be used only for services and information relating to nutrition and poor health.

(3) Nothing under sections 2 through 7 of this act precludes a district from incorporating a primary intervention program model or a family support worker model as part of the district's fair start program.

**NEW SECTION. Sec. 6.** The superintendent of public instruction may adopt rules as necessary under chapter 34.05 RCW to implement sections 2 through 5 of this act.

**NEW SECTION. Sec. 7.** Upon request, the superintendent shall provide information to districts regarding how other districts have used fair start funds locally or how other districts have established interagency agreements with community-based public and/or private human service providers under section 4 of this act.

**NEW SECTION. Sec. 8.** Sections 2 through 7 of this act are each added to chapter 28A.600 RCW.

**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 "programs;" strike the remainder of the title and insert "adding new sections to chapter 28A.600 RCW; and creating a new section."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6180 as amended by the House, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Chandler - 01.

Engrossed Substitute Senate Bill No. 6180 as amended by the House, having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

Under suspension of rules, the Senate has adopted the report of the Conference Committee on:

HOUSE BILL NO. 2932, and passed the bill as amended by the Conference Committee, and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

REPORT OF CONFERENCE COMMITTEE

HB 2932

March 11, 1992

Includes "NEW ITEM": YES

Revising the Washington technology center.

MR. PRESIDENT:

MR. SPEAKER:

We of your CONFERENCE COMMITTEE, to whom was referred HOUSE BILL NO. 2932, Washington technology center, have had the same under consideration and we recommend that:

The Senate Committee on Commerce & Labor striking amendment(s) (2932 AAS 3/5/92) not be adopted, and

The Conference Committee striking amendment(s) (2932 AMC CONF S4693.1) be adopted,

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the development and commercialization of new technology is a vital part of economic development.

The legislature also finds that it is in the interests of the state of Washington to provide a mechanism to transfer and apply research and technology developed at the institutions of higher education to the private sector in order to create new products and technologies which provide job opportunities in advanced technology for the citizens of this state.

It is the intent of the legislature that the University of Washington, the Washington State University, and the department of trade and economic development work cooperatively with the private sector in the development and implementation of a world class technology transfer program.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 28B.20.285 and sections 3 through 8 of this act.

(1) "Technology center" means the Washington technology center, including the affiliated staff, faculty, facilities, and research centers operated by the technology center.

(2) "Board" means the board of directors of the Washington technology center.

(3) "High technology" or "technology" includes but is not limited to the modernization, miniaturization, integration, and computerization of electronic, hydraulic, pneumatic, laser, mechanical, robotics, nuclear, chemical,

telecommunication, and other technological applications to enhance productivity in areas including but not limited to manufacturing, communications, medicine, bioengineering, and commerce.

Sec. 3. RCW 28B.20.285 and 1983 1st ex.s. c 72 s 11 are each amended to read as follows:

A Washington (~~(high technology)~~) technology center is created ((at the University of Washington. The Washington high technology center shall provide: (1) An interdisciplinary program to support major high technology education and research initiatives within the state; (2) the resources necessary for research and development programs in high technology; (3) quality training for advanced undergraduate and graduate students in high technology; and (4) interdisciplinary approaches to instruction and research in high technology fields.

~~The Washington high technology center shall be administered by the board of regents with the advice of the high technology coordinating board. The University of Washington shall make the facilities of the Washington high technology center available to other institutions of higher education when specific program needs so require))~~ to be a collaborative effort between the state's universities, private industry, and government. The technology center shall be headquartered at the University of Washington. The mission of the technology center shall be to perform and commercialize research on a state-wide basis that benefits the intermediate and long-term economic vitality of the state of Washington, and to develop and strengthen university-industry relationships through the conduct of research that is primarily of interest to Washington-based companies or state economic development programs. The technology center shall:

- (1) Perform and/or facilitate research supportive of state science and technology objectives, particularly as they relate to state industries;
- (2) Provide leading edge collaborative research and technology transfer opportunities primarily to state industries;
- (3) Provide substantial opportunities for training undergraduate and graduate students through direct involvement in research and industry interactions;
- (4) Emphasize and develop nonstate support of the technology center's research activities; and
- (5) Provide a forum for effective interaction between the state's technology-based industries and its academic research institutions through promotion of faculty collaboration with industry, particularly within the state.

NEW SECTION. Sec. 4. (1) The technology center shall be administered by the board of directors of the technology center.

(2) The board shall consist of the following members: Fourteen members from among individuals who are associated with or employed by technology-based industries and have broad business experience and an understanding of high technology; eight members from the state's universities with graduate science and engineering programs; the executive director of the Spokane Intercollegiate Research and Technology Institute or his or her designated representative; the provost of the University of Washington or his or her designated representative; the provost of the Washington State University or his or her designated representative; and the director of the state department of trade and economic development or his or her designated representative. The term of office for each board member, excluding the executive director of the Spokane Intercollegiate Research and Technology Institute, the provost of the University of Washington, the provost of the Washington State University, and the director of the state department of trade and economic development, shall be three years. The executive director of the technology center shall be an ex officio, nonvoting member of the board. The board shall meet at least quarterly. Board members shall be appointed by the governor based on the recommendations of the existing board of the technology center, and the research universities. The governor shall stagger the terms of the first group of appointees to ensure the long term continuity of the board.

(3) The duties of the board include:

- (a) Developing the general operating policies for the technology center;
- (b) Appointing the executive director of the technology center;
- (c) Approving the annual operating budget of the technology center;
- (d) Establishing priorities for the selection and funding of research projects that guarantee the greatest potential return on the state's investment;
- (e) Approving and allocating funding for research projects conducted by the technology center, based on the recommendations of the advisory committees for each of the research centers;
- (f) In cooperation with the department of trade and economic development, developing a biennial work plan and five-year strategic plan for the technology center that are consistent with the state-wide technology development and commercialization goals;
- (g) Coordinating with the University of Washington, Washington State University, and other participating institutions of higher education in the development of training, research, and development programs to be conducted at the technology center that shall be targeted to meet industrial needs;

(h) Assisting the department of trade and economic development in the department's efforts to develop state science and technology public policies and coordinate publicly funded programs;

(i) Reviewing annual progress reports on funded research projects that are prepared by the advisory committees for each of the research centers;

(j) Providing an annual report to the governor and the legislature detailing the activities and performance of the technology center; and

(k) Submitting annually to the department of trade and economic development an updated strategic plan and a statement of performance measured against the mission, roles, and contractual obligations of the technology center.

NEW SECTION. Sec. 5. The University of Washington, Washington State University, and other participating institutions of higher education shall provide the affiliated staff, faculty, and facilities required to support the operation of the technology center.

NEW SECTION. Sec. 6. The department of trade and economic development shall contract with the University of Washington for the expenditure of state-appropriated funds for the operation of the Washington technology center. The department of trade and economic development shall provide guidance to the technology center regarding expenditure of state-appropriated funds and the development of the center's strategic plan. The director of the department of trade and economic development shall not withhold funds appropriated for the technology center if the technology center complies with the provisions of its contract with the department of trade and economic development. The department shall be responsible to the legislature for the contractual performance of the center.

NEW SECTION. Sec. 7. The facilities of the technology center shall be made available to other institutions of higher education within the state when this would benefit specific program needs.

NEW SECTION. Sec. 8. Sections 1, 2, and 4 through 7 of this act are each added to chapter 28B.20 RCW.

On page 1, line 1 of the title, after "center;" strike the remainder of the title and insert "amending RCW 28B.20.285; and adding new sections to chapter 28B.20 RCW."

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators Bluechel, Gaspard, Sellar: Representatives Cantwell, Jacobsen, Fomer.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2932 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Fomer, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Chandler - 01.

House Bill No. 2932 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

#### REPORT OF CONFERENCE COMMITTEE

Bill No: E2SSB 5724

Date: March 11, 1992

Includes "new item": YES

Mr. Speaker:  
Mr. President:

We of your Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5724, requiring the department of ecology to study impacts of regulating paper mill waste, have had the same under consideration and we recommend that:

All previous amendments not be adopted, and the striking amendment by the Conference Committee (see attached 5724-S2.E CONF ANDE 2) be adopted; and

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

"NEW SECTION. Sec. 1. A new section is added to chapter 90.48 RCW to read as follows:

(1) The department may require each pulp mill and paper mill discharging chlorinated organics to conduct and submit an engineering report on the cost of installing technology designed to reduce the amount of chlorinated organic compounds discharged into the waters of the state. The department shall allow at least twenty-four months from the effective date of this act for each pulp mill and each paper mill to submit an engineering report.

(2) The department may not issue a permit establishing limits to the discharge of chlorinated organic compounds by a pulp mill or a paper mill under RCW 90.48.160 or 90.48.260 until at least nine months after receiving an engineering report from a kraft mill and at least fifteen months after receiving an engineering report from a sulfite mill.

(3) Nothing in this section shall apply to dioxin compounds."

On page 1, line 2 of the title, after "emissions;" strike the remainder of the title and insert "and adding a new section to chapter 90.48 RCW."

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators Amondson, Oke, Sutherland: Representatives Rust, Valle, Horn.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5724 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Brekke - 01.

Excused: Representative Chandler - 01

Engrossed Second Substitute Senate Bill No. 5724 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

### INTRODUCTIONS AND FIRST READING

SCR 8429 by Senators Thorsness, Niemi, Erwin and A. Smith

Resolving to continue development of sentencing alternatives.

Motion to suspend the rules and advance Senate Concurrent Resolution No. 8429, to second reading and read the second time in full. The motion was carried.

The bill was read the second time.

Senate Concurrent Resolution No. 8429, was adopted.

#### MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on:

HOUSE BILL NO. 2259; and passed the bill as amended by the Conference Committee, and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### REPORT OF CONFERENCE COMMITTEE

HB 2259

March 10, 1992

Includes "NEW ITEM": YES

Simplifying the designation of pension funds.

MR. PRESIDENT:

MR. SPEAKER:

We of your CONFERENCE COMMITTEE, to whom was referred HOUSE BILL NO. 2259, Pension fund designations, have had the same under consideration and we recommend that:

The Senate floor amendment (2259 AAS 3/6/92) be adopted, and

The bill be further amended as follows:

On page 30, after line 15, insert the following:

"Sec. 19. RCW 41.32.555 and 1991 c 365 s 34 are each amended to read as follows:

Persons who were under an annual half-time contract with an employer anytime during the period of September 1, 1986, through August 31, 1987, shall be eligible for benefits provided by RCW 41.32.550, as amended by chapter 365, Laws of 1991, effective beginning the month following when they left service due to their disability if during that period they were medically determined to be permanently disabled for the performance of their duty.

A member who qualifies for benefits under this section who has not begun receiving benefits prior to the effective date of this act shall be permitted to select a survivor option pursuant to RCW 41.32.530."

Renumber the remaining sections consecutively.

On page 1, line 6 of the title, after "41.32.345," insert "41.32.555,"

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators Saling, Hayner, Bauer: Representatives Hine, Spanel, McLean.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2259 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Chandler - 01.

House Bill No. 2259 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

The Speaker called upon Representative R. Meyers to preside.

### MOTION

Mr. Ebersole moved that Second Engrossed Senate Bill No. 6004, be advanced to second reading and read the second time in full. Them motion was carried.

SECOND ENGROSSED SENATE BILL NO. 6004, by Senator Hayner

Reviewing Indian gaming compacts.

The bill was read the second time.

With consent of the House we will advance Second Engrossed Senate Bill No. 6004, to third reading and final passage.

Representatives Heavey, Schmidt and Sheldon spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Senate Bill No. 6004, and the bill passed the House by the following vote: Yeas - 94, Nays - 3, Absent - 0, Excused - 1.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson,



Ferguson, Fisher, G., Fisher, R., Fomer, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Anderson, Brekke, Padden - 03.

Excused: Representative Chandler - 01.

Second Engrossed Senate Bill No. 6004, having received the constitutional majority, was declared passed.

### RESOLUTION

HOUSE RESOLUTION NO. 92-4778, by Representatives Valle, Heavey, Brough, Carlson, Hine, G. Fisher, Wineberry, Mitchell, Kremen, Prentice, O'Brien, Brekke, Locke, Haugen, Scott, Nelson, Leonard, Anderson, Jacobsen and Pruitt

WHEREAS, The people of Burien have voted overwhelmingly to incorporate their community and create a city of 27,700 residents. Burien is now the twenty-second largest city in the State of Washington; and

WHEREAS, The move to incorporate will help retain the identity of the community of Burien, preventing the community from being carved up and divided between other cities or being swallowed up by King County; and

WHEREAS, Community identity is increasingly important for responsive local government as well as a sense of well-being and a feeling of mutual interest and interdependence; and

WHEREAS, The people of Burien are living under the threat of the expansion of Sea-Tac Airport and the construction of cross-Sound bridges from Seahurst near Burien to Vashon Island. Either project could have deleterious impacts on the quality of life for the residents of Burien; and

WHEREAS, The creation of a city that is more responsive to the concerns of residents who would be seriously affected by such huge projects with undesirable local impacts may be the best strategy for getting a full and fair hearing of those concerns by the decision-makers involved with these proposals; and

WHEREAS, The long-running struggle to incorporate in Burien, an effort which has seen four setbacks at the polls, has finally been successful and has shown the vision and dedication of the local leadership; and

WHEREAS, There is every reason to expect that better government services and a stronger sense of community will combine to produce a brighter future and an improved quality of life for Burien residents;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington welcome the city of Burien to the ranks of incorporated cities of the state; and

BE IT FURTHER RESOLVED, That its residents be recognized as a part of the newest city in Washington.

Representatives Valle, Mitchell, Haugen and Brough moved adoption of the resolution, and spoke in favor.

House Resolution No. 92-4778 was adopted.

## MOTION

With consent of the House, we will revert to the fourth order of business.

Mr. Ebersole moved that the rules be suspended that Substitute Senate Bill No. 6483, be advanced to second reading and read the second time in full. The motion was carried.

SUBSTITUTE SENATE BILL NO. 6483, by Senate Committee on Ways & Means (originally sponsored by Senators Matson, Murray and Bluechel)

Modifying provisions relating to weights and measures.

The bill was read the second time.

With consent of the House we will advance Substitute Senate Bill No. 6483 to third, and final passage.

Representatives Wang, Wynn and Brumsickel spoke in favor of the passage of the bill. Representatives McLean and Nealey spoke against.

Mr. Zellinsky demanded the previous question. The demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6483, and the bill passed the House by the following vote: Yeas - 72, Nays - 25, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Hargrove, Haugen, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Leonard, Locke, Ludwig, Meyers, R., Mielke, Mitchell, Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Vance, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Ballard, Beck, Betzoff, Bowman, Casada, Fuhrman, Heavey, Hochstatter, Horn, Johnson P., Kremen, Lisk, May; McLean, Miller, Morris, Morton, Moyer, Nealey, Padden, Prince, Sommers, D., Tate, Valle, Van Luven - 25.

Excused: Representative Chandler - 01.

Substitute Senate Bill No. 6483, having received the constitutional majority, was declared passed.

## STATEMENT FOR THE JOURNAL

I had intended to vote NO on Substitute Senate Bill No. 6483; but was inadvertently counted as a YES.

CHRIS VANCE, 31st District

## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2552, and passed the bill as amended by the Conference Committee,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

REPORT OF CONFERENCE COMMITTEE

ESHB 2552

March 12, 1992

Includes "NEW ITEM": YES

Adopting the supplemental capital budget.

MR. PRESIDENT:

MR. SPEAKER:

We of your CONFERENCE COMMITTEE, to whom was referred **ENGROSSED SUBSTITUTE HOUSE BILL NO. 2552, Supplemental capital budget**, have had the same under consideration and we recommend that:

The Senate Committee on Ways & Means striking amendment(s) (2552-S.E AAS 3/7/92) be not adopted, and

The Conference Committee striking amendment(s) (2552-S.E AMC CONF H5137.3) be adopted

Strike everything after the enacting clause and insert the following:

**"PART I**

**GENERAL GOVERNMENT"**

NEW SECTION. Sec. 1. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE OFFICE OF THE SECRETARY OF STATE**

- (1) Central Washington Archives: To design a regional archives facility at Central Washington University in Ellensburg (93-2-001)

The appropriation in this subsection is subject to the following conditions and limitations: No moneys may be spent until preplanning documents have been reviewed and approved by the office of financial management under section 33 of this act.

**Appropriation:**

St Bldg Constr Acct .....	\$	360,000
Prior Biennia (Expenditures) .....	\$	17,500
Future Biennia (Projected Costs) .....	\$	3,909,500

TOTAL .....	\$	4,287,000
Sec. 2. 1991 sp.s. c 14 s 6 (uncodified) is amended to read as follows:		
<b>FOR THE OFFICE OF FINANCIAL MANAGEMENT</b>		
(1) Local jail facilities (88-2-001)		
<b>Reappropriation:</b>		
<b>St Bldg Constr Acct</b> .....	\$	308,000
Prior Biennia (Expenditures) .....	\$	2,692,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	3,000,000

- (2) For environmental cleanup related to underground storage tanks (92-5-003)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The moneys provided in this subsection shall be allocated to the agencies and institutions of the state for removal, replacement, and environmental cleanup projects related to underground storage tanks.

(b) No moneys appropriated in this subsection or in any subsection specifically referencing this subsection may be expended unless the office of financial management, in consultation with the department of general administration, has reviewed and approved the cost estimates for the project. Projects to replace underground storage tanks shall conform with guidelines to minimize the risk of environmental contamination and reduce unnecessary duplication of tanks. The guidelines shall be adopted by the department of general administration and shall provide for consideration of environmental risks associated with tank installations, interagency agreements for sharing fueling facilities, and the feasibility of alternative fueling systems.

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<del>(3,729,000)</del>
		4,755,000
<b>CEP &amp; RI Acct</b> .....	\$	390,000
<b>For Dev Acct</b> .....	\$	37,000
<b>Res Mgmt Cost Acct</b> .....	\$	118,000
Subtotal Appropriation .....	\$	<del>((4,274,000))</del>
		5,300,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	<del>((4,274,000))</del>
		5,300,000

- (3) For asbestos removal or abatement projects

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The moneys provided in this subsection shall be allocated to agencies and institutions of the state for asbestos removal or abatement projects.

~~((e))~~ (b) Moneys may be allocated for an asbestos removal or abatement project only to the extent that the project is necessary to eliminate or reduce a hazard to human health and the project is completed in compliance with asbestos project standards adopted by the department of general administration. The department of general administration shall adopt standards to restrict the amount of asbestos removal to the minimum amount necessary.

~~((d))~~ (c) Subsections (3)(b) ~~((and (e)))~~ of this section do not apply to moneys reappropriated in this act for projects for which, before the effective date of this act, the design has been completed, bids have been requested, or a contract has been entered into.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 4,919,000
CEP & RI Acct .....	\$ 25,000
	-----
Subtotal Reappropriation .....	\$ 4,944,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 9,588,000
CEP & RI Acct .....	\$ 540,000
	-----
Subtotal Appropriation .....	\$ 10,128,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 14,448,000

(4) Higher education: Branch campuses site acquisition and development (90-5-002)

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The appropriations in this subsection are provided solely for the acquisition of land and/or construction of facilities for branch campuses recommended by the higher education coordinating board, and shall be allocated to appropriate public institutions of higher education upon approval of the board.

(b) Allocations from the appropriation in this subsection for land acquisition in the Spokane area shall be subject to the provisions of chapter 205, Laws of 1991 (House Bill No. 2198) and approval by the higher education coordinating board.

(c) No facility may be constructed on the Spokane riverfront property, other than the Spokane Intercollegiate Research and Technology Institute (SIRTI) building, until a master plan for facilities that incorporates the SIRTI building and provides for maximum joint use of facilities, is completed by the joint center board and approved by the higher education coordinating board.

~~((e))~~ (d) Any allocations made from the appropriation in this subsection for construction projects costing more than \$4,000,000 shall not be expended on design documents or construction until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ~~((of this act))~~, chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 31,301,667
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 31,000,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 109,000,000
	-----
TOTAL .....	\$ 171,301,667

- (5) Capital plan improvements: To develop state-wide capital cost standards, planning guidelines and policies, and internal rent strategies

The appropriation in this subsection is subject to the following conditions and limitations: The office of financial management shall establish state-wide guidelines to minimize funding of state agency staffing and overhead costs from capital budget appropriations. The guidelines shall provide for uniform agency reporting of staffing and overhead costs charged to capital funds and accounts, including engineering and architectural services provided through the department of general administration. The office of financial management shall report to the fiscal committees of the legislature by January 1, 1993, on the guidelines established pursuant to this subsection.

**Appropriation:**

St Bldg Constr Acct .....	\$	282,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	282,000

Sec. 3. 1991 sp.s. c 14 s 7 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION.**

- (1) Life and safety projects: To improve life and safety deficiencies and correct code violations on the capitol campus (88-1-006)

**Reappropriation:**

Cap Bldg Constr Acct .....	\$	23,000
Prior Biennia (Expenditures) .....	\$	90,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	113,000

- (2) Minor works: To complete minor works and other projects, including inadequate building systems (88-2-008), Northern State facility repairs (90-1-012), boiler plant structural repairs (90-1-016), building exterior repairs (90-2-006), mechanical system repairs (90-2-009), and building interior repairs (90-2-010)

**Reappropriation:**

St Bldg Constr Acct .....	\$	2,621,000
Prior Biennia (Expenditures) .....	\$	6,178,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	8,799,000

- (3) Capitol Campus minor works: To complete minor works and other projects on the Capitol Campus, including boiler plant structural repairs (88-1-003), sidewalk and street repairs (90-2-005), building exterior repairs (90-2-006), and Capitol Lake shoreline repairs (90-3-013)

**Reappropriation:**

Cap Bldg Constr Acct .....	\$	1,278,000
Prior Biennia (Expenditures) .....	\$	1,587,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	2,865,000

- (4) Burien criminal justice training center: To complete renovations to the Burien criminal justice training center (90-3-025)

**Reappropriation:**

St Bldg Constr Acct .....	\$	5,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	5,000,000

- (5) Natural Resources Building: To complete construction of the Natural Resources Building (90-5-003)

**Reappropriation:**

East Cap Constr Acct .....	\$	45,400,000
Prior Biennia (Expenditures) .....	\$	27,600,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	73,000,000

- (6) Remodel of the John A. Cherberg Building (88-2-040)

The reappropriation in this subsection is subject to the following conditions and limitations: The project shall include review and development of program requirements for current and future facilities needs, including furnishings and equipment, for the Washington State Senate whose offices are currently located in the Institutions, Legislative, and John A. Cherberg Buildings. The project shall also include review and redesign, as necessary, of the proposed John A. Cherberg Building remodel, including construction and the acquisition of all furnishings and equipment required.

**Reappropriation:**

St Bldg Constr Acct .....	\$	3,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	3,000,000

- (7) Northern State Multi-Service Center: To complete the design for and to construct a sixteen-bed evaluation and treatment facility at the Northern State Multi-Service Center to provide care for the mentally ill consistent with chapter 71.24 RCW (90-5-027)

The reappropriation in this subsection is subject to the following conditions and limitations:

(a) No moneys from this reappropriation may be expended for construction until the department secures a lease with a county or a group of counties for use of the facility. The lease shall provide for payment to the department for all operations and management costs associated with the facility and a space rental charge. In establishing the space rental charge, the department shall consider fair market rent or lease rates charged for comparable facilities used by regional support networks.

(b) No moneys from this reappropriation may be expended for ((furnishings or)) equipment with a useful life expectancy of less than twenty years.

**Reappropriation:**

St Bldg Constr Acct .....	\$	1,700,000
Prior Biennia (Expenditures) .....	\$	50,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,750,000

- (8) Olympia Archives Storage Building: To complete design and construction of the archives storage building at Olympia Airdustrial Park (90-4-024)

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 1,800,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 671,000
Prior Biennia (Expenditures) .....	\$ 215,000
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 2,686,000

- (9) Small and emergency repairs: For unexpected small and emergency repairs on the Capitol Campus, and at other general administration facilities throughout the state (92-1-001) (92-2-002)

<b>Appropriation:</b>	
Cap Bldg Constr Acct .....	\$ 645,000
St Bldg Constr Acct .....	\$ 261,000
	-----
Subtotal Appropriation .....	\$ 906,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 2,571,000
	-----
TOTAL .....	\$ 3,477,000

- (10) Underground storage tanks: To remove and replace underground storage tanks on the Capitol Campus and at the Northern State multi-service center (92-1-005)

The appropriation in this subsection may be expended only after compliance with section 6(2) ~~((of this act))~~, chapter 14, Laws of 1991 sp.s.

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 140,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 1,371,000
	-----
TOTAL .....	\$ 1,511,000

- (11) Highway-Licenses Building: To complete the design for and to renovate the Highway-Licenses Building on the Capitol Campus (88-5-011) (92-2-003)

The new appropriation in this subsection is subject to the following conditions and limitations:

(a) No moneys may be spent for construction until the department of general administration develops a space rental charge to be assessed to agencies occupying the building being renovated with this appropriation. The space rental charge shall be sufficient to fully reimburse the annual debt service costs of the new appropriation in this subsection, and shall be assessed until the department has developed and implemented space rental charges for facilities owned by the department on a state-wide basis.

(b) No moneys may be spent until preplanning documents have been reviewed and approved by the office of financial management under section 59 ~~((of this act))~~, chapter 14, Laws of 1991 sp.s.

(c) \$133,000 is provided solely to plan for and manage the temporary relocation and housing of tenants of the building renovated with this appropriation.



<b>Reappropriation:</b>	
Cap Purch & Dev Acct .....	\$ 150,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 22,438,000
Prior Biennia (Expenditures) .....	\$ 350,000
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 22,938,000

- (12) General Administration Building: To preplan renovation of the General Administration Building (92-2-005)

The appropriation in this subsection shall not be expended for design documents until the project predesign documents have been reviewed and approved by the office of financial management under section 33 of this act.

<b>Appropriation:</b>	
Cap Bldg Constr Acct .....	\$ 1,200,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 22,101,000
	-----
TOTAL .....	\$ 23,301,000

- (13) Minor works preplanning: To develop preplans and studies of minor works projects on the Capitol Campus (92-2-026)

<b>Appropriation:</b>	
Cap Bldg Constr Acct .....	\$ 750,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 750,000

- (14) Capitol Lake: To develop a dredging plan and dredge Capitol Lake, to repair lake dam gates, and to repair shoreline areas damaged by erosion (92-2-015) (92-3-019)

\$200,000 of the appropriation in this subsection is provided solely to develop a management plan and to implement projects to reduce sedimentation and other pollution in the Deschutes river watershed. Eligible projects shall include, but are not limited to, stream corridor conservation, bank stabilization, agricultural soil conservation, silvicultural soil conservation, and sedimentation and pollution monitoring. When implementing this subsection, the department shall coordinate with the departments of natural resources, ecology, fisheries, wildlife, and transportation, and with affected local governments and Indian tribes.

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 3,125,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 3,125,000

- (15) Minor works: For minor works, repair, and improvement projects on the Capitol Campus and at other facilities owned by the department, including campus high voltage loop improvements, plaza garage elevator repairs, Capitol Campus control system improvements, Governor's Mansion structural repairs, utilities and grounds improvements, interior and exterior building repairs, ~~((and))~~ building mechanical and electrical system improvements, employment security building elevator renovations, and heating, ventilation, and electrical repairs to the Legislative Building (92-2-008) (92-2-009) (92-2-013) (92-2-014) (92-2-016) (92-2-017) (92-2-018) (92-2-020) (92-2-024) (94-2-014)

**Appropriation:**

Cap Bldg Constr Acct . . . . .	\$	<del>((7,889,000))</del>
		<u>4,467,000</u>
St Bldg Constr Acct . . . . .	\$	<del>((2,595,000))</del>
		<u>6,567,000</u>
		-----
Subtotal Appropriation . . . . .	\$	<del>((10,484,000))</del>
		<u>11,034,000</u>
Prior Biennia (Expenditures) . . . . .	\$	0
Future Biennia (Projected Costs) . . . . .	\$	13,188,000
		-----
TOTAL . . . . .	\$	<del>((23,672,000))</del>
		<u>24,222,000</u>

- (16) Northern State facility repairs: To repair the boiler and steam distribution system, trim trees, and repair roofing at the Northern State multi-service center (92-2-021)

**Appropriation:**

CEP & RI Acct . . . . .	\$	280,000
Prior Biennia (Expenditures) . . . . .	\$	0
Future Biennia (Projected Costs) . . . . .	\$	1,278,000
		-----
TOTAL . . . . .	\$	1,558,000

- (17) State facilities planning: To develop designs and plans to accommodate agency housing needs in Thurston county (92-5-100) (92-5-101) (92-5-108) (92-5-102)

Of the appropriation in this subsection:

(a) \$750,000 is provided ~~((solely))~~ to develop master plans for satellite campuses to be located in the cities of Lacey and Tumwater, and a facility plan, developed in consultation with the city of Olympia, which includes mixed use in the downtown Olympia area. The plans shall provide for the siting of consumer services within walking distance of the major areas of concentration of state employees;

(b) \$300,000 is provided ~~((solely))~~ to develop a facility implementation strategy for Thurston county. The implementation strategy shall include, but not be limited to, identification of agency space requirements and opportunities for co-location with other agencies, and an organizational process for developing specific project proposals and establishing implementation timelines;

(c) \$250,000 is provided ~~((solely))~~ to develop a master plan for light industrial facility needs in Thurston county; and

(d) \$200,000 is provided ~~((solely))~~ for a geotechnical and hydrological survey of the Capitol Campus.

The ~~((master))~~ plans and implementation strategy developed under this subsection shall incorporate transportation management and housing density principles designed to reduce commuter congestion and reliance on single-occupancy automobiles.

**Appropriation:**

St Bldg Constr Acct .....	\$	1,500,000
Prior Biennia (Expenditures) .....	\$	500,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	2,000,000

- (18) Thurston county landbank: To purchase(~~(, option, or otherwise control)~~) in fee simple, or acquire purchase options on, real property adjacent to, or in close proximity to, the department of ecology headquarters building in the city of Lacey or the department of labor and industries headquarters building in the city of Tumwater for future state facilities (92-5-000)

**Appropriation:**

St Bldg Constr Acct .....	\$	8,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	8,000,000

- (19) Heritage Park: To acquire property and begin planning for a park between the Capitol Campus and Budd Inlet (92-5-105)

The appropriation in this subsection may not be spent to acquire the property parcel located in Olympia south of Seventh Avenue and approximately two and seven-tenths acres in size if such property parcel is sold to a party other than the state after January 1, 1991, and the state's acquisition price is substantially greater than the acquisition price paid by the other party.

The department shall report to the fiscal committees of the house of representatives and the senate by December 15, 1991, on the status of property acquisitions and plans for the park. The report shall also describe the status of any projects being developed by local governments or other state agencies that affect the design or development of the park. Any expenditure made under this appropriation shall conform to the capital campus master plan.

**Appropriation:**

St Bldg Constr Acct .....	\$	6,700,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	13,800,000
		-----
TOTAL .....	\$	20,500,000

- (20) Condition assessment: To develop a prototype condition assessment methodology, assess the condition of facilities owned by the department of general administration, and prepare a facility maintenance strategy that emphasizes preventative maintenance (92-2-007)

The appropriations in this subsection may not be spent until a detailed scope of work consistent with the recommendations of the capital forum has been reviewed and approved by the office of financial management.

**Appropriation:**

Cap Bldg Constr Acct .....	\$	591,000
St Bldg Constr Acct .....	\$	500,000
		-----
Subtotal Appropriation .....	\$	1,091,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	1,091,000

(21) Ventilation system repair: John L. O'Brien Building

To replace existing heating, ventilation, and air conditioning system

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	650,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	650,000

(22) Office Building #2 air handling system: To upgrade the air supply system by rebuilding the existing system, changing the emergency diesel exhaust system and investigating energy savings to reduce operating and maintenance costs (93-2-025)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	1,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	1,000,000

(23) Puyallup land acquisition: To reimburse the city of Puyallup for storm drainage improvements to land purchased by the state for a Pierce College extension (88-3-031)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	221,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	221,000

(24) Library for the Blind and Physically Handicapped: To acquire and begin renovating, or to acquire a purchase option on, space for the Washington library for the blind and physically handicapped (92-5-001)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The facility acquired with this appropriation shall be operated, managed, and maintained by the Seattle public library; and

(b) The office of financial management, in consultation with the department of general administration, the Washington state library, and the Seattle public library, shall: (i) Study the benefits and costs associated with Seattle public library ownership compared to state ownership of the library facility; and (ii) develop contractual conditions for any potential transfer of ownership of the library facility to the Seattle public library. Based on the results of the study in this subsection, and after notifying the appropriate fiscal committees of the legislature, the office of financial management may authorize the transfer of ownership of the library facility from the department of general administration to the Seattle public library.

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	1,900,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	1,400,000
<b>TOTAL</b> .....	\$	3,300,000

- (25) Co-location and consolidation of state facilities: To identify the current locations of major concentrations of state facilities in the state and to determine where state facilities can be co-located and consolidated (92-5-004)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The department shall prepare policy recommendations and cost estimates for opportunities to co-locate and consolidate state facilities, including a comparison of the benefits and costs of purchasing or leasing such facilities and an analysis of private sector impacts; and

(b) The appropriation shall not be spent until a detailed scope of work has been reviewed and approved by the office of financial management.

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>225,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>225,000</u>

- (26) Land acquisition: To purchase in fee simple, or acquire purchase options on, real property for a data center and office building for the department of information services

The appropriation in this subsection is subject to the following conditions and limitations: The real property acquisition under this subsection shall be in conformance with the capitol campus master plan, as recommended by the capitol campus design advisory committee and approved by the state capitol committee.

**Appropriation:**

<u>Data Processing Bldg Constr Acct</u> .....	\$	<u>2,100,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>2,100,000</u>

**NEW SECTION. Sec. 4.** A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE DEPARTMENT OF INFORMATION SERVICES**

- (1) Data center and office building: To plan for and design a new data center and office building (93-2-001)

The appropriation in this subsection shall not be expended for building design until:

(a) The site has been recommended by the capitol campus design advisory committee and approved by the state capitol committee; and

(b) The project predesign documents have been reviewed and approved by the office of financial management under section 33 of this act. During the review and approval of predesign and design documents for this project, the office of financial management shall ensure that the sizing and design of the data center minimizes construction costs, provides for flexible facility use, and is consistent with the state's long-term requirements for centralized mainframe-based computing.

**Appropriation:**

<u>Data Processing Bldg Constr Acct</u> .....	\$	<u>1,184,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>58,400,000</u>
<u>TOTAL</u> .....	\$	<u>59,584,000</u>

**"PART 2  
HUMAN SERVICES"**

Sec. 5. 1991 sp.s. c 14 s 10 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT**

For the purposes of this section, "capital cost" means land acquisition and project design and construction. All projects funded in this section, except those under subsection (5) of this section, shall comply with section 54 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

(1) Development loan fund (88-2-002)

The appropriation in this subsection shall be used for loans in timber-dependent communities as defined in Engrossed Substitute House Bill No. 1341.

**Appropriation:**

WA St Dev Loan Acct .....	\$	2,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,000,000

(2) Grays Harbor dredging (88-3-006)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The appropriation is provided solely for the state's share of costs for Grays Harbor dredging, dike construction, bridge relocation, and related expenses.

(b) Expenditure of moneys from this appropriation is contingent on the authorization of \$40,000,000 and an initial appropriation of at least \$13,000,000 from the United States army corps of engineers and the authorization of at least \$10,000,000 from the local government for the project. Up to \$3,500,000 of the local government contribution for the first year on the project may be composed of property, easements, rent adjustments, and other expenditures specifically for the purposes of this appropriation if approved by the army corps of engineers. State funds shall be disbursed at a rate not to exceed one dollar for every four dollars of federal funds expended by the army corps of engineers and one dollar from other nonstate sources.

(c) Expenditure of moneys from this appropriation is contingent on a cost-sharing arrangement and the execution of a local cooperation agreement between the Port of Grays Harbor and the army corps of engineers pursuant to Public Law 99-662, the federal water resources development act of 1986, whereby the corps of engineers will construct the project as authorized by that federal act.

(d) The Port of Grays Harbor shall make the best possible effort to acquire additional project funding from nonstate public grants and/or other governmental sources other than those in (b) of this subsection. Any money, up to \$10,000,000 provided from such sources other than those in (b) of this subsection, shall be used to reimburse or replace state building construction account money. In the event the project cost is reduced, any resulting reduction or reimbursement of nonfederal costs realized by the Port of Grays Harbor shall be shared proportionally with the state.

**Reappropriation:**

St Bldg Constr Acct .....	\$	6,840,318
Prior Biennia (Expenditures) .....	\$	3,159,682
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	10,000,000

(3) Housing capital programs: To construct, acquire, and rehabilitate low-income housing (88-5-015)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$8,000,000 is provided solely for the affordable housing program. The department may not approve a request for assistance under this subsection for projects located in cities and counties that do not have an affordable housing needs assessment approved by the department. The department shall by rule establish the content of the affordable housing needs assessment and criteria for the approval of the affordable housing needs assessment.

(b) \$8,000,000 is provided solely for the low-income weatherization program under chapter 70.164 RCW.

(c) \$34,000,000 is provided solely for the housing assistance program. Effective July 1, 1992, the department may not approve loan or grant requests for projects under this subsection that are inconsistent with the city's or county's and state's comprehensive housing affordability strategy, as required under Title I, section 105, of the National Affordable Housing Act of 1990.

(d) The Washington housing trust fund appropriation is provided solely for the department to contract with the University of Washington college of architecture for: (i) A study of regulatory impediments to affordable housing; (ii) a study on various innovative design techniques that can be used to increase housing density; (iii) a recommendation to the legislature for a new building code and associated regulations that will substantially reduce the cost of housing. No indirect costs of the contracting agent may be paid from this appropriation.

**Reappropriation:**

St Bldg Constr Acct .....	\$	10,000,000
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**Appropriation:**

St Bldg Constr Acct .....	\$	50,000,000
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Washington Housing Trust Fund .....	\$	150,000
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Subtotal Appropriation .....	\$	50,149,500
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Prior Biennia (Expenditures) .....	\$	8,000,000
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Future Biennia (Projected Costs) .....	\$	100,000,000
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TOTAL .....	\$	168,149,500
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(4) Columbia county courthouse (89-4-004)

The appropriations in this subsection are provided solely to repair and restore the Columbia county courthouse and shall be matched by at least \$100,000 in private donations and local funds from Columbia county.

**Reappropriation:**

St Bldg Constr Acct .....	\$	600,000
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**Appropriation:**

St Bldg Constr Acct .....	\$	60,000
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Prior Biennia (Expenditures) .....	\$	0
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Future Biennia (Projected Costs) .....	\$	0
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TOTAL .....	\$	660,000
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## (5) Public works trust fund (90-2-001)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$7,000,000 of the appropriation (~~(in this subsection)~~) is provided solely for the purposes of chapter 314, Laws of 1991, (Engrossed Substitute House Bill No. 1341, timber-dependent communities); and

(b) \$150,000 of the appropriation is provided solely for the department to conduct a study of local government public works needs. The department shall coordinate this study with the complementary needs assessments on water quality and drinking water being conducted by the departments of health and ecology. The department shall report the findings of the study to the house of representatives capital facilities and financing committee and senate ways and means committee by January 1, 1993.

**Reappropriation:**

Public Works Assist ..... \$ 85,734,000

**Appropriation:**

Public Works Assist ..... \$ ((88,491,000))  
88,641,000

Prior Biennia (Expenditures) ..... \$ 54,534,447

Future Biennia (Projected Costs) ..... \$ 231,877,000

TOTAL ..... \$ ((460,636,447))  
460,786,447

## (6) Seventh Street Hoquiam Theatre (90-2-008)

**Reappropriation:**

St Bldg Constr Acct ..... \$ 250,000

Prior Biennia (Expenditures) ..... \$ 0

Future Biennia (Projected Costs) ..... \$ 0

TOTAL ..... \$ 250,000

## (7) Tall ships tourist attraction: To design and construct a tall ship tourist attraction

The reappropriation in this subsection is subject to the following conditions and limitations:

(a) The reappropriation is provided solely to contract with the Grays Harbor Historical Seaport Authority to design and construct a tall ship tourist attraction.

(b) The reappropriation shall be matched by at least \$513,105 from nonstate sources provided solely for capital costs of the project. The match may include cash and in-kind contributions, but may not include cash or in-kind contributions used to match other state moneys provided to the Grays Harbor Historical Seaport Authority.

(c) The department shall ensure that the state's interest is protected by requiring that if the tall ship tourist attraction is sold or its use is changed, the Grays Harbor Historical Seaport Authority shall return to the state of Washington an amount equal to the state's total contribution to the project.

**Reappropriation:**

St Bldg Constr Acct ..... \$ 513,105

Prior Biennia (Expenditures) ..... \$ 486,895

Future Biennia (Projected Costs) ..... \$ 0

TOTAL ..... \$ 1,000,000



- (8) Port of Klickitat dredge spoils: For site preparation and transport and deposit of Columbia river dredge spoils (90-2-013)

The reappropriation in this subsection is subject to the following conditions and limitations:

(a) The port of Klickitat shall sign an agreement to repay the reappropriation plus simple interest at three percent in eight annual installments beginning July 1, 1993; and

(b) Expenditure of money from this reappropriation is contingent on at least \$300,000 from port district funds being provided for the project.

**Reappropriation:**

St Bldg Constr Acct .....	\$	250,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	250,000

- (9) Historic community theaters (90-5-014)

The reappropriation in this subsection is provided solely for grants to preserve historic community theatres. No portion of the reappropriation in this subsection may be spent unless an equal amount from nonstate sources is provided for the same purposes. No more than \$50,000 of the reappropriation shall be expended for renovation of the Admiral Theatre in west Seattle.

**Reappropriation:**

St Bldg Constr Acct .....	\$	250,000
Prior Biennia (Expenditures) .....	\$	250,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	500,000

- (10) Emergency management building minor works (92-2-009)

**Appropriation:**

St Bldg Constr Acct .....	\$	180,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	180,000

- (11) Columbia river dredging: For completing a study on the feasibility of deepening the navigation channel from Astoria to Vancouver (92-5-006)

Expenditure of this appropriation is contingent on \$1,200,000 from the federal government and \$600,000 from the state of Oregon being appropriated for the same purpose.

**Appropriation:**

St Bldg Constr Acct .....	\$	600,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	600,000

- (12) Building for the arts: For grants to local performing arts and art museum organizations for facility improvements or additions (92-5-100)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) Grants are limited to the following projects:

	Estimated Total Capital Cost	State Grant	State Portion
Seattle Children's Theatre	\$ 8,000,000	\$ 1,200,000	15%
Admiral Theatre (Bremerton)	\$ 4,261,000	\$ 639,000	15%
Spokane Symphony	\$ 1,500,000	\$ 225,000	15%
Pacific Northwest Ballet	\$ 7,500,000	\$ 1,125,000	15%
Seattle Symphony	\$ 54,000,000	\$ 8,100,000	15%
Seattle Repertory Theatre	\$ 4,000,000	\$ 600,000	15%
Intiman Theatre	\$ 800,000	\$ 120,000	15%
Broadway Theatre District (Tacoma)	<del>(\$ 8,400,000)</del> \$ 11,800,000	<del>\$ 1,260,000)</del> \$ 1,770,000	15%
Allied Arts of Yakima	\$ 500,000	\$ 75,000	15%
Spokane Art School	\$ 454,000	\$ 68,000	15%
Seattle Art Museum	\$ 4,862,500	\$ 729,000	15%
 Total	 <del>\$(94,277,500)</del> 97,677,500	 <del>\$ 14,141,000)</del> 14,651,000	

(b) The state grant may provide no more than fifteen percent of the estimated total capital cost or actual total capital cost of the project, whichever is less. The remaining portions of project capital costs shall be a match from nonstate sources. The match may include cash and land value.

(c) State funding shall be distributed to projects in the order in which matching requirements have been met.

**Appropriation:**

St Bldg Constr Acct .....	\$	((10,738,900))
		<u>11,248,900</u>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	3,402,100
		-----
TOTAL .....	\$	((14,141,000))
		<u>14,651,000</u>

- (13) Columbia Gorge interpretive center: For construction of a facility in Stevenson with exhibits, classrooms, and a research library (92-5-101)

The appropriation in this subsection shall be matched by at least \$5,000,000 from nonstate sources provided for capital costs of the project. The match may include cash, land value, and other in-kind contributions.

**Appropriation:**

St Bldg Constr Acct .....	\$	5,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	5,000,000

- (14) Seattle Center redevelopment: For upgrading the Coliseum (including engineering and other studies to determine renovation alternatives for the Coliseum), the International Fountain mall, Memorial Stadium, the Center House, the Pacific Arts Center, the Opera House, and central plant; converting the northwest rooms to a conference and exhibit facility; adding parking; renovating and developing open space areas; making improvements to mechanical, electrical, and other high-priority building systems; and making general improvements to the site, including but not limited to signs, fountains, portable stages, and fencing

The appropriation in this subsection shall be matched by moneys from nonstate sources sufficient to pay at least seventy-five percent of the total capital costs of these projects.

**Appropriation:**

St Bldg Constr Acct .....	\$	8,500,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	8,500,000

- (15) Spokane Food Bank: For construction of a freezer/cooler

**Appropriation:**

St Bldg Constr Acct .....	\$	125,000
Prior Biennia (Expenditures) .....	\$	150,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	275,000

- (16) Carolyn Downs Family Medical Center: To construct a new medical facility on the Odessa Brown Children's Clinic campus

The appropriation in this subsection shall be matched by at least \$2,050,000 provided from nonstate sources for capital costs of this project.

**Appropriation:**

St Bldg Constr Acct .....	\$	500,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	500,000

- (17) Nordic Heritage Museum: For building acquisition and improvements (90-2-007)

The reappropriation in this section is contingent on the expenditure for the same purpose of at least two dollars from nonstate sources for each dollar spent from this reappropriation.

**Reappropriation:**

St Bldg Constr Acct .....	\$	200,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	200,000

## (18) Thorp Grist Mill: Restoration (90-5-010)

The reappropriation in this section is contingent on the expenditure for the same purpose of at least two dollars from nonstate sources for each dollar spent from this reappropriation.

**Reappropriation:**

St Bldg Constr Acct .....	\$	10,000
Prior Biennia (Expenditures) .....	\$	20,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	30,000

## (19) Bremerton naval heritage redevelopment project

The reappropriation in this section is subject to the following conditions and limitations:

(a) This reappropriation is provided solely for capital improvements to the naval destroyer U.S.S. Turner Joy, in conjunction with the Bremerton naval heritage redevelopment project.

(b) No portion of this reappropriation may be expended unless an equal amount from nonstate and nonfederal sources is expended for the same purpose.

(c) Prior to the expenditure of this reappropriation, the recipient of the grant shall prepare and submit to the director of community development, for the director's approval, a financial plan that identifies the revenue sources for the completion of the project and for the long-term operation of the project.

**Reappropriation:**

St Bldg Constr Acct .....	\$	190,000
Prior Biennia (Expenditures) .....	\$	66,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	256,000

## (20) Marine science center construction

The reappropriation in this section is subject to the following conditions and limitations:

(a) This reappropriation is provided solely for a grant to the city of Poulsbo for construction of a marine science center to be operated by educational service district no. 114.

(b) Expenditure of this reappropriation is contingent on site acquisition and at least \$300,000 of construction costs contributed from nonstate sources.

**Reappropriation:**

St Bldg Constr Acct .....	\$	498,000
Prior Biennia (Expenditures) .....	\$	2,500
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	500,000

## (21) A Contemporary Theater (90-1-006)

The reappropriation in this section is subject to the following conditions and limitations:

(a) This reappropriation is provided solely for the construction of a new theater in Seattle.

(b) No portion of this reappropriation may be expended unless at least \$9,000,000 from nonstate sources, including the value of land, is provided for the same purpose.

**Reappropriation:**

St Bldg Constr Acct .....	\$	1,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,000,000

- (22) Liberty Theater: To restore and rehabilitate Liberty Theater in Walla Walla

The reappropriation in this section is subject to the following conditions and limitations:

(a) Expenditure of moneys from this reappropriation is contingent on the expenditure for the same purpose of at least one dollar from nonstate sources, including in-kind contributions, for each four dollars spent from this reappropriation.

(b) The reappropriation is provided solely for a grant to a nonprofit corporation for rehabilitation and restoration of the historic Liberty Theater building in Walla Walla.

(c) The owner of the building shall grant to the state an historic preservation easement prior to the expenditure of any funds from this reappropriation.

(d) The nonprofit corporation shall submit to the director of community development, for the director's approval, a financial plan for the long-term operation of the building.

**Reappropriation:**

St Bldg Constr Acct .....	\$	200,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	200,000

- (23) Yakima county: For construction and expansion of jail facilities in Yakima county

The reappropriation in this subsection may not exceed eighty percent of the total capital cost of the project. The remaining portion of project capital costs shall be a match from nonstate sources.

**Reappropriation:**

St Bldg Constr Acct .....	\$	2,400,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,400,000

- (24) Resource Center for the Handicapped: To acquire ~~((the building))~~ and improve the facilities in which the center currently operates

The appropriation in this subsection is subject to the following conditions and limitations:

~~(((a) The appropriation may be used only to purchase the facility declared surplus by the Shoreline school district in which the center operates a program as of the effective date of this section; and~~

~~(b)) No expenditure shall be made until an equal amount of ((private, nongovernmental)) nonstate moneys dedicated to the purchase of the facility have been raised. The matching money may include lease-purchase payments made by the center prior to the effective date of this section.~~

**Appropriation:**

St Bldg Constr Acct .....	\$	<del>((1,500,000))</del>
		<u>1,200,000</u>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	<del>((1,500,000))</del>
		<u>1,200,000</u>

- (25) Columbia river waterfront: Planning and coordinating existing and future land use, park, transportation, historical, and utility improvements along the shoreline of the Columbia river between the flushing channel and the Interstate 205 bridge

The appropriation in this subsection shall be matched by at least \$100,000 from nonstate sources provided for the same purpose.

**Appropriation:**

St Bldg Constr Acct .....	\$	100,000
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Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	100,000

- (26) Asian Resource Center: To construct an Asian Resource Center in Seattle  
 This appropriation shall be matched by at least \$600,000 in cash provided from nonstate sources.

**Appropriation:**

St Bldg Constr Acct .....	\$	150,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	150,000

- (27) Pike Place Market: For a grant to the city of Seattle (the "city") for the Pike Place Market preservation and development authority (the "authority") to acquire the interests of what is known as the urban group partnerships (the "partnerships") in eleven properties located in the Pike Place Market historical district (the "district")

(a) No portion of the appropriation in this subsection may be expended until the ~~((city))~~ authority certifies to the department that:

(i) The settlement proposal agreement dated June 6, 1991, concerning the properties in the district is confirmed, including but not limited to provisions that:

(A) The partnerships will receive not more than a total of \$2,250,000 under the agreement;

(B) All rights, clear title, and interest in the market property will be relinquished by the partnerships and conveyed to the authority; and

(C) All pending litigation and related disputes will be dismissed with prejudice or otherwise finally resolved;

(ii) ~~((The city has amended the authority's charter to preclude any future sales of interests in authority properties in the district that could result in loss of authority management responsibilities;~~

~~((iii)))~~ The authority has executed and recorded a conservation easement, which has been approved by the department, providing protection for the character-defining features of the district. The term of the easement shall extend until the year 2012 or until the bonds sold to provide for this appropriation are retired, whichever is later. The easement shall inure to the benefit of the state.

(b) No portion of the appropriation in this subsection may be expended until:

(i) The authority has executed an agreement with the department on behalf of the state to preclude any future sales of interest in the authority properties in the district that could result in loss of authority management responsibilities, except for reasonable encumbrances necessary for market-related purposes such as (A) repair, renovation, rehabilitation, or improvement of Pike Place Market historical district properties; (B) furthering a public market purpose as defined in the authority charter, the Pike Place Market historical district ordinance, the Pike Place Market urban renewal plan, or other applicable Seattle or state law; (C) fulfilling a requirement of federal, state, or city law; or (D) such other market-related purpose, as approved by the mayor. Such agreement shall expire when the authority's charter is amended as provided in (b)(ii) of this subsection; or

(ii) The city amends the authority's charter to preclude any future sales of the interests in authority properties in the district that could result in loss of authority management responsibilities, except for reasonable encumbrances necessary for market-related purposes such as (A) repair, renovation, rehabilitation, or improvement of Pike Place Market historical district properties; (B) furthering a public market purpose as defined in the authority charter, the Pike Place Market historical district ordinance, the Pike Place Market urban renewal plan, or other applicable Seattle or state law; (C) fulfilling a requirement of federal, state, or city law; or (D) such other market-related purpose, as approved by the mayor. However, should the authority's council or its constituency fail to recommend such amendments to the mayor by June 1, 1992; or if the council and its constituency recommend different amendments, the mayor shall, in his sole discretion, promulgate charter amendments as he deems necessary to fulfill the requirements of this subsection (27)(b)(ii).

(c) The appropriation in this subsection shall be matched by at least \$750,000 provided from nonstate sources for the same purpose as this appropriation.

	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,500,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,500,000
(28)	Keyport Naval Undersea Museum: To complete an auditorium in the museum		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	300,000
	Prior Biennia (Expenditures) .....	\$	500,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	800,000
(29)	Marcus Whitman Statue: To provide a duplicate casting of the official statue of Marcus Whitman and to erect this statue in Walla Walla county		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	53,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	53,000
(30)	Mystic Lake flood assistance: For mitigation of development-induced flooding of the lake		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	53,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	53,000
(31)	Maritime Museum: For exhibit, architecture, and facility planning for a maritime museum on the Seattle waterfront		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	200,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	200,000
(32)	Tacoma educational enrichment center		
	The appropriation in this subsection shall be matched by a contribution of at least \$2,200,000 provided from the Tacoma school district or other local government entity for capital costs of this project. The appropriation in this subsection is provided to the Tacoma school district for a facility to be operated under contract by the metropolitan park district of Tacoma. No funds may be expended until a facility plan has been jointly approved by the Tacoma school district and the metropolitan park district.		

**Appropriation:**

St Bldg Constr Acct .....	\$	2,200,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,200,000

- (33) Meeker Mansion: For acquisition of property adjacent to the Ezra Meeker mansion in Puyallup  
 The appropriation in this subsection is subject to the following conditions and limitations:

(a) The appropriation shall be matched by at least \$~~((200,000))~~ 100,000 provided from the Ezra Meeker Historical Society for land acquisition and development.

(b) ~~((None of the appropriation may be spent until the Ezra Meeker Historical Society demonstrates to the satisfaction of the department that it will be able to raise \$200,000 through pledges and contributions.~~

(e)) The department shall consult with the Washington State Historical Society before expending any portion of this appropriation.

**Appropriation:**

St Bldg Constr Acct .....	\$	200,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	200,000

- (34) Almira and Coulee-Hartline school districts: To make improvements to the Coulee-Hartline facility needed for a cooperative high school program with the Almira school district

The appropriation in this subsection is subject to the following conditions and limitations:

(a) No moneys may be expended until the boards of directors of the two school districts have provided to the department written confirmation that the moneys will be used solely to upgrade the Hartline facility for the purpose of implementing a cooperative high school district under chapter 28A.340 RCW;

(b) The appropriation shall be matched by at least \$100,000 provided by the Almira and Coulee-Hartline school districts for capital costs of the project.

**Appropriation:**

St Bldg Constr Acct .....	\$	240,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	240,000

- (35) Yakima criminal justice facility: For a grant to the city of Yakima for the construction of a new criminal justice facility

The appropriation in this subsection is subject to the following conditions and limitations:

(a) Before receiving the grant, the city shall demonstrate to the satisfaction of the department an ability to complete the construction of the facility and fund its operation.

(b) The grant may not exceed sixty-six percent of the total project capital costs as determined by the department. The remaining portion of project capital costs shall be a match provided from nonstate sources.

**Appropriation:**

St Bldg Constr Acct .....	\$	3,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	3,000,000



- (36) Bonney Lake Park: For a grant to the city of Bonney Lake for the acquisition and development of such facilities as it deems necessary for a park at Bonney Lake

The appropriation in this subsection shall be matched by at least \$35,000 from nonstate sources provided for the same purpose.

**Appropriation:**

St Bldg Constr Acct .....	\$	35,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	35,000

- (37) Snohomish county drainage district number 6: To purchase drainage district number 6 and construct a cross-levée on it, in order to decrease damaging flooding of adjacent lands and to reestablish wetlands

The appropriation in this subsection shall be matched by at least \$585,000 provided from nonstate sources for capital costs of this project.

**Appropriation:**

St Bldg Constr Acct .....	\$	350,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	350,000

- (38) Tears of Joy Theatre: For construction of an international puppetry center in Vancouver

The appropriation in this subsection shall be matched by at least \$1,950,000 from nonstate sources provided for capital costs of the project. The match may include cash, land value, and other in-kind contributions.

**Appropriation:**

St Bldg Constr Acct .....	\$	1,950,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,950,000

- (39) Flood control structures: Repair of damage from November 1990 floods

The appropriation in this subsection is provided solely for the local share of matching funds required for federal assistance to repair flood control structures damaged in the November 1990 floods. Local government jurisdictions in the following counties may receive up to 36.5% of the required local match, or the amount listed below, whichever is less:

Chelan county	\$48,707
Clallam county	7,954
Grays Harbor county	2,755
Island county	656
Jefferson county	4,647
King county	209,337
Kitsap county	9,737
Kittitas county	30,914
Lewis county	14,802
Mason county	1,732
Pacific county	3,528
Pierce county	65,671
San Juan county	492

Skagit county 416,903  
 Snohomish county 188,005  
 Whatcom county 229,160

TOTAL 1,235,000

**Appropriation:**

St Bldg Constr Acct .....	\$	1,235,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,235,000

(40) Fire Training Center: For emergency repairs (93-2-001)

**Appropriation:**

St Bldg Constr Acct .....	\$	50,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	50,000

(41) Columbia River Renaissance: For a grant to the city of Vancouver to provide public access, park, and trails along the Columbia river

The appropriation in this subsection shall be matched by an equal amount of money from nonstate sources for the same purpose.

**Appropriation:**

St Bldg Constr Acct .....	\$	1,800,000
Prior Biennia (Expenditures) .....	\$	100,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,900,000

(42) Pacific Science Center: For building renovation and repairs and for acquisition and renovation of exhibits

Each dollar expended from the appropriation in this subsection shall be matched by at least three dollars from nonstate sources expended for the same purpose.

**Appropriation:**

St Bldg Constr Acct .....	\$	1,061,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,061,000

(43) Tri-Cities Trade, Recreation and Agriculture Center

The appropriation in this subsection may be used only for capital development of an arena multi-purpose facility and adjacent recreation space in the city of Pasco. This appropriation shall be matched by at least one million eight hundred thousand dollars provided from nonstate sources.

**Appropriation:**

St Bldg Constr Acct .....	\$	1,800,000
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<u>Prior Biennia (Expenditures)</u> .....	\$	0
<u>Future Biennia (Projected Costs)</u> .....	\$	0
<b>TOTAL</b> .....	\$	<u>1,800,000</u>

(44) Whatcom Museum: For building and exhibit acquisition, repair, and renovation

Expenditures from the appropriation in this subsection shall not exceed fifteen percent of the total estimated capital costs of the project. The remaining portions of the project costs shall be a match from nonstate sources. The match may include cash and land value received after January 1, 1990.

<b>Appropriation:</b>		
<u>St Bldg Constr Acct</u> .....	\$	300,000
<u>Prior Biennia (Expenditures)</u> .....	\$	0
<u>Future Biennia (Projected Costs)</u> .....	\$	0
<b>TOTAL</b> .....	\$	<u>300,000</u>

(45) Martin Luther King Jr. Memorial: For development of a public park around the memorial in Seattle. Development includes but is not limited to street curbs, sidewalks, lighting, a parking lot, and landscaping

Each dollar expended from the appropriation in this subsection shall be matched by at least one dollar from other sources expended for the same purpose.

<b>Appropriation:</b>		
<u>St Bldg Constr Acct</u> .....	\$	100,000
<u>Prior Biennia (Expenditures)</u> .....	\$	0
<u>Future Biennia (Projected Costs)</u> .....	\$	0
<b>TOTAL</b> .....	\$	<u>100,000</u>

(46) Challenger Learning Center -- Museum of Flight

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The appropriation is provided solely for support of science education at the Challenger learning center at the museum of flight; and

(b) Each dollar expended from the appropriation in this subsection shall be matched by at least one dollar from nonstate sources for the same purpose.

<b>Appropriation:</b>		
<u>St Bldg Constr Acct</u> .....	\$	800,000
<u>Prior Biennia (Expenditures)</u> .....	\$	0
<u>Future Biennia (Projected Costs)</u> .....	\$	0
<b>TOTAL</b> .....	\$	<u>800,000</u>

(47) Science Hall, Washington State Constitutional Convention site in Walla Walla

The appropriation in this subsection is provided solely for a grant to the Downtown Walla Walla Foundation for facade restoration and preservation of Science Hall, the site of the 1878 constitutional convention. The appropriation in this subsection shall be matched by an equal amount of nonstate moneys.

<b>Appropriation:</b>		
<u>St Bldg Constr Acct</u> .....	\$	75,000
<u>Prior Biennia (Expenditures)</u> .....	\$	0
<u>Future Biennia (Projected Costs)</u> .....	\$	0

<u>TOTAL</u> .....	\$	75,000
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NEW SECTION. Sec. 6. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

(1) The department of community development shall issue grants to counties from moneys transferred to the department from the department of ecology under section 12(11) of this act to implement a property owner wetland notification program based on existing or upgraded wetland maps. Counties shall be eligible for these grant funds if they agree to provide notice by mail, either prior to the adoption of regulations adopted pursuant to RCW 36.70A.060 or prior to the final adoption of regulations under RCW 36.70A.120, to property owners that can reasonably be determined by the maps to be affected by the wetland regulations. Adequate notification shall be provided to other interested persons affected by these regulations. Grants shall be issued so as to maximize county participation and notification.

(2) The department of community development shall develop, in consultation with county assessors and the department of revenue, recommended guidelines for valuing property affected by development regulations protecting critical areas. The department shall convene a task force including, but not limited to, assessors, property owners, technical experts, and local government officials to develop these guidelines and to provide recommendations for better coordination of land-use information and property tax administration. County assessors are encouraged to use the guidelines in the next property revaluation. \$25,000 of the moneys transferred to the department of community development from the department of ecology under section 12(11) of this act may be used for the purpose of this subsection (2).

NEW SECTION. Sec. 7. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

- (1) Child care center: For planning and design of a child care facility for state employees (93-5-005)

The appropriation in this subsection is subject to the following conditions and limitations:

- (a) The appropriation shall not be expended until the site has been recommended by the capitol campus design advisory committee and approved by the state capitol committee; and
- (b) The operations of the child care facility shall be managed by the state employees who will utilize the facility.

**Appropriation:**

St Bldg Constr Acct .....	\$	70,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	830,000
<b>TOTAL</b> .....		<b>\$ 900,000</b>

Sec. 8. 1991 sp.s. c 14 s 13 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

- (1) Rainier: Renovate Evergreen Center (79-1-017)

**Reappropriation:**

St Bldg Constr Acct .....	\$	200,000
DSHS Constr Acct .....	\$	119,477
Subtotal Reappropriation .....		\$ 319,477
Prior Biennia (Expenditures) .....	\$	4,230,523
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....		<b>\$ 4,550,000</b>

- (2) Referendum 37: For handicapped facilities construction pursuant to chapter 43.99C RCW (79-3-001)

\$9,529 of the appropriation may be used by Yakima county for improvements at the Community Center for the Deaf to permit increased service level to handicapped clients. This amount may be expended only if the final application for the project is submitted to the department by December 31, 1991, and approved by March 31, 1992.

<b>Reappropriation:</b>	
<del>((<b>Indep Fac Constr Acct</b> .....</del>	<del>\$ 253,531))</del>
<b>St Bldg Constr Acct</b> .....	<b>\$ 88,556</b>
Prior Biennia (Expenditures) .....	\$ 33,371
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ <u>(286,902)</u>
	<u>121,927</u>

- (3) Child study center: Construct high school on the grounds of Western State Hospital (88-1-318)

<b>Reappropriation:</b>	
<b>St Bldg Constr Acct</b> .....	<b>\$ 130,000</b>
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 130,000

- (4) Western State Hospital: Sanitary sewer (88-2-400)

<b>Reappropriation:</b>	
<b>St Bldg Constr Acct</b> .....	<b>\$ 200,000</b>
Prior Biennia (Expenditures) .....	\$ 2,109,238
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 2,309,238

- (5) Echo Glen: Renovate eleven living units at Echo Glen Children's Center (90-1-210)

<b>Reappropriation:</b>	
<b>St Bldg Constr Acct</b> .....	<b>\$ 2,600,000</b>
Prior Biennia (Expenditures) .....	\$ 364,000
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 2,964,000

- (6) Emergency capital repairs (90-1-007)

<b>Reappropriation:</b>	
<b>CEP &amp; RI Acct</b> .....	<b>\$ 25,000</b>
Prior Biennia (Expenditures) .....	\$ 444,578
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 469,578

(7)	Western State Hospital: Ward renovations, phase 4 (90-1-312)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	6,000,000
	Prior Biennia (Expenditures) .....	\$	192,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	6,192,000
(8)	Eastern State Hospital: Ward renovations, phase 2 (90-1-339)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	<del>(2,000,000)</del>
			<u>467,784</u>
	Prior Biennia (Expenditures) .....	\$	2,510,400
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	<del>((4,510,400))</del>
			<u>2,978,184</u>
(9)	Minor capital renewal: Utilities and facilities (90-2-001), roads and grounds (90-2-002), roofs (90-2-003), fire and safety (90-1-004), and hazardous substances (90-1-005)		
	<b>Reappropriation:</b>		
	CEP & RI Acct .....	\$	850,000
	St Bldg Constr Acct .....	\$	450,000
	Subtotal Reappropriation .....	\$	1,300,000
	Prior Biennia (Expenditures) .....	\$	2,633,393
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	4,733,725
(10)	Small repairs and improvements (90-2-008)		
	<b>Reappropriation:</b>		
	CEP & RI Acct .....	\$	50,000
	Prior Biennia (Expenditures) .....	\$	140,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	190,000
(11)	Minor projects: Bureau of alcohol (90-2-010)		
	<b>Reappropriation:</b>		
	CEP & RI Acct .....	\$	350,000
	Prior Biennia (Expenditures) .....	\$	92,400
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	442,400

(12) Minor projects: Juvenile rehabilitation division (90-2-020)

<b>Reappropriation:</b>	
<b>CEP &amp; RI Acct</b> .....	\$ 200,000
<b>St Bldg Constr Acct</b> .....	\$ 25,000
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Subtotal Reappropriation .....	\$ 225,000
Prior Biennia (Expenditures) .....	\$ 285,781
Future Biennia (Projected Costs) .....	\$ 0
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<b>TOTAL</b> .....	<b>\$ 510,781</b>

(13) Minor projects: Mental health division (90-2-030) and (90-2-032)

<b>Reappropriation:</b>	
<b>St Bldg Constr Acct</b> .....	\$ 200,000
<b>CEP &amp; RI Acct</b> .....	\$ 65,000
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Subtotal Appropriation .....	\$ 265,000
Prior Biennia (Expenditures) .....	\$ 460,000
Future Biennia (Projected Costs) .....	\$ 0
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<b>TOTAL</b> .....	<b>\$ 725,000</b>

(14) Snohomish county: Mental health evaluation and treatment facility (90-2-033)

The reappropriation in this subsection is subject to the following conditions and limitations:

(a) The reappropriation is provided solely for a mental health evaluation and treatment facility in Snohomish county.

(b) No moneys from the reappropriation may be expended until the department enters into an agreement with Snohomish county or a group of counties for the facility. The payments under the agreement shall be either at least equal to the facility component of the state average rate-per-patient day paid by the department to community mental health providers for comparable services, or at least equal to the amount of this reappropriation amortized over fifteen years.

(c) No moneys from the reappropriation may be expended before adoption of a plan to provide mental health services through a regional support network as required by chapter 205, Laws of 1989.

(d) Other counties or regions that adopt plans for mental health services as required by chapter 205, Laws of 1989, shall be eligible for application to the state for future evaluation and treatment facility moneys under the same conditions as are provided in subsections (a) and (b) of this subsection, as long as no applicant receives appropriated moneys from state sources exceeding one million dollars.

<b>Reappropriation:</b>	
<b>St Bldg Constr Acct</b> .....	\$ 800,000
Prior Biennia (Expenditures) .....	\$ 200,000
Future Biennia (Projected Costs) .....	\$ 0
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<b>TOTAL</b> .....	<b>\$ 1,000,000</b>

(15) Minor projects: Developmental disabilities division (90-2-040)

<b>Reappropriation:</b>	
<b>St Bldg Constr Acct</b> .....	\$ 250,000
Prior Biennia (Expenditures) .....	\$ 484,222
Future Biennia (Projected Costs) .....	\$ 0
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<b>TOTAL</b> .....	<b>\$ 734,222</b>

(16)	Minor capital renewal, mental health (90-2-060)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	500,000
	Prior Biennia (Expenditures) .....	\$	500,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,000,000
(17)	Child care facilities (90-2-300)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	350,000
	Prior Biennia (Expenditures) .....	\$	250,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	600,000
(18)	Eastern State: Electrical distribution system (90-2-345)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	600,000
	Prior Biennia (Expenditures) .....	\$	771,600
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,371,600
(19)	Lakeland Village: Steam plant replacement (90-2-425)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	3,000,000
	Prior Biennia (Expenditures) .....	\$	1,063,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	4,063,000
(20)	Preplanning (90-4-009)		

The new appropriation in this subsection is provided solely for preplanning activities for the Administration Building at Lakeland Village, the security housing and treatment unit at Green Hill, and the vocational educational and administration buildings at Maple Lane.

	<b>Reappropriation:</b>		
	CEP & RI Acct .....	\$	50,000
	<b>Appropriation:</b>		
	CEP & RI Acct .....	\$	273,300
	Prior Biennia (Expenditures) .....	\$	141,400
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	464,700



(21)	Maple Lane: To add twenty-four new level 2 security beds (90-5-001)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	1,100,000
	Prior Biennia (Expenditures) .....	\$	156,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,256,000
(22)	Echo Glen: ( <del>Perimeter fence</del> ) Security improvements (90-5-002)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	<del>(850,000)</del>
			<u>500,000</u>
	Prior Biennia (Expenditures) .....	\$	106,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	<del>(956,000)</del>
			<u>606,000</u>
(23)	Fircrest: Food bank facility (90-5-011)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	700,000
	Prior Biennia (Expenditures) .....	\$	88,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	788,000
(24)	Minor capital renewal fire safety (92-1-004), utilities and facilities (92-2-001), roads and grounds (92-2-002), and roofs (92-2-003)		
	<b>Appropriation:</b>		
	CEP & RI Acct .....	\$	3,284,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	7,136,000
	TOTAL .....	\$	10,420,000
(25)	Environmental: For minor works projects, including asbestos abatement, PCBs and other hazardous substances, and for planning functions pertaining to environmental/capital proposals (92-1-005)		
	<b>Appropriation:</b>		
	CEP & RI Acct .....	\$	359,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	664,000
	TOTAL .....	\$	1,023,000

- (26) Emergency and unanticipated projects: For emergency and unanticipated repairs to equipment, facilities, and infrastructures at state institutions (92-1-007)

**Appropriation:**

CEP & RI Acct .....	\$	250,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	538,100
TOTAL .....	\$	788,100

- (27) Underground storage tanks: To test, replace, and/or remove underground storage tanks state-wide (92-1-060)

**Appropriation:**

CEP & RI Acct .....	\$	145,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	618,000
TOTAL .....	\$	673,000

- (28) Western State Hospital: To complete phase 5 of 7 phases, including ward renovations, hospital administration and support spaces, and patient treatment areas (92-1-314)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	13,669,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	13,669,000

- (29) Eastern State Hospital: To complete phase 3 of 5 phases, including ward treatment areas, hospital support space, and necessary utilities (92-1-340)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	7,578,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	7,578,000

- (30) Small works: For miscellaneous projects under \$25,000 each at the various institutions (92-2-008)

**Appropriation:**

CEP & RI Acct .....	\$	192,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	430,500
TOTAL .....	\$	622,500

- (31) Minor projects, alcohol and substance abuse division: For miscellaneous minor repairs, safety, and electrical repairs at Northern State Hospital (92-2-010)

**Appropriation:**

CEP & RI Acct .....	\$	300,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	300,000

- (32) Minor projects, juvenile rehabilitation division: For the upgrade of the water supply, sewer treatment, and security (92-2-020)

**Appropriation:**

CEP & RI Acct .....	\$	957,500
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	1,849,731
		-----
TOTAL .....	\$	2,807,231

- (33) Minor projects, mental health division: For minor projects including storm sewer, electrical system, air conditioning, food distribution system, loading dock cover, and new parking lots at Western State Hospital; administration renovation, window security screens, outdoor recreation restrooms at Eastern State Hospital; cemetery fence and kitchen improvements at the Portal facility (92-2-030)

**Appropriation:**

CEP & RI Acct .....	\$	1,317,200
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	2,656,600
		-----
TOTAL .....	\$	3,973,800

- (34) Minor projects, developmental disabilities division: For minor projects, including the "Y" Building renovation at Fircrest; replacement of living unit floors at Lakeland Village, a state-wide facilities and land use plan; renovation of bathroom and kitchen floors at Rainier School; and added support space and playground expansion at Yakima Valley School (92-2-040)

**Appropriation:**

CEP & RI Acct .....	\$	912,400
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	1,472,000
		-----
TOTAL .....	\$	2,384,400

- (35) Maple Lane: To add sixty-four new level I security beds (92-2-225)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	6,715,800
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	6,715,800

- (36) Maple Lane: To add forty-seven new level 2 security beds (92-2-230)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ~~((of this act))~~, chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	3,107,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	3,107,000

- (37) Child study: For construction of a new education
- ~~((center (high school)))~~
- facility (primary and secondary)
- at the child study and treatment center (92-2-319)

**Appropriation:**

St Bldg Constr Acct .....	\$	<del>((2,642,300))</del> <u>4,442,300</u>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	<del>((2,642,300))</del> <u>4,442,300</u>

- (38) Maintenance management: For completion of the maintenance management system at Medical Lake and Olympia (92-3-050)

**Appropriation:**

CEP & RI Acct .....	\$	292,800
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	473,500
TOTAL .....	\$	766,300

- (39) Resource conservation: For energy and water conservation projects (92-4-006)

**Appropriation:**

CEP & RI Acct .....	\$	561,100
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	442,600
TOTAL .....	\$	1,003,700

- (40) Child care facilities for state employees, including higher education employees (92-4-050)

The appropriation in this subsection is subject to the following conditions and limitations: The department shall report to the appropriate committees of the legislature by January 1, 1993, on grant guidelines which encourage proposals that provide for management oversight of a child care facility by the state employees who will utilize the facility. Nothing in this subsection shall be construed to imply, or commit the state to, any liability for the acts or omissions of the state employees who provide management oversight at the facilities.

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 2,500,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 2,500,000

- (41) Washington Institute for Mental Illness Research at Western State Hospital

<b>Appropriation:</b>	
CEP & RI Acct .....	\$ 700,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 700,000

**NEW SECTION. Sec. 9.** A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

The provision of social and health services by a private nonprofit corporation operating in any county containing a population greater than forty thousand and less than seventy thousand people for an extended period of time constitutes consideration by the private nonprofit corporation acquiring property or property interests owned by a county, which property or property interests were acquired in whole or in part from money appropriated and authorized by chapter 43.83D RCW, if the property will be used for the provision of the social and health services.

**NEW SECTION. Sec. 10.** A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:  
**FOR THE DEPARTMENT OF VETERANS' AFFAIRS**

- (1) Alzheimer unit: Design and remodel one wing of the Washington soldier's home for proper care and supervision of Alzheimer patients (93-2-001)

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 126,445
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 126,445

- (2) Korean War memorial: To build and erect a Korean War memorial on the capitol campus

Expenditure of the appropriation in this subsection is contingent on a match of at least \$200,000 from nonstate sources for the same purpose.

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 50,000
Prior Biennia (Expenditures) .....	\$ 25,000
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 75,000

**Sec. 11.** 1991 sp.s. c 14 s 16 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

The appropriations in this section are subject to the following condition and limitation: The department shall, to the extent possible, employ inmate labor in the construction of projects where such employment use will save money.

- (1) Washington State Reformatory: Continuation of cellblock renovations, and expansion of the industries and production areas and the gym (83-3-048)

The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ((of this act)), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 1,800,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 9,687,000
Prior Biennia (Expenditures) .....	\$ 19,513,213
Future Biennia (Projected Costs) .....	\$ 9,281,500
TOTAL .....	\$ 40,281,713

- (2) Washington State Penitentiary: For improving security facilities and utilities (83-3-052)

The new appropriation in this subsection is provided solely to renovate perimeter walls and towers.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 1,300,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 1,609,000
Prior Biennia (Expenditures) .....	\$ 11,536,721
Future Biennia (Projected Costs) .....	\$ 4,274,000
TOTAL .....	\$ 18,719,721

- (3) McNeil Island Corrections Center: For replacement of water mains; installation of new telephone switch gear; purchase of an underwater power cable for emergency use; replacement of overhead power lines and poles; and projects related to regulation of the landfill (86-1-002)

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 4,800,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 3,230,500
Prior Biennia (Expenditures) .....	\$ 2,084,319
Future Biennia (Projected Costs) .....	\$ 4,780,000
TOTAL .....	\$ 14,894,819

(4)	McNeil Island Corrections Center: For repairs of roads and sea walls (86-1-004)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	700,000
	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	1,922,500
	Prior Biennia (Expenditures) .....	\$	5,400,879
	Future Biennia (Projected Costs) .....	\$	3,737,000
	TOTAL .....	\$	11,760,379
(5)	McNeil Island Corrections Center: For repair of island homes, replacement of the emergency generator, and fire and safety improvements to institutional buildings (86-1-008)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	2,100,000
	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	2,040,000
	Prior Biennia (Expenditures) .....	\$	6,084,008
	Future Biennia (Projected Costs) .....	\$	3,805,000
	TOTAL .....	\$	14,029,008
(6)	State-wide wastewater system improvements: For improvements to the laboratory at the wastewater facilities at the Monroe Reformatory; for upgrades of the sewage pumping system at Twin rivers Correctional Center; and for renovation of sewer lines at several facilities (88-1-017).		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	450,000
	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	2,298,000
	Prior Biennia (Expenditures) .....	\$	863,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	3,611,000
(7)	State-wide water system improvements: To construct a new 120,000-gallon reservoir at Twin rivers Correctional Center; to upgrade storage tanks at the Washington Correctional Center at Shelton and the Larch Correctional Center; to drill a new well at Clearwater/Olympic Correctional Center; to increase reservoir capacity at Cedar Creek Correctional Center; and to upgrade water treatment and storage at the Washington State Reformatory Honor Farm (88-1-018)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	900,000
	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	1,731,000
	Prior Biennia (Expenditures) .....	\$	461,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	3,092,000

- (8) McNeil Island Corrections Center: Continue major renovation and expansion of the McNeil Island Correction Center (88-2-003)

The new appropriation in this subsection shall be not expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ~~((of this act))~~, chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 27,000,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 37,126,000
Prior Biennia (Expenditures) .....	\$ 5,012,222
Future Biennia (Projected Costs) .....	\$ 12,708,000
TOTAL .....	\$ 81,846,222

- (9) Work and training release relocation and expansion: To relocate and expand the work release facility currently located at Western State Hospital

No portion of this appropriation may be expended to purchase land until the department conducts a life-cycle cost analysis for the operating and capital costs of a facility to be located on the land and reports the results of the analysis to the fiscal committees of the legislature.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 4,000,000
Prior Biennia (Expenditures) .....	\$ 415,400
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 4,415,400

- (10) Washington Corrections Center for Women: For major renovation of existing facilities, including construction of thirty-bed special needs unit and addition of one hundred beds (88-2-006)

The new appropriation in this subsection shall be not expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ~~((of this act))~~, chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 900,000
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ <del>(3,388,000)</del>
	\$ 11,097,000
Prior Biennia (Expenditures) .....	\$ 715,000
Future Biennia (Projected Costs) .....	\$ <del>(7,709,000)</del>
	\$ 0
TOTAL .....	\$ 12,712,000

- (11) Hazardous materials management (90-1-004)

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 200,000
Prior Biennia (Expenditures) .....	\$ 79,000
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 279,000



(12)	Washington Corrections Center/Washington Corrections Center for Women: Perimeter security upgrade (90-1-007)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	600,000
	Prior Biennia (Expenditures) .....	\$	1,052,000
	Future Biennia (Projected Costs) .....	\$	1,183,000
	TOTAL .....	\$	2,835,000
(13)	State-wide minor projects (90-1-009)		
	<b>Reappropriation:</b>		
	CEP & RI Acct .....	\$	900,000
	St Bldg Constr Acct .....	\$	2,700,000
	Subtotal Reappropriation .....	\$	2,200,000
	Prior Biennia (Expenditures) .....	\$	1,749,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	5,349,000
(14)	State-wide small repairs and improvements (90-1-010)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	300,000
	Prior Biennia (Expenditures) .....	\$	456,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	756,000
(15)	State-wide emergency repair projects (90-1-013)		
	<b>Reappropriation:</b>		
	CEP & RI Acct .....	\$	150,000
	<b>Appropriation:</b>		
	CEP & RI Acct .....	\$	750,000
	Prior Biennia (Expenditures) .....	\$	600,000
	Future Biennia (Projected Costs) .....	\$	750,000
	TOTAL .....	\$	2,250,000

- (16) New facilities: To design and construct a new 1,024-bed medium-security prison, and four minimum-security correctional facilities, for a total of 2,424 new beds (90-2-001)

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ((of this act)), chapter 14, Laws of 1991 sp.s.

(b) \$10,045,000 is provided solely to construct a 300-bed correctional camp at the Dayton site.

**Reappropriation:**

St Bldg Constr Acct .....	\$	51,550,000
<del>((Drug Enf &amp; Ed Acct .....</del>	<del>\$</del>	<del>5,000,000</del>
Subtotal Reappropriation .....	\$	57,450,000))

**Appropriation:**

St Bldg Constr Acct .....	\$	<del>((96,036,000))</del>
		101,936,000
Prior Biennia (Expenditures) .....	\$	3,038,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	156,524,000

- (17) Washington State Penitentiary: For minimum security unit double bunking (90-2-003)

**Reappropriation:**

St Bldg Constr Acct .....	\$	1,050,000
Prior Biennia (Expenditures) .....	\$	160,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,210,000

- (18) Twin rivers Corrections Center: Double bunking (90-2-004)

**Reappropriation:**

St Bldg Constr Acct .....	\$	2,500,000
Prior Biennia (Expenditures) .....	\$	481,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,981,000

- (19) Washington State Penitentiary: Medium-security complex double bunking (90-2-005)

**Reappropriation:**

St Bldg Constr Acct .....	\$	1,000,000
Prior Biennia (Expenditures) .....	\$	128,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,128,000

(20)	Clearwater/Olympic Corrections Center: 100-bed expansion (90-2-006)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,200,000
	Prior Biennia (Expenditures) .....	\$	538,000
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	1,738,000
(21)	Cedar Creek Corrections Center: 100-bed expansion (90-2-007)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,450,000
	Prior Biennia (Expenditures) .....	\$	187,000
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	1,637,000
(22)	Washington State Penitentiary: Expand medium-security complex industries building (90-2-016)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,100,000
	Prior Biennia (Expenditures) .....	\$	113,000
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	1,213,000
(23)	State-wide roof repair: For reroofing projects at the Corrections Center at Shelton, Cedar Creek Corrections Center, Indian Ridge Corrections Center, Clearwater/Olympic Corrections Center, Monroe Reformatory, and the Treatment Center for Women at Purdy facilities (90-3-011)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	150,000
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,631,000
	Prior Biennia (Expenditures) .....	\$	1,350,000
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	4,131,000
(24)	Clallam Bay Corrections Center: To expand program space and add three hundred forty-nine beds (90-5-026)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	23,000,000
	Prior Biennia (Expenditures) .....	\$	2,301,000
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	25,301,000

## (25) Camp labor pool funds (90-5-031)

Moneys from the reappropriation in this subsection shall be made available to the department for expanded capacity projects in the event inmate labor cannot be employed.

**Reappropriation:**

St Bldg Constr Acct .....	\$	229,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	229,000

## (26) Underground storage tanks: To test, replace, and/or remove underground storage tanks state-wide (92-1-002)

**Appropriation:**

St Bldg Constr Acct .....	\$	300,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	1,000,000
TOTAL .....	\$	1,300,000

## (27) State-wide minor projects: For projects less than \$500,000 pertaining to life safety/code compliance, property protection, or essential program support (92-1-012)

**Appropriation:**

St Bldg Constr Acct .....	\$	7,500,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	4,976,000
TOTAL .....	\$	12,476,000

## (28) State-wide small repairs and improvements: For miscellaneous state-wide projects, each under \$25,000 (92-1-013)

**Appropriation:**

St Bldg Constr Acct .....	\$	497,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	497,000

## (29) Washington Corrections Center: To retrofit the boiler at Shelton (92-1-026)

In retrofitting the boiler, the department shall consider using wood pellets or natural gas, whichever is the more economically competitive, as the primary fuel source for the boiler.

**Appropriation:**

St Bldg Constr Acct .....	\$	2,164,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,164,000

- (30) Washington State Penitentiary: To add space for recreation, legal libraries, medical/dental unit, property and a clothing room at medium-security facilities (92-2-021)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>1,443,000</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<b>1,443,000</b>

- (31) Washington State Penitentiary: To add space to the current gym, and upgrade systems for heating, ventilation, and air conditioning, fire protection, lighting, and electricity (92-2-022)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>888,000</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<b>888,000</b>

- (32) Washington Corrections Center: For installation of a new underground steam distribution/condensation return system (92-2-028)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>729,000</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<b>729,000</b>

- (33) Washington State Reformatory: For initiation of a feasibility study for relocation of program and living space at the honor farm (92-2-029)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>230,000</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	1,000,000
<b>TOTAL</b> .....	\$	<b>1,230,000</b>

- (34) Washington State Reformatory: Restoration and repair of perimeter walls (92-2-031)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>1,084,000</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<b>1,084,000</b>

- (35) Pilot preventive maintenance program: For computer hardware and software for a computer-based preventative maintenance system (92-4-033)

The appropriation in this subsection is subject to the following conditions and limitations: The department of corrections shall, every six months, submit a progress report on this project to the department of general administration, the office of financial management, the senate committee on ways and means, and the house of representatives committee on capital facilities and financing.

**Appropriation:**

St Bldg Constr Acct .....	\$	325,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	325,000

- (36) Cedar Creek Corrections Center upgrade: Core facilities improvements and dormitory expansion (92-2-024)

**Appropriation:**

St Bldg Constr Acct .....	\$	1,426,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,426,000

- (37) Mental health planning: The department shall develop a facility plan for a mental health delivery system including outpatient treatment, short-term crisis beds, and acute long-term inpatient facilities. The plan shall maximize outpatient and short-term crisis beds where appropriate through the utilization of current capacity including utilization of infirmary beds as short-term mental health crisis observation beds. Plans for new long-term inpatient capacity shall supplement and not replace existing capacity at the Special Offender Center in Monroe (93-2-035)

**Appropriation:**

<u>St Bldg Constr Acct .....</u>	<u>\$</u>	<u>200,000</u>
<u>Prior Biennia (Expenditures) .....</u>	<u>\$</u>	<u>0</u>
<u>Future Biennia (Projected Costs) .....</u>	<u>\$</u>	<u>0</u>
<u>TOTAL .....</u>	<u>\$</u>	<u>200,000</u>

- (38) Land acquisition: To acquire a purchase option on land adjacent to the Coyote Ridge Corrections Center (93-2-036)

**Appropriation:**

<u>St Bldg Constr Acct .....</u>	<u>\$</u>	<u>24,000</u>
<u>Prior Biennia (Expenditures) .....</u>	<u>\$</u>	<u>0</u>
<u>Future Biennia (Projected Costs) .....</u>	<u>\$</u>	<u>2,500,000</u>
<u>TOTAL .....</u>	<u>\$</u>	<u>2,524,000</u>

"PART 3

NATURAL RESOURCES"

Sec. 12. 1991 sp.s. c 14 s 18 (uncodified) is amended to read as follows:

## FOR THE DEPARTMENT OF ECOLOGY

(1)	Referendum 26: Waste disposal facilities (74-5-004)		
	<b>Reappropriation:</b>		
	<b>LIRA, Waste Disp Fac</b> .....	\$	15,660,673
	Prior Biennia (Expenditures) .....	\$	8,093,028
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	23,753,701
(2)	Referendum 38: Water supply facilities (74-5-006)		
	<b>Reappropriation:</b>		
	<b>LIRA, Water Sup Fac</b> .....	\$	26,744,618
	Prior Biennia (Expenditures) .....	\$	2,466,576
	Future Biennia (Projected Costs) .....	\$	29,763,000
	TOTAL .....	\$	58,974,194
(3)	State emergency water project revolving account (76-5-003)		
	<b>Reappropriation:</b>		
	<b>Emergency Water Proj</b> .....	\$	7,599,337
	<b>Appropriation:</b>		
	<b>Emergency Water Proj</b> .....	\$	1,343,929
	Prior Biennia (Expenditures) .....	\$	16,586,284
	Future Biennia (Projected Costs) .....	\$	224,761
	TOTAL .....	\$	25,754,311
(4)	Referendum 39: Waste disposal facilities 1980 bond issue (82-5-005)		
	No expenditure from the reappropriation in this subsection shall be made for any grant valued over fifty million dollars to a city or county for solid waste disposal facilities unless the following conditions are met:		
	(a) The city or county agrees to comply with all the terms of the grant contract between the city or county and the department of ecology;		
	(b) The city or county agrees to implement curbside collection of recyclable materials as prescribed in the grant contract; and		
	(c) The city or county does not begin actual construction of the solid waste disposal facility until it has obtained a permit for prevention of significant deterioration as required by the federal clean air act.		
	<b>Reappropriation:</b>		
	<b>LIRA, Waste Disp Fac <u>1980</u></b> .....	\$	<del>((61,598,000))</del> 60,012,180
	Prior Biennia (Expenditures) .....	\$	401,402,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	<del>((463,000,000))</del> 461,414,180
(5)	Water quality account (86-5-007)		

The appropriations in this subsection are subject to the following conditions and limitations:

(a) In awarding grants, extending grant payments, or making loans from these appropriations for facilities that discharge directly into marine waters, the department shall:

(i) Give first priority to secondary wastewater treatment facilities that are mandated by both federal and state law;

(ii) Give second priority to projects that reduce combined sewer overflows; and

(iii) Encourage economies that are derived from any simultaneous projects that achieve the purposes of both (a) and (b) of this subsection.

(b) The following limitations shall apply to the department's total distribution of funds appropriated under this section:

(i) Not more than fifty percent for water pollution control facilities that discharge directly into marine waters;

(ii) Not more than twenty percent for water pollution control activities that prevent or mitigate pollution of underground waters and facilities that protect federally designated sole source aquifers with at least two-thirds for the Spokane-Rathdrum Prairie aquifer;

(iii) Not more than ten percent for water pollution control activities that protect freshwater lakes and rivers including but not limited to Lake Chelan and the Yakima and Columbia rivers;

(iv) Not more than ten percent for activities that control nonpoint source water pollution;

(v) Ten percent and such sums as may be remaining from the categories specified in (i) through (iv) of this subsection for water pollution control activities or facilities as determined by the department.

(c) In determining compliance schedules for the greatest reasonable reduction of combined sewer overflows, the department shall consider the amount of grant or loan moneys available to assist local governments in the planning, design, acquisition, construction, and improvement of combined sewer overflow facilities.

(d) \$330,000 of the water quality account appropriation is provided solely for the department to evaluate water quality, solid and hazardous waste, and toxics cleanup needs of the state. The amount provided in this subsection represents the water quality account share of funding the evaluation. The department shall include in the evaluation information regarding existing needs and recommendations on how to address those needs within existing state financial assistance programs. The evaluation shall include options that rely solely on existing tax sources. The department shall also evaluate long-range financial options, including a greater reliance on loans, which take into account local financial resources. The evaluation shall be done in coordination with the state agency coordinating council established in Engrossed Substitute House Bill No. 1025 (Growth Management Strategies). If the bill is not enacted by July 31, 1991, the director of the department shall coordinate with the department of community development, the department of health, and the Puget Sound water quality authority as well as with other appropriate state and local agencies. By November 1, 1991, the department shall submit to the chairs of the house capital facilities and financing committee and the senate ways and means committee, a detailed work plan, budget, and schedule for completion of the evaluation.

**Reappropriation:**

Water Quality Acct .....	\$	134,422,504
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**Appropriation:**

Water Quality Acct .....	\$	((85,607,310))
		<u>72,686,310</u>

Prior Biennia (Expenditures) .....	\$	53,036,533
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Future Biennia (Projected Costs) .....	\$	157,835,000
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TOTAL .....	\$	((430,901,347))
		<u>417,980,347</u>

(6) Nisqually River Interpretive Center

**Appropriation:**

St Bldg Constr Acct .....	\$	150,000
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Prior Biennia (Expenditures) .....	\$	0
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Future Biennia (Projected Costs) .....	\$	0
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TOTAL .....	\$	150,000
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(7) Local toxics control account (88-5-008)

\$270,000 of the new appropriation in this subsection is provided solely for the evaluation required in subsection (5)(d) of this section.

\$300,000 of the new appropriation in this subsection is provided solely for a pilot grant program to address remedial actions involving the contamination of drinking water supplies from hazardous substances. The pilot grant program is limited to remedial action where a responsible party has not been identified or held responsible. The department may establish an appropriate local match requirement for the pilot grant program. The department shall report to the appropriate committees of the legislature regarding the state-wide need for programs to clean up drinking water supplies contaminated by hazardous substances. This report shall be consolidated into the evaluation required in subsection (5)(d) of this section.

<b>Reappropriation:</b>	
Local Toxics Control .....	\$ 27,653,297
<b>Appropriation:</b>	
Local Toxics Control .....	\$ 59,183,607
Prior Biennia (Expenditures) .....	\$ 18,467,142
Future Biennia (Projected Costs) .....	\$ 106,984,641
TOTAL .....	\$ 212,288,687

(8) Methow Basin water conservation

This appropriation in this subsection shall be used to fund water use efficiency improvements in this Methow Basin, including the installation of headworks, weirs, and fish screens on existing irrigation diversions, metering of miscellaneous water uses, and lining of irrigation canals and ditches in identified high priority irrigation systems.

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 400,000
LIRA, Water Sup Fac .....	\$ 800,000
Subtotal Appropriation .....	\$ 1,200,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 1,200,000

(9) Flood control assistance: For the purpose of flood control assistance under RCW 86.26.040 through 86.26.105

The appropriation in this subsection is subject to the following conditions and limitations: Moneys from this appropriation shall be used solely for capital purposes.

<b>Appropriation:</b>	
<u>St Bldg Constr Acct .....</u>	<u>\$ 4,000,000</u>
<u>Prior Biennia (Expenditures) .....</u>	<u>\$ 0</u>
<u>Future Biennia (Projected Costs) .....</u>	<u>\$ 0</u>
<u>TOTAL .....</u>	<u>\$ 4,000,000</u>

(10) Water pollution control facility loans

<b>Reappropriation:</b>	
<u>Water Pollution Cont Rev Fund .....</u>	<u>\$ 33,106,000</u>

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**Appropriation:**

<u>Water Pollution Cont Rev Fund</u> .....	\$	<u>83,047,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>7,400,000</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>71,000,000</u>
<u>TOTAL</u> .....	\$	<u>194,553,000</u>

(11) Transfer to department of community development

The appropriation in this subsection is provided solely for transfer to the department of community development for grants to counties to implement a property owner wetland notification program.

Appropriation:

<u>Water Quality Account</u> .....	\$	<u>350,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>350,000</u>

NEW SECTION. Sec. 13. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

- (1) Sewer facilities: For sewer improvements at the following state parks: Ike Kinswa, Millersylvania, Lewis and Clark Trail, Bayview, Sequim Bay, Penrose Point, Tolmie, Fort Casey, Fort Ebey, and Maryhill

**Appropriation:**

<u>LIRA, Waste Fac 1980</u> .....	\$	<u>1,585,820</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>1,585,820</u>

- (2) Flaming Geysers: Bridge relocation, phase 2 (87-2-029)

The appropriation in this section is in addition to the appropriations in section 19(7), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

<u>ORA-State</u> .....	\$	<u>90,000</u>
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(3) Deception Pass: Repair failed water system

**Appropriation:**

St Bldg Constr Acct .....	\$	283,180
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	283,180

(4) Bogachiel Park: Repair storm damage to comfort stations

**Appropriation:**

St Bldg Constr Acct .....	\$	50,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	50,000

(5) Chuckanut Hill: Planning and acquisition for addition to Larrabee state park

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The appropriation in this subsection is provided solely for property acquisition, may not be used to acquire development rights, and is subject to chapter 43.99 RCW.

(b) Prior to the expenditure of any funds provided from this subsection, Whatcom county shall have acquired under forest board ownership a majority of the 1200-acre parcel of privately owned land adjacent and to the north of Larrabee state park. The county shall also have entered into an agreement with the board of natural resources committing the county to manage these lands, adjacent to Larrabee state park, as county park land under RCW 76.12.072.

(c) Prior to the expenditure of any funds provided from this subsection, either the city of Bellingham or Whatcom county shall have made application to the interagency committee for outdoor recreation for funding available through the wildlife and recreation program so that the city or county may acquire park lands adjacent to Larrabee state park. The application may provide for management of the lands by the State Parks and Recreation Commission.

(d) No additional state funds may be expended for this acquisition unless authorized by the interagency committee for outdoor recreation in accordance with chapter 43.98A RCW.

**Appropriation:**

ORA .....	\$	500,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	500,000

(6) Olmstead Place--Senator Frank "Tub" Hansen Memorial Interpretive Center, including parking facilities, restrooms, and display kiosk

**Appropriation:**

St Bldg Constr Acct .....	\$	93,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	93,000

NEW SECTION. Sec. 14. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

The appropriation in this section is provided to make payment for timber in Bogachiel, Scenic Beach, and Rockport state parks, which payment remains as an obligation from the transfers of trust lands to the state parks and recreation commission. It is the intent of the legislature that all moneys expended under this section result in revenue to the common school construction fund. The department of natural resources may use intergrant exchanges to accomplish the intent of this section. Any moneys from this appropriation that remain unexpended on December 31, 1992, shall be deposited in the common school construction fund.

**Appropriation**

Common School Reimb Constr Acct .....	\$	8,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....		\$ 8,000,000

**NEW SECTION. Sec. 15.** A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

The state parks and recreation commission may sell to a city or county for one dollar existing park lands or interpretive centers that are closed because of budgetary constraints. The purchasing city or county must agree to keep the park land or interpretive center open for public access and use. The conveyance agreement shall contain a reversionary interest held by the commission that takes effect if the property is ever used for any purpose other than a public park or interpretive center.

**NEW SECTION. Sec. 16.** A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE WASHINGTON STATE DAIRY PRODUCTS COMMISSION**

- (1) Acquire permanent facility: To acquire a permanent facility to house the offices and operations of the commission (92-5-001)

The appropriation in this subsection is subject to the following conditions and limitations: At least one dollar from the commission's operating funds shall be spent for each three dollars spent from this appropriation.

**Appropriation:**

WA St Dairy Prod Comm Fac Acct .....	\$	900,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....		\$ 900,000

**Sec. 17.** 1991 sp.s. c 14 s 20 (uncodified) is amended to read as follows:

**FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION**

- (1) Grants to public agencies (90-2-001)

**Reappropriation:**

St Bldg Constr Acct .....	\$	498,000
ORA-Federal .....	\$	637,000
ORA-State .....	\$	1,911,000
Firearms Range Acct .....	\$	-405,000
Subtotal Reappropriation .....	\$	3,451,000
Prior Biennia (Expenditures) .....	\$	6,254,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....		\$ 9,705,000

(2) Wildlife conservation and recreation (90-5-002)

**Reappropriation:**

ORA-State .....	\$	22,000,000
Habitat Conservation Acct .....	\$	21,830,000
-----		
Subtotal Reappropriation .....	\$	43,830,000
Prior Biennia (Expenditures) .....	\$	9,170,000
Future Biennia (Projected Costs) .....	\$	0
-----		
TOTAL .....	\$	53,000,000

(3) Grants to public agencies (92-2-001)

The appropriations in this section are subject to the following conditions and limitations:

(a) ~~(\$10,400,000)~~ \$11,150,000 of the state building and construction account appropriation in this subsection is provided solely for matching grants to local governments for projects contained in the governor's Washington wildlife and recreation submittal list from categories designated for local governments. The committee shall require a match of at least fifty percent.

(b) \$138,000 of the state outdoor recreation account may be used for additional program staff for administration.

(c) The legislature hereby approves, without exception, the list of local projects dated October 1, 1991, submitted by the interagency committee for outdoor recreation to the office of financial management.

**Appropriation:**

ORA-Federal .....	\$	2,000,000
ORA-State .....	\$	7,738,000
Firearms Range Acct .....	\$	222,000
St Bldg Constr Acct .....	\$	<del>((10,400,000))</del>
-----		
Subtotal Appropriation .....	\$	<del>((20,360,000))</del>
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		<u>21,360,000</u>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	21,764,000
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TOTAL .....	\$	<del>((42,124,000))</del>
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		<u>42,874,000</u>

(4) Washington wildlife and recreation program

(a) One-half of the appropriation in this subsection shall be deposited into and is hereby appropriated from the habitat conservation account and one-half shall be deposited into and is hereby appropriated from the state outdoor recreation account, for the Washington wildlife and recreation program, as established under chapter 43.98A RCW.

(b) All land acquired by a state agency with moneys from this appropriation shall comply with class A, B, and C weed control provisions of chapter 17.10 RCW.

(c) The following projects are deleted from the approved list of projects established under chapter 43.98A RCW:

- (i) Hatten-Tracy rock acquisitions (project #925033)
- (ii) Yakima river canyon acquisition (project #925055)
- (iii) Okanogan sharp-tailed grouse habitat (project #925040)
- (iv) Southeast Washington critical habitat acquisition (project #925042)
- (v) Esquaztel coulee acquisition (project #935064)

**Appropriation:**

St Bldg Constr Acct .....	\$	50,000,000
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Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	105,000,000
		-----
TOTAL .....	\$	155,000,000

- (5) Clear creek dam: To rebuild the dam according to plans approved by the United States bureau of reclamation (93-2-002)

The appropriation in this subsection is contingent on at least \$3,250,000 being provided from federal and local sources. The state shall not be obligated for project costs that exceed this appropriation.

<b>Appropriation:</b>		
<u>St Bldg Constr Acct</u> .....	\$	<b>1,550,000</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	<b>1,550,000</b>

- NEW SECTION. Sec. 18.** A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:  
**FOR THE DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT**

- (1) Washington Technology Center,(92-5-001)

The appropriation in this subsection is provided solely for the design and outfitting of the first and second floor laboratory spaces in Fluke Hall.

<b>Appropriation:</b>		
<u>St Bldg Constr Acct</u> .....	\$	<b>1,000,000</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	<b>1,000,000</b>

- NEW SECTION. Sec. 19.** A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:  
**FOR THE DEPARTMENT OF FISHERIES**

- (1) Coast and Puget Sound salmon enhancement (92-5-001)

<b>Appropriation:</b>		
<u>St Bldg Constr Acct</u> .....	\$	<b>513,311</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	<b>513,311</b>

- (2) Habitat management (92-2-001)

<b>Appropriation:</b>		
<u>General Fund-Federal</u> .....	\$	<b>800,000</b>
<u>General Fund-Priv/Loc</u> .....	\$	<b>800,000</b>
		-----
Subtotal Appropriation .....	\$	<b>1,600,000</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	<b>1,600,000</b>

NEW SECTION. Sec. 20. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE DEPARTMENT OF WILDLIFE**

(1) Repair of flood damage on Luhrs Landing

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 40,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 40,000

(2) Hood Canal Wetlands Interpretive Center: For a grant to the North Mason School District to construct a wetlands education center at the Mary E. Theler wetlands

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The school district shall provide and maintain public access, education, and passive recreation opportunities.

(b) The appropriation in this subsection shall be matched by an equal amount of money from other sources for the purposes described in this subsection.

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 500,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 500,000

(3) Skagit wildlife area dike repair (92-3-008)

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 145,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 145,000

Sec. 21. 1991 sp.s. c 14 s 26 (uncodified) is amended to read as follows:

**FOR THE PARKS AND RECREATION COMMISSION: TIMBERLAND PURCHASES AND COMMON SCHOOL PURCHASES**

The appropriation in this section is subject to the following conditions and limitations:

(1) This appropriation is provided to the state parks and recreation commission ("commission") solely to acquire trust lands that have been identified by the department of natural resources ("department") as appropriate for state park use and development. Except as specifically otherwise provided in this section, the commission shall acquire the following parcels:

- (a) Lord Hill, in Snohomish county, west of Monroe;
- (b) Beacon Rock, in Skamania county, adjacent to Beacon Rock State Park;
- (c) Larrabee Addition, (1 and 2) in Whatcom county, northeast of Larrabee State Park and Chuckanut Mountain;
- (d) South Whidbey, in Island county, adjacent to South Whidbey State Park;
- (e) Wallace Falls Addition, in Snohomish county, adjacent to Wallace Falls State Park;

- (f) Soleduck corridor, in Clallam county, on the Soleduck river at Sappho;
- (g) Dugualia Bay property, in Island county, on the northeast shore of Whidbey Island;
- (h) Rasar property, in Skagit county, west of Birdsvew, near the Skagit river;
- (i) Wallace Falls Addition (Northwest) property, in Snohomish county, adjacent to the northwestern side of the designated park property;
- (j) Wallace Falls Addition (Southwest) property, in Snohomish county, adjacent to the southwestern side of Wallace Falls State Park;
- (k) Hoypus Hill in Island county south of Hoypus Point Natural Forest Area at Deception Pass State Park;
- (l) Lake Easton in Easton in Kittitas county west of Lake Easton State park near the town of Easton;
- (m) Diamond Point, in Clallam county, on the Strait of Juan de Fuca; and
- (n) Skykomish river property, along Highway 2, near Index.

(2) The commission may expend moneys from this appropriation for acquisition of the Skykomish river property under subsection (1)(n) of this section only to the extent that moneys remain available after the commission has made all reasonable efforts to acquire the other properties identified in this subsection. If funds remain available after all properties in subsections (1)(a) through (1)(n) of this section have been purchased, the commission may purchase additional properties from the following list:

- (a) Squak Mountain trust property, King county, south of existing Squak Mountain State Park;
- (b) Doug's Beach trust property, Klickitat county, east of Lyle on the Columbia river;
- (c) Point Lawrence Addition trust property, San Juan county, adjacent to designated park property on the eastern most point of Orcas Island;
- (d) Obstruction Pass trust property, San Juan county near Obstruction Island on the southeast point of Orcas Island;
- (e) Bottle Beach trust property, Grays Harbor county, southeast of Westport along the Ocasta-Bay City Road; and
- (f) R.F. Kennedy Recreation Site trust property, Pierce county, on Whitman Cove along Case Inlet.

(3) To achieve the purposes of this section, intergrant exchanges between common school trust lands and parcels of noncommon school trust lands shall occur on an equal-value basis.

(4) Proceeds from the transfer of the timber shall be deposited by the department in the same manner as timber revenues from other common school trust lands. No deduction may be made for the resource management cost account under RCW 79.64.040. The proceeds from the transfer of the land shall be used by the department to acquire timber land of equal value to be managed as common school trust land and to maintain a sustainable yield.

(5) The department shall attempt to maintain an aggregate ratio of ~~((approximately))~~ 85:15 timber-to-land value in these transactions. If the aggregate value of timber-to-land varies by more than plus or minus five percent of that ratio, individual land acquisitions ~~((may))~~ shall be dropped in order to maintain ~~((the approximate))~~ a ratio in this range.

(6) It is the intent of the legislature that, insofar as feasible, the full parcels identified in subsection (1) of this section be acquired for park purposes. However, to the extent authorized by the commission, House Bill No. 2990, or Senate Bill No. 6509, the boundaries of the Diamond Point property under subsection (1)(m) of this section may vary from the property boundaries as described in the joint study conducted by the commission and the department under section 4, chapter 163, Laws of 1985.

**Appropriation:**

St Bldg Constr Acct .....	\$	50,000,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	50,000,000

NEW SECTION. Sec. 22. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

- (1) Land transfers: For acquisition of replacement lands as authorized by House Bill No. 2533 or Senate Bill No. 6161

**Appropriation:**

Nat Res Prop Repl Acct .....	\$	30,000,000
Prior Biennia (Expenditures) .....	\$	0



Future Biennia (Projected Costs) . . . . .	\$	20,000,000
		-----
TOTAL . . . . .	\$	50,000,000

NEW SECTION. Sec. 23. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE STATE CONVENTION AND TRADE CENTER**

- (1) Minor works: For minor works improvement projects, including security improvements, lighting enhancements, and space expansions (93-2-001)

The appropriation in this subsection is subject to the following conditions and limitations: Before expending the appropriation in this subsection, the Washington State Convention and Trade Center shall report to the office of financial management and to the fiscal committees of the legislature a status report on the convention and trade center account and the convention and trade center operations account. The status report shall include, but not be limited to: Amounts borrowed under RCW 67.40.045 and 67.40.055 and corresponding repayment schedules, projections of future revenues and expenditures, transfers between accounts, and compliance with provisions of RCW 67.40.040.

**Appropriation:**

St Conv & Trade Ctr Acct . . . . .	\$	1,050,000
Prior Biennia (Expenditures) . . . . .	\$	0
Future Biennia (Projected Costs) . . . . .	\$	0
		-----
TOTAL . . . . .	\$	1,050,000

**"PART 4  
EDUCATION"**

Sec. 24. 1991 sp.s. c 14 s 30 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD OF EDUCATION**

The appropriations in subsections (1) through (9) of this section are subject to the following condition and limitation: Total cash disbursed from the common school construction fund may not exceed the available cash balance.

- (1) Public school building construction (79-3-002)

**Reappropriation:**

Common School Constr Fund . . . . .	\$	500
Prior Biennia (Expenditures) . . . . .	\$	0
Future Biennia (Projected Costs) . . . . .	\$	0
		-----
TOTAL . . . . .	\$	500

- (2) Public school building construction (83-3-001)

**Reappropriation:**

Common School Constr Fund . . . . .	\$	110,000
Prior Biennia (Expenditures) . . . . .	\$	490,000
Future Biennia (Projected Costs) . . . . .	\$	0
		-----
TOTAL . . . . .	\$	600,000

(3)	Public school building construction (86-4-001)		
	<b>Reappropriation:</b>		
	<b>Common School Constr Fund</b> .....	\$	1,100,000
	Prior Biennia (Expenditures) .....	\$	1,400,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	2,500,000
(4)	Public school building construction (86-4-008)		
	<b>Reappropriation:</b>		
	<b>Common School Constr Fund</b> .....	\$	70,000
	Prior Biennia (Expenditures) .....	\$	75,298
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	145,298
(5)	Public school building construction (88-2-001)		
	<b>Reappropriation:</b>		
	<b>Common School Constr Fund</b> .....	\$	4,000,000
	Prior Biennia (Expenditures) .....	\$	61,328,022
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	65,328,022
(6)	Public school building construction (89-2-004)		
	<b>Reappropriation:</b>		
	<b>Common School Constr Fund</b> .....	\$	80,000
	Prior Biennia (Expenditures) .....	\$	2,920,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	3,000,000
(7)	Public school building construction (90-2-001)		
	<b>Reappropriation:</b>		
	<b>Common School Constr Fund</b> .....	\$	156,000,000
	Prior Biennia (Expenditures) .....	\$	252,527,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	408,527,000
(8)	Public school building construction (91-2-001)		

The appropriations in this subsection are subject to the following conditions and limitations:

(a) A maximum of \$1,200,000 may be spent for state administration of school construction funding.

(b) A maximum of \$225,000 may be expended for two full-time equivalent field staff with construction/architectural experience to assist in evaluating project requests and reviewing information reported by school districts.

(c) A maximum of \$100,000 may be expended for development of a new priority system pursuant to (f) of this subsection.

(d) Funding (~~for common school construction and modernization~~) is provided first for projects approved for state assistance by the state board as of January 26, 1991, and ready to receive a commitment of state funds

on July 1, 1992. The remaining funding is provided for projects approved for state assistance by the state board after January 26, 1991, subject to (e) of this subsection. ~~((Of the funds available for obligation by the state board after state administration costs and after the costs incurred under (b) and (c) of this subsection, fifty eight percent is provided solely for approved new construction projects to serve unhoused students, four percent is provided solely for approved condemnation projects, and thirty four percent is provided solely for approved modernization projects. The remaining funds shall be allocated at the discretion of the state board.))~~

(e) Projects approved for state assistance by the state board after January 26, 1991, pursuant to WAC 180-25-040~~((;))~~ shall be placed on a new priority system developed by the state board pursuant to (f) of this subsection. In approving projects for construction of new school facilities to meet enrollment growth, after July 1, 1992, the board shall give priority to districts that have implemented a modified school calendar or schedule that is designed to increase the pupil capacity of the district's school buildings. The state board may allocate funds for financial assistance to school districts for capital planning related to the implementation of a modified school calendar or schedule as authorized in Engrossed Substitute House Bill No. 2631.

(f)(i) The state board shall develop a new priority system for allocating state assistance for school construction and modernization projects. The priority system shall include evaluation of projects according to objective criteria established by the state board and a process for review of data submitted by school districts. In developing the system and the criteria, the state board shall consider the following factors: Type of space requested; current space availability, age, and condition; cost benefit considerations of new construction as compared to modernization; impacts of maintenance on the condition of facilities; impacts of delay of receipt of state assistance; and short and long-range demographic projections.

(ii) The state board shall present a progress report and implementation plan to the governor and the appropriate fiscal committees of the legislature by February 15, 1992.

(g) The common school reimbursable construction account appropriation in this section serves as compensation to the common school construction fund for any obligation owed the fund as a result of vocational technical institutes being transferred from the authority of a local school district and the superintendent of public instruction to the state board for community and technical colleges as directed by chapter 238, Laws of 1991 (Engrossed Substitute Senate Bill No. 5184, workforce training and education).

**Appropriation:**

Common School Constr Fund .....	\$	<del>((135,500,000))</del>
		<u>164,300,000</u>
Common School Reimb Constr Acct .....	\$	<del>((120,000,000))</del>
		<u>247,500,000</u>
		-----
Subtotal Appropriation .....	\$	<del>((255,500,000))</del>
		<u>411,800,000</u>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	350,000,000
		-----
TOTAL .....	\$	<del>((605,500,000))</del>
		<u>761,800,000</u>

~~((9)) Public school building construction (91 2 001)~~

The appropriation in this subsection is subject to the following conditions and limitations:

- (a) This appropriation is subject to all conditions and limitations contained in subsection (8) of this section.

**Appropriation:**

<del>Common School Constr Fund .....</del>	<del>\$</del>	<del>21,000,000</del>
<del>Prior Biennia (Expenditures) .....</del>	<del>\$</del>	<del>0</del>
<del>Future Biennia (Projected Costs) .....</del>	<del>\$</del>	<del>0</del>
		-----
<del>TOTAL .....</del>	<del>\$</del>	<del>21,000,000))</del>

NEW SECTION. Sec. 25. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

- (1) Before-and-after-school child care facility grants: To establish or expand before-and-after-school child care programs housed within public elementary schools (93-5-001)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) Grants shall be awarded to public school districts on a competitive basis, and shall be used to support the capital costs of establishing or expanding a before-and-after-school child care program. Eligible capital costs shall include facility improvements and acquisition of equipment with a long-term useful life.

(b) The superintendent of public instruction shall, in consultation with the child care coordinating committee under RCW 74.13.090, establish criteria for the awarding of grants. Such criteria shall include, but not be limited to, the percentage of nonstate funding to be contributed to the project, the number of children to be served, the cost per child care slot, and the projected lifespan of the before-and-after-school child care program. The operation of child care programs conducted in facilities funded by this appropriation shall be contracted through private or not-for-profit child care providers.

**Appropriation:**

St Bldg Constr Acct .....	\$	375,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	375,000

Sec. 26. 1991 sp.s. c 14 s 34 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

- (1) Safety: Fire code, PCB, and life safety (86-1-001)

**Reappropriation:**

UW Bldg Acct .....	\$	6,890,000
Prior Biennia (Expenditures) .....	\$	2,298,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	9,188,000

- (2) Safety: Asbestos removal (86-1-002)

**Reappropriation:**

UW Bldg Acct .....	\$	4,900,000
Prior Biennia (Expenditures) .....	\$	600,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	5,500,000

- (3) Minor works: Building renewal (86-1-004)

**Reappropriation:**

UW Bldg Acct .....	\$	6,200,000
Prior Biennia (Expenditures) .....	\$	5,983,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	12,183,000

- (4) Health Science Center G Court, H Wing, and I Court addition (86-2-021) and H Wing renovation (88-2-015)

**Reappropriation:**

St Bldg Constr Acct .....	\$	43,508,000
UW Bldg Acct .....	\$	3,500,000
		-----
Subtotal Reappropriation .....	\$	47,008,000
Prior Biennia (Expenditures) .....	\$	7,856,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	54,864,000

- (5) Minor works: Program renewal (86-3-005)

The reappropriations in this subsection are provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Reappropriation:**

UW Bldg Acct .....	\$	3,800,000
Prior Biennia (Expenditures) .....	\$	9,540,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	13,340,000

- (6) Power plant boiler: To replace boiler number four with a gas and oil fixed boiler, including upgrades in the central heating plant (88-2-022)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Reappropriation:**

St Bldg Constr Acct .....	\$	360,000
UW Bldg Acct .....	\$	240,000
		-----
Subtotal Reappropriation .....	\$	600,000

**Appropriation:**

St Bldg Constr Acct .....	\$	19,872,000
Prior Biennia (Expenditures) .....	\$	468,495
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	20,340,495

(7) K Wing addition (90-1-001)

The reappropriation in this subsection is provided from the proceeds of state general obligation bonds reimbursed from university indirect cost revenues from federal research grants and contracts pursuant to RCW 43.99H.020(18).

<b>Reappropriation:</b>	
H Ed Constr Acct .....	\$ 45,000,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 45,000,000

(8) Emergency power generation (90-2-001)

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 10,500,000
Prior Biennia (Expenditures) .....	\$ 610,000
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 11,110,000

(9) Physics: To construct and equip a new building for the physics and astronomy departments (90-2-009)

The project funded by the appropriations in this subsection shall be constructed on campus. The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ~~((of this act))~~, chapter 14, Laws of 1991 S.P.S.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 4,000,000
<b>Appropriation:</b>	
H Ed Reimb Constr Acct .....	\$ 64,786,000
Prior Biennia (Expenditures) .....	\$ 3,778,000
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 72,564,000

(10) Chemistry I: Design and construction (90-2-011)

The reappropriation in this subsection is subject to the following conditions and limitations:

(a) The reappropriation shall not be expended for construction until the project predesign and design documents have been reviewed and approved by the office of financial management under section 33 of this act.

(b) The project funded by the reappropriation in this subsection shall be constructed on campus.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 37,200,000
Prior Biennia (Expenditures) .....	\$ 1,952,000
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 39,152,000

- (11) Electrical engineering and computer science building: To complete the design of a replacement building for the departments of electrical engineering and computer science and engineering (90-2-013) (92-2-024)

The project funded by the appropriations in this subsection shall be constructed on campus. Other than for preplanning, the reappropriation shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ((of this act)), chapter 14, Laws of 1991 SP.S.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 3,450,000
<b>Appropriation</b>	
St Bldg Constr Acct .....	\$ 1,147,000
Subtotal Appropriation .....	\$ ((5,597,000))
	<u>4,597,000</u>
Prior Biennia (Expenditures) .....	\$ 661,000
Future Biennia (Projected Costs) .....	\$ 93,500,000
TOTAL .....	\$ 98,758,000

- (12) Electrical distribution system (88-1-011), power plant chiller (88-1-012), power plant stack replacement (88-1-023)

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 830,000
UW Bldg Acct .....	\$ 770,000
Subtotal Reappropriation .....	\$ 1,600,000
Prior Biennia (Expenditures) .....	\$ 7,539,000
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 9,139,000

- (13) Safety: Fire code, PCB, and life safety projects including: Cleanup of asbestos, compliance with federal regulations for PCB removal and contaminated soil, ((and)) life and physical safety, and fire code regulations (92-1-004)

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ ((10,640,000))
	<u>10,700,000</u>
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 33,333,000
TOTAL .....	\$ ((43,973,000))
	<u>44,033,000</u>

- (14) Minor capital renewal: To complete minor projects costing under \$500,000 that renew or bring campus facilities into code compliance (92-1-005)

The appropriations in this subsection are provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Appropriation:**

St Bldg Constr Acct .....	\$	3,525,000
UW Bldg Acct .....	\$	5,000,000

Subtotal Appropriation .....	\$	8,525,000
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Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	40,200,000

TOTAL .....	\$	48,725,000
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- (15) Communications Building Renovation (88-2-014)

**Reappropriation:**

St Bldg Constr Acct .....	\$	2,015,000
UW Bldg Acct .....	\$	1,167,000

Subtotal Reappropriation .....	\$	3,182,000
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Prior Biennia (Expenditures) .....	\$	3,555,000
Future Biennia (Projected Costs) .....	\$	0

TOTAL .....	\$	6,737,000
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- (16) Nuclear reactor decommission: To design the removal and decontamination of the nuclear reactor on campus (92-1-022)

**Appropriation:**

St Bldg Constr Acct .....	\$	235,000
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Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	2,488,000

TOTAL .....	\$	2,723,000
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- (17) Kincaid basement: To build twenty-two thousand-square feet of basement space between the Kincaid Building and the new Physics Building (92-2-002)

**Appropriation:**

St Bldg Constr Acct .....	\$	3,314,000
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Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0

TOTAL .....	\$	3,314,000
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- (18) Physics Hall renovation, program: To complete the design for renovation of the existing Physics Hall (92-2-008)

The appropriation in this subsection shall not be expended on design documents until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	2,543,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	37,800,000
TOTAL .....	\$	40,343,000

- (19) Chiller addition: To add one central power plant chiller unit (92-2-009)

**Appropriation:**

St Bldg Constr Acct .....	\$	2,459,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,459,000

- (20) Data communications: To complete several data communications projects involving infrastructure, wiring, and building modifications (92-2-010)

**Appropriation:**

St Bldg Constr Acct .....	\$	2,700,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,700,000

- (21) Electrical distribution: To upgrade the campus electrical distribution (92-2-012)

**Appropriation:**

St Bldg Constr Acct .....	\$	1,300,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,300,000

- (22) Other utility projects: To remove and decontaminate underground storage tanks and other repair projects (92-2-013)

The appropriation in this subsection may be expended only after compliance with section 6(2) (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	460,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	20,000,000
TOTAL .....	\$	20,460,000

- (23) Comparative medicine facility: To construct an animal laboratory facility (92-2-017)

**Appropriation:**

St Bldg Constr Acct .....	\$	700,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	700,000

- (24) Minor capital improvements: To complete minor remodeling projects costing under \$500,000 that improve space usage and make repairs for specific campus programs or buildings (92-3-006)

The appropriations in this subsection are provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Appropriation:**

St Bldg Constr Acct .....	\$	5,703,000
UW Bldg Acct .....	\$	5,000,000
Subtotal Appropriation .....	\$	10,703,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	40,250,000
TOTAL .....	\$	50,953,000

- (25) Parrington Hall exterior: To repair the exterior of Parrington Hall (92-3-018)

**Appropriation:**

UW Bldg Acct .....	\$	1,759,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,759,000

- (26) Meany Hall exterior renovation: To replace the leaking exterior of Meany Hall (92-3-019)

The appropriation in this subsection shall not be expended for design documents until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

UW Bldg Acct .....	\$	7,238,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	7,238,000

(27) Denny Hall exterior repair: To repair and seismically improve the exterior of Denny Hall (92-3-020)

**Reappropriation:**

St Bldg Constr Acct .....	\$	215,000
<b>Appropriation:</b>		
UW Bldg Acct .....	\$	1,670,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....		-----
	\$	1,885,000

(28) Fisheries II/utilities: To prepare plans for extending the utilities infrastructure to the west campus, constructing a new fisheries building, and replacing the facility for police and custodial units (92-2-027)

The appropriation in this subsection shall not be expended on design documents until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St( <del>ate</del> ) Bldg Constr Acct .....	\$	1,850,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	91,528,000
TOTAL .....		-----
	\$	93,378,000

(29) Olympic Natural Resources Center

The appropriation in this subsection shall not be expended for design documents until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	5,675,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....		-----
	\$	5,675,000

(30) Employee day care facility--Preplanning

The appropriation in this subsection is provided solely for the purpose of acquiring, preparing a site for meeting the needs identified in the November 1987 child-care study conducted for the higher education coordinating board. In acquiring a site, the University shall make every effort to locate the child-care facility within a two-mile radius of the main Seattle campus and shall give a high priority to the use of buildings owned, but not used by, the Seattle school district.

**Appropriation:**

St Bldg Constr Acct .....	\$	150,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....		-----
	\$	150,000

(31) School of Business expansion: Predesign and design (93-4-001)

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The appropriation shall not be expended for design documents until the project predesign documents have been reviewed and approved by the office of financial management under section 33 of this act.

(b) The appropriation in this subsection shall be matched by and spent concurrently with at least \$650,000 in cash provided from nonstate sources.

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>650,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>5,350,000</u>
<u>TOTAL</u> .....	\$	<u>6,000,000</u>

(32) Henry Art Gallery expansion and renovation: For predesign and design phase

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The appropriation shall be not expended for design documents until the project predesign documents have been reviewed and approved by the office of financial management under section 33 of this act.

(b) The appropriation in this subsection shall be matched by \$1,500,000 from nonstate sources. Phase II construction shall be matched by at least \$4,200,000 from nonstate sources.

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>300,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>8,316,000</u>
<u>TOTAL</u> .....	\$	<u>8,616,000</u>

(33) Burke Memorial Washington State Museum: For building renovations and new exhibits

The appropriation in this subsection shall be matched by at least \$733,000 from other sources for the same purpose.

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>2,200,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>2,200,000</u>

Sec. 27. 1991 sp.s. c 14 s 35 (uncodified) is amended to read as follows:

**FOR WASHINGTON STATE UNIVERSITY**

(1) Science Hall renewal, phase 2 (86-1-006)

**Reappropriation:**

<u>H Ed Constr Acct</u> .....	\$	<u>400,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>10,804,000</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>11,204,000</u>

(2) Minor capital improvements (90-1-001)

The reappropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Reappropriation:**

WSU Bldg Acct .....	\$	1,788,000
Prior Biennia (Expenditures) .....	\$	3,212,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	5,000,000

(3) Minor capital renewal (90-1-002)

The reappropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Reappropriation:**

St Bldg Constr Acct .....	\$	1,950,000
Prior Biennia (Expenditures) .....	\$	3,050,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	5,000,000

(4) Washington higher education telecommunications system: To convert one of two analog channels to digital (90-2-021)

Any expenditure under this reappropriation shall be consistent with the plan being developed by the department of information services for the 1991 legislative session for the cost-effective, incremental implementation of a coordinated state-wide video telecommunications system.

**Reappropriation:**

WSU Bldg Acct .....	\$	2,700,000
Prior Biennia (Expenditures) .....	\$	55,000
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	2,755,000

(5) Land acquisition (Branch Campus) (90-5-002)

**Reappropriation:**

St Bldg Constr Acct .....	\$	250,000
Prior Biennia (Expenditures) .....	\$	1,095,333
Future Biennia (Projected Costs) .....	\$	0
		-----
TOTAL .....	\$	1,345,333

- (6) Tri-Cities University Center (90-5-901)

**Reappropriation:**

St Bldg Constr Acct .....	\$	2,850,000
Prior Biennia (Expenditures) .....	\$	9,548,000
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	12,398,000

- (7) Minor capital improvements: To complete minor remodeling projects costing under \$500,000 that improve space usage and make repairs for specific campus programs or buildings (92-1-001)

The appropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Appropriation:**

WSU Bldg Acct .....	\$	6,500,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	21,300,000
TOTAL .....	\$	27,800,000

- (8) Expansion of east campus substation: To provide an additional 15,000 KVA electrical power capacity to the existing east campus substation (92-1-015)

**Reappropriation:**

WSU Bldg Acct .....	\$	525,100
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**Appropriation:**

WSU Bldg Acct .....	\$	670,000
Prior Biennia (Expenditures) .....	\$	7,900
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,203,000

- (9) Smith Gym electrical system replacement: To replace the entire building-wide electrical system (92-1-017)

**Reappropriation:**

WSU Bldg Acct .....	\$	638,300
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**Appropriation:**

WSU Bldg Acct .....	\$	542,000
Prior Biennia (Expenditures) .....	\$	9,700
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,190,000

- (10) Hazardous, pathological, and radioactive waste handling facilities: To provide centralized facilities to prepare, package, and ship biomedical, pathological, hazardous, low-level, and nonradioactive waste (92-1-019)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~(of this act)~~), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
WSU Bldg Acct .....	\$ 21,700
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 1,343,000
Prior Biennia (Expenditures) .....	\$ 130,300
Future Biennia (Projected Costs) .....	\$ 5,570,000
	-----
TOTAL .....	\$ 7,065,000

- (11) Asbestos removal: To remove asbestos contaminated fireproofing from the roof beams and support structures of the Coliseum (92-1-020)

The appropriation in this subsection may be expended only after compliance with section 6(3) (~~(of this act)~~), chapter 14, Laws of 1991 sp.s.

<b>Appropriation:</b>	
WSU Bldg Acct .....	\$ 1,513,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 1,513,000

- (12) Fulmer Hall: To design renovations of Fulmer Hall Annex to meet fire, safety, and handicap access code requirements and to make changes in functional use of space (92-1-023)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~(of this act)~~), chapter 14, Laws of 1991 sp.s.

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 957,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 7,943,000
	-----
TOTAL .....	\$ 8,900,000

- (13) Nuclear radiation center study (92-1-025)

<b>Reappropriation:</b>	
WSU Bldg Acct .....	\$ 13,400
Prior Biennia (Expenditures) .....	\$ 39,600
Future Biennia (Projected Costs) .....	\$ 0
	-----
TOTAL .....	\$ 53,000

- (14) Minor capital renewal: To complete minor projects costing under \$500,000 that renew or bring campus facilities into code compliance (92-2-002)

The appropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Appropriation:**

St Bldg Constr Acct	\$	5,500,000
Prior Biennia (Expenditures)	\$	0
Future Biennia (Projected Costs)	\$	0
TOTAL	\$	5,500,000

- (15) Preplanning: To complete preplanning documents for the following projects: Engineering teaching-research building, animal sciences laboratory building, Thompson Hall renewal, Heald Hall renewal, Holland Library renewal, Bohler Gym addition/renewal, Kimbrough Hall addition, and classroom auditorium building (92-2-003)

The preplanning document shall include but not be limited to projected workload, site conditions, user requirements, current space available, and an overall budget and cost estimate breakdown in a form prescribed by the office of financial management.

**Appropriation:**

WSU Bldg Acct	\$	869,000
Prior Biennia (Expenditures)	\$	0
Future Biennia (Projected Costs)	\$	0
TOTAL	\$	869,000

- (16) Holland Library addition: To furnish and equip the library addition (92-2-012)

**Reappropriation:**

St Bldg Constr Acct	\$	29,500,000
WSU Bldg Acct	\$	48,600
Subtotal Reappropriation	\$	29,548,600

**Appropriation:**

St Bldg Constr Acct	\$	2,580,000
Prior Biennia (Expenditures)	\$	4,992,400
Future Biennia (Projected Costs)	\$	0
TOTAL	\$	37,121,000

- (17) Veterinary teaching hospital: To construct and furnish a new teaching hospital for the department of veterinary medicine and surgery (92-2-013)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Reappropriation:**

St Bldg Constr Acct	\$	970,000
WSU Bldg Acct	\$	110,000
Subtotal Reappropriation	\$	1,080,000



**Appropriation:**

<b>H Ed Reimb Constr Acct</b> .....	\$	<b>26,835,000</b>
Prior Biennia (Expenditures) .....	\$	747,000
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<b>28,662,000</b>

- (18) Child care facility: To design, construct, and furnish a child care facility by remodeling the vacated Rogers-Orton Dining Hall (92-2-014)

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>2,171,000</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<b>2,171,000</b>

- (19) Carpenter Hall completion (renewal): To complete the renovation of Carpenter Hall (92-2-016)

**Reappropriation:**

<b>H Ed Constr Acct</b> .....	\$	<b>500,000</b>
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**Appropriation:**

<b>WSU Bldg Acct</b> .....	\$	<b>810,000</b>
Prior Biennia (Expenditures) .....	\$	6,289,715
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<b>7,599,715</b>

- (20) Communication infrastructure renewal: To design and construct university-wide communications facilities for telephone, computer, and audio-visual services (92-2-018)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ((of this act)), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>10,000,000</b>
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<b>10,000,000</b>

- (21) Todd Hall renewal: To renovate the entire building, including upgrading electrical and other building-wide systems, modernizing and refurbishing of classrooms and offices (92-2-021)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ((of this act)), chapter 14, Laws of 1991 sp.s.

**Reappropriation:**

<b>WSU Bldg Acct</b> .....	\$	<b>37,000</b>
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**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>1,143,000</b>
Prior Biennia (Expenditures) .....	\$	145,000
Future Biennia (Projected Costs) .....	\$	14,795,000

TOTAL ..... \$ 16,120,000

- (22) Student services addition: To design and construct a building for consolidated student service functions (92-2-027)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct ..... \$ 15,000,000  
 WSU Bldg Acct ..... \$ 967,000

Subtotal Appropriation ..... \$ 15,967,000

Prior Biennia (Expenditures) ..... \$ 0  
 Future Biennia (Projected Costs) ..... \$ 0

TOTAL ..... \$ 15,967,000

- (23) Records, maintenance materials storage, and recycling, phase 1: To construct a storage structure for inactive records, physical plant storage, and recycling storage (92-2-028)

**Appropriation:**

WSU Bldg Acct ..... \$ 1,761,000

Prior Biennia (Expenditures) ..... \$ 0  
 Future Biennia (Projected Costs) ..... \$ 0

TOTAL ..... \$ 1,761,000

- (24) WHETS expansion: To add a fourth channel to the network that serves the Tri-Cities, Spokane, and Vancouver branch campuses, to add two classrooms in Pullman, Tri-Cities, and Vancouver, to add one classroom in Spokane, and to extend the network and add one classroom (~~at the Tree Fruit Research and Extension Center~~) at Wenatchee Valley College in Wenatchee (92-2-908)

Any extension of educational telecommunications to the Wenatchee area shall be planned to allow for the possible future participation of multiple higher education institutions, especially those having direct program responsibility for the Wenatchee area. Implementation plans shall be approved by the higher education coordinating board, in conjunction with the department of information services.

**Appropriation:**

WSU Bldg Acct ..... \$ 2,321,000

Prior Biennia (Expenditures) ..... \$ 0  
 Future Biennia (Projected Costs) ..... \$ 0

TOTAL ..... \$ 2,321,000

- (25) Dairy and forage facility: To design and construct a facility that includes a new dairy center and milking parlor, a freestall building, and offices and classrooms (92-3-024)

**Appropriation:**

WSU Bldg Acct ..... \$ 2,714,000

Prior Biennia (Expenditures) ..... \$ 0  
 Future Biennia (Projected Costs) ..... \$ 0

TOTAL ..... \$ 2,714,000

- (26) Chilled water storage facility: To design and construct a 2,820,000-gallon chilled water storage tank (92-4-022)

**Appropriation:**

St Bldg Constr Acct .....	\$	2,850,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	2,850,000

NEW SECTION. Sec. 28. A new section is added to chapter 14, Laws of 1991 sp.s. to read as follows:

**FOR EASTERN WASHINGTON UNIVERSITY**

- (1) To acquire property within the campus boundary from the Department of Natural Resources (92-5-001)

The appropriation in this subsection is in addition to the appropriation for same purpose in section 36, chapter 14, Laws of 1991 sp.s.

**Appropriation:**

EWU Cap Proj Acct .....	\$	175,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	175,000

- (2) To remodel space in the Spokane Center to provide a student computer center (92-5-008)

**Appropriation:**

EWU Cap Proj Acct .....	\$	600,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	600,000

Sec. 29. 1991 sp.s. c 14 s 44 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY COLLEGE SYSTEM**

- (1) Extension facility (Puyallup) (86-3-021)

**Reappropriation:**

St Bldg Constr Acct .....	\$	99,211
Prior Biennia (Expenditures) .....	\$	5,276,789
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	5,376,000

- (2) Tech building and remodeling (Skagit Valley) (86-3-022)

**Reappropriation:**

St Bldg Constr Acct .....	\$	30,085
Prior Biennia (Expenditures) .....	\$	3,369,915
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	3,400,000

(3)	Heavy equipment building (South Seattle) (86-3-026)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	17,901
	Prior Biennia (Expenditures) .....	\$	4,429,099
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	4,447,000
(4)	Minor works (RMI) (88-2-001)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	114,174
	Prior Biennia (Expenditures) .....	\$	3,385,826
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	3,500,000
(5)	Repairs, exterior walls (88-3-003)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	218,614
	Prior Biennia (Expenditures) .....	\$	4,045,386
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	4,264,000
(6)	Repairs, mechanical, heating, ventilation, and air conditioning (88-3-004)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	500,121
	Prior Biennia (Expenditures) .....	\$	3,574,879
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	4,075,000
(7)	Minor improvements (88-3-005)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	781,756
	Prior Biennia (Expenditures) .....	\$	12,982,244
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	13,764,000
(8)	Repairs, electrical (88-3-006)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	114,986
	Prior Biennia (Expenditures) .....	\$	1,277,014
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	1,392,000

(9)	Sites and interiors (88-3-007)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	168,312
	Prior Biennia (Expenditures) .....	\$	1,757,688
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,926,000
(10)	Agri Tech building (Walla Walla) (88-3-008)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,000,539
	Prior Biennia (Expenditures) .....	\$	2,114,461
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	3,115,000
(11)	Plan, and construct library-student center (86-2-031)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	328,911
	Prior Biennia (Expenditures) .....	\$	7,662,089
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	7,991,000
(12)	Vocational shop (Wenatchee) (88-3-010)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	613,953
	Prior Biennia (Expenditures) .....	\$	341,047
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	955,000
(13)	Computer facility (Edmonds) (88-3-011)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	14,934
	Prior Biennia (Expenditures) .....	\$	3,820,066
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	3,835,000
(14)	Learning resource center (Clark) (88-3-012)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	620,017
	Prior Biennia (Expenditures) .....	\$	5,759,983
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	6,380,000

(15)	Extension center (Yakima Valley) (88-3-013)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	102,068
	Prior Biennia (Expenditures) .....	\$	1,588,932
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,691,000
(16)	Math and science building (Spokane Falls) (88-3-015)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	779,618
	Prior Biennia (Expenditures) .....	\$	4,970,382
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	5,750,000
(17)	Learning resource center (Spokane) (88-3-016)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	588,025
	Prior Biennia (Expenditures) .....	\$	4,946,975
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	5,535,000
(18)	Preplanning for 1989-93 major projects (88-4-014)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	48,852
	Prior Biennia (Expenditures) .....	\$	448,148
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	497,000
(19)	Construct: Whidbey learning resource center: To house library and media services, computer science and office occupations programs, classrooms, and offices at Skagit Valley's Whidbey branch (Skagit Valley) (88-5-020)		
	<b>Reappropriation</b>		
	<b>St Bldg Constr Acct</b> .....	\$	66,117
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,123,000
	Prior Biennia (Expenditures) .....	\$	41,883
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	2,231,000
(20)	Construct: A combination science, physical education, and instruction building (South Puget Sound) (88-5-021)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	5,998,000
	Prior Biennia (Expenditures) .....	\$	256,000
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	6,254,000

(21)	Construct: Early childhood education facility of eight thousand square feet (Shoreline) (88-5-022)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	20,747
	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	1,307,000
	Prior Biennia (Expenditures) .....	\$	57,253
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL .....</b>	<b>\$</b>	<b>1,385,000</b>
(22)	Construct: Library addition and remodel to reconfigure the library building and add ten thousand four hundred seventy-five square feet (Columbia Basin) (88-5-023)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	77,194
	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	1,972,000
	Prior Biennia (Expenditures) .....	\$	35,806
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL .....</b>	<b>\$</b>	<b>2,085,000</b>
(23)	Construct: Vocational shops for diesel, automotive, and woodworking classes (Centralia) (88-5-024)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	49,234
	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	2,025,000
	Prior Biennia (Expenditures) .....	\$	45,766
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL .....</b>	<b>\$</b>	<b>2,120,000</b>
(24)	Construct: Learning research center addition and remodel to add seven thousand two hundred square feet for information technology, media production, offices, and work areas (Tacoma) (88-5-025)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	76,722
	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	1,746,000
	Prior Biennia (Expenditures) .....	\$	13,278
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL .....</b>	<b>\$</b>	<b>1,836,000</b>

(25)	Construct: Vocational food addition to add twelve thousand two hundred fifty square feet to the student center for expansion of the food service program areas (Lower Columbia) (88-5-026)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	138,067
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,902,000
	Prior Biennia (Expenditures) .....	\$	1,933
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	3,042,000
(26)	Construct: Business Education Building to house office technology labs, computer labs, and related support activities (Spokane) (88-5-027)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	33,714
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	6,311,000
	Prior Biennia (Expenditures) .....	\$	211,286
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	6,556,000
(27)	Construct: Student activity and physical education facility (Seattle Central) (88-5-028)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	148,348
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	11,080,000
	Prior Biennia (Expenditures) .....	\$	251,652
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	11,480,000
(28)	Washington State University education center (Clark) (89-5-019)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	12,793
	Prior Biennia (Expenditures) .....	\$	1,787,207
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	1,800,000
(29)	Multipurpose child care center (Everett) (89-5-020)		
	<b>Reappropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	20,055
	Prior Biennia (Expenditures) .....	\$	465,533
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	485,588



(30)	Fire and security repairs (90-1-004)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	499,132
	Prior Biennia (Expenditures) .....	\$	448,478
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	947,610
(31)	Roof and structural repairs (90-2-002)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	1,336,671
	Prior Biennia (Expenditures) .....	\$	2,321,329
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	3,658,000
(32)	Heating, ventilation, and air conditioning mechanical repairs (90-2-003)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	1,412,452
	Prior Biennia (Expenditures) .....	\$	1,560,378
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	2,972,830
(33)	Electrical repairs (90-2-005)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	126,639
	Prior Biennia (Expenditures) .....	\$	244,601
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	371,240
(34)	Small repairs and improvements (90-3-001)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	1,338,574
	Prior Biennia (Expenditures) .....	\$	2,861,426
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	4,200,000
(35)	Learning assistance resource center (Centralia) (90-3-006)		
	<b>Reappropriation:</b>		
	St Bldg Constr Acct .....	\$	66,076
	Prior Biennia (Expenditures) .....	\$	4,147,924
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	4,214,000

(36) Facility repairs (90-3-007)

The reappropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment or for other expenses that normally would be funded from the state operating budget.

**Reappropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>740,342</b>
Prior Biennia (Expenditures) .....	\$	3,107,838
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<b>3,848,180</b>

(37) Technology laboratories (Highline) (90-3-023)

**Reappropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>554,817</b>
Prior Biennia (Expenditures) .....	\$	2,213,183
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<b>2,768,000</b>

(38) Minor improvements (90-5-009)

The reappropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget, except that the sum of \$465,000 may be expended for the purchase of Roosevelt Field at Olympic College.

**Reappropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>4,454,434</b>
Prior Biennia (Expenditures) .....	\$	8,838,506
Future Biennia (Projected Costs) .....	\$	0
<b>TOTAL</b> .....	\$	<b>13,292,940</b>

(39) Design: Technology center (Whatcom) (90-5-010)

The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 ~~((of this act))~~, chapter 14, Laws of 1991 sp.s.

**Reappropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>34,750</b>
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**Appropriation:**

<b>St Bldg Constr Acct</b> .....	\$	<b>249,000</b>
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Prior Biennia (Expenditures) .....	\$	28,250
Future Biennia (Projected Costs) .....	\$	6,378,000
<b>TOTAL</b> .....	\$	<b>6,690,000</b>

## (40) Design: Physical education facility (North Seattle) (90-5-011)

The appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	202,000
Prior Biennia (Expenditures) .....	\$	45,000
Future Biennia (Projected Costs) .....	\$	6,940,000
TOTAL .....	\$	7,187,000

## (41) Design: Applied arts building (Spokane Falls) (90-5-012)

The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Reappropriation:**

St Bldg Constr Acct .....	\$	33,157
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**Appropriation:**

St Bldg Constr Acct .....	\$	280,000
Prior Biennia (Expenditures) .....	\$	34,843
Future Biennia (Projected Costs) .....	\$	5,213,000
TOTAL .....	\$	5,561,000

## (42) Design: Industrial tech building (Spokane) (90-5-013)

The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Reappropriation:**

St Bldg Constr Acct .....	\$	9,076
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**Appropriation:**

St Bldg Constr Acct .....	\$	298,000
Prior Biennia (Expenditures) .....	\$	54,924
Future Biennia (Projected Costs) .....	\$	6,536,000
TOTAL .....	\$	6,898,000

## (43) Design: Vocational art facility (Shoreline) (90-5-014)

**Reappropriation:**

St Bldg Constr Acct .....	\$	22,407
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**Appropriation:**

St Bldg Constr Acct .....	\$	157,000
Prior Biennia (Expenditures) .....	\$	28,593
Future Biennia (Projected Costs) .....	\$	2,785,000
TOTAL .....	\$	2,993,000

- (44) Design: Business education building (Clark) (90-5-015)

The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 33,280
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 305,000
Prior Biennia (Expenditures) .....	\$ 39,720
Future Biennia (Projected Costs) .....	\$ 5,725,000
TOTAL .....	\$ 6,103,000

- (45) Design: Student center (South Seattle) (90-5-016)

The new appropriation in this subsection shall not be expended until project preplanning documents have been reviewed and approved by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

<b>Reappropriation:</b>	
St Bldg Constr Acct .....	\$ 5,117
<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 258,000
Prior Biennia (Expenditures) .....	\$ 53,883
Future Biennia (Projected Costs) .....	\$ 4,276,000
TOTAL .....	\$ 4,593,000

- (46) Design: Library addition (Skagit Valley) (90-5-017)

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 116,000
Prior Biennia (Expenditures) .....	\$ 44,000
Future Biennia (Projected Costs) .....	\$ 1,896,000
TOTAL .....	\$ 2,056,000

- (47) Acquisition: Purchase land for staff and student parking (Olympic) (92-1-601)

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 105,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 105,000

- (48) Acquisition: Purchase a two thousand four hundred-square-foot child care facility (Centralia) (92-1-602)

<b>Appropriation:</b>	
St Bldg Constr Acct .....	\$ 78,000
Prior Biennia (Expenditures) .....	\$ 0
Future Biennia (Projected Costs) .....	\$ 0
TOTAL .....	\$ 78,000

- (49) Acquisition: Purchase 1.76 acres and a five thousand seven hundred five-square-foot fire station for fire science training and additional college parking (Spokane) (92-1-603)

**Appropriation:**

St Bldg Constr Acct .....	\$	498,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	498,000

- (50) Acquisition: Purchase property for auto shop (~~(that is currently being leased)~~) program (Olympic) (92-1-604)

**Appropriation:**

St Bldg Constr Acct .....	\$	700,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	700,000

- (51) Acquisition: Purchase 1.4 acres and an eight thousand-square-foot graphic arts facility currently being leased for the Whidbey branch (Skagit Valley) (92-1-605)

**Appropriation:**

St Bldg Constr Acct .....	\$	280,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	280,000

- (52) Acquisition: Purchase a fourteen thousand six hundred three-square-foot vocational facility adjacent to the college that is currently being leased (Whatcom) (92-1-606)

**Appropriation:**

St Bldg Constr Acct .....	\$	1,893,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	1,893,000

- (53) Underground tank repairs: To remove sixty-five underground storage tanks and any contaminated soil (92-2-102)

The appropriation in this subsection may be expended only after compliance with section 6(2) (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	650,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	650,000

(54)	Life safety code repairs: To pay local improvement district assessments and make improvements to meet handicap and safety regulations (92-2-103)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	1,172,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	1,172,000
(55)	Roof repairs: To replace or repair roofs at seventeen campuses (92-2-104)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	7,457,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	7,457,000
(56)	Exterior and structural repairs: To repair structural or exterior problems at seven campuses (92-2-105)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	817,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	817,000
(57)	Heating, ventilation, and air conditioning repairs: To repair or replace HVAC systems on ten campuses (92-2-106)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	3,074,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	3,074,000
(58)	Electrical repairs: To repair or replace electrical wiring and equipment on twelve campuses (92-2-107)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,307,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	2,307,000
(59)	Mechanical repairs: To repair or replace mechanical system components on eleven campuses (92-2-108)		
	<b>Appropriation:</b>		
	<b>St Bldg Constr Acct</b> .....	\$	2,508,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	<b>TOTAL</b> .....	\$	2,508,000

(60)	Fire and security repairs: To repair or improve fire and security systems on four campuses (92-2-109)		
	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	692,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	692,000
(61)	Interior repairs: To repair or replace interior surfaces and equipment on twelve campuses (92-2-110)		
	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	1,440,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,440,000
(62)	Site repairs: To provide site improvements on eleven campuses (92-2-111)		
	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	1,329,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	1,329,000
(63)	Small repairs and improvements: To provide funds for each community college to make unforeseen repairs (92-5-001)		

The appropriation in this subsection is subject to the following conditions and limitations:

(a) \$45,000, or as much thereof as may be necessary, ((of the appropriation in this subsection)) is provided for an evaluation of the physical condition of the Seattle Vocational Institute formally the Washington Institute of Applied Technology (WIAT) facility.

(b) The state board for community and technology colleges shall include within the 1993-95 capital budget request for small repairs and improvements as identified in the governor's six year capital plan, an amount for a centralized reserve to be allocated by the board for facility emergency repairs that occur during the fiscal period.

(c) The board shall ensure that all allocations from this appropriation are used for capital expenditures and not for expenditures normally funded from the state operating budget.

	<b>Appropriation:</b>		
	St Bldg Constr Acct .....	\$	6,256,000
	Prior Biennia (Expenditures) .....	\$	0
	Future Biennia (Projected Costs) .....	\$	0
	TOTAL .....	\$	6,256,000

- (64) Minor improvements: To complete fifty-seven minor improvement projects costing less than \$500,000 each (92-5-200)

The appropriation in this subsection is provided solely for minor repairs, fixtures, and improvements to state buildings and facilities and shall not be used for computer equipment, land acquisition, or for other expenses that normally would be funded from the state operating budget.

**Appropriation:**

St Bldg Constr Acct .....	\$	16,930,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	16,930,000

- (65) Preplan: Puyallup, phase 2 (Pierce) (92-5-501)

Any preplanning documents developed using the appropriation in this subsection are subject to review by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	57,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	9,653,000
TOTAL .....	\$	9,710,000

- (66) Preplan: Vocational building (Skagit Valley) (92-5-502)

**Appropriation:**

St Bldg Constr Acct .....	\$	25,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	2,116,000
TOTAL .....	\$	2,141,000

- (67) Preplan: Learning resource center, arts, and student center (Whatcom) (92-5-503)

Any preplanning documents developed using the appropriation in this subsection are subject to review by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	45,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	6,942,000
TOTAL .....	\$	6,987,000



(68) Preplan: Office and instructional building (Edmonds) (92-5-504)

Any preplanning documents developed using the appropriation in this subsection are subject to review by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	58,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	8,485,000
TOTAL .....	\$	8,543,000

(69) Preplan: Technical skills facility (South Puget Sound) (92-5-505)

Any preplanning documents developed using the appropriation in this subsection are subject to review by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	42,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	5,849,000
TOTAL .....	\$	5,891,000

(70) Preplan: Learning resource center and technical facility (Green river) (92-5-506)

Any preplanning documents developed using the appropriation in this subsection are subject to review by the office of financial management under section 59 (~~of this act~~), chapter 14, Laws of 1991 sp.s.

**Appropriation:**

St Bldg Constr Acct .....	\$	58,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	10,462,000
TOTAL .....	\$	10,520,000

(71) Preplan: New Campus One (92-5-701)

**Appropriation:**

St Bldg Constr Acct .....	\$	300,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	14,800,000
TOTAL .....	\$	15,100,000

(72) Pool repairs (Pierce)

**Appropriation:**

St Bldg Constr Acct .....	\$	600,000
Prior Biennia (Expenditures) .....	\$	0
Future Biennia (Projected Costs) .....	\$	0
TOTAL .....	\$	600,000

- (73) Lake Washington Technical College: For the administrative addition, classroom space, and aerospace laboratory (92-5-003)

The appropriation in this subsection is in addition to the appropriation in chapter 2, Laws of 1992 (House Bill No. 2295) for Lake Washington Technical College and is provided solely for building construction, building equipment and furniture, street improvements, and required art works.

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>2,291,200</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>10,117,000</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>12,408,200</u>

- (74) Bates Technical College: For building furnishings and equipment to complete a facility (93-2-002)

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>108,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>108,000</u>

- (75) Clover Park Technical College: Roof repairs (93-2-002)

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>189,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>189,000</u>

- (76) Wenatchee Valley College: For remodeling to accommodate the WHETS telecommunication system

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>250,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>250,000</u>

- (77) Olympic College: For electrical transformer repairs

**Appropriation:**

<u>St Bldg Constr Acct</u> .....	\$	<u>100,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>100,000</u>

(78) Columbia Basin College: For heating system repairs and steam line replacement

Appropriation:

<u>St Bldg Constr Acct</u> .....	\$	<u>281,600</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>281,600</u>

(79) Seattle Vocational Institute: Facilities planning and emergency repairs

The appropriation in this subsection is subject to the following conditions and limitations:

(a) The Seattle Vocational Institute shall revise its mission statement to integrate with the goals, program, and facilities plans of the Seattle community college district;

(b) \$60,000, or as much thereof as may be necessary, is provided for unforeseen or emergency repairs to the facility;

(c) The state board for community and technical colleges shall submit a report to the fiscal committees of the senate and house of representatives by January 15, 1993. The report shall include:

(i) The feasibility of alternative leased or new facilities that could replace the existing Seattle Vocational Institute building;

(ii) A recommendation on the disposition or renovation of the existing Seattle Vocational Institute building;  
and

(iii) Operating and capital cost estimates for the Seattle Vocational Institute for the next six years.

Appropriation:

<u>St Bldg Constr Acct</u> .....	\$	<u>100,000</u>
<u>Prior Biennia (Expenditures)</u> .....	\$	<u>0</u>
<u>Future Biennia (Projected Costs)</u> .....	\$	<u>0</u>
<u>TOTAL</u> .....	\$	<u>100,000</u>

**"PART 5**

**MISCELLANEOUS"**

NEW SECTION. Sec. 30. The estimated debt service costs impacting future general fund expenditures related solely to new supplemental capital appropriations within this act are \$395,300 during the 1991-93 fiscal period; \$23,794,000 during the 1993-95 fiscal period; and \$28,381,300 during the 1995-97 fiscal period.

Sec. 31. 1991 sp.s. c 14 s 47 (uncodified) is amended to read as follows:

The following agencies may enter into financial contracts for the purpose indicated and in not more than the principal amounts indicated plus financing expenses and required reserves pursuant to chapter 39.94 RCW:

(1) Department of Social and Health Services to:

(a) Lease a multi-service center in Benton or Franklin county for ~~(\$2,592,450)~~ \$1,337,670 during the 1991-93 biennium; ~~((and))~~

(b) Lease a Spokane North Community Service Office for \$980,000 during the 1991-93 biennium; and

(c) Lease a Children's and Family Services office in Toppenish for \$135,000 during the 1991-93 biennium.

(2) Department of Corrections to:

(a) Lease-purchase a ~~((sixty bed))~~ work-release facility in Benton or Franklin county for ~~\$(4,186,850)~~ 1,337,670 during the 1991-93 biennium;

(b) Lease-purchase a forty-bed work-release facility in Longview for \$1,337,670 during the 1991-93 biennium;

(c) Lease-purchase ~~((twelve forty bed))~~ three hundred sixty beds in work-release facilities in as-yet-undetermined locations state-wide ~~((for \$1,337,670 each)),~~ for a total of ~~\$(16,052,040)~~ 12,039,030 during the 1991-93 biennium;

(d) Lease-purchase a correctional industries building at Shelton for \$1,892,153 during the 1991-93 biennium; ~~((and))~~

(e) Lease-purchase a four hundred-passenger ferry, used tugboat, and new vehicle barge at McNeil Island for \$1,760,963 during the 1991-93 biennium; and

(f) Lease-purchase property from the Department of Natural Resources on which the Cedar Creek, Indian Ridge, Larch, and Olympic Correctional Centers are now located for up to \$1,000,000 during the 1991-93 biennium.

(3) State Board for Community College Education to:

(a) Lease-purchase a warehouse-type facility to house the electrician apprentice training program in Skagit county for an estimated cost of \$200,000 during the 1991-93 biennium;

(b) Lease-purchase a facility to house the cosmetology training program at Everett for \$60,000;

(c) Lease a facility to house the Bellevue Community College business office in Bellevue for \$120,000 during the 1991-93 biennium;

(d) Lease a facility for the Green River Community College education and training center in Kent for \$120,000 in the 1991-93 biennium;

(e) Lease-purchase office space for Edmonds Community College in Edmonds for \$280,000 during the 1991-93 biennium;

(f) Lease-purchase space to house Spokane Falls Community College's adult education programs in Spokane for \$300,000 during the 1991-93 biennium;

(g) Lease-purchase space to house plant services for Wenatchee Valley Community College in Wenatchee for \$96,000 during the 1991-93 biennium;

(h) Lease-purchase land in Bellingham for Whatcom Community College for \$450,000;

(i) Purchase a central storage facility for Spokane Community College for \$75,000;

(j) Purchase a hangar at Felts Field to house the aircraft mechanics' vocational training program for Spokane Community College for \$161,000; ~~((and))~~

(k) Lease-purchase an auto technology training facility at Shoreline Community College for \$2,600,000. The college or its trustee may secure the financing contract with a lease of the land directly under the facility being financed by the contract;

(l) Purchase 6.32 acres adjacent to Centralia College for \$1,500,000 during the 1991-93 biennium;

(m) Purchase 2.33 acres and house adjacent to Green River Community College for \$250,000 during the 1991-93 biennium;

(n) Purchase 1.66 acres contiguous to Lake Washington Technical College for \$500,000 during the 1991-93 biennium;

(o) Purchase 0.37 acres contiguous to Lower Columbia College for \$55,000 during the 1991-93 biennium;

(p) Purchase 8.8 acres contiguous to the South Puget Sound Community College for \$500,000 during the 1991-93 biennium;

(q) Purchase 6 acres contiguous to Wenatchee Valley College for \$265,000 during the 1991-93 biennium;

(r) Purchase 4.29 acres contiguous to Whatcom Community College for \$560,000 during the 1991-93 biennium;

(s) Purchase 10.5 acres adjacent to Whatcom Community College for \$1,400,000 during the 1991-93 biennium;

(t) Purchase the Masonic Temple property adjacent to Seattle Central Community College for \$1,600,000 during the 1991-93 biennium;

(u) Lease an industrial training center in Colville for Community Colleges of Spokane for \$600,000 during the 1991-93 biennium;

(v) Lease-purchase Colville Building #2 for expansion of the Colville Center for the Community Colleges of Spokane for \$300,000 during the 1991-93 biennium;

(w) Purchase a 6,000 square foot building and site on San Juan Island for instructional, office, and meeting space for Skagit Valley Community College for \$600,000 during the 1991-93 biennium;

(x) Purchase 20,000 square foot building on a five-acre site in Gig Harbor for an off-site education center for Tacoma Community College for \$1,750,000 during the 1991-93 biennium;

(y) Purchase space for a Kent education and training center by Green River Community College for up to \$201,000 per year; and

(z) Lease or lease-purchase a computing and telecommunications center for the community and technical college system for up to \$5,000,000.

(4) The Department of Ecology, to acquire, design, and construct a Thurston county headquarters for \$53,000,000.

(5) The Evergreen State College, to expand the college activities building for \$800,000. The college or its trustee may secure the financing contract with a lease of the land directly under the facility being financed by the contract. The financing contract shall be repaid through student activities fees.

(6) The Department of General Administration, to purchase or lease purchase office space to house the state board for community college education staff for \$1,400,000.

**Sec. 32.** 1991 sp.s. c 14 s 54 (uncodified) is amended to read as follows:

Unless otherwise stated, for all appropriations under this act that require a match of nonstate money or in-kind contributions, the following requirement, consistent with RCW 43.88.150, shall apply: Expenditure of state money shall be timed so that the state share of project expenditures never exceeds the intended state share of total project costs. This section shall not apply to section 10(5), chapter 14, Laws of 1991 sp.s. as amended by section ((12(5))) 5(5) of this act.

**Sec. 33.** 1991 sp.s. c 14 s 59 (uncodified) is amended to read as follows:

To ensure that major construction projects are carried out in accordance with legislative and executive intent, appropriations in this act referencing this section shall not be expended until the office of financial management has reviewed the agency's programmatic preplanning or predesign document and approved continuation of or made changes to the project. The program preplanning document shall include but not be limited to projected workload, site conditions, user requirements, current space available, and an overall budget and cost estimate breakdown in a form prescribed by the office of financial management. The predesign document shall be prepared in accordance with the predesign standards adopted by the office of financial management. The office of financial management shall report to the house of representatives capital facilities committee, the senate ways and means committee, and the legislative transportation committee a listing of the program documents the office has reviewed and approved, changes made to the documents resulting from the review, and the estimated cost changes resulting from the review.

**NEW SECTION. Sec. 34.** In recognition of the services provided to the beneficiaries of state trust lands by county public safety agencies, lease payments for public safety communication systems located on trust lands in any county with a population of less than five thousand shall be twenty-five percent of the fair market value as determined by the department of natural resources.

**NEW SECTION. Sec. 35.** A new section is added to chapter 14, Laws of 1991 sp.s. (uncodified) to read as follows:  
As used in this act, the following phrases have the following meanings:

"WA St Dairy Prod Comm Fac Acct" means Washington State Dairy Products Commission Facility Account.

"Data Processing Bldg Constr Acct" means Data Processing Building Construction Account;

"Nat Res Prop Repl Acct" means Natural Resources Property Replacement Account.

St Conv & Trade Ctr Acct" means State Convention and Trade Center Account.

"Water Pollution Cont Rev Fund" means the Water Pollution Control Revolving Fund.

**NEW SECTION. Sec. 36.** This act is subject to the provisions, definitions, conditions, and limitations of chapter 14, Laws of 1991 sp. sess., as amended by this act.

#### "PART 6

#### SEVERABILITY AND EFFECTIVE DATE"

**NEW SECTION. Sec. 37.** 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. 38.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 1 of the title, after "budget;" strike the remainder of the title and insert "amending 1991 sp.s. c 14 ss 6, 7, 10, 13, 16, 18, 20, 26, 30, 34, 35, 44, 47, 54, and 59 (uncodified); adding new sections to chapter 14, Laws of 1991 sp.s.; creating new sections; making appropriations and authorizing expenditures for the capital improvements; and declaring an emergency."

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators Bluechel, Rinehart, Matson: Representatives H.Sommers, Rasmussen.

#### MOTION

Ms. H. Sommers moved that the rules be suspended and the House adopt the Report of the Conference Committee on Engrossed Substitute House Bill No. 2552. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2552 as recommended by the Conference Committee.

Representatives H. Sommers, Rasmussen, Jones and Heavey spoke in favor of passage of the bill. Representatives Miller, Schmidt and Van Luven spoke against.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2552 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 61, Nays - 36, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 61.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Padden, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Wood, Wynne - 36.

Excused: Representative Chandler - 01.

Engrossed Substitute House Bill No. 2552 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2950, on the second reading calendar. The motion was carried.

### SECOND READING

HOUSE BILL NO. 2950, by Representatives Rasmussen and H. Sommers; by request of Office of Financial Management

Changing the authorization for general obligation bonds.

The bill was read the second time.

On motion of Ms. H. Sommers, Substitute House Bill No. 2950 was substituted for House Bill No. 2950, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2950 was read the second time.

Ms. H. Sommers moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 43.991.010 and 1991 sp.s. c 31 s 1 are each amended to read as follows:

The state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of one billion (~~ninety-five~~) two hundred eighty-four million dollars, or so much thereof as may be required, to finance the projects described and authorized by the legislature in the capital and operating appropriations acts for the 1991-1993 fiscal biennium and subsequent fiscal biennia, 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, letters of credit, or other credit enhancements 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.

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.

**Sec. 2.** RCW 43.99I.020 and 1991 sp.s. c 31 s 2 are each amended to read as follows:

Bonds issued under RCW 43.99I.010 are subject to the following conditions and limitations:

General obligation bonds of the state of Washington in the sum of one billion ~~((ninety five))~~ two hundred eighty-four million dollars, or so much thereof as may be required, shall be issued for the purposes described and authorized by the legislature in the capital and operating appropriations acts for the 1991-93 fiscal biennium and subsequent fiscal biennia, 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. Subject to such changes as may be required in the appropriations acts, the proceeds from the sale of the bonds issued for the purposes of this subsection shall be deposited in the state building construction account created by RCW 43.83.020 and transferred as follows:

(1) Eight hundred thirty-five thousand dollars to the state higher education construction account created by RCW 28B.10.851;

(2) Eight hundred ~~((twenty three))~~ seventy-one million dollars to the state building construction account created by RCW 43.83.020;

(3) Fifteen million dollars to the energy efficiency construction account created by RCW 39.35C.100;

(4) Three million fifty thousand dollars to the energy efficiency services account created by RCW 39.35C.110;

(5) ~~((One hundred twenty))~~ Two hundred fifty-five million five hundred thousand dollars to the common school reimbursable construction account hereby created in the state treasury;

(6) Ninety-eight million six hundred forty-eight thousand dollars to the higher education reimbursable construction account hereby created in the state treasury; ~~((and))~~

(7) ~~((Two million four hundred five thousand dollars to the wildlife reimbursable construction account hereby created in the state treasury))~~ Three million two hundred eighty-four thousand dollars to the data processing building construction account created in section 7 of this act; and

(8) Nine hundred thousand dollars to the Washington state dairy products commission facility account created in section 8 of this act.

These proceeds 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 section, and shall be administered by the office of financial management, subject to legislative appropriation.

**Sec. 3.** RCW 43.99I.040 and 1991 sp.s. c 31 s 4 are each amended to read as follows:

(1) On each date on which any interest or principal and interest payment is due on bonds issued for the purposes of RCW 43.99I.020 (3) and (4), the state treasurer shall transfer from the energy efficiency construction account created in RCW 39.35C.100 to the general fund of the state treasury the amount computed in RCW 43.99I.030 for the bonds issued for the purposes of RCW 43.99I.020 (3) and (4).

(2) On each date on which any interest or principal and interest payment is due on bonds issued for the purposes of RCW 43.99I.020(5), the state treasurer shall transfer from property taxes in the state general fund levied for this support of the common schools under RCW 84.52.065 to the general fund of the state treasury for unrestricted use the amount computed in RCW 43.99I.030 for the bonds issued for the purposes of RCW 43.99I.020(5).

(3) On each date on which any interest or principal and interest payment is due on bonds issued for the purposes of RCW 43.99I.020(6), the state treasurer shall transfer from higher education operating fees deposited in the general fund to the general fund of the state treasury for unrestricted use, or if chapter ..., Laws of 1992 (Senate Bill No. 6285) becomes law and changes the disposition of higher education operating fees from the general fund to another account, the state treasurer shall transfer the proportional share from the University of Washington operating fees account, the Washington State University operating fees account, and the Central Washington University operating fees account the amount computed in RCW 43.99I.030 for the bonds issued for the purposes of RCW 43.99I.020((6)) (7).

(4) ~~((On each date on which any interest or principal and interest payment is due on bonds issued for the purposes of RCW 43.99I.020(7), the state treasurer shall transfer from the state wildlife fund to the general fund of the state treasury the amount computed in RCW 43.99I.030 for the bonds issued for the purpose of RCW 43.99I.020(7).))~~

On each date on which any interest or principal and interest payment is due on bonds issued for the purposes of RCW 43.99I.020(7), the state treasurer shall transfer from the data processing revolving account created in RCW 43.105.080 to the general fund of the state treasury the amount computed in RCW 43.99I.030 for the bonds issued for the purposes of RCW 43.99I.020(7).

(5) On each date on which any interest or principal and interest payment is due on bonds issued for the purpose of RCW 43.99I.020(8), the Washington state dairy products commission shall cause the amount computed in RCW 43.99I.030 for the bonds issued for the purposes of RCW 43.99I.020(8) to be paid out of the commission's general operating fund to the state treasurer for deposit into the general fund of the state treasury.

Sec. 4. RCW 43.84.092 and 1991 sp.s. c 13 s 57 are each amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the common school construction fund, the county criminal justice assistance account, the county sales and use tax equalization account, the data processing building construction account, the deferred compensation administrative account, the deferred compensation principal account, the department of retirement systems expense account, the Eastern Washington University capital projects account, the federal forest revolving account, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local sales and use tax account, the medical aid account, the municipal criminal justice assistance account, the municipal sales and use tax equalization account, the natural resources deposit account, the perpetual surveillance and maintenance account, the public employees' retirement system plan I account, the public employees' retirement system plan II account, the Puyallup tribal settlement account, the resource management cost account, the site closure account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the supplemental pension account, the teachers' retirement system plan I account, the teachers' retirement system plan II account, the University of Washington bond retirement fund, the University of Washington building account, the volunteer fire fighters' relief and pension principal account, the volunteer fire fighters' relief and pension administrative account, the Washington judicial retirement system account, the Washington law enforcement officers' and fire fighters' system plan I retirement account, the Washington law enforcement officers' and fire fighters' system plan II retirement account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, and the Western Washington University capital projects account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts. All earnings to be distributed under this subsection (2)(a) shall first be reduced by the allocation to the state treasurer's service ~~((account [fund]))~~ fund pursuant to RCW 43.08.190.

(b) The following accounts and funds shall receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The central Puget Sound public transportation account, the city hardship assistance account, the county arterial preservation account, the economic development account, the essential rail assistance account, the essential rail banking account, the ferry bond retirement fund, the grade crossing protective fund, the high capacity transportation account, the highway bond retirement fund, the highway construction stabilization account, the highway safety account, the motor vehicle fund, the motorcycle safety education account, the pilotage account, the public transportation systems account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the recreational vehicle account, the rural arterial trust account, the special category C account, the state patrol highway account, the transfer relief account, the transportation capital facilities account, the transportation equipment fund, the transportation fund, the transportation improvement account, and the urban arterial trust account.

(3) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. Sec. 5. A new section is added to chapter 43.99I RCW to read as follows:

The bonds authorized by RCW 43.99I.020(8) shall be issued only after the director of financial management has (a) certified that, based on the future income from assessments levied pursuant to chapter 15.44 RCW and other revenues collected by the Washington state dairy products commission, an adequate balance will be maintained in the commission's



general operating fund to pay the interest or principal and interest payments due under RCW 43.99I.040(4) for the life of the bonds; and (b) approved the facility to be acquired using the bond proceeds.

**Sec. 6.** RCW 43.105.080 and 1987 c 504 s 11 are each amended to read as follows:

There is created a revolving fund to be known as the data processing revolving fund in the custody of the state treasurer. The revolving fund shall be used for the acquisition of equipment, software, supplies, and services and the payment of salaries, wages, and other costs incidental to the acquisition, development, operation, and administration of information services, telecommunications, systems, software, supplies and equipment, including the payment of principal and interest on bonds issued for capital projects, by the department, Washington State University's computer services center, the department of personnel's personnel information systems division, the office of financial management's financial systems management group, and other users as jointly determined by the department and the office of financial management. The revolving fund is subject to the allotment procedure provided under chapter 43.88 RCW. Disbursements from the revolving fund for the services component of the department are not subject to appropriation. Disbursements for the planning component of the department are subject to appropriation. All disbursements from the fund are subject to the allotment procedures provided under chapter 43.88 RCW. The department shall establish and implement a billing structure to assure all agencies pay an equitable share of the costs.

As used in this section, the word "supplies" shall not be interpreted to delegate or abrogate the division of purchasing's responsibilities and authority to purchase supplies as described in RCW 43.19.190 and 43.19.200.

**NEW SECTION. Sec. 7.** A new section is added to chapter 43.99I RCW to read as follows:

The data processing building construction account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for acquisition of land for and construction of a data processing building.

**NEW SECTION. Sec. 8.** A new section is added to chapter 43.99I RCW to read as follows:

The Washington state dairy products commission facility account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for acquisition, renovation, or construction of a permanent facility for the Washington state dairy products commission.

**Sec. 9.** RCW 90.50A.020 and 1991 sp.s. c 13 s 102 are each amended to read as follows:

(1) The water pollution control revolving fund is hereby established in the ~~((custody of the))~~ state ~~((treasurer))~~ treasury. Moneys in this fund ~~((are not subject to))~~ may be spent only after legislative appropriation. Moneys in the fund may be spent only in a manner consistent with this chapter.

(2) The water pollution control revolving fund shall consist of:

- (a) All capitalization grants provided by the federal government under the federal water quality act of 1987;
- (b) All state matching funds appropriated or authorized by the legislature;
- (c) Any other revenues derived from gifts or bequests pledged to the state for the purpose of providing financial assistance for water pollution control projects;
- (d) All repayments of moneys borrowed from the fund;
- (e) All interest payments made by borrowers from the fund;
- (f) Any other fee or charge levied in conjunction with administration of the fund; and
- (g) Any new funds as a result of leveraging.

**Sec. 10.** RCW 43.160.080 and 1991 sp.s. c 13 s 115 are each amended to read as follows:

There shall be a fund in the state treasury known as the public facilities construction loan revolving account, which shall consist of all moneys collected under this chapter, except moneys of the board collected in connection with the issuance of industrial development revenue bonds, and any moneys appropriated to it by law: PROVIDED, That seventy-five percent of all principal and interest payments on loans made with the proceeds deposited in the account under section 901, chapter 57, Laws of 1983 1st ex. sess. shall be deposited in the general fund as reimbursement for debt service payments on the bonds authorized in RCW 43.83.184. ~~((The state treasurer shall be custodian of the revolving account.))~~ Disbursements from the revolving account shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving account shall be subject in all respects to chapter 43.88 RCW ~~((, but no appropriation is required to permit expenditures and payment of obligations from the account)).~~

**Sec. 11.** RCW 43.168.110 and 1985 c 164 s 11 are each amended to read as follows:

There is established the Washington state development loan fund which shall be an account in the state treasury. All loan payments of principal and interest which are transferred under RCW 43.168.050 shall be deposited into the account. Moneys in the account may be spent ~~((without))~~ only after legislative appropriation for loans under this chapter. ~~((However,))~~ Any expenditures of these moneys shall conform to federal law.

**NEW SECTION. Sec. 12.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

On page 1, line 2 of the title, after "accounts;" strike the remainder of the title and insert "amending RCW 43.99I.010, 43.99I.020, 43.99I.040, 43.84.092, 43.105.080, 90.50A.020, 43.160.080, and 43.168.110; adding new sections to chapter 43.99I RCW; and declaring an emergency."

Ms. H. Sommers spoke in favor of adoption of the amendment, it was adopted.

With consent of House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. H. Sommers 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. 2950, and the bill passed the House by the following vote: Yeas - 61, Nays - 36, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 61.

Voting nay: Representatives Ballard, Beck, Berozoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Padden, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Wood, Wynne - 36.

Excused: Representative Chandler - 01.

Engrossed Substitute House Bill No. 2950, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Senate Joint Resolution No. 8231, on second reading calendar. The motion was carried.

ENGROSSED SENATE JOINT RESOLUTION NO. 8231, by Senators Vognild, Hayner, Skratek, McCaslin, Snyder, Newhouse, Madsen, Erwin, Stratton, Sellar, Sutherland and Nelson

Changing nomination procedures for filling certain legislative vacancies and vacancies in the office of county commissioner.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 47th Day, February 28, 1992.)

Mr. Anderson moved the adoption of the committee recommendation.

Mr. Anderson moved adoption of the following amendment to the committee amendment:

On page 2 of the amendment, beginning on line 5, after "party." strike all material through "occurs." on line 9 and insert "Political party nominees shall be designated by the county central committee of the political party unless

the vacancy occurs in a state legislative district containing territory from more than one county, in which case the nominees shall be designated by the state central committee of the political party."

Mr. Anderson moved adoption of the amendment and spoke in favor of it. It was adopted.

The committee amendment as amended was adopted.

With consent of the House the bill was advanced to third, and the bill was placed on final passage.

Representatives Anderson and McLean spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Joint Resolution No. 8231 as amended by the House, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Chandler - 01.

Engrossed Senate Joint Resolution No. 8231 as amended by the House, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Wineberry moved that we consider the following messages in the following order, Second Engrossed Substitute House Bill No. 1378 and Substitute House Bill No. 2284. The motion was carried.

#### MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1378, with the (attached) following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 36.18.020 and 1989 c 342 s 1 are each amended to read as follows:

Clerks of superior courts shall collect the following fees for their official services:

(1) The party filing the first or initial paper in any civil action, including an action for restitution, or change of name, shall pay, at the time said paper is filed, a fee of ~~((seventy-eight))~~ one hundred ten dollars except in proceedings filed under RCW 26.50.030 or 49.60.227 where the petitioner shall pay a filing fee of twenty dollars, or an unlawful detainer action under chapter 59.18 or 59.20 RCW where the plaintiff shall pay a filing fee of thirty dollars. If the defendant serves or files an answer to an unlawful detainer complaint under chapter 59.18 or 59.20 RCW, the plaintiff shall pay, prior to proceeding with the unlawful detainer action, an additional ~~((forty-eight))~~ eighty dollars which shall be considered part of the filing fee. The thirty dollar filing fee under this subsection for an unlawful detainer action shall not include an order to show cause or any other order or judgment except a default order or default judgment in an unlawful detainer action.

(2) Any party, except a defendant in a criminal case, filing the first or initial paper on an appeal from a court of limited jurisdiction or any party on any civil appeal, shall pay, when said paper is filed, a fee of ~~((seventy-eight))~~ one hundred ten dollars.

(3) The party filing a transcript or abstract of judgment or verdict from a United States court held in this state, or from the superior court of another county or from a district court in the county of issuance, shall pay at the time of filing, a fee of fifteen dollars.

(4) For the filing of a tax warrant by the department of revenue of the state of Washington, a fee of five dollars shall be paid.

(5) For the filing of a petition for modification of a decree of dissolution, a fee of twenty dollars shall be paid.

(6) The party filing a demand for jury of six in a civil action, shall pay, at the time of filing, a fee of ~~((twenty-five))~~ fifty dollars; if the demand is for a jury of twelve the fee shall be ~~((fifty))~~ one hundred dollars. If, after the party files a demand for a jury of six and pays the required fee, any other party to the action requests a jury of twelve, an additional ~~((twenty-five))~~ fifty-dollar fee will be required of the party demanding the increased number of jurors.

(7) For filing any paper, not related to or a part of any proceeding, civil or criminal, or any probate matter, required or permitted to be filed in the clerk's office for which no other charge is provided by law, or for filing a petition, written agreement, or memorandum as provided in RCW 11.96.170, the clerk shall collect two dollars.

(8) For preparing, transcribing or certifying any instrument on file or of record in the clerk's office, with or without seal, for the first page or portion thereof, a fee of two dollars, and for each additional page or portion thereof, a fee of one dollar. For authenticating or exemplifying any instrument, a fee of one dollar for each additional seal affixed.

(9) For executing a certificate, with or without a seal, a fee of two dollars shall be charged.

(10) For each garnishee defendant named in an affidavit for garnishment and for each writ of attachment, a fee of five dollars shall be charged.

(11) For approving a bond, including justification thereon, in other than civil actions and probate proceedings, a fee of two dollars shall be charged.

(12) In probate proceedings, the party instituting such proceedings, shall pay at the time of filing the first paper therein, a fee of ~~((seventy-eight))~~ one hundred ten dollars: PROVIDED, HOWEVER, A fee of two dollars shall be charged for filing a will only, when no probate of the will is contemplated. Except as provided for in subsection (13) of this section a fee of two dollars shall be charged for filing a petition, written agreement, or memorandum as provided in RCW 11.96.170.

(13) For filing any petition to contest a will admitted to probate or a petition to admit a will which has been rejected, or a petition objecting to a written agreement or memorandum as provided in RCW 11.96.170, there shall be paid a fee of ~~((seventy-eight))~~ one hundred ten dollars.

(14) For the issuance of each certificate of qualification and each certified copy of letters of administration, letters testamentary or letters of guardianship there shall be a fee of two dollars.

(15) For the preparation of a passport application there shall be a fee of four dollars.

(16) For searching records for which a written report is issued there shall be a fee of eight dollars per hour.

(17) Upon conviction or plea of guilty, upon failure to prosecute an appeal from a court of limited jurisdiction as provided by law, or upon affirmance of a conviction by a court of limited jurisdiction, a defendant in a criminal case shall be liable for a fee of ~~((seventy))~~ one hundred ten dollars.

(18) With the exception of demands for jury hereafter made and garnishments hereafter issued, civil actions and probate proceedings filed prior to midnight, July 1, 1972, shall be completed and governed by the fee schedule in effect as of January 1, 1972: PROVIDED, That no fee shall be assessed if an order of dismissal on the clerk's record be filed as provided by rule of the supreme court.

(19) No fee shall be collected when a petition for relinquishment of parental rights is filed pursuant to RCW 26.33.080 or for forms and instructional brochures provided under RCW 26.50.030.

Sec. 2. RCW 36.18.025 and 1985 c 389 s 9 are each amended to read as follows:

~~((Thirty-two))~~ Forty-six percent of the money received from filing fees paid pursuant to RCW 36.18.020(~~(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.

**Sec. 3.** RCW 43.08.250 and 1991 sp.s. c 16 s 919 and 1991 sp.s. c 13 s 25 are each reenacted and amended to read as follows:

The money received by the state treasurer from fees, fines, forfeitures, penalties, reimbursements or assessments by any court organized under Title 3 or 35 RCW, or chapter 2.08 RCW, shall be deposited in the public safety and education account which is hereby created in the state treasury. The legislature shall appropriate the funds in the account to promote traffic safety education, highway safety, criminal justice training, crime victims' compensation, judicial education, the judicial information system, civil representation of indigent persons, winter recreation parking, and state game programs. During the fiscal biennium ending June 30, 1993, the legislature may appropriate moneys from the public safety and education account for the purposes of local jail population data collection under RCW 10.98.130, the department of corrections' county partnership program under RCW 72.09.300, the treatment alternatives to street crimes program, the criminal litigation unit of the attorney general's office, and contracts with county officials to provide support enforcement services.

**NEW SECTION. Sec. 4.** A new section is added to chapter 43.08 RCW to read as follows:

(1) Any money appropriated from the public safety and education account pursuant to RCW 43.08.250 for civil representation of indigent persons shall be used solely for the purpose of contracting with qualified legal aid programs for legal representation of indigent persons in matters relating to: (a) Domestic relations and family law matters, (b) public assistance, health care, and entitlement programs, (c) public housing and utilities, and (d) unemployment compensation. For purposes of this section, a "qualified legal aid program" means a not-for-profit corporation incorporated and operating exclusively in Washington which has received basic field funding for the provision of civil legal services to indigents under Public Law 101-515.

(2) Funds distributed to qualified legal aid programs under this section shall be distributed on a basis proportionate to the number of individuals with incomes below the official federal poverty income guidelines who reside within the counties in the geographic service areas of such programs. The department of community development shall use the same formula for determining this distribution as is used by the legal services corporation in allocating funds for basic field services in the state of Washington.

(3)(a) Funds distributed to qualified legal aid programs under this section may not be used directly or indirectly for lobbying or in class action suits. Further, these funds are subject to all limitations and conditions imposed on use of funds made available to legal aid programs under the legal services corporation act of 1974 (P.L. 93-355; P.L. 95-222) as currently in effect or hereafter amended.

(b)(i) For purposes of this section, "lobbying" means any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, or other device directly or indirectly intended to influence any member of congress or any other federal, state, or local nonjudicial official, whether elected or appointed:

(A) In connection with any act, bill, resolution, or similar legislation by the congress of the United States or by any state or local legislative body, or any administrative rule, standard, rate, or other enactment by any federal, state, or local administrative agency;

(B) In connection with any referendum, initiative, constitutional amendment, or any similar procedure of the congress, any state legislature, any local council, or any similar governing body acting in a legislative capacity; or

(C) In connection with inclusion of any provision in a legislative measure appropriating funds to, or defining or limiting the functions or authority of, the recipient of funds pursuant to this act.

(ii) "Lobbying" does not include the response of an employee of a legal aid program to a written request from a governmental agency, an elected or appointed official, or committee on a specific matter. This exception does not authorize communication with anyone other than the requesting party, or agent or employee of such agency, official, or committee.

**NEW SECTION. Sec. 5.** A new section is added to chapter 36.18 RCW to read as follows:

The court may waive the filing fees provided for under RCW 36.18.020 (1) and (2) upon affidavit by a party that the party is unable to pay the fee due to financial hardship.

**Sec. 6.** RCW 27.24.070 and 1985 c 389 s 2 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))~~ twelve dollars for every new probate or civil filing fee, including appeals, collected by the clerk of the superior court and ~~((three))~~ six dollars for every 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))~~ twelve dollar contribution may be increased up to ~~((nine))~~ fifteen dollars upon the request of the law library board of trustees and with the approval of the county legislative body or bodies.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect April 1, 1992.

On page 1, line 1 of the title, after "fees;" strike the remainder of the title and insert "amending RCW 36.18.020, 36.18.025, and 27.24.070; reenacting and amending RCW 43.08.250; adding a new section to chapter 43.08 RCW; adding a new section to chapter 36.18 RCW; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### POINT OF ORDER

Mr. Speaker (Mr. R. Meyers presiding): Mr. Padden, for what purpose do you rise?

Mr. Padden: Mr. Speaker (Mr. R. Meyers presiding), Point of Order.

Mr. Speaker (Mr. R. Meyers presiding): Mr. Padden, state your Point of Order.

Mr. Padden: Mr. Speaker (Mr. R. Meyers presiding): I would request a ruling on the Scope and Object of the Senate amendment to Second Engrossed Substitute House Bill No. 1378.

With consent of the House we will defer further consideration of Second Engrossed Substitute House Bill No. 1378. The motion was carried.

#### MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2284, with the following amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 27.24.010 and 1919 c 84 s 1 are each amended to read as follows:

~~((In))~~ Each county ~~((having))~~ with a population of ~~((three hundred))~~ eight thousand or more ~~((there))~~ shall ~~((be))~~ have a county law library, which shall be governed and maintained as hereinafter provided.

Sec. 2. RCW 27.24.020 and 1919 c 84 s 2 are each amended to read as follows:

~~((There shall be in))~~ (1) Every ~~((such))~~ county with a population of three hundred thousand or more must have a board of law library trustees consisting of five members to be constituted as follows: The chairman of the ~~((board of))~~ county ~~((commissioners shall be))~~ legislative authority is an ex officio ~~((a))~~ trustee, ~~((and))~~ the judges of the superior court of the county shall choose two of their number to be trustees, and the members of the county bar association shall choose two members of the bar of the county to be trustees.

(2) Every county with a population of eight thousand or more but less than three hundred thousand must have a board of law library trustees consisting of five members to be constituted as follows: The chairman of the county legislative authority is an ex officio trustee, the judges of the superior court of the county shall choose one of their number to be a trustee, and the members of the county bar association shall choose three members of the county to be

trustees. If there is no county bar association, then the lawyers of the county shall choose three of their number to be trustees.

(3) If a county has a population of less than eight thousand, then the provisions contained in RCW 27.24.068 shall apply to the establishment and operation of the county law library.

(4) If a regional law library is created pursuant to RCW 27.24.062, then it shall be governed by one board of trustees. The board shall consist of the following representatives from each county: The judges of the superior court of the county shall choose one of their number to be a trustee, the county legislative authority shall choose one of their number to be a trustee, and the members of the county bar association shall choose one member of the bar of the county to be a trustee. If there is no county bar association, then the lawyers of the county shall choose one of their number to be a trustee.

(5) The term of office of a member of the board who is a judge ~~((shall be))~~ is for as long as he or she continues to be a judge, and the term of a member who is from the bar ~~((shall be))~~ is four years. Vacancies shall be filled as they occur and in the manner ~~((above))~~ directed in this section. The office of trustee shall be without salary or other compensation. The board shall elect one of their number president and the librarian shall act as secretary, except that in counties with a population of eight thousand or more but less than three hundred thousand, the board shall elect one of their number to act as secretary if no librarian is appointed. Meetings shall be held at least ~~((quarterly and as much oftener and))~~ once per year, and if more often, then at such times as may be prescribed by rule.

Sec. 3. RCW 27.24.040 and 1919 c 84 s 4 are each amended to read as follows:

The board of law library trustees shall, on or before the first Monday in September of each year, make a report to the ~~((board of))~~ county ~~((commissioners))~~ legislative authority of their county giving the condition of their trust, with a full statement of all property received and how used, the number of books and other publications on hand, the number added by purchase, gift or otherwise during the preceding year, the number lost or missing, and such other information as may be of public interest, together with a financial report showing all receipts and disbursements of money.

Sec. 4. RCW 27.24.062 and 1991 c 363 s 18 are each amended to read as follows:

~~((In each county with a population of from eight thousand to less than one hundred twenty five thousand, there shall be a county law library which shall be governed and maintained as hereinafter provided.))~~

Two or more ~~((of such))~~ counties each with a population of from eight thousand to less than one hundred twenty-five thousand may, by agreement of the respective law library boards of trustees, create a regional law library and establish and maintain one principal law library at such location as the regional board of trustees may determine will best suit the needs of the users: PROVIDED, HOWEVER, That there shall be at all times a law library in such size as the board of trustees may determine necessary to be located at the courthouse where each superior court is located.

Sec. 5. RCW 27.24.066 and 1933 c 167 s 3 are each amended to read as follows:

The ~~((board of))~~ county ~~((commissioners))~~ legislative authority of each county ~~((to which this act is applicable,))~~ that is required to maintain a county law library shall upon demand by the board of law library trustees, provide a room suitable for the law library, ~~((adequately heated, lighted))~~ with adequate heat, light, and janitor service.

Sec. 6. RCW 27.24.067 and 1933 c 167 s 3 are each amended to read as follows:

The use of the county law library shall be free to the judges of the state, to state and county officials, and to members of the bar, and to such others as the board of trustees may by rule provide. Residents of counties with a population of three hundred thousand or more shall have free use of the law library.

NEW SECTION: Sec. 7. A new section is added to chapter 3.62 RCW to read as follows:

All courts organized under Title 3 or 35 RCW may charge fees as prescribed in RCW 3.62.060. The fees or charges imposed under this section shall be allowed as court costs whenever a judgment for costs is awarded.

Sec. 8. RCW 3.62.060 and 1990 c 172 s 2 are each amended to read as follows:

Clerks of the district courts shall collect the following fees for their official services;

(1) In any civil action commenced before or transferred to a district court, the plaintiff shall, at the time of such commencement or transfer, pay to such court a filing fee of ~~((twenty five))~~ thirty-one dollars plus any surcharge authorized by RCW 7.75.035. No party shall be compelled to pay to the court any other fees or charges up to and including the rendition of judgment in the action other than those listed.

(2) For issuing a writ of garnishment or other writ a fee of six dollars.

(3) For filing a supplemental proceeding a fee of twelve dollars.

(4) For demanding a jury in a civil case a fee of fifty dollars to be paid by the person demanding a jury.

(5) For preparing a transcript of a judgment a fee of six dollars.

(6) For certifying any document on file or of record in the clerk's office a fee of five dollars.

(7) For preparing the record of a case for appeal to superior court a fee of forty dollars including any costs of tape duplication as governed by the rules of appeal for courts of limited jurisdiction (RALJ).

(8) For duplication of part or all of the electronic tape or tapes of a proceeding ten dollars per tape.

The fees or charges imposed under this section shall be allowed as court costs whenever a judgment for costs is awarded.

NEW SECTION. Sec. 9. The following acts or parts of acts are each repealed:

- (1) RCW 27.24.050 and 1919 c 84 s 5;
- (2) RCW 27.24.060 and 1919 c 84 s 6;
- (3) RCW 27.24.063 and 1971 ex.s. c 141 s 2 & 1933 c 167 s 3;
- (4) RCW 27.24.064 and 1933 c 167 s 3; and
- (5) RCW 27.24.065 and 1933 c 167 s 3.

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect April 1, 1992.

On page 1, line 1 of the title, after "counties;" strike the remainder of the title and insert "amending RCW 27.24.010, 27.24.020, 27.24.040, 27.24.062, 27.24.066, 27.24.067, and 3.62.060; adding a new section to chapter 3.62 RCW; repealing RCW 27.24.050, 27.24.060, 27.24.063, 27.24.064, and 27.24.065; providing an effective date; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Haugen moved that the House do concur in the Senate amendments to Substitute House Bill No. 2284. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 2284 as amended by the Senate.

Ms. Haugen spoke in favor of passage of the bill. Mr. Padden spoke against. Ms. Haugen again spoke in favor.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2284 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 71, Nays - 26, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Belcher, Betrózoff, Braddock, Bray, Brekke, Broback, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Horn, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, May, Meyers, R., Miller, Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Ballard, Basich, Beck, Bowman, Brough, Brumsickle, Carlson, Casada, Fuhrman, Hochstatter, Johnson P., Lisk, McLean, Mielke, Mitchell, Morris, Morton, Moyer, Nealey, Padden, Prince, Riley, Silver, Sommers, D., Tate, Vance - 26.

Excused: Representative Chandler - 01.

Substitute House Bill No. 2284 as amended by the Senate, having received the constitutional majority, was declared passed.



## MOTION

Mr. Ebersole moved that the House recess until 7:00 p.m.

## EVENING SESSION

The Speaker assumed the chair.

With consent of the House we will resume consideration of Second Engrossed Substitute House Bill No. 1378 (for previous action, see Journal, today). When we were last dealing with this bill Mr. Padden raised a Point of Order on the Scope and Object of the Senate amendments.

## SPEAKER'S RULING

Mr. Speaker: Mr. Padden the Speaker has examined Second Engrossed Substitute House Bill No. 1378, finds that it deals with Superior Court filing fees and use of money in the public safety education account. The Senate amendments deal almost exclusively with these matters. The Speaker finds that your point is not well taken and the amendment is within the Scope and Object of the bill.

## MOTION

Mr. Appelwick moved that the House do concur in the Senate amendments to Second Engrossed Substitute House Bill No. 1378.

Mr. Appelwick spoke in favor and the motion was adopted.

Ms. Casada moved to excuse Representatives Chandler and Winsley

## FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED.

The Speaker stated the question before the House to be final passage of Second Engrossed Substitute House Bill No. 1378 as amended by the Senate.

Mr. Padden spoke against passage of the bill. Mr. Appelwick again spoke in favor.

## ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1378 as amended by the Senate, and the bill passed the House by the following vote:

Yeas - 63, Nays - 33, Absent - 1, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Belcher, Betrozoff, Braddock, Bray, Brekke, Broback, Brough, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Miller, Mitchell, Myers, H., Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Rust, Schmidt, Scott, Sheldon, Spanel, Sprengle, Valle, Wang, Wilson, Wineberry, Winsley, Wood, Zellinsky, and Mr. Speaker - 63.

Voting nay: Representatives Ballard, Basich, Beck, Bowman, Brumsickle, Carlson, Casada, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Morris, Morton, Moyer, Nealey, Neher, Padden, Prince, Riley, Roland, Silver, Sommers, D., Tate, Vance, Van Luven, Wynne - 33.

Absent: Representative Sommers, H. - 01.

Excused: Representative Chandler - 01.

Second Engrossed Substitute House Bill No. 1378 as amended by the Senate, having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on:

SUBSTITUTE SENATE BILL NO. 6428, and passed the bill as amended by the Conference Committee.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

SECOND ENGROSSED SENATE BILL NO. 6004,  
ENGROSSED SENATE BILL NO. 6285,  
SUBSTITUTE SENATE BILL NO. 6428,  
SUBSTITUTE SENATE BILL NO. 6483,  
SENATE CONCURRENT RESOLUTION NO. 8429,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has receded from the Senate amendments(s) to:

HOUSE BILL NO. 2514, and passed the bill without said amendment(s),  
and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has receded from the Senate amendment(s) to:

HOUSE BILL NO. 2398, and passed the bill without said amendment(s),  
and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he had signed the following bills.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2025  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2268  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274  
HOUSE BILL NO. 2398  
HOUSE BILL NO. 2514  
HOUSE BILL NO. 2932  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2947  
SUBSTITUTE HOUSE BILL NO. 2983  
HOUSE CONCURRENT RESOLUTION NO. 4441  
SECOND ENGROSSED SENATE BILL NO. 6004  
ENGROSSED SENATE BILL NO. 6285  
SUBSTITUTE SENATE BILL NO. 6428  
SUBSTITUTE SENATE BILL NO. 6483  
SENATE CONCURRENT RESOLUTION NO. 8429

MOTION

Mr. Ebersole moved that we revert to the fourth order of business. The motion was carried.

Mr. Ebersole moved that the rules be suspended, that Senate Concurrent Resolution No. 8427, be advanced to second reading and read the second time in full. The motion was carried.

## SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8427, by Senators Saling, Moore, Matson and Jesernig

Requesting a study concerning high technology education.

The bill was read the second time.

Mr. Jacobsen moved adoption of the following amendment:

On page 2, line 21, after "include" strike all material through "Committees," on line 23 and insert "two members from each caucus in the House of Representatives and the Senate,"

On page 2, line 25, after "three" strike "chief"

Mr. Jacobsen spoke in favor of adoption of the amendment, and it was adopted.

On motion of Mr. Ebersole, 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.

## ROLL CALL

The Clerk called the roll on the adoption of Senate Concurrent Resolution No. 8427 as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 1, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Sommers, H. - 01.

Excused: Representative Chandler - 01.

Senate Concurrent Resolution No. 8427 as amended by the House, having received the constitutional majority, was declared adopted.

## SPEAKER'S PRIVILEGE

The Speaker introduced an old friend, George Low from the 49th district.

## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

HOUSE BILL NO. 2514,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2947,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

ENGROSSED HOUSE BILL NO. 1185,  
SUBSTITUTE HOUSE BILL NO. 1481,  
HOUSE BILL NO. 2448,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2466,  
SUBSTITUTE HOUSE BILL NO. 2479,  
SUBSTITUTE HOUSE BILL NO. 2498,  
SUBSTITUTE HOUSE BILL NO. 2501,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2553,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2609,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2640,  
SUBSTITUTE HOUSE BILL NO. 2676,  
SUBSTITUTE HOUSE BILL NO. 2784,  
SUBSTITUTE HOUSE BILL NO. 2814,  
SUBSTITUTE HOUSE BILL NO. 2874,  
SUBSTITUTE HOUSE BILL NO. 2937,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2964,  
SUBSTITUTE HOUSE BILL NO. 2967,  
SUBSTITUTE HOUSE BILL NO. 2983,  
SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4033,  
HOUSE CONCURRENT RESOLUTION NO. 4441,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 10, 1992

MR. SPEAKER:

Under suspension of rules, ENGROSSED HOUSE BILL NO. 2812 was returned to second reading. The Senate reconsidered the vote by which the Committee on Commerce & Labor

amendment(s) (2812.E AS 3/6/92) were adopted, adopted an amendment to the committee amendment, and passed the bill with the (attached) committee amendment as amended:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the creation of new jobs is crucial to the economic well-being of the state and its residents. As several commercial airlines are considering establishing major aircraft maintenance facilities in the state, it is important for the state to demonstrate the ability to provide a skilled work force with the technical skills essential for such a facility. Providing additional state assistance to vocational training programs on aircraft maintenance will ease job displacement in the state and offer an incentive for economic development.

NEW SECTION. Sec. 2. From biennial appropriations to the work force training and education coordinating board for the job skills training program, the board shall allocate the sum of five hundred thousand dollars for the 1991-93 biennium and the sum of one million dollars for the 1993-95 biennium to a state technical or community college for the purpose of a vocational training program for the maintenance of commercial aircraft. The board shall allocate the moneys under this section only after the governor determines that a commercial airline will establish a new facility in this state for the maintenance of commercial aircraft. If no determination is made by January 1, 1993, or if the governor determines before January 1, 1993, that no facility will be established, this section has no effect and the board may allocate these moneys for other purposes of the job skills training program.

Sec. 3. RCW 28C.04.420 and 1983 1st ex. s. c 21 § 4 are each amended to read as follows:

The commission may, subject to appropriation from the legislature or from funds made available from any other public or private source and pursuant to rules adopted by the commission, provide job skills grants to educational institutions. The job skills grants shall be used exclusively for programs which are consistent with the job skills program. A job skills grant may be awarded only after:

(1) Receipt of an application from an educational institution which contains a proposal for a program of skills training and education, including a description of the program, the type of skills training or education to be provided, a statement of the total cost of the program and a breakdown of the costs associated with equipment, personnel, facilities, and materials, a statement of the employment needs for the program and evidence in support thereof, demonstrates that the program does not unnecessarily duplicate existing programs in the area and is provided at a reasonable cost, a statement of the technical assistance and financial support for the program received or to be received from business and industry, and such other information as the commission requests; and

(2) The commission, based on the application submitted by the educational institution and such additional investigation as the staff of the commission shall make, finds that:

(a) The program is within the scope of the job skills program under this chapter and may reasonably be expected to succeed and thereby increase employment within the state;

(b) Provision has been made to use any available alternative funding from local, state, and federal sources;

(c) The job skills grant will only be used to cover the costs associated with the program;

(d) The program will not unnecessarily duplicate existing programs and could not be provided by another educational institution more effectively or efficiently;

(e) The program involves an area of skills training and education for which there is a demonstrable need;

(f) The applicant has made provisions for the use of existing federal and state resources for student financial assistance;

(g) The job skills grant is essential to the success of the program as the resources of the applicant are inadequate to attract the technical assistance and financial support necessary for the program from business and industry;

(h) The commitment of financial support from business and industry shall be equal to or greater than the amount of the requested job skills grant, except that no commitment is necessary for grants under section 2 of this act;

(i) Binding commitments have been made to the commission by the applicant for adequate reporting of information and data regarding the program to the commission, particularly information concerning the recruitment and employment of trainees and students, and including a requirement for an annual or other periodic audit of the books of the applicant directly related to the program, and for such control on the part of the commission as it considers prudent over the management of the program, so as to protect the use of public funds, including, in the discretion of the commission and without limitation, right of access to financial and other records of the applicant directly related to the programs;

(j) Provision has been made by the applicant to work, in cooperation with the employment security department, to identify and screen potential trainees and that provision has been made by the applicant of persons who are victims of economic dislocation and persons from minority and economically disadvantaged groups to participate in the program; and

(k) Binding commitments have been made to the commission by the applicant for compliance with the monitoring and evaluation rules of the commission.

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

In line 1 of the title, after "training;" strike the remainder of the title and insert "amending RCW 28C.04.420; creating new sections; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Ms. Cantwell moved that the House insist on its position regarding the Senate amendments to Engrossed House Bill No. 2812 and again ask the Senate to recede therefrom. The motion was carried.

#### MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2470, and passed the bill as recommended by the Conference Committee,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### REPORT OF CONFERENCE COMMITTEE

ESHB 2470

March 11, 1992

Includes "NEW ITEM": YES

Making supplemental appropriations.

MR. PRESIDENT:

MR. SPEAKER:

We of your CONFERENCE COMMITTEE, to whom was referred **ENGROSSED SUBSTITUTE HOUSE BILL NO. 2470, Supplemental operating budget**, have had the same under consideration and we recommend that:

The Senate Committee on Ways & Means amendment(s) (2470-S.E AAS 2/16/92) NOT BE ADOPTED, and

The Conference Committee striking amendment(s) (2470-S.E AMC CONF S4688.1) Be Adopted with the following amendments(s):

On page 103, line 11 of the Conference Committee amendment (S4688.1), strike "general fund--state" and insert "weights and measures account"

On page 203, beginning on line 23 of the Conference Committee amendment (S4688.1), strike all material down to and including line 23 on page 204. Renumber the sections consecutively and correct any internal references accordingly.

On page 209, in the Conference Committee title amendment (S4688.1), strike ", 86.26.007, and 75.30.120;" and insert "and 86.26.007;"

and that the bill do pass as recommended by the Conference Committee.

Signed by Senators McDonald, West: Representatives Inslee, Locke.

#### MOTION

Mr. Locke moved that the House adopt the Report of the Conference Committee on Engrossed Substitute House Bill No. 2470. The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2470 as recommended by the Conference Committee.

Mr. Locke spoke in favor of passage of the bill. Ms. Silver spoke against.

#### COLLOQUY

Mr. Speaker: Representative Haugen

Representative Haugen: Mr. Speaker, will the gentleman from the 37th district (Mr. Locke) yield to a question?

Mr. Speaker: Representative Haugen, he does.

Representative Haugen: Representative Locke, My question concerns the total amount in the Department of Community Development's budget for growth management grants to local governments.

On page 60, line 1 of the Conference Committee amendment, subsection 10 provides \$12,095,000 solely for growth management grants.



On page 60, line 10 of the Conference Committee amendment, subsection 11(a) provides \$2,433,000 solely for growth management grants in addition to the dollars provided in subsection 10.

My question is this: Is that all the money there is in this SECTION for growth management grants to local governments?

Representative Locke: Representative Haugen, No, there are additional dollars for growth management grants to local governments. Built into the general fund--state appropriation for the Department of Community Development, on page 57, line 11, is not only the total of the two provisos you just mentioned, but also an additional \$1.5 million for growth management grants to local governments. This makes a total of \$16,028,000 appropriated in this section for growth management grants to local governments, as the budget spread sheets distributed with Conference budget make clear.

Representatives Haugen, Hine and Kremen spoke in favor. Representatives McLean, Wilson, Paris, Morton, Edmondson spoke against. Mr. Paris again spoke against. Representatives Morton, Forner spoke against.

Mr. Zellinsky demanded the pervious question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2470 as recommended by the Conference Committee, and the bill passed the House by the following vote: Yeas - 56, Nays - 41, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Myers, H., Neher, Nelson, O'Brien, Ogden, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Winsley, Zellinsky, and, Mr. Speaker - 56.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Brekke, Broback, Brough, Brumsickle, Carlson, Casada, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLéan, Mielke, Miller, Mitchell, Morris, Morton, Moyer, Nealey, Orr, Padden, Paris, Prince, Schmidt, Scott, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Wood, Wynne - 41.

Excused: Representative Chandler - 01.

Engrossed Substitute House Bill No. 2470 as recommended by the Conference Committee, having received the constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5961.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

With consent of the House, we will revert to the fourth order of business.

#### INTRODUCTIONS AND FIRST READING

ESB 5961 by Senator McDonald

Relating to fiscal matters.

ESSB 6286 by Senate Committee on Ways & Means (originally sponsored by Senators McDonald and Niemi; by request of Governor Gardner)

Adjusting pension contribution rates.

ESB 6284 by Senators McDonald and Niemi; by request of Governor Gardner

Transferring money from the budget stabilization account.

#### MOTION

Mr. Ebersole moved that the rules be suspended, that Engrossed Senate Bill No. 5961, be advanced to second reading and read the second time in full. The motion was carried.

#### SECOND READING

ESB 5961 by Senator McDonald

Relating to fiscal matters.

The bill was read the second time.

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

Representatives Locke and Silver spoke in favor of the passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5961, and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen,

Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zelliński, and Mr. Speaker - 96.

Voting nay: Representative Morris - 01.

Excused: Representative Chandler - 01.

Engrossed Senate Bill No. 5961, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the rules be suspended, that Engrossed Substitute Senate Bill No. 6286, be advanced to second reading and read the second time in full. The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6286, by Senate Committee on Ways & Means (originally sponsored by Senators McDonald and Niemi; by request of Governor Gardner)

Adjusting pension contribution rates.

The bill was read the second time.

Mr. Ballard moved adoption of the following amendment:

On page 2, after line 4, insert:

**"NEW SECTION. 2.** A new section is added to chapter 41.45 RCW as follows:

Contributions made after June 30, 1993 which are in excess of the amount necessary to fund the systems may be used only for the purposes of cost of living increases for members of the public employees' retirement system and members of the teachers' retirement system or for improvements to the law enforcement officers' and fire fighters' retirement system II. Any cost of livings increase or the LEOFF II retirement system improvement must be made by a legislative act and appropriation."

#### POINT OF ORDER

Mr. Speaker: Representative Locke state your point of order.

Representative Locke: Mr. Speaker, I question whether this amendment comes within the scope and object of the bill?

Mr. Speaker: Representative Locke, the Speaker has examined Engrossed Substitute Senate Bill No. 6286 and the amendment by Representative Ballard. Engrossed Substitute Senate Bill No. 6286 is an act relating to adjusting pension contributions rates, the bill adjust certain contribution rates for the PERS, TERS and the LEOFF retirement systems. The amendment by Representative Ballard does not deal with contribution rates, rather it deals with increasing pension benefits for cost of living increases. The Speaker finds that the amendment expands the scope and object Engrossed Substitute Senate Bill No. 6286. Mr. Locke your point in well taken, the amendment is out of order.

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

Mr. McLean spoke against passage of the bill. Ms. Hine spoke in favor.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6286, and the bill passed the House by the following vote: Yeas - 56, Nays - 41, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Ebersole, Fisher, G., Fisher, R., Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 56.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Deirn, Edmondson, Ferguson, Forner, Franklin, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Padden, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Wood, Wynne - 41.

Excused: Representative Chandler - 01.

Engrossed Substitute Senate Bill No. 6286, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the rules be suspended, that Engrossed Senate Bill No. 6284, be advanced to second reading and read the second time in full. The motion was carried.

#### SECOND READING

ENGROSSED SENATE BILL NO. 6284, by Senators McDonald and Niemi; by request of Governor Gardner

Transferring money from the budget stabilization account.

The bill was read the second time.

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

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

Ms. G. Cole moved to excuse Representative Sprenkle.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6284, and the bill passed the House by the following vote: Yeas - 59, Nays - 37, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, G., Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers,

H., Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Valle, Wang, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 59.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Carlson, Casada, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Wood, Wynne - 37.

Excused: Representatives Chandler, Sprenkle - 02.

Engrossed Senate Bill No. 6284, having received the constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

ENGROSSED SENATE BILL NO. 5961,  
ENGROSSED SENATE BILL NO. 6284,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6286,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

### RESOLUTIONS

HOUSE RESOLUTION NO. 92-4779, by Representatives Cantwell, Rasmussen, J. King, McLean Ballard, Ogden, Prince, Ebersole and Inslee

WHEREAS, Sterling Munro served former United States Senator Henry Jackson for twenty-five years, rising to the position of administrative assistant; and

WHEREAS, Sterling Munro was appointed by former President Carter as the administrator of the Bonneville Power Administration and later became known as the Northwest's "Energy Czar"; and

WHEREAS, Sterling Munro, as the Bonneville Power Administration chief, sought legislation creating the Northwest Power Planning Council, which is responsible for developing regional electric power and conservation plans and fish and wildlife enhancement programs; and

WHEREAS, Sterling Munro cared deeply about the preservation of our environment and was essential in the creation of the North Cascades National Park; and

WHEREAS, Sterling Munro was instrumental in the passage of the National Environmental Policy Act and the Columbia River treaty with Canada; and

WHEREAS, Sterling Munro served for many years as a dedicated trustee of Central Washington University; and

WHEREAS, Sterling Munro was known for his outstanding wit and sage advice; and

WHEREAS, Sterling Munro shared with United States Senator Jackson a deep-seated conviction regarding the fundamental importance of public service, individual integrity, and human dignity; and

WHEREAS, Sterling Munro died March 9, 1992, at the age of 60, leaving his wife Gene, seven children and thirteen grandchildren;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognizes Sterling Munro's life-long dedication to public service and his selfless contributions for the betterment of Washington state and its people; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Sterling Munro's wife, Gene, and to the members of his family.

Ms. Cantwell moved adoption of the resolution. Representatives Cantwell and Ballard spoke in favor of the adoption of the resolution.

House Resolution No. 92-4779 was adopted.

HOUSE RESOLUTION NO. 92-4781, by Representatives Wineberry, Ballard, Locke, Prince, Anderson, Miller, O'Brien, Franklin, Brekke, Belcher, Valle, Heavey, Nelson, Leonard, Ogden, Jacobsen, Appelwick, J. Kohl, Prentice and Horn

WHEREAS, In September 1962, Fitzgerald Beaver first published The Facts, which was at the time the only newspaper published by and for Seattle's African American community; and

WHEREAS, In the ensuing thirty years of publication, The Facts became the Northwest's largest African American-owned publication and was recognized as the official voice of the Northwest African American community; and

WHEREAS, Through his pioneering journalism efforts, Fitzgerald Beaver became known as the godfather of black media; and

WHEREAS, On September 7, 1983, The Facts grew into a sixteen-page, "metro-size" chronicle on African American heritage, reporting on the growth and success of the African American community; and

WHEREAS, During his thirty-two years of residence in Seattle, Fitzgerald Beaver was recognized as a community servant and leader, receiving more than one hundred community service awards; and

WHEREAS, Fitzgerald Beaver served as a role model to other African American journalists and entrepreneurs, and a scholarship fund has been established in his name that will award scholarships to students whose academic and community commitment exemplify the qualities that Fitzgerald Beaver stood for; and

WHEREAS, The African American community, the journalism industry, and residents of the state of Washington lost a friend and leader with the January 1, 1992, passing of Fitzgerald Beaver; and

WHEREAS, This is Black History Month and there is no more appropriate time to pay tribute to this man;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor the life and work of Fitzgerald Beaver and pays its respect to the memory of this special man.

Mr. Wineberry moved adoption of the resolution. Mr. Wineberry spoke in favor of the adoption of the resolution.

House Resolution No. 92-4781 was adopted.

HOUSE RESOLUTION NO. 92-4777, by Representatives Hine and Prince

WHEREAS, The regular session of the 1992 Legislature is drawing to a close; and  
 WHEREAS, It is particularly challenging to complete our work in a short 60 day session;  
 and

WHEREAS, Our legislative staff is essential to the accomplishment of that task; and  
 WHEREAS, Our professional nonpartisan staff has once again provided excellent research and assistance, working long hours perfecting our creative ideas into workable proposals; and

WHEREAS, Our own personal staff manage to keep track of our mail, our phone calls, our visitors, our constituents, and sometimes even us; and

WHEREAS, Our Chief Clerk and rostrum workers keep papers moving in a mysterious way that somehow results in good laws for the people of the State of Washington; and

WHEREAS, Our workroom and bill room staff work tirelessly behind the scenes at all hours to feed our insatiable appetite for bill reports, bill books, amendments, resolutions, and other both digestible and indigestible paper products; and

WHEREAS, The tour guides proudly show many thousands of visitors our beautiful capitol building; and

WHEREAS, Our respective caucus staffs carry out their work with enthusiasm and eagerness; and

WHEREAS, The session workers have assisted in all their many tasks; and

WHEREAS, The tremendous support from all our staff contributed significantly to our ability to perform our duties as state legislators;

NOW, THEREFORE, BE IT RESOLVED, That the members of the House of Representatives express our sincere thanks to all those who have given so much of their personal time and considerable skills to help us complete a successful session; and

BE IT FURTHER RESOLVED, That copies of this resolution be distributed to all staff offices and work areas as a sign of our sincere appreciation.

Ms. Hine moved adoption of the resolution. Representatives Hine, Prince, Rasmussen and Wineberry spoke in favor of adoption of the resolution.

House Resolution No. 92-4777 was adopted.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5724, and passed the bill as recommended by the Conference Committee.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5724,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2950,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has concurred in the House amendment(s) and passed the following bills as amended by the House:

ENGROSSED SENATE BILL NO. 6408,  
ENGROSSED SENATE BILL NO. 6441,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.



## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has concurred in the House amendment(s) to:

ENGROSSED SENATE BILL NO. 6319, and passed the bill as amended by the House.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MESSAGE FROM THE SENATE

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on:

SENATE BILL NO. 6155, and passed the bill as amended by the Conference Committee.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on:

ENGROSSED SENATE BILL NO. 6407, and passed the bill as amended by the Conference Committee.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has adopted the report of the Conference Committee on:

ENGROSSED SENATE BILL NO. 6128, and passed the bill as amended by the Conference Committee.

and the same is herewith transmitted:

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

ENGROSSED SENATE BILL NO. 6128,  
SENATE BILL NO. 6155,  
ENGROSSED SENATE BILL NO. 6319,  
ENGROSSED SENATE BILL NO. 6407,  
ENGROSSED SENATE BILL NO. 6408,  
ENGROSSED SENATE BILL NO. 6441,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he had signed the following bills.

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1378,  
HOUSE BILL NO. 2259,  
SUBSTITUTE HOUSE BILL NO. 2284,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2552,  
ENGROSSED HOUSE BILL NO. 2680,  
SUBSTITUTE HOUSE BILL NO. 2720,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2950,  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5724,  
ENGROSSED SENATE BILL NO. 6128,  
SENATE BILL NO. 6155,  
ENGROSSED SENATE BILL NO. 6319,  
ENGROSSED SENATE BILL NO. 6407,  
ENGROSSED SENATE BILL NO. 6408,  
ENGROSSED SENATE BILL NO. 6441,

## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

HOUSE BILL NO. 2259,  
 ENGROSSED HOUSE BILL NO. 2680,  
 SUBSTITUTE HOUSE BILL NO. 2720,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2025,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2268,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274,  
 HOUSE BILL NO. 2398,  
 HOUSE BILL NO. 2932,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 2053, with the following (attached) amendment(s):

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 19.28.200 and 1980 c 30 s 15 are each amended to read as follows:

(1) No license under the provision of this chapter shall be required from any utility or any person, firm, partnership, corporation, or other entity employed by a utility because of work in connection with the installation ((and)), repair, or maintenance of lines ((or)) wires, apparatus, or equipment owned by or under the control of a utility and used for

transmission or distribution of electricity from the source of supply to the point of contact at the premises and/or property to be supplied(~~(, or for work in installing or maintaining or repairing on the premises of customers,)~~) and service connections and meters(~~(,)~~) and other apparatus or appliances used in the measurement of the consumption of electricity by the customer(~~(, or for work in connection with)~~).

(2) No license under the provisions of this chapter shall be required from any utility because of work in connection with the installation, repair, or maintenance of the following:

(a) Lines, wires, apparatus, or equipment used in the lighting of streets, alleys, ways, or public areas or squares(~~(, or for the work of installing, maintaining or repairing wires, apparatus or appliances used in their business, or in making or distributing electricity, upon the property owned or operated and managed by them; or for)~~);

(b) Lines, wires, apparatus, or equipment owned by a commercial, industrial, or public institution customer that are an integral part of a transmission or distribution system, either overhead or underground, providing service to such customer and located outside the building or structure: PROVIDED, That a utility does not initiate the sale of services to perform such work;

(c) Lines and wires, together with ancillary apparatus, and equipment, owned by a customer that is an independent power producer who has entered into an agreement for the sale of electricity to a utility and that are used in transmitting electricity from an electrical generating unit located on premises used by such customer to the point of interconnection with the utility's system.

(3) Any person, firm, partnership, corporation, or other entity licensed under RCW 19.28.120 may enter into a contract with a utility for the performance of work under subsection (2) of this section.

(4) No license under the provisions of this chapter shall be required from any person, firm, partnership, corporation, or other entity because of the work of installing and repairing ignition or lighting systems for motor vehicles(~~(, or as)~~).

(5) No license under the provisions of this chapter shall be required from any person, firm, partnership, corporation, or other entity because of work in connection with the installation, repair, or maintenance of wires and equipment, and installations thereof, exempted in RCW 19.28.010.

Sec. 2. RCW 19.28.210 and 1989 c 344 s 1 are each amended to read as follows:

(1) The director shall cause an inspector to inspect all wiring, appliances, devices, and equipment to which this chapter applies. Nothing contained in this chapter may be construed as providing any authority for any subdivision of government to adopt by ordinance any provisions contained or provided for in this chapter except those pertaining to cities and towns pursuant to RCW 19.28.010(2).

(2) Upon request, electrical inspections will be made by the department within forty-eight hours, excluding holidays, Saturdays, and Sundays. If, upon written request, the electrical inspector fails to make an electrical inspection within twenty-four hours, the serving utility may immediately connect electrical power to the installation if the necessary electrical work permit is displayed: PROVIDED, That if the request is for an electrical inspection that relates to a mobile home installation, the applicant shall provide proof of a current building permit issued by the local government agency authorized to issue such permits as a prerequisite for inspection approval or connection of electrical power to the mobile home.

(3) Whenever the installation of any wiring, device, appliance, or equipment is not in accordance with this chapter, or is in such a condition as to be dangerous to life or property, the person, firm, partnership, corporation, or other entity owning, using, or operating it shall be notified by the department and shall within fifteen days, or such further reasonable time as may upon request be granted, make such repairs and changes as are required to remove the danger to life or property and to make it conform to this chapter. The director, through the inspector, is hereby empowered to disconnect or order the discontinuance of electrical service to conductors or equipment that are found to be in a dangerous or unsafe condition and not in accordance with this chapter. Upon making a disconnection the inspector shall attach a notice stating that the conductors have been found dangerous to life or property and are not in accordance with this chapter. It is unlawful for any person to reconnect such defective conductors or equipment without the approval of the department, and until the conductors and equipment have been placed in a safe and secure condition, and in a condition that complies with this chapter.

(4) The director, through the electrical inspector, has the right during reasonable hours to enter into and upon any building or premises in the discharge of his or her official duties for the purpose of making any inspection or test of the installation of new construction or altered electrical wiring, electrical devices, equipment, or material contained in or on the buildings or premises. No electrical wiring or equipment subject to this chapter may be concealed until it has been approved by the inspector making the inspection.

(5) Persons, firms, partnerships, corporations, or other entities making electrical installations shall obtain inspection and approval from an authorized representative of the department as required by this chapter before requesting

the electric utility to connect to the installations. Electric utilities may connect to the installations if approval is clearly indicated by certification of the electrical work permit required to be affixed to each installation or by equivalent means, except that increased or relocated services may be reconnected immediately at the discretion of the utility before approval if an electrical work permit is displayed. The permits shall be furnished upon payment of the fee to the department.

(6) The director, subject to the recommendations and approval of the board, shall set by rule a schedule of license and electrical work permit fees that will cover the costs of administration and enforcement of this chapter. The rules shall be adopted in accordance with the administrative procedure act, chapter 34.05 RCW. No fee may be charged for plug-in mobile homes, recreational vehicles, or portable appliances.

(7) Nothing in this chapter shall authorize the inspection of any wiring, appliance, device, or equipment, or installations thereof, by any utility or by any person, firm, partnership, corporation, or other entity employed by a utility in connection with the installation, repair, or maintenance of lines, wires, apparatus, or equipment owned by or under the control of the utility. All work covered by the national electric code not exempted by the 1981 edition of the national electric code 90-2(B)(5) shall be inspected by the department.

Sec. 3. RCW 19.28.610 and 1986 c 156 s 16 are each amended to read as follows:

Nothing in RCW 19.28.510 through 19.28.620 shall be construed to require that a person obtain a license or a certified electrician in order to do electrical work at his or her residence or farm or place of business or on other property owned by him: PROVIDED, HOWEVER, That nothing in RCW 19.28.510 through 19.28.620 shall be intended to derogate from or dispense with the requirements of any valid electrical code enacted by a city or town pursuant to RCW 19.28.010(2), except that no code shall require the holder of a certificate of competency to demonstrate any additional proof of competency or obtain any other license or pay any fee in order to engage in the electrical construction trade: AND PROVIDED FURTHER, That RCW 19.28.510 through 19.28.620 shall not apply to common carriers subject to Part I of the Interstate Commerce Act, nor to their officers and employees: AND PROVIDED FURTHER, That nothing in RCW 19.28.510 through 19.28.620 shall be deemed to apply to the installation or maintenance of telephone, telegraph, radio, or television wires and equipment; nor to any electrical utility or its employees((s)) in the installation((s)), repair, and maintenance of electrical wiring, circuits, and equipment by or for the utility, or comprising a part of its plants, lines or systems. The licensing provisions of RCW 19.28.510 through 19.28.620 shall not apply to:

(1) Persons making electrical installations on their own property ((or to));

(2) Regularly employed employees working on the premises of their employer; or

(3) Employees of an employer while the employer is performing utility type work of the nature described in RCW 19.28.200 so long as such employees have registered in the state of Washington with or graduated from a state-approved outside lineman apprenticeship course that is recognized by the department and that qualifies a person to perform such work:

AND PROVIDED FURTHER, That nothing in RCW 19.28.510 through 19.28.620 shall be construed to restrict the right of any householder to assist or receive assistance from a friend, neighbor, relative or other person when none of the individuals doing the electrical installation hold themselves out as engaged in the trade or business of electrical installations. Nothing precludes any person who is exempt from the licensing requirements of this chapter under this section from obtaining a journeyman or specialty certificate of competency if they otherwise meet the requirements of this chapter.

On page 1, line 1 of the title, after "exemptions;" strike the remainder of the title and insert "and amending RCW 19.28.200, 19.28.210, and 19.28.610."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MOTION

Mr. Heavey moved that the House do concur in the Senate amendments to Engrossed House Bill No. 2053. The motion was carried.

Representatives Heavey and May spoke in favor of passage of the bill. Mr. Broback spoke against.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2053 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 92, Nays - 4, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Brough, Brumsickle, Cantwell, Carlson, Casada, Cole, G., Cooper, Day, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kohl, J., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Broback, Dellwo, Morris, Myers, H. - 04.

Excused: Representatives Chandler, Sprenkle - 02.

Engrossed House Bill No. 2053 as amended by the Senate, having received the constitutional majority, was declared passed.

## SIGNED BY THE SPEAKER

The Speaker announced that he had signed the following bill.

ENGROSSED HOUSE BILL NO. 2053,

## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

ENGROSSED HOUSE BILL NO. 2053,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## POINT OF PERSONAL PRIVILEGE

Ms. Hine: Mr. Speaker with your permission, Representatives Ballard, Ebersole, Prince and I, would like to approach the rostrum?

Mr. Speaker: Ms. Hine, with consent of the Houses that's alright.

Ms. Hine: Mr. Speaker, thank you for your cooperation. The first order of business, is for us as a group to acknowledge Mary King, Joe's wife. We have talked about throwing a special party for you two, all during session. But the Speaker kept us so busy that we did not have time to do that, but with permission Mr. Speaker may I introduce your wife Mary King and wish you both congratulations from all of us. Now Mr. Speaker we do have something for you, we were

going to get a card to go along with our gift, but then we decided that this signed picture was more appropriate. So, we give that to you with our sincere appreciation and thanks for the many years you have served. Now we will give you the present and then we will each have something more to say.

Ms. Hine: Mr. Speaker these are genuine Spafford murals and we all chipped in, to get it for you. Some offered to chip in lots more if we would give you the real thing. We all are proud and honored Mr. Speaker, to have served with you. We came in the same class, he has improved since then, although there are some who may question that statement. You have indeed been a vigorous leader who never ever have any of us been bored, your style, your daring ideas, but most of all your friendship and your belief in this institution, your willingness to give so much of yourself to the good of all of us. You will, I know go on and do much better, greater things and that gives shivers to everybody, some for different reasons. But on behalf of the caucus and all of us who work with you, we wish you well and thank you very much for your years of service and I especially thank you for the great friendship.

Mr. Prince: Joe, Mary, on behalf of the Republican Caucus we want to wish you both the best in your life together, we are very pleased to see you both here on the rostrum tonight. We have enjoyed working with you, we don't wish you the greatest luck. But you have been a good friend, we have enjoyed it, so on behalf of our caucus, the best.

Mr. Ballard: It's been interesting as we've been involved in this process, and I remember Joe when you became Mr. Speaker and we became the loyal opposition. We have had a lot of interesting times, and I think probably the most unique part of this place is that we come here as strangers, we come here with different ideas, we come here with different agendas and we leave here as life long friends, that is hard to express, unless you are a part of this process. We really appreciate being able to work with you and we didn't always agree, but we always agreed to disagree and in a fashion that I think is good for the whole institution, our best to you.

Mr. Ebersole: Joe has been my roommate in Olympia, the past four or five years and some of the houses we have had, have not been all that great. So Joe I am hoping you can find a house near by, for the next Legislative session and I would like that room in the upper left hand corner on the second floor, when I visit.

Mr. Speaker: Well, thank you Representative Ebersole and maybe with a decent roommate now I can get invited back to the same place twice in a row. Thank you for the wonderful words, thank you for the pictures, but I refuse to turn this gavel over to anybody, unless there is a commitment that these murals will last longer than I do. Thank you all, I will have no higher honor in my life, than the honor I have had, in leading this bunch of wonderful people. I came into this state dead broke, in the back of a pickup, less than twenty years ago, ran for the Legislature, came to this institution as green as anybody has ever come to Olympia. I can remember, early in my career, that somebody suggesting in committee that I should offer an amendment that would benefit my district. It was somewhere in the middle of my first year up here, I had no idea where the window was where they passed out amendments, wandered around looking for two days trying to figure out who it was who was to get this amendment that I was suppose to offer up to somebody. I came absolutely green to this place, twelve years later, I am here saying goodbye to many friends. With a chance to move into the other fine house in which Representative Ebersole has said. Coming to this state twenty years ago broke, making this many friends, with a chance to take a major step. Nobody has to tell me, about the American dream. You all have helped me live that American dream. In the process as your leader, I have learned a few things, about this place and about people. One of the things I didn't understand when I came here, that I gradually have come to understand as your leader, is that the process, this legislative process is probably more important than any particular piece of legislation that we pass. That between the committee hearing rooms

and the debate on the floor, the debate in the Senate, in that process we hold the Democratic tradition. The clash of forces here, the clash of opponents, and those opponents of legislation, and the relationships spelled out in that clash, literally governs our future. The quality of those relationships, are as important to this institution as the quality of the relationships in our own lives. As Speaker it has been my goal to try to deal with stability and grace and improve on the quality of those relationships. I haven't always been successful in that as many of you will tell me. To those that I have offended, I apologize, and I learned, I have also learned that in this place that people who seem, appear to be very ordinary, in times of crises are capable of extra ordinary courage and leadership. I think we have learned together, we have had some wonderful successes, I think we have showed the state, that we can make the legislature as an institution run and run well, inspite of that we are laboring under a divided government. I think the public and the press don't understand the difficulties of trying to run with a divided government, with the chambers in opposite control. I am enormously proud of the work we have done, my only counsel that I leave to my friends behind, is to remember what a high honor and a sacred trust, has been granted to us from the public, to those of you that I have leaned on, thank you for your strength and to those that I have learned from and that includes nearly everybody in here, thank you for your wisdom and to all the members, to the Chief Clerk, to the staff, thank you for the honor of allowing me the honor of leading you. Thank you very very much.

## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has receded from its amendment(s) to:

ENGROSSED HOUSE BILL NO. 2812, and passed the bill without said amendment(s), and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has concurred in the House amendment(s) to:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6180, and passed the bill as amended by the House.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.



MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6180,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8431,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 11, 1992

MR. SPEAKER:

The Senate refuses to concur in the House amendments to:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5526, adheres to its position regarding said amendments, and again asks the House to recede therefrom,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate refuses to grant the request of the House for a Conference on SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1037, insists on its position regarding the Senate amendment(s), and again asks the house to concur therein,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1736,  
SUBSTITUTE HOUSE BILL NO. 2370,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2876,  
SUBSTITUTE HOUSE BILL NO. 2887,  
SUBSTITUTE HOUSE BILL NO. 2993,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 6494,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

SUBSTITUTE SENATE BILL NO. 6460,

SUBSTITUTE SENATE BILL NO. 6461,

and the same is herewith transmitted:

Gordon A. Golob, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he had signed the following bills.

SUBSTITUTE SENATE BILL NO. 6460,  
SUBSTITUTE SENATE BILL NO. 6461,  
SUBSTITUTE SENATE BILL NO. 6494,

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8432,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

If there's no objection the House will revert to the fourth order of business, Introductions and First Reading. The motion was carried.

INTRODUCTIONS AND FIRST READING

HCR 4440 by Representatives Ebersole and Ballard

Resolving that the legislature adjourn Sine Die.

SCR 8431 by Senators Hayner, Sellar, Gaspard and Snyder

Notifying the Governor of the legislature's readiness to adjourn sine die.

SCR 8432 by Senators Hayner, Sellar, Gaspard and Snyder

Returning measures to their house of origin.

Mr. Ebersole moved that the rules be suspended and that House Concurrent Resolution No. 4440, be advanced to second reading and read the second time in full. The motion was carried.

The bill was read the second time.

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

House Concurrent Resolution No. 4440 was adopted.

## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4440,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he had signed the following bill.

HOUSE CONCURRENT RESOLUTION NO. 4440,

## MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4440,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

There being no objection, the House will advance to the eighth order of business.

## RESOLUTION

HOUSE RESOLUTION NO. 92-4775, by Representatives Ebersole and Ballard

BE IT RESOLVED, That the Speaker appoint a committee of four members of the House to notify the Senate that the House of Representatives is now ready to adjourn Sine Die.

Mr. Ebersole moved adoption of the resolution, it was adopted.

#### APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Resolution No. 92-4775, the Speaker appointed Representatives Belcher, Fraser, Morton and Winsley to notify the Senate that the House of Representatives is now ready to adjourn Sine Die.

#### REPORT OF SPECIAL COMMITTEE FROM SENATE

The Sergeant at Arms announced the arrival of a special committee from the Senate and the Speaker instructed him to escort the committee to the bar of the House.

The committee, consisting of Senators L. Smith, Pelz and Thorsness, advised the house that the Senate was ready to Sine Die.

#### MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1378,  
 SUBSTITUTE HOUSE BILL NO. 2284,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2552,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2950,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

#### MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The Senate has concurred in the House amendment(s) to:

SENATE CONCURRENT RESOLUTION NO. 8427, and adopted the bill as amended by the House.

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

JOURNAL OF THE HOUSE  
MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 8427,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he had signed the following bills.

ENGROSSED SENATE BILL NO. 5961,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6180,  
ENGROSSED SENATE BILL NO. 6284,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6286,  
SENATE CONCURRENT RESOLUTION NO. 8427,

## POINT OF PERSONAL PRIVILEGE

Representative Ballard: Mr. Speaker, Ladies and Gentlemen of the House, there is one additional thing I would like to take just a moment and say. We wish the Speaker good luck in his future, and I also wanted to point out that there is a large number of the members on both sides of the aisle that are going to be going on to new endeavors. Looking for new and higher and greater things to do and places to have more fun than we do here. I want to say on behalf of the Republican Caucus and I am sure I speak for all of us, that we have truly, formed some incredible friendships, what places can you go, in which people get up and appear to everyone around that we want to do battle, including our former expressions tonight between the two Ways and Means chairs and then have us sit down and have good friendships, break bread together, and be concerned about each other, and later on to walk up to somebody and no matter what party or what kind of debate we have had and to express that we care for one another. So we would like to say good luck to all of you who we will not have the privilege of serving with in the future, we have enjoyed this very much. Thank you.

## REPORT OF SPECIAL COMMITTEE FROM SENATE

The Sergeant at Arms announced the return of the special committee from the House and the Speaker instructed him to escort the committee to the bar of the House.

The committee, returned saying the Senate is ready to adjourn Sine Die.

Mr. Ebersole moved that the rules be suspended and that Senate Concurrent Resolution No. 8432, be advanced to second reading and read the second time in full. The motion was carried.

SCR 8432 by Senators Hayner, Sellar, Gaspard and Snyder

Returning measures to their house of origin.

The bill was read the second time.

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

Senate Concurrent Resolution No. 8432 was adopted.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 8432,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he had signed the following bills.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2470,

ENGROSSED HOUSE BILL NO. 2812,

SENATE CONCURRENT RESOLUTION NO. 8432,

The Speaker called upon Representative R. Meyers to preside.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2470,  
ENGROSSED HOUSE BILL NO. 2812,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

MOTION.

Mr. Dorn moved that the rules be suspended and that Senate Concurrent Resolution No. 8431, be advanced to second reading and read the second time in full. The motion was carried.

SCR 8431 by Senators Hayner, Sellar, Gaspard and Snyder

Notifying the Governor of the legislature's readiness to adjourn sine die.

The bill was read the second time.

The Speaker assumed the chair.

With consent of the House, we will advance Senate Concurrent Resolution No. 8431 to third reading and final passage.

Senate Concurrent Resolution No. 8431 was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of Senate Concurrent Resolution No. 8431, the Speaker appointed Representatives Cantwell, Locke, P. Johnson and Lisk to notify the Governor that the House of Representatives is now ready to adjourn Sine Die.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

The President had signed:

SENATE CONCURRENT RESOLUTION NO. 8431,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he had signed the following bill.



SENATE CONCURRENT RESOLUTION NO. 8431,  
REPORT OF SPECIAL COMMITTEE FROM SENATE

The Sergeant at Arms announced the return of the special committee from the House, the Speaker instructed him to escort the committee to the bar of the House.

The committee, returned saying the Governor had already gone home.

MESSAGE FROM THE SENATE

March 12, 1992

MR. SPEAKER:

Under the provisions of Senate Concurrent Resolution No. 8432, the Senate returned the following House bills to the House of Representatives:

SUBSTITUTE HOUSE BILL NO. 1003,  
 SUBSTITUTE HOUSE BILL NO. 1015,  
 SUBSTITUTE HOUSE BILL NO. 1061,  
 HOUSE BILL NO. 1073,  
 ENGROSSED HOUSE BILL NO. 1083,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1085,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1090,  
 HOUSE BILL NO. 1102,  
 HOUSE BILL NO. 1116,  
 ENGROSSED HOUSE BILL NO. 1122,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1133,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1153,  
 HOUSE BILL NO. 1159,  
 SUBSTITUTE HOUSE BILL NO. 1183,  
 SUBSTITUTE HOUSE BILL NO. 1186,  
 HOUSE BILL NO. 1191,  
 HOUSE BILL NO. 1193,  
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1198,  
 SUBSTITUTE HOUSE BILL NO. 1205,  
 SUBSTITUTE HOUSE BILL NO. 1207,  
 SUBSTITUTE HOUSE BILL NO. 1212,  
 HOUSE BILL NO. 1217,  
 HOUSE BILL NO. 1218,  
 ENGROSSED HOUSE BILL NO. 1225,  
 SUBSTITUTE HOUSE BILL NO. 1234,  
 ENGROSSED HOUSE BILL NO. 1246,  
 SUBSTITUTE HOUSE BILL NO. 1255,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1275,  
 HOUSE BILL NO. 1279,  
 HOUSE BILL NO. 1280,  
 ENGROSSED HOUSE BILL NO. 1281,

ENGROSSED HOUSE BILL NO. 1285,  
HOUSE BILL NO. 1286,  
ENGROSSED HOUSE BILL NO. 1298,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1310,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1320,  
HOUSE BILL NO. 1362,  
ENGROSSED HOUSE BILL NO. 1395,  
SUBSTITUTE HOUSE BILL NO. 1409,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1448,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1455,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1457,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1462,  
SUBSTITUTE HOUSE BILL NO. 1463,  
SUBSTITUTE HOUSE BILL NO. 1464,  
SUBSTITUTE HOUSE BILL NO. 1466,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1501,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1552,  
SUBSTITUTE HOUSE BILL NO. 1573,  
SUBSTITUTE HOUSE BILL NO. 1598,  
SUBSTITUTE HOUSE BILL NO. 1610,  
SUBSTITUTE HOUSE BILL NO. 1616,  
HOUSE BILL NO. 1627,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1634,  
SUBSTITUTE HOUSE BILL NO. 1636,  
SUBSTITUTE HOUSE BILL NO. 1638,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1651,  
SUBSTITUTE HOUSE BILL NO. 1655,  
SUBSTITUTE HOUSE BILL NO. 1676,  
HOUSE BILL NO. 1689,  
SUBSTITUTE HOUSE BILL NO. 1715,  
SUBSTITUTE HOUSE BILL NO. 1726,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1731,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1737,  
HOUSE BILL NO. 1760,  
SUBSTITUTE HOUSE BILL NO. 1787,  
SUBSTITUTE HOUSE BILL NO. 1797,  
SUBSTITUTE HOUSE BILL NO. 1816,  
SUBSTITUTE HOUSE BILL NO. 1825,  
SUBSTITUTE HOUSE BILL NO. 1847,  
SUBSTITUTE HOUSE BILL NO. 1903,  
HOUSE BILL NO. 1939,  
HOUSE BILL NO. 1985,  
HOUSE BILL NO. 2013,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2016,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2028,  
HOUSE BILL NO. 2090,  
SUBSTITUTE HOUSE BILL NO. 2110,  
SUBSTITUTE HOUSE BILL NO. 2152,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2171,  
HOUSE BILL NO. 2220,  
SUBSTITUTE HOUSE BILL NO. 2246,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2248,  
SUBSTITUTE HOUSE BILL NO. 2251,  
HOUSE BILL NO. 2255,  
HOUSE BILL NO. 2257,  
HOUSE BILL NO. 2264,  
HOUSE BILL NO. 2265,  
HOUSE BILL NO. 2266,  
HOUSE BILL NO. 2269,  
HOUSE BILL NO. 2270,  
SUBSTITUTE HOUSE BILL NO. 2271,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2272,  
SUBSTITUTE HOUSE BILL NO. 2275,  
HOUSE BILL NO. 2278,  
HOUSE BILL NO. 2286,  
SUBSTITUTE HOUSE BILL NO. 2291,  
SUBSTITUTE HOUSE BILL NO. 2296,  
SUBSTITUTE HOUSE BILL NO. 2297,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2300,  
SUBSTITUTE HOUSE BILL NO. 2301,  
SUBSTITUTE HOUSE BILL NO. 2303,  
SUBSTITUTE HOUSE BILL NO. 2306,  
SUBSTITUTE HOUSE BILL NO. 2307,  
SUBSTITUTE HOUSE BILL NO. 2308,  
SUBSTITUTE HOUSE BILL NO. 2310,  
HOUSE BILL NO. 2313,  
SUBSTITUTE HOUSE BILL NO. 2315,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2318,  
HOUSE BILL NO. 2320,  
SUBSTITUTE HOUSE BILL NO. 2322,  
SUBSTITUTE HOUSE BILL NO. 2323,  
SUBSTITUTE HOUSE BILL NO. 2326,  
SUBSTITUTE HOUSE BILL NO. 2327,  
SUBSTITUTE HOUSE BILL NO. 2328,  
SUBSTITUTE HOUSE BILL NO. 2329,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2334,  
HOUSE BILL NO. 2335,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2338,  
SUBSTITUTE HOUSE BILL NO. 2341,  
SUBSTITUTE HOUSE BILL NO. 2345,  
SUBSTITUTE HOUSE BILL NO. 2346,  
SUBSTITUTE HOUSE BILL NO. 2349,  
SUBSTITUTE HOUSE BILL NO. 2354,  
SUBSTITUTE HOUSE BILL NO. 2356,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2363,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2364,

ENGROSSED HOUSE BILL NO. 2366,  
SUBSTITUTE HOUSE BILL NO. 2369,  
HOUSE BILL NO. 2375,  
SUBSTITUTE HOUSE BILL NO. 2376,  
HOUSE BILL NO. 2385,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2386,  
HOUSE BILL NO. 2387,  
SUBSTITUTE HOUSE BILL NO. 2388,  
SUBSTITUTE HOUSE BILL NO. 2390,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2396,  
SUBSTITUTE HOUSE BILL NO. 2397,  
HOUSE BILL NO. 2399,  
SUBSTITUTE HOUSE BILL NO. 2402,  
HOUSE BILL NO. 2403,  
HOUSE BILL NO. 2405,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2409,  
SUBSTITUTE HOUSE BILL NO. 2411,  
SUBSTITUTE HOUSE BILL NO. 2418,  
HOUSE BILL NO. 2419,  
SUBSTITUTE HOUSE BILL NO. 2420,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2423,  
HOUSE BILL NO. 2426,  
SUBSTITUTE HOUSE BILL NO. 2430,  
SUBSTITUTE HOUSE BILL NO. 2434,  
HOUSE BILL NO. 2435,  
SUBSTITUTE HOUSE BILL NO. 2437,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2438,  
SUBSTITUTE HOUSE BILL NO. 2441,  
SUBSTITUTE HOUSE BILL NO. 2442,  
ENGROSSED HOUSE BILL NO. 2443,  
SUBSTITUTE HOUSE BILL NO. 2450,  
SUBSTITUTE HOUSE BILL NO. 2453,  
HOUSE BILL NO. 2454,  
HOUSE BILL NO. 2460,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2462,  
HOUSE BILL NO. 2467,  
HOUSE BILL NO. 2468,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2471,  
SUBSTITUTE HOUSE BILL NO. 2472,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2477,  
SUBSTITUTE HOUSE BILL NO. 2480,  
SUBSTITUTE HOUSE BILL NO. 2481,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2486,  
HOUSE BILL NO. 2487,  
HOUSE BILL NO. 2492,  
HOUSE BILL NO. 2493,  
ENGROSSED HOUSE BILL NO. 2494,  
SUBSTITUTE HOUSE BILL NO. 2496,

SUBSTITUTE HOUSE BILL NO. 2499,  
SUBSTITUTE HOUSE BILL NO. 2505,  
SUBSTITUTE HOUSE BILL NO. 2506,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2519,  
SUBSTITUTE HOUSE BILL NO. 2520,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2526,  
SUBSTITUTE HOUSE BILL NO. 2527,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2528,  
SUBSTITUTE HOUSE BILL NO. 2529,  
SUBSTITUTE HOUSE BILL NO. 2532,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2533,  
ENGROSSED HOUSE BILL NO. 2534,  
HOUSE BILL NO. 2535,  
SUBSTITUTE HOUSE BILL NO. 2537,  
HOUSE BILL NO. 2538,  
HOUSE BILL NO. 2539,  
HOUSE BILL NO. 2541,  
SUBSTITUTE HOUSE BILL NO. 2544,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2546,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2547,  
SUBSTITUTE HOUSE BILL NO. 2548,  
ENGROSSED HOUSE BILL NO. 2549,  
HOUSE BILL NO. 2550,  
ENGROSSED HOUSE BILL NO. 2559,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2561,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2568,  
SUBSTITUTE HOUSE BILL NO. 2571,  
HOUSE BILL NO. 2572,  
SUBSTITUTE HOUSE BILL NO. 2574,  
ENGROSSED HOUSE BILL NO. 2580,  
HOUSE BILL NO. 2583,  
SUBSTITUTE HOUSE BILL NO. 2587,  
SUBSTITUTE HOUSE BILL NO. 2588,  
SUBSTITUTE HOUSE BILL NO. 2589,  
SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2590,  
HOUSE BILL NO. 2591,  
HOUSE BILL NO. 2595,  
HOUSE BILL NO. 2598,  
HOUSE BILL NO. 2599,  
SUBSTITUTE HOUSE BILL NO. 2602,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2603,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2624,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2626,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2628,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2629,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2630,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2631,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2636,

SUBSTITUTE HOUSE BILL NO. 2637,  
ENGROSSED HOUSE BILL NO. 2645,  
ENGROSSED HOUSE BILL NO. 2661,  
SUBSTITUTE HOUSE BILL NO. 2671,  
SUBSTITUTE HOUSE BILL NO. 2675,  
SUBSTITUTE HOUSE BILL NO. 2690,  
SUBSTITUTE HOUSE BILL NO. 2694,  
SUBSTITUTE HOUSE BILL NO. 2703,  
SUBSTITUTE HOUSE BILL NO. 2719,  
SUBSTITUTE HOUSE BILL NO. 2722,  
SUBSTITUTE HOUSE BILL NO. 2726,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2729,  
SUBSTITUTE HOUSE BILL NO. 2731,  
SUBSTITUTE HOUSE BILL NO. 2733,  
SUBSTITUTE HOUSE BILL NO. 2734,  
SUBSTITUTE HOUSE BILL NO. 2750,  
SUBSTITUTE HOUSE BILL NO. 2763,  
SUBSTITUTE HOUSE BILL NO. 2764,  
HOUSE BILL NO. 2765,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2769,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2770,  
SUBSTITUTE HOUSE BILL NO. 2771,  
SUBSTITUTE HOUSE BILL NO. 2772,  
HOUSE BILL NO. 2774,  
SUBSTITUTE HOUSE BILL NO. 2775,  
ENGROSSED HOUSE BILL NO. 2779,  
HOUSE BILL NO. 2780,  
HOUSE BILL NO. 2782,  
SUBSTITUTE HOUSE BILL NO. 2791,  
ENGROSSED HOUSE BILL NO. 2792,  
SUBSTITUTE HOUSE BILL NO. 2809,  
HOUSE BILL NO. 2810,  
SUBSTITUTE HOUSE BILL NO. 2817,  
SUBSTITUTE HOUSE BILL NO. 2819,  
HOUSE BILL NO. 2822,  
SUBSTITUTE HOUSE BILL NO. 2823,  
ENGROSSED HOUSE BILL NO. 2830,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2834,  
HOUSE BILL NO. 2835,  
SUBSTITUTE HOUSE BILL NO. 2843,  
SUBSTITUTE HOUSE BILL NO. 2846,  
SUBSTITUTE HOUSE BILL NO. 2847,  
SUBSTITUTE HOUSE BILL NO. 2848,  
SUBSTITUTE HOUSE BILL NO. 2860,  
SUBSTITUTE HOUSE BILL NO. 2861,  
HOUSE BILL NO. 2862,  
SUBSTITUTE HOUSE BILL NO. 2886,  
HOUSE BILL NO. 2892,

HOUSE BILL NO. 2894,  
 SUBSTITUTE HOUSE BILL NO. 2904,  
 HOUSE BILL NO. 2905,  
 HOUSE BILL NO. 2924,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2925,  
 HOUSE BILL NO. 2926,  
 HOUSE BILL NO. 2931,  
 HOUSE BILL NO. 2933,  
 HOUSE BILL NO. 2938,  
 SUBSTITUTE HOUSE BILL NO. 2939,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2940,  
 HOUSE BILL NO. 2941,  
 HOUSE BILL NO. 2942,  
 SUBSTITUTE HOUSE BILL NO. 2945,  
 SUBSTITUTE HOUSE BILL NO. 2954,  
 ENGROSSED HOUSE BILL NO. 2977,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2986,  
 ENGROSSED SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4010,  
 HOUSE JOINT MEMORIAL NO. 4027,  
 HOUSE JOINT MEMORIAL NO. 4029,  
 HOUSE JOINT MEMORIAL NO. 4030,  
 HOUSE JOINT MEMORIAL NO. 4034,  
 SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4205,  
 HOUSE JOINT RESOLUTION NO. 4208,  
 SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4216,  
 ENGROSSED HOUSE JOINT RESOLUTION NO. 4227,  
 HOUSE JOINT RESOLUTION NO. 4234,  
 HOUSE CONCURRENT RESOLUTION NO. 4428,  
 HOUSE CONCURRENT RESOLUTION NO. 4429,  
 HOUSE CONCURRENT RESOLUTION NO. 4430,  
 ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4433,  
 HOUSE CONCURRENT RESOLUTION NO. 4435,

Pursuant to Senate Concurrent Resolution No. 8432, the House returned the following Senate Bills to the Senate:

SUBSTITUTE SENATE BILL NO. 5031,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5055,  
 SUBSTITUTE SENATE BILL NO. 5062,  
 ENGROSSED SENATE BILL NO. 5063,  
 SENATE BILL NO. 5067,  
 SUBSTITUTE SENATE BILL NO. 5069,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5086,  
 SENATE BILL NO. 5135,  
 ENGROSSED SENATE BILL NO. 5140,  
 SENATE BILL NO. 5150,  
 ENGROSSED SENATE BILL NO. 5151,  
 SUBSTITUTE SENATE BILL NO. 5180,

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SUBSTITUTE SENATE BILL NO. 5237,  
SUBSTITUTE SENATE BILL NO. 5300,  
SENATE BILL NO. 5302,  
SUBSTITUTE SENATE BILL NO. 5329,  
SECOND SUBSTITUTE SENATE BILL NO. 5335,  
SENATE BILL NO. 5345,  
SUBSTITUTE SENATE BILL NO. 5346,  
SENATE BILL NO. 5371,  
SENATE BILL NO. 5375,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5380,  
SUBSTITUTE SENATE BILL NO. 5386,  
SENATE BILL NO. 5389,  
SUBSTITUTE SENATE BILL NO. 5438,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5457,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5481,  
SENATE BILL NO. 5524,  
RE-ENGROSSED SUBSTITUTE SENATE BILL NO. 5526,  
SUBSTITUTE SENATE BILL NO. 5559,  
ENGROSSED SENATE BILL NO. 5566,  
SUBSTITUTE SENATE BILL NO. 5634,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5644,  
SENATE BILL NO. 5661,  
SUBSTITUTE SENATE BILL NO. 5666,  
SENATE BILL NO. 5699,  
SUBSTITUTE SENATE BILL NO. 5702,  
ENGROSSED SENATE BILL NO. 5746,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5759,  
RE-ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5780,  
SUBSTITUTE SENATE BILL NO. 5807,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5810,  
RE-ENGROSSED SUBSTITUTE SENATE BILL NO. 5812,  
SENATE BILL NO. 5848,  
SENATE BILL NO. 5923,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5929,  
ENGROSSED SENATE BILL NO. 5935,  
SUBSTITUTE SENATE BILL NO. 6011,  
SENATE BILL NO. 6013,  
SUBSTITUTE SENATE BILL NO. 6015,  
ENGROSSED SENATE BILL NO. 6022,  
ENGROSSED SENATE BILL NO. 6031,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6035,  
ENGROSSED SENATE BILL NO. 6037,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6047,  
ENGROSSED SENATE BILL NO. 6051,  
SENATE BILL NO. 6052,  
SUBSTITUTE SENATE BILL NO. 6057,  
SENATE BILL NO. 6060,  
SUBSTITUTE SENATE BILL NO. 6063,



SUBSTITUTE SENATE BILL NO. 6064,  
SUBSTITUTE SENATE BILL NO. 6067,  
SENATE BILL NO. 6073,  
SENATE BILL NO. 6075,  
SENATE BILL NO. 6080,  
SUBSTITUTE SENATE BILL NO. 6082,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6083,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6095,  
ENGROSSED SENATE BILL NO. 6096,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6113,  
ENGROSSED SENATE BILL NO. 6116,  
ENGROSSED SENATE BILL NO. 6121,  
SENATE BILL NO. 6122,  
SUBSTITUTE SENATE BILL NO. 6125,  
SENATE BILL NO. 6126,  
SENATE BILL NO. 6130,  
SENATE BILL NO. 6137,  
SUBSTITUTE SENATE BILL NO. 6144,  
SENATE BILL NO. 6150,  
SUBSTITUTE SENATE BILL NO. 6151,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6153,  
SENATE BILL NO. 6158,  
SENATE BILL NO. 6159,  
SENATE BILL NO. 6169,  
SENATE BILL NO. 6172,  
SENATE BILL NO. 6181,  
SUBSTITUTE SENATE BILL NO. 6187,  
SUBSTITUTE SENATE BILL NO. 6188,  
SUBSTITUTE SENATE BILL NO. 6191,  
SUBSTITUTE SENATE BILL NO. 6192,  
ENGROSSED SENATE BILL NO. 6201,  
SENATE BILL NO. 6203,  
SENATE BILL NO. 6223,  
ENGROSSED SENATE BILL NO. 6227,  
SUBSTITUTE SENATE BILL NO. 6228,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6234,  
SUBSTITUTE SENATE BILL NO. 6244,  
SUBSTITUTE SENATE BILL NO. 6246,  
SENATE BILL NO. 6254,  
SECOND SUBSTITUTE SENATE BILL NO. 6255,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6262,  
SUBSTITUTE SENATE BILL NO. 6272,  
ENGROSSED SENATE BILL NO. 6293,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6299,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6304,  
SUBSTITUTE SENATE BILL NO. 6305,  
SENATE BILL NO. 6309,  
ENGROSSED SENATE BILL NO. 6315,

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ENGROSSED SENATE BILL NO. 6318,  
 ENGROSSED SENATE BILL NO. 6322,  
     SENATE BILL NO. 6333,  
 SUBSTITUTE SENATE BILL NO. 6338,  
 SUBSTITUTE SENATE BILL NO. 6345,  
 SUBSTITUTE SENATE BILL NO. 6348,  
     SENATE BILL NO. 6349,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6353,  
     SUBSTITUTE SENATE BILL NO. 6361,  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6364,  
     SUBSTITUTE SENATE BILL NO. 6366,  
     SUBSTITUTE SENATE BILL NO. 6372,  
     SUBSTITUTE SENATE BILL NO. 6373,  
     SUBSTITUTE SENATE BILL NO. 6383,  
     SENATE BILL NO. 6384,  
     SENATE BILL NO. 6390,  
 SUBSTITUTE SENATE BILL NO. 6395,  
     SENATE BILL NO. 6402,  
 ENGROSSED SENATE BILL NO. 6404,  
     SENATE BILL NO. 6405,  
 ENGROSSED SENATE BILL NO. 6409,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6416,  
     SENATE BILL NO. 6430,  
     ENGROSSED SENATE BILL NO. 6432,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6442,  
     ENGROSSED SENATE BILL NO. 6448,  
     SUBSTITUTE SENATE BILL NO. 6466,  
     SENATE BILL NO. 6470,  
     SUBSTITUTE SENATE BILL NO. 6471,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6472,  
     SUBSTITUTE SENATE BILL NO. 6475,  
     SENATE JOINT MEMORIAL NO. 8002,  
     SENATE JOINT MEMORIAL NO. 8008,  
     SENATE JOINT MEMORIAL NO. 8029,  
     SENATE JOINT MEMORIAL NO. 8031,  
     SENATE JOINT RESOLUTION NO. 8217,  
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 8400,  
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 8423,  
 ENGROSSED SENATE CONCURRENT RESOLUTION NO. 8430,

## MOTION

On motion of Ms. Hine, reading of the Journal of the Sixtieth Day of the 1992 Regular Session of the Fifty-Second Legislature was dispensed with and it was ordered to stand approved.

## STATEMENT FOR THE JOURNAL

I missed the last day of the 1992 regular session (March 12) due to a medical emergency in my family. Had I been present I would have voted as follows on the roll call votes taken that day:

SUBSTITUTE SENATE BILL NO. 6428	YES
ENGROSSED SENATE BILL NO. 6285:	
AMENDMENT 402; BY SCHMIDT P-S,L-28	YES
ENGROSSED SENATE BILL NO. 6285	NO
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2025	YES
ENGROSSED HOUSE BILL NO. 2680	YES
SUBSTITUTE HOUSE BILL NO. 2720	YES
ENGROSSED SUBSTITUTE SENATE BILL NO. 6180	YES
HOUSE BILL NO. 2932	YES
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5724	YES
HOUSE BILL NO. 2259	YES
SECOND ENGROSSED SENATE BILL NO. 6004	YES
SUBSTITUTE SENATE BILL NO. 6483	NO
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2552	NO
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2950	NO
ENGROSSED SENATE JOINT RESOLUTION NO. 8231	YES
SUBSTITUTE HOUSE BILL NO. 2284	NO
SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1378	NO
SENATE CONCURRENT RESOLUTION NO. 8427	YES
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2470	NO
ENGROSSED SENATE BILL NO. 5961	YES
ENGROSSED SUBSTITUTE HOUSE BILL NO. 6286	NO
ENGROSSED SENATE BILL NO. 6284	NO
ENGROSSED HOUSE BILL NO. 2053	YES

GARY CHANDLER, 13th District

## MOTION

On motion of Ms. Hine, the 1992 Regular Session of the Fifty-Second Legislature was adjourned Sine Die.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

HOUSE LEGISLATIVE LEADERS

HOUSE LEGISLATIVE LEADERS

Fifty-Second Legislature  
1992 Regular Session

DEMOCRATIC LEADERSHIP

Joseph E. King	Speaker
John L. O'Brien	Speaker Pro Tempore
Brian Ebersole	Majority Leader
Lorraine A. Hine	Democratic Caucus Chair
Randy Dorn	Assistant Majority Leader
Jesse Wineberry	Majority Whip
Grace Cole	Assistant Majority Whip
Judi Roland	Assistant Majority Whip
George Orr	Assistant Majority Whip
Lane Bray	Assistant Majority Whip
Marilyn Rasmussen	Democratic Caucus Vice Chair/Secretary

REPUBLICAN LEADERSHIP

Clyde Ballard	Minority Leader
Eugene A. Prince	Republican Caucus Chair
Louise Miller	Minority Floor Leader
Rose Bowman	Minority Whip
Duane Sommers	Assistant Minority Whip
Randy Tate	Assistant Minority Whip
Bill Brumsickle	Republican Caucus Vice Chair
Christopher Vance	Assistant Minority Whip
Todd Mielke	Assistant Minority Whip
Sarah Casada	Assistant Minority Whip

Name of Member	Dis- trict	Poli- tics	County	Year of Mailing Address	Birth	Birthplace	Years Occupation	Previous Served
Anderson, Cal	43	D	King, part	John L. O'Brien Building 402 Olympia 98504  <u>Home Address</u> 825 15th Ave. Seattle 98122	1948	Washington	Legislator	Appt. 11/9/87- 1991
Appelwick, Marlin J.	46	D	King, part	2611 NE 125th Ste 122 Seattle 98125	1953	Minnesota	Attorney	1983-1991
Ballard, Clyde	12	R	Chelan, Douglas, Grant, part, Kittitas, part, Okanogan, part	1790 N. Baker Street East Wenatchee 98802	1936	Arkansas	Property Management	1983-1991
Basich, Bob	19B	D	Pacific, Grays Harbor, part, Wahkiakum, part	510 Sumner Aberdeen 98520	1927	Washington	Retired Teacher	1985-1991
Beck, John Byron	21	R	Snohomish, part	P. O. Box 1043 Edmonds 98020	1944	Washington	Owner/President Funeral Home Corporation	1987-1991
Belcher, Jennifer	22	D	Thurston, part	323 Maple Park Olympia 98501	1944	West Virginia	Management Consultant	1983-1991
Betrozoff, John	45	R	King, part	11818 156th Avenue NE Redmond 98052	1935	Washington	Property Manager	1983-1991

Name of Member	Dis- trict	Poli- tics	County	Year of Mailing Address	Birth	Birthplace	Years Occupation	Previous Served
Bowman, Rose	20	R	Lewis, Thurston, part	416 West Cherry Centralia 98531	1945	Oklahoma	Owner Kresky Auto Repair & Electric	1989-1991
Braddock, Dennis	42	D	Whatcom, part	P. O. Box 5228 Bellingham 98227	1943	Washington	Planning Consultant	1983-1991
Bray, Lane	8	D	Benton, part	1414 Westwood Ct. Richland 99352	1928	Illinois	Senior Research Scientist	1991-1991
Brekke, Joanne	32	D	King, part	6525 Sycamore NW Seattle 98117	1935	Washington	Legislator	1979-1991
Broback, Art	28	R	Pierce, part	3616 Soundview Dr. W Tacoma 98466	1931	Washington	Commercial Real Estate Broker	1983-1984, 1991
Brough, Jean Marie	30	R	King, part, Pierce, part	1118 S. 287th Place Federal Way 98003	1942	Washington, D.C.	Legislator	1983-1991
Brumsickle, Bill	20	R	Lewis, Thurston, part	1015 Spring Lane Centralia 98531	1935	Washington	Retired/ Education	1989-1991
Cantwell, Maria	44	D	King, part, Snohomish, part	John L. O'Brien Building 401 Olympia 98504	1958	Indiana	Consultant/ Public Affairs	1987-1991
				<u>Home Address</u> 23409 Lakeview Drive Mountlake Terrace 98043				
Carlson, Ron	47	R	King, part	24514 - 219th Ave SE Maple Valley 98038	1930	Michigan	Engineer	Appt. 1/13/92
Casada, Sarah	25	R	Pierce, part	11721 Meridian E. #333 Puyallup 98373	1936	Kentucky	Business, Teacher	1991

Name of Member	Dis- trict	Poli- tics	County	Year of Mailing Address	Birth	Birthplace	Years Occupation	Previous Served
Chandler, Gary	13	R	Adams, part - Grant, part - Kittitas, part - Yakima	4464 Dunn St. Moses Lake 98837	1950	Washington	Farmer	1991
Cole, Grace	1	D	King, part, Snohomish, part	3026 NE 163rd Street Seattle 98155	1926	Idaho	Home Economist	Appt. 1/11/82, 1985-1991
Cooper, David	18	D	Clark, part, Cowlitz, part	P. O. Box 568 Battle Ground 98604	1952	Oregon	Partner Retail Business	1987-1991
Day, Bill	3	D	Spokane, part	P. O. Box 9161 Spokane 99209-9161	1955	Washington	Business	1985-1991
Dellwo, Dennis	3	D	Spokane, part	SeaFirst Center #1900 Spokane 99201	1945	Washington, D.C.	Attorney	1983-1991
Dorn, Randy	2	D	Pierce, part, Thurston, part	Legislative Bldg. 404 Olympia 98504	1953	Washington	Education Administrator	Appt. 12/18/87- 1991
				<u>Home Address</u> P.O. Box 262 Eatonville 98328				
Ebersole, Brian	29	D	Pierce, part	Legislative Bldg. 3rd Floor Olympia 98504	1947	Maryland	College Administrator	1983-1991
				<u>Home Address</u> 5716 Pacific Tacoma 98408				
Edmondson, Betty L.	14	R	Yakima, part	1800 River Road #6 Yakima 98902	1924	California	Retired	1991

Name of Member	Dis- trict	Poli- tics	County	Year of Mailing Address	Birth	Birthplace	Years Occupation	Previous Served
Ferguson, Roy	48	R	King, part	2955 - 162nd SE Bellevue 98008	1934	Michigan	Retired Exxon Oil Company	1987-1991
Fisher, Greg	33	D	King, part	14630 46th Ave. So. Seattle 98168	1961	Washington	Public Relations Consultant	1989-1991
Fisher, Ruth	27	D	Pierce, part	1922 N. Prospect #9 Tacoma 98406	1925	Washington	Retired	1983-1991
Fomer, Elmira	47	R	King, part	14420 SE 288th Kent 98042	1941	Canada	Legislator	1990-1991
Franklin, Rosa	29	D	Pierce, part	7827 S Asotin Tacoma 98408	1927	South Carolina	Registered Nurse	1991
Fraser, Karen	22	D	Thurston, part	6710 Sierra Drive SE Lacey 98503	1944	Washington	Legislator	1989-1991
Fuhrman, Steve	7	R	Ferry, Lincoln, Pend Oreille, Stevens, Okanogan, part, Spokane, part	710 Hwy 395 N Kettle Falls 99141	1946	Washington	Grain Elevator Farm Supply	1983-1991
Grant, William A.	16	D	Walla Walla, Benton, part, Franklin, part	111 Merriam Walla Walla 99362	1937	Washington	Wheat Farmer	1987-1991
Hargrove, James E.	24	D	Clallam, Jefferson, Grays Harbor, part	556 Ocean Beach Rd. Hoquiam 98550	1953	Oregon	Forester	1985-1991



Name of Member	Dis- trict	Poli- tics	County	Year of Mailing Address	Birth	Birthplace	Years Occupation	Previous Served
Haugen, Mary Margaret	10	D	Island, Skagit, part, Snohomish, part	1268 North Olsen Road Camano Island, 98292	1941	Washington	Legislator	1983-1991
Heavey, Michael	34	D	King, part	9403 44th Ave SW Seattle 98136	1946	Washington	Attorney	1987-1991
Hine, Lorraine	33	D	King, part	1834 South 229th Des Moines 98198	1930	South Dakota	Legislator	1980-1991
Hochstatter, Harold	13	R	Adams, part; Grant, part; Kittitas, part; Yakima part	2104 W. Marina Dr. Moses Lake 98837	1937	Washington	Electrical Contractor	1991
Horn, Jim	41	R	King, part	9507 SE 61st Place Mercer Island 98040	1930	Illinois	Aerospace Management/ Boeing	1989-1991
Inslee, Jay	14	D	Yakima, part	John L. O'Brien Building 330 Olympia 98504	1951	Washington	Attorney	1989-1991
Jacobsen, Ken	46	D	King, part	2611 NE 125th Suite 122 Seattle 98125	1945	Nebraska	Self-employed	1983-1991
Johnson, Peggy	35	R	Grays Harbor, part; Kitsap, part; Mason; Thurston, part	W. 3451 Skokomish Valley Rd. Shelton 98584	1930	Washington	Teacher - Consultant Gospel Light Publishing Co. - Co-Owner Farm	1991

Name of Member	Dis- trict	Poli- tics	County	Year of Mailing Address	Birth	Birthplace	Years Occupation	Previous Served
Johnson, Rob	40	D	San Juan; Skagit, part; Whatcom, part	2014 Sandalwood Ct. Mount Vernon 98273	1952	Washington	Insurance Agent	1991
Jones, Evan	24	D	Clallam, Jefferson, Grays Harbor, part	24 Tamarack Lane Port Angeles 98362	1947	California	Laborer	Appt. 11/9/87-1991
King, Joseph E.	49	D	Clark, part	703 Broadway #700 Vancouver 98660	1945	Texas	Partner, Insurance Agency	1981-1991
King, Richard A.	38	D	Snohomish, part	309 77th Place SW Everett 98203	1934	Washington	Legislator	1965-1991
Kohl, Jeanne	36	D	King, part	301 West Kinnear Place Seattle 98119	1942	Wisconsin	College Professor	Appt. 1/11/92
Kremen, Pete	42	D	Whatcom, part	3283 Northshore Road Bellingham 98226	1951	New York	Broadcast Video Production	1985-1991
Leonard, June	11	D	King, part	12444 Beacon Ave. South Seattle 98178	1926	Washington	Legislator	1985-1991
Lisk, Barbara	15	R	Benton, part; Yakima part	2303 Houghton Rd. Zillah 98953	1952	Washington	Apple Grower	1991
Locke, Gary F.	37	D	King, part	5150 S. Wildwood Lane Seattle 98118	1950	Washington	Attorney	1983-1991
Ludwig, Curtis	8	D	Benton, part	425 Columbia Center Blvd. L101 Kennewick 99336	1929	Oregon	Attorney	1991

Name of Member	Dis- trict	Poli- tics	County	Year of Mailing Address	Birth	Birthplace	Years Occupation	Previous Served
May, Fred O.	41	R	King, part	15 Brook Bay Lane Mercer Island 98040	1919	California	Retired	1985-1991
McLean, Alex	12	R	Chelan, Douglas, Grant, part, Kittitas, part, Okanogan, part	P. O. Box 246 Mansfield 98830	1935	Washington	Farmer	Appt. 4/22/86-1991
Meyers, Ron	26	D	Kitsap, part, Pierce, part	P. O. Box 879 Port Orchard 98366	1950	Washington	Attorney	1987-1991
Mielke, Todd	5	R	Spokane, part	P. O. Box 9993 Spokane 99209	1964	Washington	Equipment Leasing	1991
Miller, Louise	45	R	King, part	17005 - 191st Ave NE Woodinville 98072	1936	California	Private Music Teacher	1983-1991
Mitchell, Maryann	30	R	King, part; Pierce, part	33010 39th PL SW Federal Way 98023	1933	Washington	Advocacy for Disabled & Elderly	1991
Morris, Betty Sue	18	D	Clark, part, Cowlitz, part	12633 NW 19th Loop Vancouver 98685	1941	Kansas	Legislator	1989-1991
Morton, Bob	7	R	Ferry; Lincoln; Pend Oreille; Stevens; Okanogan, part; Spokane, part	P. O. Box 1465 Orient 99160	1934	Upstate New York	Tree Farming, Cattle, Clergy	1991
Moyer, John A.	6	R	Spokane, part	P. O. Box 8436 Spokane 99203	1922	Montana	Obstetrician/ Gynecologist	1987-1991

Name of Member	Dis- trict	Poli- tics	County	Year of Mailing Address	Birth	Birthplace	Years Occupation	Previous Served
Myers, Holly	17	D	Clark; part, Klickitat; Skamania	2219 SE 146th Avenue Vancouver 98684	1955	Oregon	Educator	1989-1991
Nealey, Darwin R.	9	R	Asotin, Columbia, Garfield, Whitman, Adams, part, Franklin, part	Box 365 LaCrosse 99143	1919	Washington	Farmer	1983-1991
Neher, Richard	16	R	Benton, part - Franklin, part - Walla Walla	Rt. 3, Reser Rd. Box 120 Walla Walla 99362	1930	Washington	Retired Secondary School Administrator	1991
Nelson, Dick	32	D	King, part	2208 NW Market St #305 Seattle 98107	1936	Washington	Technical Consultant	1977-1991
O'Brien, John L.	37	D	King, part	1305 Joseph Vance Bldg. 1402 3rd Ave. Seattle 98101-2109	1911	Washington	C.P.A.	Appt. 10/39-1946 1949-1991
Ogden, Val	49	D	Clark, part	3118 Royal Oak Dr. Vancouver 98662	1924	Washington	Adjunct Prof, Public Administration	1991
Orr, George	4	D	Spokane, part	13422 E. 6th Ave. Spokane 99216	1942	Idaho	Firefighter	1991
Padden, Mike	4	R	Spokane, part	East 13021 - 9th Avenue Spokane 99216	1946	Oregon	Attorney	1981-1991
Paris, Sr., George Marshall	44	R	King, part; Snohomish, part	18041 Bothell Way NE Bothell 98011	1927	France	Owner/President of Marshall Paris Insurance, INC.	1991

Name of Member	Dis- trict	Poli- tics	County	Year of Mailing Address	Birth	Birthplace	Years Occupation	Previous Served
Peery, W. Kim	17	D	Klickitat, Skamania, Clark, Part	P. O. Box 1015 Camas 98607	1949	Washington	Insurance Agency Owner/Agent	Appt. 1/11/85-1991
Prentice, Margarita	11	D	King, part	6225 S. Langston Road Seattle 98178	1931	California	Registered Nurse	Appt. 5/31/88-1991
Prince, Eugene A.	9	R	Asotin; Columbia; Garfield; Whitman; Adams part; Franklin, part	P. O. Box 69 Thornton 99176	1930	Washington	Farmer	1981-1991
Pruitt, Wes	26	D	Kitsap, part, Pierce, part	6215 55th Avenue Court N.W. Gig Harbor 98335	1947	Vermont	School Policy Consultant	1987-1991
Rasmussen, Marilyn	2	D	Pierce, part, Thurston, part	33419 Mountain Hwy East Eatonville 98328	1939	Washington	Farmer/ Legislator	1987-1991
Rayburn, Margaret S.	15	D	Benton, part, Yakima, part	1610 South Euclid Road Grandview 98930	1927	Oregon	Retired Teacher	1985-1991
Riley, Mike	19A	D	Cowlitz, part - Wahkiakum, part	725 Lone Oak Rd. Longview 98632	1941	Washington	Deputy Sheriff/ Contractor	1991
Roland, Judi	31	D	King, part; Pierce, part	1015 Pike St. NE Auburn 98002	1943	Florida	Former Small Business Owner	1991

Name of Member	Dis- trict	Poli- tics	County	Year of Mailing Address	Birth	Birthplace	Years Occupation	Previous Served
Rust, Nancy S.	1	D	King, part, Snohomish, part	17544 Midvale Avenue N. #105 Seattle 98133	1928	Iowa	Legislator	1981-1991
Schmidt, Karen	23	R	Kitsap, part	155 Madrone Lane North Bainbridge Island 98110  10805 Bill Point View Bainbridge Island 98110	1945	California	Travel Agency, Owner	1981-1991
Scott, Pat	38	D	Snohomish, part	P. O. Box 3466 Everett 98203-8466	1938	Minnesota	Admin. Aide Everett Police Dept.	Appt. 1/4/84- 1991
Sheldon, Timothy	35	D	Grays Harbor, part; Kitsap, part; Mason Thurston, part	P. O. Box 474 Hoodsport 98548	1947	Washington	Economic Development Specialist	1991
Silver, Jean	5	R	Spokane, part	N. 7102 Audubon Drive Spokane 99208	1926	Washington	C.P.A.	1983-1991
Sommers, Duane	6	R	Spokane, part	South 2812 Wall Spokane 99203	1932	Washington	Health Care Consultant	1987-1991
Sommers, Helen	36	D	King, part	2832 West Elmore Place Seattle 98199	1932	New Jersey	Economist	1973-1991
Spanel, Harriet A.	40	D	San Juan, Skagit, part	901 Liberty Street Bellingham 98225.	1939	Iowa	Legislator	1987-1991
Sprenkle, Arthur C.	39B	D	Snohomish, part	4004 Colby Ave. Everett 98201	1945	Pennsylvania	Physician	1987-1991

Name of Member	Dis- trict	Poli- tics	County	Year of Mailing Address	Birth	Birthplace	Years Occupation	Previous Served
Tate, Randy	25	R	Pierce, part	13011 Meridian E. #C 301 Puyallup 98373	1965	Washington		1989-1991
Valle, Georgette	34	D	King, part	Legislative Building 401 Olympia 98504  <u>Home Address</u> 1434 SW 137th St Seattle 98166	1924	Minnesota	Occupational Therapist	1965-1967, 1972-1982, 1985-1991
Vance, Christopher	31	R	King, part; Pierce, part	24827 112th SE #6 Kent 98031	1962	Washington	Public Affairs/Administration	1990-1991
Van Luven, Steve	48	R	King, part	13620 NE. 20th Ste L Bellevue 98005	1947	Washington	President/Owner Trade Brokerage	Appt. 11/9/83- 1986, 1989 - 19921
Wang, Art	27	D	Pierce, part	3319 N. Union Tacoma 98407	1949	Massachusetts	Attorney	1981-1991
Wilson, Simeon R. "Sim"	10	R	Island, Skagit, part, Snohomish, part	P. O. Box 145 Marysville 98270	1927	Oregon	Newspaper Publisher	1973-1991
Wineberry, Jesse	43	D	King, part	340 15th Avenue East #315 Seattle 98112	1955	Washington		1985-1991
Winsley, Shirley J.	28	R	Pierce, part	539 Buena Vista Avenue Fircrest 98466	1934	Minnesota	Legislator	Appt. 4/12/74, 1977-1982, 1985-1991

Name of Member	Dis- trict	Poli- tics	County	Year of Mailing Address	Birth	Birthplace	Years Occupation	Previous Served
Wood, Jeannette	21	R	Snohomish, part	24223 Timberlane Woodway 98020	1932	New York	Teacher	Appt. 7/29/88-1991
Wynne, John C.	39A	R	Snohomish, part	P.O. Box 945 Lake Stevens 98258  11409 17th Place N.E. Lake Stevens 98258	1947	Washington	Telephone Engineer	1990-1991
Zellinsky, Sr., Paul	23	D	Kitsap, part	Sheridan Station Box 2107 Bremerton 98310	1933	Washington	Retired Owner/Car Dealership	1983-1991
Thompson, Alan			Chief Clerk	898 Cowlitz View N.W. Castle Rock 98611	1927	Iowa		<u>House:</u> 1965-1982 <u>Senate:</u> Appt. 11/16/82-1986 <u>House:</u> Chief Clerk 1987-1991
Karras, Dennis			Deputy Chief Clerk	4735 Gravelly Beach Loop NW Olympia 98502	1947	Washington		1989-1991
Pierce, Greg			Assistant Chief Clerk	3312 French Loop NW Olympia 98502	1948	Oregon		1991
Young, Ross			Sergeant at Arms	1381 Linwood Ave. Tumwater 98502	1930	Washington		1975-1980 1983-1991



**HOUSE BILLS PASSED  
BY BOTH HOUSE AND SENATE SHOWING THE  
ACTION BY THE GOVERNOR THEREON**

Fifty-Second Legislature  
1992 Regular Session

House	No.	Status Title	Chapter No.	Effective Date
E SHB	1150	Port commissioner elections	146	04-01-92
E HB	1185	Federal lien recording	133	03-31-92
SHB	1258	Nursing home administration	53	03-26-92
2E SHB	1378	Superior court fees	54	03-26-92
SHB	1392	Acupuncturist licensure	110	03-31-92
SHB	1481	Natural death act amendment	98	03-31-92
E SHB	1495	Land development regulations	191	PV 04-02-92
E SHB	1631	African-American affairs com	96	03-27-92
HB	1664	Sign language requirement	60	03-26-92
HB	1732	Warrant servers	99	03-31-92
SHB	1736	Real property improvement	223	04-02-92
2E SHB	1932	School excess levy limits	49	03-26-92
E SHB	2025	Employee payroll deductins	192	04-02-92
E HB	2053	Electrical licensing exmpts	240	04-02-92
SHB	2055	Criminal history bckgrnd cks	104	03-31-92
SHB	2212	Holocaust study requirement	24	03-20-92
HB	2259	Pension fund designations	212	04-02-92
E HB	2260	Retirement law corrections	72	03-26-92
HB	2261	Pension board memberships	6	03-20-92
E SHB	2262	Community protection act	45	03-26-92
SHB	2263	Correctnl facility refernces	7	03-20-92
E SHB	2268	Inmate work programs	123	03-31-92
E SHB	2274	Employee privacy	Gov vetoed	04-02-92
SHB	2281	Passenger train crew size	102	03-31-92
SHB	2284	County law libraries	62	03-26-92
E HB	2287	Port district creation	147	04-01-92
HB	2290	Fire sprinkler sys contracts	116	03-31-92
E SHB	2293	CPA licensing requirements	103	03-31-92
HB	2294	Coastal crab fishery study	9	03-20-92
HB	2295	Lake Wash. Technical College	2	02-19-92
SHB	2299	Lease-purchase agreement termination	134	03-31-92

SHB	2302	Public works projects	135		03-31-92
E SHB	2305	Fire commissioner districts	74		03-26-92
HB	2314	Medical service provision	8		03-20-92
E HB	2316	IMPACT sunset termination	95		03-26-92
SHB	2319	Election administration	163	PV	04-01-92
SHB	2330	Forest land base maintenance	52		03-26-92
E SHB	2333	Guide and service dogs	10		03-20-92
E SHB	2337	Malpractice insurnce/retired	113		03-31-92
SHB	2344	Street gang activity penalts	Gov vetoed		04-01-92
E HB	2347	High voltage trmsmsn access	11		03-20-92
SHB	2348	Child sex abuse victims	188	PV	04-02-92
HB	2350	General assistance programs	136		03-31-92
HB	2358	Psychologist discip cmmtee	12		03-20-92
SHB	2359	Acad/voc integation program	137	PV	03-31-92
E HB	2360	Fisheries information matr	13		03-20-92
HB	2368	Deputy sheriff practicng law	225		04-02-92
SHB	2370	Process servers registration	125		03-31-92
HB	2371	Conserv dist special assessm	70		03-26-92
SHB	2373	Conceaed weapon permits	168		04-01-92
HB	2374	Senior volunteer programs	65	PV	03-26-92
E SHB	2389	Oil spill prevntr/clean-up	73		03-26-92
SHB	2391	Biomedical waste regulation	14		03-20-92
SHB	2394	Limitations for jurors	93		03-26-92
HB	2398	Volunteer fire fighters fund	97		03-31-92
HB	2417	Disabled parking permits	148		04-01-92
HB	2448	Pesticide licensing	170		04-01-92
SHB	2457	Agricultural nuisances	151	PV	04-01-92
E SHB	2459	Superior court judges	189		04-02-92
SHB	2465	Telecommunications charges	68		03-26-92
E SHB	2466	Juvenile issues task force	205	PV	04-02-92
E SHB	2470	Supplemental operating budgt	232	PV	04-02-92
SHB	2479	Medicare supplemental insur	138		03-31-92
E SHB	2490	Community placement escape	75		03-26-92
SHB	2495	Rural hospital districts	16		104-01-92
SHB	2498	Regulatory fairness	197	PV	04-02-92
SHB	2501	Landlord claims/tenant prop	211		04-02-92
SHB	2502	Organic agricultural prodts	71		03-26-92
HB	2514	Sen citizen/prop tax relief	187		04-02-92
HB	2516	Unlawful bus conduct	77		03-26-92
E SHB	2518	School employees' background	159		04-01-92
HB	2543	Recreational boating code	15		03-20-92
SHB	2551	Special educ services prjcts	180		04-01-92
E SHB	2552	Supplemental capital budget	233	PV	04-02-92
E SHB	2553	Supp transportation budget	166	PV	04-01-92
HB	2554	Erotic sound recordings	5		03-20-92
SHB	2555	Limited dental practices	59		03-26-92
SHB	2560	Senior environmental corps	63		03-26-92
SHB	2594	Wildlife/rec lands managemnt	153		04-01-92

## HOUSE BILLS PASSED BY BOTH HOUSES

2475

E SHB	2609	Airport expansions	190		04-02-92
E SHB	2610	Regional transportation cncl	101		03-31-92
HB	2633	Moderate-risk waste facilits	17		03-20-92
SHB	2635	Litter/recycling assessment	175		04-01-92
SHB	2639	Nonprofit homes for aging	213		04-02-92
E SHB	2640	Sludge management program	174		04-01-92
E SHB	2643	Vehicle licensing/resistratr	216		04-02-92
HB	2655	Mun criminal justice account	55		03-26-92
SHB	2659	Public works contracts	Gov vetoed		04-02-92
SHB	2660	Vehicle license registration	222	PV	04-02-92
HB	2662	Disqualified candidates	181		04-01-92
SHB	2672	Cellular communications	218		04-02-92
SHB	2673	Moved buildings	79		03-26-92
SHB	2676	Economic development projcts	Gov vetoed		04-02-92
E HB	2680	Tax assessment/collection	206		04-02-92
HB	2681	Overpaid taxes refund	169		04-01-92
HB	2682	Unclaimed property recovery	48		03-26-92
SHB	2686	Contractor licensing	217		04-02-92
E SHB	2702	Harrassment offenses	186		04-02-92
SHB	2714	Public transp benefits	16		03-20-92
SHB	2720	Longshore and harbor workers	209	PV	04-02-92
HB	2727	Transportation excises taxes	154		04-01-92
SHB	2735	Voluntarism/citizen services	66		03-26-92
SHB	2745	Protection/antiharassment	143		04-01-92
HB	2746	Tow truck impound charges	18		03-20-92
SHB	2747	Bottled water regulation	34		03-26-92
SHB	2766	Sheriff's services fees	164		04-01-92
SHB	2768	Ecology technical assistance	19		03-20-92
SHB	2784	Domestic relations amndmnts	229		04-02-92
SHB	2796	Water well construction	67		03-26-92
HB	2811	AIDS nursing supplies	182		04-01-92
E HB	2812	Aircraft maintenance trainng	183		04-01-92
E HB	2813	LEOFF retirement system	199		04-02-92
SHB	2814	State information resources	20		03-20-92
E HB	2821	Timber impact area community	21		03-20-92
SHB	2831	Pesticide records/posting	173		04-01-92
SHB	2833	Regulating reclaimed water	204		04-02-92
HB	2841	Unclaimed property act	122		03-31-92
E SHB	2842	System improvements mitigatn	219		04-02-92
HB	2844	Impounded vehicle claims	200		04-02-92
SHB	2845	Auto salespersons overtime	94		03-26-92
SHB	2857	Ret school employ heath ins	152		04-01-92
SHB	2865	Wild mushrooms harvest	184		04-01-92
SHB	2867	Law enforc/fire fghtrs insur	22		03-20-92
SHB	2873	Radioactive waste disposal	61		03-26-92
SHB	2874	Funeral expenses	108		03-31-92
E SHB	2876	Public disclosure laws	139		03-31-92
SHB	2887	Appelate court filings fees	140		03-31-92

HB	2896	Ferry bonds	158		04-01-92
E SHB	2928	Open space laws	69	PV	03-26-92
HB	2932	Washington technology center	142		04-01-92
SHB	2937	Fire protection contracts	117		03-31-92
HB	2944	Consumer credit transactions	193	PV	04-02-92
ESHB	2947	PERS/TRS early retirement	234		04-02-92
ESHB	2950	General obligation bonds	235		04-02-92
HB	2961	Thurston co. spec excise tax	156		04-01-92
E SHB	2964	Traffic safety education	194		04-02-92
SHB	2967	Intermediate care facilities	80		03-26-92
SHB	2983	Pub assist job training	165	PV	04-01-92
E SHB	2985	LEOFF past service credit	157		04-01-92
E SHB	2990	State trust lands purchase	185		04-01-92
SHB	2993	Rural health access account	120		03-31-92

**HOUSE MEMORIALS AND RESOLUTIONS PASSED  
BY BOTH HOUSE AND SENATE**

Fifty-Second Legislature  
1992 Regular Session

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House	No.	Status Title		
SHJM	4033	Forests/families protection	Filed Sec/St	03-12-92
HCR	4424	Reintroduction of bills	Filed Sec/St	01-23-92
HCR	4425	State of state joint session	Filed Sec/St	01-23-92
E HCR	4426	Legislative cutoff	Filed Sec/St	01-23-92
HCR	4427	Amending joint rule	Filed Sec/St	01-23-92
HCR	4440	Adjournment sine die	Filed Sec/St	03-12-92
HCR	4441	Cutoff dates	Filed Sec/St	03-12-92

**SENATE BILLS PASSED  
BY BOTH HOUSE AND SENATE SHOWING THE  
ACTION BY THE GOVERNOR THEREON**

Fifty-Second Legislature  
1992 Regular Session

House	No.	Status Title	Chapter No.		Effective Date
E SSB	5092	Employe benefits/active duty	119		03-31-92
SB	5105	Collective bargaining	36		03-26-92
SSB	5116	Student transportation safty	39	PV	03-26-92
2ESSB	5121	Whistleblower protection	118		03-31-92
SSB	5305	Student suspension	155		04-01-92
2SSB	5318	Money laundering penalties	210		04-02-92
SSB	5342	Payment by annuity/self-insr	124		03-31-92
SSB	5425	Old vehicle equipment	46		03-26-92
SSB	5465	Pharmacy assistant ratio	40		03-26-92
SB	5510	Retirement/ withdrawn contri	195		04-02-92
SSB	5557	Recording of surveys	106	PV	03-31-92
E SB	5675	Skagit river salmon restortn	88	PV	03-26-92
E2SSB	5724	Paper mill waste regulation	201		04-02-92
E SSB	5727	Interim zoning permits	207		04-02-92
E SSB	5728	Land use threshold determtn	208		04-02-92
SSB	5953	Common schools improvement	141	PV	04-01-92
E SB	5961	Fiscal matters	238		04-02-92
E SSB	5986	Tenant duties expanded	38		03-26-92
2E SB	6004	Indian gaming compact review	172		04-01-92
E SB	6008	Repeal RCW 11.92.095	224		04-02-92
SB	6010	Church day cares/B&O exemptn	81		03-26-92
E SB	6023	Intrntl trde in frst prodcts	121		03-31-92
E SB	6027	Horticultural research	23		03-20-92
E SB	6028	Water consrvtn revenue bonds	25		03-20-92
SB	6032	Emrgncy medical srvces certifctn	84		03-26-92
E SB	6033	Emrgncy med srvces certifctn	128		03-31-92
SSB	6042	Condominium act	220		04-02-92
E SB	6054	Chiropractic practice	241	PV	04-03-92
SSB	6055	Crime lab reports as evidnce	129		03-31-92
E SSB	6069	Bone marrow donor program	109		03-31-92
SB	6070	Physician's asst supervision	28		03-20-92

SENATE BILLS PASSED BY BOTH HOUSES

2479

SB	6074	Unemployment insurance	47		03-26-92
SSB	6076	Rural health facilities	27		03-20-92
SB	6078	State route 901	26		03-20-92
SSB	6085	Water/sewer extension review	162		04-01-92
SSB	6086	Vet affairs advisory cmmtee	35		03-26-92
E SB	6093	Pesticide application notifi	176		04-01-92
E SB	6103	Electronic monitoring	86		03-26-92
E SSB	6104	Assault against a child	145		04-01-92
SSB	6111	Family preservation services	214		04-02-92
SSB	6120	Sales rep and principal	177		04-01-92
E SB	6128	Residential shoreline erosn	105		03-31-92
E SSB	6132	Shellfish protection	100		03-31-92
SB	6133	Board of education membership	56		03-26-92
SB	6134	District court seals	29		03-20-92
SSB	6135	Name change orders/filing	30		03-20-92
SSB	6138	District court references	31		03-20-92
SB	6140	Traffic violator nonappearc	32		03-20-92
SSB	6141	Antiharassment petitions	127		03-31-92
SSB	6146	Public works projects	Gov vetoed		03-31-92
SB	6155	Milk marketing orders	58		03-26-92
E SB	6161	Disposition of public lands	167		04-01-92
E SSB	6174	Homicide victims' families	203		04-02-92
E SSB	6180	Education programs	196		04-02-92
E SB	6184	Real estate brokers/ sales	92	PV	03-26-92
SSB	6186	Unpaid leave/service credit	3		03-11-92
SSB	6193	Stop-loss insurance	226		04-02-92
SB	6199	Boating offense compact	33		03-20-92
SB	6212	Fruit commission assessments	87		03-26-92
E SB	6213	Special election dates	37		03-26-92
SB	6220	Schools for 21st century	112		03-31-92
SB	6221	West. Wash. pheasant hunting	41		03-26-92
SB	6226	Firemen's pension fund	89		03-26-92
SSB	6241	Nonprofit org life insurance	51		03-26-92
E SB	6261	Child sexual exploitation	178		04-01-92
SB	6270	Munic criminal justice acct	Gov vetoed		03-26-92
E SB	6273	Pesticide regulation	Gov vetoed		04-01-92
SB	6276	District judges compensation	76		03-26-92
E SB	6284	Budget stabilization account	236		04-02-92
E SB	6285	Higher ed tuition/fee waivr	231		04-02-92
E SSB	6286	Pension contribution rates	239		04-02-92
SB	6289	Fax/phone use at hearings	57		03-26-92
E SB	6292	Brewer and winery sales	78		03-26-92
SB	6295	Driving under influence	64		03-26-92
SB	6296	Infant mortality reviews	179		04-01-92
SSB	6306	Puget Island ferry	82		03-26-92
E SB	6319	Mental illness/placement	230	PV	04-02-92
SSB	6321	Whistleblower programs	44		03-26-92
E SSB	6326	Award for excellence	83		03-26-92

SSB	6327	Excellence in education	50	PV	03-26-92
SSB	6328	Higher ed bid procedures	85		03-26-92
SB	6329	RCW obsolete sections	91		03-26-92
SSB	6330	Drivers' license susp/revok	130		03-31-92
SB	6339	Class F wine retailers licen	42		03-26-92
E2 SSB	6347	Domestic violence	111	PV	03-31-92
SB	6351	RCW obsolete sections	90		03-26-92
SSB	6354	Nursing home reimbursement	215		04-02-92
SB	6357	Solid waste and recycling	131		03-31-92
SSB	6377	TDD state-wide relay system	144		04-01-92
SSB	6386	Radon testing in residences	132		03-31-92
SSB	6393	Food safety inspection progrm	160		04-01-92
SB	6396	Unauthorized insur brokers	149		04-01-92
E SB	6401	Corridor designations	227		04-02-92
E SB	6407	Construction contracts	171		04-01-92
E SB	6408	Capital projects financing	221		04-02-92
E SB	6427	Unauthorized mailings	43		03-26-92
SSB	6428	At-risk children & families	198	PV	04-02-92
E SB	6441	Construction lien rights	126		03-31-92
SB	6444	TV reception improvement dis	150		04-01-92
SSB	6451	Surety liability limits	115		03-31-92
SB	6452	Special events funding	202		04-02-92
SB	6457	Convention/trade center	4		03-10-92
SSB	6460	For hire vehicle provisions	114		03-31-92
SSB	6461	Master license system	107		03-31-92
SSB	6483	Weights and measures	237		04-02-92
SSB	6494	Hanford lease	228		04-02-92



**SENATE MEMORIALS AND RESOLUTIONS PASSED  
BY BOTH HOUSE AND SENATE**

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House	No.	Status Title		
SSJM	8024	Timber salvage sales	Filed Sec/St	03-11-92
SCR	8420	Leg ready conduct business	Filed Sec/St	01-23-92
SCR	8421	Redistricting	Filed Sec/St	02-03-92
SCR	8422	Council on ed reform/funding	Filed Sec/St	03-09-92
SCR	8427	High technology education	Filed Sec/St	03-12-92
SCR	8428	Amending HCR 4426	Filed Sec/St	03-11-92
SCR	8429	Sentencing alternate	Filed Sec/St	03-12-92
SCR	8431	Adjournment sine die	Filed Sec/St	03-12-92
SCR	8432	Return bills/house	Filed Sec/St	03-12-92

**GOVERNOR'S MESSAGES ON HOUSE BILLS  
VETOED AND PARTIALLY VETOED**

Fifty-Second Legislature  
1992 Regular Session

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April 2, 1992

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

I am returning herewith, without my approval as to section 3, Engrossed Substitute House Bill No. 1495 entitled:

"AN ACT Relating to the protection of consumers in the sale of lands."

Section 3 of Engrossed Substitute House Bill No. 1495 provides conditions under which developers are exempt from complying with the consumer protections afforded under the land development act. Section 3(16) exempts from regulation certain developments in cities and counties with comprehensive land use plans and development regulations under the Growth Management Act. It is inappropriate to replace a consumer protection law with an environmental protection law. This provides an opportunity for unscrupulous developers to circumvent the entire chapter just because the property being sold is located in a county with a comprehensive plan. Additional unacceptable opportunities for circumventing the provisions of this chapter exist in section 3(15).

For these reasons, I have vetoed section 3 of Engrossed Substitute House Bill No. 1495. With the exception of section 3, Engrossed Substitute House Bill No. 1495 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

April 2, 1992

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

I am returning herewith, without my approval Engrossed Substitute House Bill No. 2274 entitled:

"AN ACT Relating to employee privacy."

Engrossed Substitute House Bill No. 2274 addresses a problem that does not presently exist in Washington State. The purpose of the bill is to prevent employers from unfairly discriminating against an employee because of the consumption of lawful product outside of the workplace. There is no evidence that employers are abusing their authority under current law.

In contrast, if signed, the bill would draw into question the authority of employers to offer incentives for their employees to end unhealthy forms of behavior, such as the consumption of alcohol or tobacco. For example, this state's Executive Order 88-06, which bans smoking in state buildings and offers assistance to state employees who wish to quit smoking, could be called into

question. Given the health hazards associated with tobacco use, the current authority of employers to provide incentives for employees to quit smoking is good public policy. Employers should be encouraged to exercise this authority.

The bill does allow employers to distinguish between employees if their insurance policy carries a differential rate between smokers and nonsmokers. However, it is not clear whether employers who currently lack such policies would be prohibited from obtaining them in the future. To date, the legislature hasn't stepped up to the task of controlling health care costs, and I believe businesses should not be prohibited from exploring options for keeping their employee health insurance plans affordable. In addition, section (1) seems to prohibit employers from discriminating against an individual for smoking on premises during nonworking hours, or for smoking off premises during working hours. This raises troubling issues. For example, it is unclear whether an employer could prohibit a child care employee from smoking around children or whether an employer could prohibit an employee from smoking in a customer's home.

I am concerned that this bill, if it were to become law, would significantly increase employment litigation based on the argument that an employee was dismissed or disadvantaged because of the consumption of a legal product off premises during nonworking hours.

This veto does not affect existing laws that constrain employers from inquiring into their employee's private lives. But because there is no evidence that employers are abusing their current authority, the concerns created by the bill outweigh its possible merits.

For these reasons, I have vetoed House Bill No. 2274 in its entirety.

Respectfully submitted,  
Booth Gardner, Governor.

April 1, 1992

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

I am returning herewith, without my approval as to section 16, Substitute House Bill No. 2319 entitled:

"AN ACT Relating to election administration."

Substitute House Bill No. 2319 creates the Election Administration and Certification Board to assure that elections are fair and efficient and that persons who work on elections are trained and well qualified.

Section 16 puts this program in jeopardy by providing that if specific funding is not included in the 1993 appropriations act, this act will become null and void. In recognition of the importance of this new program, I am eliminating this "null and void" provision.

For this reason, I have vetoed section 16 of Substitute House Bill No. 2319.

With the exception of section 16, Substitute House Bill No. 2319 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

April 1, 1992

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

I am returning herewith, without my approval, Substitute House Bill No. 2344 entitled:  
"AN ACT Relating to participation in criminal street gangs."

Substitute House Bill No. 2344 creates an aggravated exceptional sentence standard for crimes committed with the intent to promote, further, or assist any criminal conduct by criminal street gang members.

I agree that criminal activity motivated by the desire to further the illegal objectives of a gang should be severely punished. However, any measure that enhances a court's ability to punish people for illegal behavior must be adequately defined so as to be enforceable and equitably applied. These amendments are vague, making it unclear what circumstances would justify an exceptional sentence.

RCW 9.94A.390 illustrates aggravating circumstances a court may currently consider for imposing an exceptional sentence. These circumstances represent egregious situations when a court can determine that the purposes of the state's sentencing system would not be met by a sentence within the standard range. When criminal street gang activity represents egregious circumstances or unique criminal activity the court already has the authority to impose exceptional sentences.

Substitute House Bill No. 2344 singles out criminal street gangs as particularly dangerous associations. The term "street gang" itself conjures up specific stereotypical images in the public's eye - images of minority youth wearing common clothing. Unfortunately, despite efforts of the sentencing reform act to remove racial and ethnic disparity in sentencing practices, minority youth are disproportionately affected by the criminal justice system. This is particularly true with respect to exceptional sentences. I do not wish to further this disparity.

Including the term "criminal street gang," especially as vaguely defined, will send the message that one particular type of criminal association, one most often associated with minority youth, is more dangerous to society than other criminal organizations.

For these reasons, I have vetoed Substitute House Bill No. 2344 in its entirety.

Respectfully submitted,  
Booth Gardner, Governor.

April 2, 1992

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

I am returning herewith, without my approval as to sections 3, 4 and 5, Substitute House Bill No. 2348 entitled:

"AN ACT Relating to the confidentiality of victim-identifying information in cases of child victims of sexual abuse."

The legislature should be applauded for advocating for the protection of privacy interests of child victims of sexual assault. Substitute House Bill No. 2348 is an attempt to regulate access to, and dissemination of, the names and identifying information of child victims of sexual assault. We have a moral obligation to protect our children from the impact of insensitive disclosure of this

information. Child victims are often stigmatized by peers or traumatized by public knowledge of the events that have occurred. This traumatization makes recovery from the effects of the crime more difficult and creates a sense of continuing victimization. Victims may fear public knowledge about the events and may be reluctant to step forward and report the crime to law enforcement.

This bill takes necessary steps to assure that information on child victims of sexual assault is not disseminated. It sets a very high standard for protecting the privacy interests of child victims.

Despite the improvements made by the legislature, I am forced to veto sections 3, 4 and 5, because of the unconstitutional prior restraint placed upon the press in its efforts to publish information about sexual assault victims. The courts have consistently said that prior restraint on speech and publication is the most serious and least tolerable infringement on First Amendment rights. The courts have also stated that there may be no prior restraint on reporting what transpires in open court, whether before or during trial.

Were I to sign this bill into law in its entirety, there is no doubt that major provisions of this Act would be found unconstitutional.

Other provisions of Substitute House Bill No. 2348 address two areas that will strongly protect the privacy interests of child victims of sexual assault. First, none of the information about the identity of the sexual assault victim shall be disclosed. This includes information gathered by law enforcement, social service entities, and the courts. Further, the courts have the authority to close their courtrooms for good cause. Section 9 specifically says that "the court shall ensure that information identifying the child victim is not disclosed to the press or public." The court shall also "order that any portion of any court records, transcripts or recordings of court proceedings that contain information identifying the child victim shall be sealed and not opened to public inspection."

The strength of these directives prohibits the disclosure of identifying information and sends a very strong message --- a message that says we will not tolerate the infringement on the rights of child victims of sexual assault.

For these reasons, I have vetoed sections 3, 4 and 5, of Substitute House Bill No. 2348.

With the exception of sections 3, 4 and 5, Substitute House Bill No. 2348 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

March 31, 1992

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

I am returning herewith, without my approval as to section 5, Substitute House Bill No. 2359 entitled:

"AN ACT Relating to academic, vocational, and technological education."

Substitute House Bill No. 2359 establishes pilot projects to integrate vocational and academic education in secondary schools. Section 5 would set certain requirements for the pilot project applications submitted to the Superintendent of Public Instruction. Section 5 references requests for waivers even though the original language specifying such waivers does not appear in the substitute bill. A veto of this section is necessary to eliminate confusion with waivers.

For this reason, I have vetoed section 5 of Substitute House Bill No. 2359.

With the exception of section 5, Substitute House Bill No. 2359 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

March 26, 1992

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

I am returning herewith, without my approval as to sections 3 and 4, House Bill No. 2374 entitled:

"AN ACT Relating to senior volunteers."

House Bill No. 2374 establishes a statutory formula for distributing funds to local retired senior volunteer programs. The legislation will provide a solid framework for funding these activities. Senior volunteer programs provide important assistance to respond to a wide range of social concerns and local needs.

I am concerned, however, with the possible confusion which may occur with the enactment of sections 3 and 4. These sections direct the Department Community of Development to act immediately to implement the bill, delay implementation of sections 1 and 2 until July 1 of this year, and enact section 3 of the bill at an intermediate date. While I believe it is important to implement this legislation rapidly, the language in these sections is contradictory and unnecessary.

For this reason, I have vetoed sections 3 and 4 of House Bill No. 2374.

With the exception of sections 3 and 4, House Bill No. 2374 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

April 1, 1992

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

I am returning herewith, without my approval as to section 2, Substitute House Bill No. 2457 entitled:

"AN ACT Relating to agricultural nuisances."

Substitute House Bill No. 2457 clarifies that a normal agricultural practice does not constitute a nuisance. Section 2 exempts vehicles hauling live farm animals from laws requiring loads to be secure while those vehicles are crossing certain ferries. This section is aimed at allowing the continued transport of livestock across the Keller Ferry on Lake Roosevelt without regard to animal waste which falls from transport vehicles.

It is my understanding that the Department of Transportation has given assurances to livestock transporters that the use of the Keller Ferry will not be denied to vehicles hauling live farm animals. As a result, section 2 is unnecessary. I urge continued cooperation between the Department of Transportation and affected parties to address any concerns about the use of the Keller Ferry.

For the reason stated above, I have vetoed section 2 of Substitute House Bill No. 2457.

With the exception of section 2, I have approved Substitute House Bill No. 2457.

Respectfully submitted,  
Booth Gardner, Governor.

April 2, 1992

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

I am returning herewith, without my approval as to sections 102, 104, 110, 111, 112, 113, 114, 207, 210, 211, 212, 301, 305, 307, 403, 404, 407 and 408, Engrossed Substitute House Bill No. 2466 entitled:

"AN ACT Relating to recommendations of the juvenile issues task force."

Engrossed Substitute House Bill No. 2466 originated from the deliberations of the Juvenile Issues Task Force. The Task Force was comprised of individuals representing a broad range of interests. It attempted a comprehensive review of the juvenile justice system and the programs provided for troubled youth and their families. The Task Force focused on three substantive areas: juvenile offenders, families at risk, and involuntary commitment and treatment.

These issues are of paramount concern. I applaud the work of the Juvenile Issues Task Force. Its job was not an easy one. Unfortunately, the job was not completed. Many provisions of Engrossed Substitute House Bill No. 2466 were left unfunded, and the burden of making the tough choices to fund these new programs was left to the next legislature.

I cannot mislead the citizens of the state into believing that Substitute House Bill No. 2466 will make important and needed changes in the lives of youths. My hope is that the newly created Joint Select Committee will address these issues with legislation and appropriate funding in the 1993 legislative session. For that reason, I find it necessary to veto the following sections of Engrossed Substitute House Bill No. 2466:

Section 102

This section redefines terms of the state's Juvenile Justice Act. I am concerned that the definition of "community based rehabilitation" could result in placing youths in residential or inpatient substance abuse programs as a condition of their sentence. This would limit their liberty without adequate due process as required by the state's involuntary commitment statutes. Substance abuse treatment during community based rehabilitation should be limited to outpatient programs. For this reason, I have vetoed section 102.

Section 104

The sentence range increases contained in this section will result in a significant caseload increase for county detention facilities. While the language would imply that this increase is optional, it is only optional for the court at the time of sentencing. Therefore, the detention facilities will have no real control over the increased sentences and the resulting case load. The fiscal impact of this section is estimated to be \$11 million for the community supervision expansion alone. The fiscal impact for detention increase would be of the same magnitude. Local governments lack the fiscal resources to accommodate this increase at this time. In addition, local governments lack the physical resources (beds) to accommodate this increased case load. Currently, many detention facilities are facing critical overcrowding problems. This section would only add to this crisis. For this reason, I have vetoed section 104.

Sections 110 through 114

These sections authorize counties to implement and operate youthful offender discipline programs, popularly known as "boot camps." Section 110 limits the programs to children between the ages of 14 and 18 who have been committed to the Department as serious offenders or as minor or first offenders. I believe section 110 contains a drafting error. Minor or first offenders should not be in confinement. They should instead be placed in community supervision programs. Furthermore, serious offenders are generally placed in total confinement settings separate from minor offenders. Sections 111 through 114 implement section 110. Because of the confusion created by the drafting error in section 110, I have vetoed sections 110 through 114.

Section 207

This section addresses alternative residential placements for children following placement in a crisis residential center. This section increases the waiting period for the Department of Social and Health Services prior to filing an alternative residential placement petition from 72 hours to 5 days. Under requirements of this section, the Department's authority to retain a child in a crisis residential center can expire before the petition can be filed. I have vetoed this section in order to maintain the Department's current authority to file a petition before the authority to retain a child expires.

Section 210

This section requires that the Department of Social and Health Services not administratively split code staff that provide family reconciliation services. Although the Department is in the process of accomplishing this action, I believe it is inappropriate to place such administrative requirements in statute. I have vetoed this section to allow the Department to handle such matters administratively.

Section 211

This section requires that all placements into crisis residential centers be approved and coordinated through the family reconciliation supervisor. This administrative requirement needs flexibility and, thus, is inappropriate for inclusion in statute. I have vetoed this section to ensure that this level of administrative detail be left to the agency.

Section 212

This section reduces the staffing in regional crisis residential centers from an average of one staff member for every two children to an average of one staff member for every three children. Children housed in crisis residential centers may pose a threat to themselves and others. This change in the staffing ratio creates a dangerous situation for both residents and staff. I have vetoed this section in order to retain a higher ratio of staff to residents and to ensure greater safety and quality of care within the crisis residential centers.

Section 301

This section requires the Department of Social and Health Services to design and implement its services and programs to maximize receipt of federal funds. The Department has federal funding for numerous programs and has contributed toward saving millions of dollars for the state's General Fund. But, in some circumstances maximizing federal funding would result in denying needed services to many of our state's vulnerable persons. I have vetoed this section in order to allow the Department to manage its programs and services in a more flexible manner.



Section 305

This section would require county designated mental health professionals to provide a written notice and evaluation report to parents of a minor who does not meet involuntary detention criteria. This would create an unnecessary and burdensome workload. For this reason, I have vetoed this section.

Section 307

This section requires a county designated chemical dependency specialist to provide a written notice and evaluation report to parents of a minor who does not meet the criteria for a commitment to a chemical dependency program. This requirement will generate an unnecessary and burdensome workload. In addition, it appears this language is in direct violation of federal confidentiality rules. For these reasons, I have vetoed this section.

Section 403

This section requires the Department to produce a study and report by a specified date. The Legislature did not provide funds to accomplish this mandate. The phrase "within existing funds" requires the Department to divert funding from other priorities in order to accomplish this study. In a period of diminishing fiscal resources, this only degrades the Department's ability to complete existing tasks and requirements. For this reason, I have vetoed this section.

Section 404

Section 404 refers to section 111 through 114. I have vetoed this section because, otherwise, it would have no meaning.

Section 407

This section declares that the purposes of this Act are solely to provide counties and the Department of Social and Health Services with authority to provide these new or expanded services within existing funds unless otherwise funded in the 1992 supplemental appropriations act. This section implies that substantive reform can be achieved without expending resources. It is inappropriate to require or force new programs on the Department or the local governments without making the conscious decision to fund them. For this reason, I have vetoed this section.

Section 408

This section establishes a July 1, 1993, implementation date for numerous provisions of the Act. I believe that this precedent is an unwise one. The 1992 legislature should take responsibility for its own actions and not place the burden of funding these new requirements on the next legislature. I have vetoed this section in order to allow those referenced sections that have not been vetoed to take effect earlier.

For the reasons stated above, I have vetoed sections 102, 104, 110, 111, 112, 113, 114, 207, 210, 211, 212, 301, 305, 307, 403, 404, 407 and 408 of Engrossed Substitute House Bill No. 2466.

With the exception of sections 102, 104, 110, 111, 112, 113, 114, 207, 210, 211, 212, 301, 305, 307, 403, 404, 407 and 408, Engrossed Substitute House Bill No. 2466 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

April 2, 1992

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

I am returning herewith, without my approval as to sections 111 (page 5, line 8), 117 (page 8, lines 20-23), 124 (page 10, line 26), 125, 127, 128, 129(3), 136(5), 141(6), 142(3), 154, 201 (page 26, lines 6 and 7), 203(3), 205(1)(g), 205(2)(c), 210(10), 210(11), 211(5), 211(6), 222 (page 58, lines 10 and 11), 222 (page 61, lines 15 through 18), 222(3), 222(32), 223, 227, 229 (page 72, lines 23 and 24), 303 (page 83, lines 14 and 15), 303 (page 83, line 18), 307 (page 91, lines 19 and 20), 307(9), 311 (page 96, lines 3 and 4), 610(3)(a), 704, 802 (page 194, lines 15-17), 802 (page 195, lines 17, 18, 19 and 20), 903, 906, 909 and 910, Engrossed Substitute House Bill No. 2470 entitled:

"AN ACT Relating to fiscal matters."

My reasons for vetoing these sections are as follows:

Section 111, page 5, line 8, Court of Appeals

This section reduces the appropriation for the Court of Appeals by \$371,000 from the level included in section 111, chapter 16, Laws of 1991, 1st special session, and includes language (also present in sections 109 (Supreme Court) and 113 (Administrator for the Courts)) that allows the Supreme Court, the Court of Appeals, and the Administrator for the Courts, by mutual agreement to utilize their state General Fund appropriations "to make efficient and effective use of available financial resources within the entire judicial branch." I am convinced that the total state General Fund appropriations to these agencies is insufficient to allow the performance of the essential functions of these agencies. I have vetoed only the appropriation in this section, restoring \$371,000 in appropriations to be used, pursuant to the retained proviso language, to meet the financial requirements of the three judicial agencies.

Section 117, page 8, lines 20-23, Gratuity Tracking System (Public Disclosure Commission)

The proviso in this section requires the agency to expend \$25,000 to implement a gratuity tracking system. I accept the legislature's decision to reduce the appropriation to the agency by \$122,000. Because this reduction is \$25,000 greater than my recommendation, I have vetoed this proviso and directed the agency to determine how much, if any, of its appropriation can be made available for this system.

Shellfish Litigation

Section 124, page 10, line 26 (Attorney General)

Section 125, page 12, (Attorney General)

Section 311, page 96, lines 3 and 4 (Department of Fisheries)

The General Fund-State appropriation for the Attorney General includes \$915,000 for legal costs related to tribal shellfish litigation. I have returned the Attorney General's General Fund-State

appropriation to the \$6.3 million originally provided by section 124, chapter 16, Laws of 1991, 1st special session.

Section 125 provides \$915,000 in the Attorney General's budget for shellfish litigation expenses. While resolution of the issue of tribal shellfish rights is important, it is unlikely that the full \$915,000 will be required for litigation expenses this biennium. Placing this appropriation directly in the Attorney General's budget greatly reduces the ability of the other members of the state shellfish caucus to participate and influence the litigation decisions of the Attorney General. Members of the State Shellfish Caucus include the Department of Fisheries, Department of Health, State Parks and Recreation Commission, Department of Natural Resources, as well as the Attorney General. It is for these reasons that I have vetoed section 125.

In order to restore litigation funding to the Department of Fisheries, I have also vetoed the Department's General Fund-State appropriation. This will provide \$4,771,000 in additional appropriation authority to the agency. I have directed the Department to place \$3,856,000 in reserve and use \$450,000 to cover the costs of shellfish litigation for this biennium. The remaining \$465,000 will be used by the Department to cover additional litigation costs and the cost of the mediation process begun by the U.S. Fish and Wildlife Service.

Section 127, pages 12 and 13, Office of Financial Management

This section reduces the Office of Financial Management's total appropriation by \$4,090,000 and requires the Office of Financial Management to absorb the \$300,000 cost of the Commission on Student Learning. These changes impose an unmanageable 13.9 percent reduction in the state's central financial management agency, substantially weakening its ability to support the development and monitor the implementation of budgets and substantive policy in a period when constant vigilance regarding revenues and expenditures will be needed. My veto of this section restores \$4,090,000 in appropriation authority. I have directed that \$1,218,000 of that restored appropriation be placed in reserve, thus imposing the same state General Fund percentage reduction on the Office of Financial Management (7.4 percent before providing for the Commission on Student Learning) that the supplemental budget imposed on the legislature. My veto also eliminates the increased Savings Recovery Account appropriation to the Office of Financial Management, consistent with my veto of the increase in revenue to the account provided in section 906.

Section 128, page 13, Revolving Fund (Office of Administrative Hearings)

This section reduces funding for the Office of Administrative Hearings by \$293,000. Much of the hearings workload handled by the agency is nondiscretionary and supported by nonstate General Fund sources. A reduction in funding will not reduce the demand for hearings services nor limit the number of hearings agencies need. It would only create more need for interagency agreements as a way to fund hearing services in excess of the appropriation. This veto allows the agency to bill for hearings services up to the level of its original appropriation without the need to use resources to create interagency agreements.

Section 129(3), page 14, Data Processing Revolving Fund (Department of Personnel)

This subsection reduces expenditure allotment authority from Fund 419, the Data Processing Revolving Fund, by the Department of Personnel. This reduction in expenditure authority would significantly decrease the Department's ability to develop ad hoc management reports, meet agency requests for software enhancements, and modify the payroll system to meet new requirements. In addition, this language represents an unprecedented intrusion on the Governor's authority to control

expenditures from nonappropriated funds through the allotment process as established in RCW 43.88.110.

Section 136(5), page 17, Study of Nonprofit Homes (Department of Revenue)

This subsection provisos \$57,400 solely for the implementation of Substitute House Bill No. 2639 (Study of Non-Profit Homes for the Aged) from the Department's existing General Fund-State. While this study would yield information concerning the equity of tax laws as applied to homes for the aged, there were no additional funds provided to conduct the study. I have vetoed the proviso in order to give the Department flexibility. I have directed the Department to undertake a study which satisfies the essential requirements of Substitute House Bill No. 2639, within existing resources, without compromising other necessary revenue collection functions.

Section 141(6), page 20, Facility Support for Tenants of the Labor and Industries and the Natural Resources Buildings (Department of General Administration)

Subsection 6 provides \$849,000 of the General Administration Facilities and Services Revolving Fund appropriation for maintenance services to the Department of Labor and Industries and the Department of Natural Resources, subject to negotiations to determine the levels and prices of services. The levels and prices of facility and support services are negotiated between the Department of General Administration and the Office of Financial Management in order to provide a reasonable and equitable level of service among all state agencies. Allowing agencies to negotiate their own service levels and rates would create administrative confusion and subject agencies with less flexibility in funding to substandard service. I have vetoed this proviso and have directed the Department of General Administration to ensure that \$849,000 of the Facilities and Services Revolving Fund appropriation is employed solely in support of all of the tenants of the Department of Labor and Industries and the Department of Natural Resources buildings.

Section 142(3), page 21, Reduced Expenditures in the Data Processing Revolving Fund (Department of Information Services)

This subsection reduces by 2.5 percent the agencies' expenditures on information technology provided by the Department of Information Services, reduces the Department of Information Services' administrative and operations personnel by 21 FTEs, and directs the \$950,000 saved from the reduced staffing level to be placed in the Savings Recovery Account. I have vetoed this subsection because no savings will result from reducing the Department of Information Services staff. Agency demand for computer services creates the need for the positions, and it is the agency use of the positions which generates the billing for the services rendered. I have also vetoed section 906, which adds "savings" from these staff reductions as a revenue source to the Savings Recovery Account. I have asked the Office of Financial Management to work with agencies and the Department of Information Services to attempt to reduce agency computer service expenditures by 2.5 percent.

Section 154, page 25, Repealer Clause for Sections 101 through 152 of Chapter 16, Laws of 1991 Special Session

Engrossed Substitute House Bill No. 2470 amends appropriations originally made for the 1991-93 Biennium in 1991 special session, chapter 16, the biennial operating budget. The longstanding tradition of the legislature has been to draft supplemental appropriation measures, such as this one, in amendatory form. Thus, the legislature historically has set forth the original appropriations and amendments to them. This historical practice not only reflects the true nature of such measures, it also clearly identifies and makes visible to each member of the legislature

intended changes in original biennial appropriation levels. In Part I of Engrossed Substitute House Bill No. 2470, the legislature has abandoned this longstanding practice by repealing numerous original biennial appropriations and replacing them with new appropriations.

As the Governor of this state and a former legislator, I strongly oppose the drafting method employed by the legislature in Part I. It does not provide a clear representation of proposed amendments to biennial appropriation levels and thus, does a disservice to citizens of the state and to the legislative process in which this office participates.

Moreover, the veto authority granted to the Governor by the Constitution of this state is intended to allow the Governor to object to changes in laws, including appropriation measures. By use of this untoward drafting mechanism, the legislature has attempted to thwart the very purpose of the constitutional veto authority of the Governor. Absent veto of section 154, which purports to repeal numerous sections in the 1991-93 biennial operating budget, I would have little choice but to accept the appropriations set forth in Part I of this enactment. The alternative, vetoing any or all of the appropriations in Part I of this enactment, would leave affected offices and agencies wholly without appropriations.

For these reasons, I have vetoed section 154, thereby preventing the repeal of the original appropriations in the biennial operating budget, 1991 special session, chapter 16, identified specifically in section 154 of this enactment.

For reasons fully explained elsewhere in this message, I also have vetoed certain appropriations made in Part I of this enactment. Where I have done so, the appropriation for the affected agency or office will be the original biennial appropriation for that agency or office, appearing in 1991 special session laws, chapter 16. Where I have not vetoed an appropriation contained in Part I of this enactment, the appropriation in Part I will constitute the biennial appropriation for the affected agency or office.

Section 201, page 26, lines 6 and 7, Lease Increases (Children and Family Services, Department of Social and Health Services)

This subsection provides the General Fund-State funding for Children and Family Services within the Department of Social and Health Services. The section eliminates \$2.1 million General Fund-State monies necessary to fund existing leases of local and regional Children and Family Services offices. These lease payments are unavoidable and, if left unfunded, must be paid with existing funds. A reduction of Child Protective Services/Child Welfare Services caseworkers and/or cuts in contracted services would be necessary to pay the unfunded leases. Therefore, I have directed the Department to allot \$2.1 million to fund these mandatory leases. Of the \$11,087,000 General Fund-State in additional appropriation authority, I have directed the Department to place \$8,987,000 in reserve.

Section 203(3), page 33, Civil Commitment Center (Mental Health, Department of Social and Health Services)

This subsection provides funds for the Civil Commitment Center operated within the Special Offenders Unit at the Monroe Reformatory. I believe the funds appropriated are insufficient to meet the Center's programmatic needs and may compromise the facility's ability to provide legally mandated treatment. The veto of this subsection will provide \$569,000 in additional appropriation authority. I have directed the Department of Social and Health Services to place \$273,000 in reserve and use the remaining \$296,000 to adequately fund the Civil Commitment Center.

Section 205(1)(g), pages 37 and 38; Medicaid Tax Expenditures (Developmental Disabilities, Department of Social and Health Services)

This subsection provides appropriations to fund prospective rate increases for intermediate care facilities for the mentally retarded to cover the Medicaid share of the tax levied in Engrossed Substitute House Bill No. 2967. I have vetoed this proviso to avoid potential legal entanglements with the Health Care Financing Administration. This action will not jeopardize the provisions of Engrossed Substitute House Bill No. 2967.

Section 205(2)(c), page 38, Medicaid Tax Expenditures (Developmental Disabilities, Department of Social and Health Services)

This subsection provides appropriations to fund prospective rate increases for intermediate care facilities for the mentally retarded to cover the Medicaid share of the tax levied in Engrossed Substitute House Bill No. 2967. I have vetoed this proviso to avoid potential legal entanglements with the Health Care Financing Administration. This action will not jeopardize the provisions of Engrossed Substitute House Bill No. 2967.

Section 210(10), pages 43 and 44, Personal Care Program (Long Term Care, Department of Social and Health Services)

This subsection directs the Department of Social and Health Services to transfer eligible clients from the chore services program to the personal care program. The clients who are currently served within chore services receive care from family members, which is not permissible under the federally-matched personal care program. Although the subsection provides for geographic exceptions, it fails to recognize the importance of family care for those with developmental disabilities, cultural needs, and situations in which spouses provide care. Although this veto does not restore funding cuts, the Department should not be required to transfer all of these chore services clients without regard for individual circumstances.

Section 210(11), page 44, Nursing Home Study (Long Term Care, Department of Social and Health Services)

This subsection directs the Department of Social and Health Services to analyze and identify any exceptional fiscal needs of nursing facilities whose Medicaid-paying clients number greater than 90 percent, and subsequently report the findings to the legislature. This directive creates an unnecessary and burdensome workload, especially in light of the additional staffing cuts imposed by this budget.

Section 211(5), page 45, State Supplementary Income Payments (Income Assistance, Department of Social and Health Services)

This subsection reduces the state supplement of federal Supplemental Security Income payments to 71,000 blind, disabled, and aged people. I believe the legislature did not intend to reduce the supplemental benefits provided to these most vulnerable citizens. Therefore, I have directed the Department of Social and Health Services to allocate these funds according to the policy currently in existence.

Section 211(6), page 46, Public Assistance Job Training (Income Assistance, Department of Social and Health Services)

This subsection directs the Department of Social and Health Services to implement a pilot community work experience program for clients in the General Assistance-Unemployable program. I support a community work experience program that incorporates vocational rehabilitation, job preparedness services, and medical treatment. The legislature did not, however, fund the \$1.5 million to implement the pilot program as the budget document implies. Consequently, I have

vetoed this subsection and have directed the Department to implement a pilot community work experience program to the extent possible within available funds.

Section 222, page 58, lines 10 and 11, and, page 61, lines 15 through 18, General Fund-State Appropriation (Department of Community Development)

I have vetoed section 222, lines 10 and 11, the General Fund-State appropriation for the Department of Community Development, in order to aid the implementation of the Growth Management Act. Funding for the Growth Management Hearings Boards was reduced to such a degree that the Boards would not be implemented until February, 1993. The success of the Growth Management provisions enacted in 1990 and 1991 depends on these new Hearings Boards playing an effective role. The ability of these Boards to resolve disputes fairly and in a timely fashion will be critical to the success of growth management. The \$1,036,000 freed up by this veto plus the \$750,000 already included in the budget, will allow implementation of the Boards beginning May 15. The veto of section 222, lines 15 through 18, expands the spending limits for the Boards to the original level and allows the Department to spend the amount necessary to implement the Boards in May.

The reduction in funds provided to assist local government planning activities is unjustified and short-sighted. When the legislature passed growth management legislation in 1990 and again in 1991, it was clear that we were giving local governments a difficult job with a tough time line and that adequate funding was essential. I am directing the Department to use the amount that remains in the base budget, \$1.5 million, for grants to local governments.

Section 222(3), page 59, Mortgage Assistance (Department of Community Development)

I have vetoed the new language which restricts the Department to spending no more than 5 percent on administration. The effect of the 5 percent restriction is to further reduce the Department's budget. The proviso language fails to recognize the cost of delivering service.

Section 222(32), page 67, Wetlands Notification and Mapping (Department of Community Development)

The veto of this section is technical in nature. The appropriation is contingent on passage of Substitute Senate Bill No. 6255, Wetlands Notification. Since Senate Bill No. 6255 did not pass, this appropriation will lapse. I have vetoed this proviso to avoid confusion.

Section 223, page 67, Human Rights Commission

This section provides \$4,021,000 General Fund-State for the Human Rights Commission, \$271,000 less than the General Fund-State appropriation provided in section 221, chapter 16, Laws of 1991, 1st special session. This will result in a 33 percent reduction in travel for this agency. The ability for the Commissioners to meet in different locations to address discrimination issues and for staff to investigate complaints is too severely hampered by a cut of this magnitude. I have vetoed this section to allow the agency to restore \$26,000 for travel (a 20 percent reduction). I have requested that the balance of the restored appropriation, \$245,000, be placed in reserve.

Section 227, page 71, Indeterminate Sentence Review Board

Reductions to personal service contracts and travel will impair the Indeterminate Sentence Review Boards ability to provide statutorily mandated service levels. The only manner for the Board to accomplish these reductions would be to eliminate one Board member. While recent actions by the Board will likely reduce the Board's size in the ensuing biennium, it is not prudent, nor cost effective, at this time.

The Board has initiated two different proposals to reduce the number of parolees returning to prison. The Board has a greater than anticipated workload in order to successfully implement these proposals. Delays in this implementation could result in additional prison populations and higher operational costs to the Department of Corrections which will far exceed the amount saved in the Board's appropriation.

Of the \$229,000 restored, I have directed the Board to place \$168,000 in reserve. The additional \$61,000 restores the Board to the level recommended in my original supplemental budget request.

Section 229, page 72, lines 23 and 24, Women, Infants, and Children Program (Department of Health)

The supplemental General Fund-State appropriation for the Department of Health includes a reduction of \$2,552,000 for the Women, Infants, and Children program. This program provides food and nutritional counseling to needy families throughout the state. The \$2,552,000, combined with newly available federal funds, will result in an additional 12,300 persons per month being served. Beyond serving more clients, restoration of this cut will enable us to take immediate advantage of anticipated additional increases in federal funding and will further my goal to improve the health of Washington's children. Children lose without adequate state support for the Women, Infants, and Children program support.

In order to restore these funds, I have vetoed the supplemental appropriation. Of the \$10,803,000 in additional appropriation authority, I have directed the Department of Health to place \$8,251,000 in reserve and use the remaining \$2,552,000 for the Women, Infants, and Children program.

Section 303, page 83, lines 14 and 15, General Fund-State Appropriation (Department of Ecology)

I have vetoed this subsection in order to restore funding to the Department of Ecology's Water Resources Program. The Water Resources Program has continued to make progress in addressing the backlog of water rights applications and in the formulation of a statewide policy for water resources administration through the Chelan Agreement. The reductions to the Department's budget would have reduced enforcement activity and crippled the Water Resources Program's ability to continue addressing the water rights application backlog. In addition, it would seriously curtail efforts in the development of a statewide water resources policy.

The veto of this subsection will increase the Department of Ecology's appropriation authority by \$7,515,000. This will enable the Department to restore \$785,000 to the Water Resources Program. I have directed the Department of Ecology to place the remaining \$6,730,000 in reserve.

Section 303, page 83, line 18, Flood Control Assistance Account (Department of Ecology)

Section 802, page 195 lines 17 and 18, General Fund transfer to Flood Control Assistance Account (Treasurer's Transfer)

Section 910, pages 205 and 206, Flood Control Assistance Account (Department of Ecology)

These sections transfer funds for the Flood Control Assistance Program from the Flood Control Assistance Account to the General Fund. Funding for this program is transferred from the operating budget to the capital budget, with an appropriation from the State Building Construction Account. While I am supportive of providing grant dollars to local communities for flood mitigation plans and projects, \$2.65 million is clearly for operating activities and should be funded from the operating budget. The proviso in section 12(9), page 70, of the capital budget precludes



spending any of the appropriated funds from the State Building Construction Account on operating activities. Without funds for operating costs, the Department would not be able to provide planning grants or technical assistance to local communities, nor would the Department be able to administer the grants for flood mitigation projects which are eligible under the proviso. Without the ability to administer the grants, there would be no state oversight of the expenditure of these grant dollars.

The Department would be faced with one of two options: either redirect General Fund dollars from other programs or eliminate the Flood Control Assistance Program. Given the severity of the reductions to the Department of Ecology's budget, this program would be eliminated. Therefore, I have vetoed these sections in order to restore \$4 million to the Flood Control Assistance Account and continue this important program.

Section 307, page 91, lines 19 and 20, General Fund-State Appropriation (Department of Trade and Economic Development)

I have vetoed the General Fund-State appropriation for the Department in order to address serious shortfalls created by this budget. Of the additional \$3,671,000 in appropriation authority created by this veto, I have directed the Department of Trade and Economic Development to spend \$810,000 on timber programs, \$200,000 on tourism, and to place the remaining \$2,661,000 in reserve. The restoration of \$610,000 in the value-added program will allow continuation of the concentrated effort to increase value-added manufacturing capacity that is necessary as small wood products manufacturers are threatened with closure.

I have also directed expenditure of \$200,000 for restoration of full funding for the Timber Team Office. The Timber Team serves an important function as the central coordination point for diverse state programs which assist timber dependent communities. In addition, the Timber Team coordinates this administration's position and represents the state's interest in federal timber supply and endangered species issues. Almost 40 percent of the Timber Team budget represents pass-through funding required to replace a small portion of federal cutbacks in dislocated worker programs. It is unacceptable to eliminate the Timber Team six months before the close of the biennium. Strategically, this would put the state in a poor position to respond to federal actions that critically affect the state and would hamper coordination efforts vital to good service delivery.

Finally, I have directed the expenditure of \$200,000 to partially offset reductions to the Department's tourism program. At a time when many of our communities are struggling to strengthen and diversify their economies, adequate support for tourism development is a practical requirement. The Department will use these additional resources to bolster cooperative marketing and regional tourism assessments which are the cornerstones of its strategic plan for tourism development.

Section 307(9), pages 93 and 94, Business Network Grants (Department of Trade and Economic Development)

While I believe that business network grants that build capacity are an excellent way to provide the advantages of larger scale timber firms to many small manufacturing concerns, I have vetoed the language that requires the Department of Trade and Economic Development to spend \$500,000 to that end. The language does not give the Department the flexibility necessary to determine the viability of networks for value-added manufacturing given Washington's forest products manufacturing industry makeup. However, I have asked the Department of Trade and Economic Development to intensify efforts to pursue business network grants as an important element for promoting value-added manufacturing. I have directed the Department to spend the majority of available grant funds on business networks, if feasible.

Section 311, page 96, lines 3 and 4, Shellfish Litigation (Department of Fisheries)

As discussed previously, I have vetoed the General Fund-State appropriation revision in the Department of Fisheries in order to restore shellfish litigation funds. This veto has the effect of adding \$4,771,000 in appropriation authority. I have directed the Department to place \$3,856,000 of this amount in reserve, and use \$450,000 to cover the costs of shellfish litigation. The remaining \$465,000 will be used to cover additional litigation costs and the cost of the mediation process begun by the U.S. Fish and Wildlife Service.

Section 610(3)(a), page 171, Financial Aid and Grant Program (Higher Education Coordinating Board)

This subsection caps the state need grant award to students of private schools. The cap is equal to the amount of an award receivable by a student of a state research university. However, the cap applies only to the grants from the increment of \$1,430,000 available for need grant awards due to the 1993 tuition increase.

I have vetoed this subsection because it creates an inequity of financial aid benefits between private school students receiving need grants from the state need grant base budget and students receiving need grant from the 1993 need grant increment due to the tuition increase. In addition, a cap on such a small portion of the state need grant unnecessarily complicates the administration of the state financial aid program. This veto frees up \$127,000 of appropriation, which will be placed in reserve.

Section 704, pages 178-179, Governor's Emergency Fund

This section reduces the appropriation for emergency uses to \$862,000 for the biennium. The \$1.5 million appropriation provided in the original budget was \$500,000 below the \$2 million initially appropriated for emergency purposes in each of several previous biennial budgets. This reduction, combined with allocations already made, would leave an Emergency Fund balance of \$140,400, with 15 months remaining in the biennium. The inability to respond to emergency situations (like fires, floods, windstorm damage, major equipment failure, etc.) imposed by this reduction is unacceptable. This veto restores \$638,000 in appropriation authority to the Emergency Fund. This veto also restores the 2.5 percent allotment reduction to preserve an Emergency Fund balance at \$778,400. This is still a small balance with so much of the biennium still before us.

Section 802, page 194, lines 15, 16 and 17 (Treasurer's Transfers)Section 802, page 195, lines 19 and 20 (Treasurer's Transfers)Section 909, page 204 and 205, Water Quality Account (Department of Ecology)

These sections reduce the transfer of General Fund dollars to the Water Quality Account by \$12,753,000. Washington state is facing increasing threats to one of its most vital resources, the state's waters. If we are to continue to make progress toward protecting Washington's surface and ground waters, it is essential that a consistent and reliable funding level be available. The Water Quality Account is a primary source of funding for local governments in addressing water quality issues. Solutions to tough pollution problems require planning, prevention, and intervention strategies, which may take years to implement. In order to dedicate sizable portions of their own resources to these strategies, local governments need to know that state funding will continue at levels that will enable them to achieve mandated state and federal water pollution requirements. Therefore, I have vetoed these sections in order to restore the statutory funding level to the Water Quality Account.

Section 903, page 196, Minimization of the Essential Requirements Level for the 1993-95 Biennium

Section 903 requires agencies (with the exception of the Department of Corrections) to make 1991-93 FTE reductions permanent, rather than assuming the positions will be funded in 1993-95. The purpose of this section is to minimize the growth of the state's budget base for the 1993-95 Biennium. While it is likely that I will consider this requirement when my 1993-95 budget is developed, I want to preserve the Governor's flexibility for the construction of its budget.

Furthermore, from a practical standpoint, it appears that this section was constructed in isolation without knowledge of the program implications of denying agencies the ability to use temporary or deferred hiring to achieve their FTE budget reductions. There may be some programs in state government that cannot provide an appropriate level of service if held to this requirement. Section 906, pages 197 and 198, Savings Recovery Account

This amendatory section increases the amounts to be withheld from agency appropriations deposited in the Savings Recovery Account by \$5,088,000 and it includes "savings" from the Department of Information Services' rate reductions resulting from staff reductions as a source of Savings Recovery Account revenue. I have vetoed this section for two reasons. First, all but \$950,000 of the \$5,088,000 in increased revenue to the account would be drawn from savings of Efficiency Commission, Brainstorm, and Teamwork Incentive Program projects presently retained by agencies as a partial incentive to participate in such projects. The incentives and benefits to the participating agencies for the extra effort involved in the projects are stripped away by this action with the probable consequence that these worthwhile efforts will disappear. Second, staff reductions in the Department of Information Services do not create rate reductions. These proprietary positions are used to provide customers needed computing related services for which the customers are then billed. Vacated positions provide no service which can be billed, thus there can be no savings.

For these reasons, I have vetoed sections 111 (page 5, line 8), 117 (page 8, lines 20-23), 124 (page 10, line 26), 125, 127, 128, 129(3), 136(5), 141(6), 142(3), 154, 201 (page 26, lines 6 and 7), 203(3), 205(1)(g), 205(2)(c), 210(10), 210(11), 211(5), 211(6), 222 (page 58, lines 10 and 11), 222 (page 61, lines 15 through 18), 222(3), 222(32), 223, 227, 229 (page 72, lines 23 and 24), 303 (page 83, lines 14 and 15), 303 (page 83, line 18), 307 (page 91, lines 19 and 20), 307(9), 311 (page 96, lines 3 and 4), 610(3)(a), 704, 802 (page 194, lines 15-17), 802 (page 195, lines 17, 18, 19 and 20), 903, 906, 909 and 910, of Engrossed Substitute House Bill No. 2470.

With the exception of sections 111 (page 5, line 8), 117 (page 8, lines 20-23), 124 (page 10, line 26), 125, 127, 128, 129(3), 136(5), 141(6), 142(3), 154, 201 (page 26, lines 6 and 7), 203(3), 205(1)(g), 205(2)(c), 210(10), 210(11), 211(5), 211(6), 222 (page 58, lines 10 and 11), 222 (page 61, lines 15 through 18), 222(3), 222(32), 223, 227, 229 (page 72, lines 23 and 24), 303 (page 83, lines 14 and 15), 303 (page 83, line 18), 307 (page 91, lines 19 and 20), 307(9), 311 (page 96, lines 3 and 4), 610(3)(a), 704, 802 (page 194, lines 15-17), 802 (page 195, lines 17, 18, 19 and 20), 903, 906, 909 and 910, Engrossed Substitute House Bill No. 2470 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

April 2, 1992

To the Honorable, the 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. 2498 entitled:

"AN ACT Relating to regulatory fairness."

Substitute House Bill No. 2498 amends a number of statutes to increase procedural protections for small business in the regulatory process.

Section 7 has a drafting error. Section 7 is applicable only to requirements included in an earlier draft. This faulty reference renders the provision moot.

Because of this technical flaw, I have vetoed section 7 of this bill.

With the exception of section 7, Substitute House Bill No. 2498 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

April 2, 1992

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

I am returning herewith, without my approval as to sections 6, 12(5), 12(9), 12(11), 13(4), 15, 24(8)(e), and 31(3)(z) of Engrossed Substitute House Bill No. 2552 entitled:

"AN ACT Relating to the capital budget."

My reasons for vetoing these sections are as follows:

Section 6, Department of Community Development and  
Section 12(11), Transfer to Department of Community Development

These sections direct the Department of Ecology to transfer \$350,000 from the Water Quality Account to the Department of Community Development to implement a wetland notification program. This is an improper use of funds from the Water Quality Account. RCW 70.146.030(2) states that "the Department may use or permit the use of any monies in the account to make grants to public bodies ... for water pollution control facilities and activities, or for purposes of assisting a public body to obtain an ownership interest in water pollution control facilities and/or to defray a part of the payments made by a public body to a service provider under a service agreement...." The property owner notification program does not meet these criteria. Also, the transfer of funds from Ecology to the department of Community Development, which in turn is directed to make grants to local governments, clearly indicates that the Department of Community Development and not Ecology will be administering these funds. This is contrary to RCW 70.146.030, which states that the "Water Quality Account may be used only in a manner consistent with this chapter. Monies deposited in the account shall be administered by the Department of Ecology...."

While the legislature could have amended chapter 70.146 RCW to allow these actions, the legislature's failure to do so renders this budget item legally suspect.

Given the legal questions surrounding this issue, I have vetoed these items.

I do, however, agree that local efforts to implement the Growth Management Act will not be successful unless critical area activities, such as wetland designation and protection, are accomplished with extensive notification and involvement of all affected parties and the public-at-

large. I have, therefore, directed the Department of Community Development to provide technical assistance relating to such notification and involvement and, if necessary, to develop procedural criteria under the Growth Management Act to ensure that this occurs.

Section 12(5), Water Quality Account

This section reduces the appropriation to the Department of Ecology's Water Quality Account by \$12,921,000. Washington State is facing increasing threats to one of our most vital resources, our state's waters. If we are to continue to make progress toward protecting Washington's surface and ground waters, it is essential that a consistent and reliable funding level be available, particularly for local governments. Solutions to tough pollution problems require planning, prevention, and intervention strategies, which may take years to implement. In order to dedicate sizable portions of their own resources to these long-term strategies, local governments need to know that state funding will continue at levels that will enable them to achieve mandated state and federal water pollution requirements. Therefore, I have vetoed this section in order to restore the funding level to the Water Quality Account.

The amended proviso language in this section implies that the needs assessment should consider only the existing source of revenues for the Water Quality Account. When the Water Quality Account was established, the legislature specifically included the General Fund subsidy because revenues from the tax on tobacco products were projected to be inadequate. The General Fund subsidy is necessary in order to provide a stable funding source to address water quality needs. Therefore, I have vetoed the new language in this proviso.

Section 12(9), Flood Control Assistance Account

This section appropriates \$4 million to the Flood Control Assistance program from the State Building Construction Account. This program was transferred from the operating budget to the capital budget. While I support this program, which provides grant dollars to local communities for flood mitigation plans and projects, most are operating activities and should be funded from the operating budget. The proviso in this section precludes spending any of these funds on operating activities. The Department of Ecology would not be able to effectively administer this program and would either have to redirect funds from other General Fund programs or be forced to eliminate the program. Given the severity of the budget reductions to the Department of Ecology, this program would need to be eliminated. Therefore, I have vetoed this section, along with the corresponding sections related to fund transfers in the operating budget. I have directed the Department to continue this program with funds that are made available by corresponding vetoes in the operating budget.

Section 13(4), State Parks and Recreation Commission/Bogachiel State Park

While I recognize that the facilities at Bogachiel State Park have suffered significant damage from storms, an additional appropriation to the State Parks and Recreation Commission is not required to effect needed repairs. The Commission received a \$350,000 appropriation in section 19(41) of the 1991-93 capital budget for emergency and unforeseen needs. I have asked the agency to rely on this appropriation to make the necessary repairs at Bogachiel State Park.

Section 15, State Parks and Recreation Commission

The language in this section is neither practical nor necessary at the present time. The legislature restored funding to operate all state parks during the remainder of the 1991-93 Biennium. Interpretive centers may close, but practical considerations would prevent the sale of these facilities to local governments. Interpretive centers are physically situated within existing state park

boundaries. The ability to sell a portion of an operating state park is not addressed in the section. Furthermore, I have been assured by the State Parks and Recreation Commission that they will cooperate with any local government which desires to operate a closed interpretive facility. Should future budgetary constraints force the closure of state park facilities, the option of transferring operation and ownership to local governments can be revisited.

Section 24(8)(e), page 86, sentence beginning on line 32 through line 37, beginning with the word "The" and ending "No. 2631." Public School Building Construction

The sentence beginning on page 86, line 32 through line 37, is unnecessary. The language allows the State Board of Education to allocate funds for financial assistance to school districts for capital planning related to the implementation of a modified school calendar or schedule as authorized in Engrossed Substitute House Bill No. 2631. The State Board currently (by WAC 180-25-030) allocates funds to school districts for capital planning. These planning grants may be for studies and surveys and include such other matters as the Superintendent of Public Instruction deems pertinent to a decision by the State Board of Education in the allocation of funds for school facilities. Therefore, the authority referenced in Engrossed Substitute House Bill No. 2631 already exists.

Section 31(3)(z), Lease or Lease Purchase of a Computing and Telecommunications Center for the Community and Technical College System

This subsection authorizes the Computing and Telecommunications Center to find a facility to lease, lease/purchase, or lease/develop. It is not clear whether the \$5 million authorized is sufficient to accomplish the agency's space needs. No documentation has been provided explaining the scope, size, or cost of the proposed facility. The effect of this project on the operating budgets of the community colleges supporting the Computing and Telecommunications Center is not explained. The existing lease for the current Computing and Telecommunications Center expires in the fall of 1996, providing ample time for the Computing and Telecommunications Center to request and fully document the need for a permanent facility in the normal capital budget process.

For the reasons stated above, I have vetoed sections 6, 12(5), 12(9), 12(11), 13(4), 15, 24(8)(e), and 31(3)(z) of Engrossed Substitute House Bill No. 2552.

With the exception of sections 6, 12(5), 12(9), 12(11), 13(4), 15, 24(8)(e), and 31(3)(z), Engrossed Substitute House Bill No. 2552 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

April 1, 1992

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

I am returning herewith, without my approval as to sections 15(6), 22 (page 20 lines 12 and 13), 22(9), and 29 of Engrossed Substitute House Bill No. 2553 entitled:

"AN ACT Relating to Transportation Appropriations."

Section 15(6), Highway Construction - Program B

Section 15(6) requires the Department of Transportation to adhere to the 1987 federal delineation of wetlands for mitigation purposes. As drafted, this proviso only applies to the interstate construction program rather than the non-interstate new construction program.

Since local jurisdictions may require the Department of Transportation to adhere to more stringent guidelines than those set forth in the 1987 federal delineation manual, this language could confuse the delivery of necessary interstate projects. Further, it is inappropriate to adopt state wetland standards on a piecemeal basis within a budget document.

Section 22 (page 20 lines 12 and 13), and Section 22(9), Planning, Research, and Public Transportation - Program T

This \$100,000 appropriation and proviso fund a study on the interrelationship of land use planning and zoning to transit ridership. The study funding is contingent on the enactment of the METRO Municipal Corporation bill (Senate Bill No. 6209) or the Transportation Authorities bill (Engrossed House Bill No. 2830). The Legislature did not pass either of these bills. Therefore, the study and funding are no longer appropriate.

Section 29, Office of Financial Management Study of General Administration Charges

Section 29 requires the Office of Financial Management to conduct a study of the methods used by the revolving fund agencies to charge for services provided to the transportation agencies. Such a review is currently underway. Therefore, this study is not necessary. My staff will coordinate the transportation agencies and the revolving fund agencies to discuss services provided, allocation methodologies, and rate charges.

For these reasons, I have vetoed sections 15(6), 22 (page 20 lines 12 and 13), 22(9), and 29 of Engrossed Substitute House Bill No. 2553.

With the exception of sections 15(6), 22 (page 20 lines 12 and 13), 22(9), and 29, Engrossed Substitute House Bill No. 2553 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

April 2, 1992

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

I am returning herewith, without my approval, Substitute House Bill No. 2659 entitled:  
"AN ACT Relating to the retained percentage from a public works contract held in trust for labor and material liens and for the protection of the owner."

Substitute House Bill No. 2659 clarifies the language on contract retainage in Chapter 60.28. Subsequent to the passage of this bill, the legislature passed Substitute House Bill No. 1736 which also amended Chapter 60.28. Substitute House Bill No. 1736 makes additional improvements to ensure prompt return of retainage once a contractor has completed a public works

contract. The language in that bill regarding contract retainage is preferable to the language in Substitute House Bill No. 2659.

For this reason, I have vetoed Substitute House Bill No. 2659 in its entirety.

Respectfully submitted,  
Booth Gardner, Governor.

April 2, 1992

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

I am returning herewith, without my approval as to section 3, Substitute House Bill No. 2660 entitled:

"AN ACT Relating to vehicle licenses."

In 1990, the legislature authorized counties to fix and impose a vehicle license fee in addition to the fee charged by the state. In 1991, the legislature authorized county legislative authorities to refund this fee to all senior citizens who were at least 61 years old and who had household incomes of \$18,000 or less or who were physically disabled. Section 3 was intended to change this refund mechanism to an outright exemption. The eligibility requirements of this exemption are established by reference to RCW 84.36.381, relating to senior citizen property tax exemptions. Unfortunately, in drafting the section in this manner, only those who own real property would be eligible for the exemption. I urge the Department of Licensing and the affected counties to remedy this oversight and submit the appropriate legislation in the next session.

For this reason, I have vetoed section 3 of Substitute House Bill No. 2660.

With the exception of section 3, Substitute House Bill No. 2660 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

April 2, 1992

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

I am returning herewith, without my approval, Substitute House Bill No. 2676 entitled:

"AN ACT Relating to economic development related projects of regional or state-wide significance."

Sections 1 through 4 of Substitute House Bill No. 2676 would authorize local governments to identify economic development projects of regional or state-wide significance during their planning activities under the Growth Management Act. Local governments may then seek both state financial assistance to offset the impacts of the project and state technical assistance.

These sections appear to be based on the assumption that the local impacts of significant economic development projects will outweigh the benefits to the local jurisdiction in which the project is sited. Local governments would be ill-advised to site a project that would not provide a future benefit to the area.

These provisions state that a local jurisdiction may seek state financial assistance to mitigate state impacts of economic development projects, but do not provide funds or a process for



requesting such assistance. Absent the appropriation of funds or a process for allocating them, these provisions will not result in real help to local jurisdictions.

Section 5 provides a process for local governments planning under the Growth Management Act to site industrial and commercial development outside of urban growth areas.

A major goal of growth management is to make key decisions on the location of jobs, housing, and open space up front, in order to make later siting and building decisions easier. That means our actions should, to the extent possible, encourage planning for growth, rather than continue to make land use decisions on a case-by-case or haphazard basis.

The Growth Management Act establishes an extensive appeals process. If local governments do not provide adequate land for industrial or commercial growth, the issue can be raised at local hearings. If local comprehensive plans do not include enough land, they can be challenged before new regional growth planning hearings boards. The state also has the authority to bring such challenges. We should support the process envisioned in the Growth Management Act, rather than establish a parallel process for industrial and commercial siting.

It is premature to amend the Growth Management Act for this purpose. Local governments have just begun to develop the comprehensive plans required under the Act. Urban growth areas have not yet been set, nor have decisions been made as to how much industrial or commercial development is to be accommodated, or where such activities should be located.

For these reasons, I have vetoed Substitute House Bill No. 2676 in its entirety.

Respectfully submitted,  
Booth Gardner, Governor.

April 2, 1992

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

I am returning herewith, without my approval as to section 5, Substitute House Bill No. 2720 entitled:

"AN ACT Relating to longshore and harbor workers' compensation act insurance."

The purpose of Substitute House Bill No. 2720 is to create a temporary insurance plan so that workers' compensation coverage, as required by the United States Longshoremen's and Harbor Worker's Compensation Act, is available in our state.

Section 5 would close the Washington market to all but certain insurers. If this section were to become law, it would further limit the availability of insurance, and it could limit the availability of reinsurance. Section 5 could also lead to reciprocal actions by other states against Washington insurers and could violate federal statutes preempting state authority in this area. Section 5 would be subject to likely court challenge and could place the temporary plan in jeopardy.

While I am supportive of the need to retain the viability of our longshore and harbor workers' insurance, I believe this legislation is a poor solution to the potential loss of United States Longshoreman's and Harbor Worker's Compensation Act coverage. The involvement of the state workers' compensation fund is inappropriately designed.

However, I must sign the remainder of the bill into law since this is the only solution now certain to provide the necessary workers' compensation coverage to our maritime industry. During the next year, a better solution needs to be found before the temporary plan expires.

For these reasons, I have vetoed section 5 of Substitute House Bill No. 2720.

With the exception of section 5, Substitute House Bill No. 2720 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

March 26, 1992

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

I am returning herewith, without my approval as to section 19, Engrossed Substitute House Bill No. 2928 entitled:

"AN ACT Relating to open spaces."

Engrossed Substitute House Bill No. 2928 modifies and improves the administration of open space taxation programs. Section 19 requires the creation of an advisory committee to recommend changes to rules implementing open space taxation laws, including an expansion of land uses consistent with classification as farm and agricultural land open space. The committee is to be composed of county assessors, agricultural and forestry interests, natural resource protection interests, and members of the public. Although I concur with the need to involve affected parties in the implementation of state and local programs, I do not support such advisory committees being established by statute. I encourage the Director of the Department of Revenue to use existing authority to establish a broad based open space advisory committee composed not only of the members identified in section 19, but additional members representing conservation interests.

For this reason, I have vetoed section 19 of Engrossed Substitute House Bill No. 2928.

With the exception of section 19, Engrossed Substitute House Bill No. 2928 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

April 2, 1992

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

I am returning herewith, without my approval as to section 3, House Bill No. 2944 entitled:  
"AN ACT Relating to consumer credit transactions."

Section 3 of House Bill No. 2944 establishes a legislative joint select committee to study and make recommendations on the issue of consumer credit. I wholeheartedly concur with the need for such a study. However, the creation of such a committee does not require legislation. Rule 25 of the Joint Rules of the Senate and House of Representatives provides that such committee be created via concurrent resolution. Rule 24 gives broad discretionary authority to standing committees to undertake such studies.

For this reason, I have vetoed section 3 of House Bill No. 2944.

With the exception of section 3, House Bill No. 2944 is approved.

Respectfully submitted,

Booth Gardner, Governor.

April 1, 1992

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

I am returning herewith, without my approval as to sections 4 and 5, Substitute House Bill No. 2983, entitled:

"AN ACT Relating to job training or work experience for public assistance recipients."

Substitute House Bill No. 2983 contains a null and void clause that refers to an unfunded proviso in the budget, requiring the Department of Social and Health Services to expend at least \$1.5 million on the newly created work experience pilot program. Since the proviso is unfunded, I am vetoing the null and void clause (section 4) and directing the department to implement this program within available funds. I believe this program will provide an opportunity to learn ways to benefit persons with long-term incapacities.

Section 5 contains an effective date of April 1st that is impossible to meet. It will take time to promulgate rules in accordance with the Administrative Procedures Act and it will take a reasonable period of time to contract with agencies for the work experience program.

For these reasons, I have vetoed sections 4 and 5 of Substitute House bill No. 2983.

With the exception of sections 4 and 5, Substitute House Bill No. 2983 is approved.

Respectfully submitted,  
Booth Gardner, Governor.

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2261	Intro. & 1st Rdg. . . . .	260
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2262		
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2271	Intro. & 1st Rdg. ....	262
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2272	Intro. & 1st Rdg. ....	262
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2336	Intro. & 1st Rdg. . . . .	300
2337	Intro. & 1st Rdg. . . . .	300
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2370 (Sub)		
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2371		
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2372		
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2373 (Sub)		
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2374		
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2375		
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2376		
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2376 (Sub)		
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2386	Intro. & 1st Rdg. ....	309
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2386 (Sub)	2nd Rdg. Amendments .....	1732
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2387	Intro. & 1st Rdg. ....	311
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2388	Intro. & 1st Rdg. ....	311
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2388 (Sub)	2nd Rdg. Amendments .....	992
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2389 (Sub)		
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2390		
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2390 (Sub)		
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2391		
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2391 (Sub)		
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2392		
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2393		
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2394		
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	Committee Report .....	633
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2394 (Sub)		
	2nd Rdg. Amendments .....	1009
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	Other Action .....	1769, 1945, 2123
2395		
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2396		
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2396 (Sub)		
	2nd Rdg. Amendments .....	1163
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2397		

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2397 (Sub)		
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2398		
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2399		
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2402 (Sub)		
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2403		
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2404		
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2406		
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2409	Intro. & 1st Rdg. ....	314
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2409 (Sub)	2nd Rdg. Amendments .....	1106
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	Other Action .....	1128, 2452
2410	Intro. & 1st Rdg. ....	315
2411	Intro. & 1st Rdg. ....	315
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2411 (Sub)	2nd Rdg. Amendments .....	995
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2412	Intro. & 1st Rdg. ....	315
2413	Intro. & 1st Rdg. ....	315
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2415	Intro. & 1st Rdg. ....	315
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	Committee Report .....	634
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2417	Intro. & 1st Rdg. ....	316
	Committee Report .....	558
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2418	Intro. & 1st Rdg. ....	316
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2418 (Sub)	2nd Rdg. Amendments .....	1107

	3rd Rdg. Final Passage .....	1108
	Other Action .....	1128, 2452
2419	Intro. & 1st Rdg. ....	316
	Committee Report .....	834
	2nd Rdg. Amendments .....	1096
	3rd Rdg. Final Passage .....	1097
	Other Action .....	1128, 2452
2420	Intro. & 1st Rdg. ....	316
	Committee Report .....	634
	2nd Rdg. Amendments .....	1108
2420 (Sub)	2nd Rdg. Amendments .....	1108
	3rd Rdg. Final Passage .....	1109
	Other Action .....	1128, 2452
2421	Intro. & 1st Rdg. ....	316
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2422	Intro. & 1st Rdg. ....	316
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2423	Intro. & 1st Rdg. ....	317
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2423 (Sub)	2nd Rdg. Amendments .....	1010
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2424	Intro. & 1st Rdg. ....	317
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2425	Intro. & 1st Rdg. ....	317
2426	Intro. & 1st Rdg. ....	317
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2427	Intro. & 1st Rdg. ....	317
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2430 (Sub)		
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2431		
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2432		
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2433		
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2434		
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	Committee Report .....	636
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2434 (Sub)		
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2435		
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2436		
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2437		
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2437 (Sub)		
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2438		
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2438 (Sub)		
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2439		
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2441		
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2441 (Sub)		
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2442		
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2444		
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2450	Intro. & 1st Rdg. ....	322
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2450 (Sub)	2nd Rdg. Amendments .....	996
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2451	Intro. & 1st Rdg. ....	322
2452	Intro. & 1st Rdg. ....	322
2453	Intro. & 1st Rdg. ....	322
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2453 (Sub)	2nd Rdg. Amendments .....	1315
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2454	Intro. & 1st Rdg. ....	323
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2455	Intro. & 1st Rdg. ....	323
2456	Intro. & 1st Rdg. ....	323
2457	Intro. & 1st Rdg. ....	323
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2457 (Sub)	2nd Rdg. Amendments .....	1012
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2458	Intro. & 1st Rdg. ....	323
2459	Intro. & 1st Rdg. ....	324
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2459 (Sub)		
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2460		
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2461		
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2462		
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2462 (Sub)		
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2463		
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2465		
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2465 (Sub)		
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2466		
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2466 (Sub)		
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	3rd Rdg. Final Passage .....	1005, 2250
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2467		
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2468	Intro. & 1st Rdg. ....	325
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2469	Intro. & 1st Rdg. ....	326
2470	Intro. & 1st Rdg. ....	326
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2470 (Sub)	2nd Rdg. Amendments .....	513
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2471	Intro. & 1st Rdg. ....	326
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2471 (Sub)	2nd Rdg. Amendments .....	1073
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2472	Intro. & 1st Rdg. ....	326
	Committee Report .....	669
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2472 (Sub)	2nd Rdg. Amendments .....	1074
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	Other Action .....	2452
2473	Intro. & 1st Rdg. ....	326
2474	Intro. & 1st Rdg. ....	327
2475	Intro. & 1st Rdg. ....	327
2476	Intro. & 1st Rdg. ....	327
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2477	Intro. & 1st Rdg. ....	327
	Committee Report .....	669, 837
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2477 (Sub)		
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	3rd Rdg. Final Passage .....	1166
	Other Action .....	2452
2478	Intro. & 1st Rdg. ....	327
2479	Intro. & 1st Rdg. ....	328
	Committee Report .....	591
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2479 (Sub)		
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	3rd Rdg. Final Passage .....	1316
	Other Action .....	2214, 2421
2480	Intro. & 1st Rdg. ....	328
	Committee Report .....	669
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2480 (Sub)		
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	Other Action .....	2452
2481	Intro. & 1st Rdg. ....	328
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2481 (Sub)		
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	Other Action .....	1128, 2452
2482	Intro. & 1st Rdg. ....	328
2483	Intro. & 1st Rdg. ....	328
2484	Intro. & 1st Rdg. ....	329
2485	Intro. & 1st Rdg. ....	329
2486	Intro. & 1st Rdg. ....	329
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2486 (Sub)		
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	3rd Rdg. Final Passage .....	1319
	Other Action .....	2452
2487	Intro. & 1st Rdg. ....	329

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	Other Action . . . . .	2452
2488	Intro. & 1st Rdg. . . . .	330
2489	Intro. & 1st Rdg. . . . .	330
	Committee Report . . . . .	371
2490	Intro. & 1st Rdg. . . . .	330
	Committee Report . . . . .	670, 838
	2nd Rdg. Amendments . . . . .	1166
2490 (Sub)	2nd Rdg. Amendments . . . . .	1166
	3rd Rdg. Final Passage . . . . .	1167
	Other Action . . . . .	1769, 2144, 2171
2491	Intro. & 1st Rdg. . . . .	330
	Committee Report . . . . .	670
2492	Intro. & 1st Rdg. . . . .	330
	Committee Report . . . . .	505
	2nd Rdg. Amendments . . . . .	972
	3rd Rdg. Final Passage . . . . .	973
	Other Action . . . . .	2452
2493	Intro. & 1st Rdg. . . . .	330
	Committee Report . . . . .	560
	2nd Rdg. Amendments . . . . .	1005
	3rd Rdg. Final Passage . . . . .	1005
	Other Action . . . . .	2452
2494	Intro. & 1st Rdg. . . . .	331
	Committee Report . . . . .	506
	2nd Rdg. Amendments . . . . .	1319
	3rd Rdg. Final Passage . . . . .	1320
	Other Action . . . . .	2452
2495	Intro. & 1st Rdg. . . . .	335
	Committee Report . . . . .	671
	2nd Rdg. Amendments . . . . .	1014
2495 (Sub)	2nd Rdg. Amendments . . . . .	1014
	3rd Rdg. Final Passage . . . . .	1015, 1907
	Other Action . . . . .	1905, 1907, 2143, 2173
2496	Intro. & 1st Rdg. . . . .	335

	Committee Report .....	671
	2nd Rdg. Amendments .....	1015
2496 (Sub)		
	2nd Rdg. Amendments .....	1015
	3rd Rdg. Final Passage .....	1015
	Other Action .....	2452
2497		
	Intro. & 1st Rdg. ....	335
2498		
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	Committee Report .....	538, 838
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2498 (Sub)		
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	3rd Rdg. Final Passage .....	1167, 2205
	Other Action .....	2125, 2133, 2135, 2202-2205, 2421
2499		
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	Committee Report .....	671
	2nd Rdg. Amendments .....	1015
2499 (Sub)		
	2nd Rdg. Amendments .....	1016
	3rd Rdg. Final Passage .....	1016
	Other Action .....	2453
2500		
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2501		
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	Committee Report .....	671
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2501 (Sub)		
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	3rd Rdg. Final Passage .....	1017, 2255
	Other Action .....	2146, 2154, 2158, 2175, 2202, 2205, 2250, 2254, 2255, 2421
2502		
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	Committee Report .....	672
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2502 (Sub)		
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	Other Action .....	2109, 2110, 2186, 2202
2503		
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	Committee Report .....	539
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2504		
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2505	Intro. & 1st Rdg. ....	336
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2505 (Sub)	2nd Rdg. Amendments .....	973
	3rd Rdg. Final Passage .....	974
	Other Action .....	2453
2506	Intro. & 1st Rdg. ....	336
	Committee Report .....	672
	2nd Rdg. Amendments .....	1018
2506 (Sub)	2nd Rdg. Amendments .....	1018
	3rd Rdg. Final Passage .....	1018
	Other Action .....	2453
2507	Intro. & 1st Rdg. ....	337
2508	Intro. & 1st Rdg. ....	337
2509	Intro. & 1st Rdg. ....	337
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2513	Intro. & 1st Rdg. ....	338
2514	Intro. & 1st Rdg. ....	338
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	Other Action .....	2188, 2189, 2280, 2281, 2419, 2421
2515	Intro. & 1st Rdg. ....	338
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2518 (Sub)	2nd Rdg. Amendments . . . . .	1320
	3rd Rdg. Final Passage . . . . .	1321, 2161
	Other Action . . . . .	2146, 2158, 2161, 2202, 2212
2519	Intro. & 1st Rdg. . . . .	339
	Committee Report . . . . .	673
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2519 (Sub)	2nd Rdg. Amendments . . . . .	1350
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	Other Action . . . . .	2453
2520	Intro. & 1st Rdg. . . . .	339
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2520 (Sub)	2nd Rdg. Amendments . . . . .	1202
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2521	Intro. & 1st Rdg. . . . .	339
2522	Intro. & 1st Rdg. . . . .	339
2523	Intro. & 1st Rdg. . . . .	340
2524	Intro. & 1st Rdg. . . . .	340
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2526	Intro. & 1st Rdg. . . . .	340
	Committee Report . . . . .	591, 842
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2526 (Sub)	2nd Rdg. Amendments . . . . .	1098
	3rd Rdg. Final Passage . . . . .	1099
	Other Action . . . . .	1128, 2453
2527	Intro. & 1st Rdg. . . . .	340
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2528 (Sub)		
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2529		
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Committee Report	.....	673
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2529 (Sub)		
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2530		
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2531		
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2532		
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Committee Report	.....	674
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2532 (Sub)		
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3rd Rdg. Final Passage	.....	1020
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2533		
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2533 (Sub)		
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2534		
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2536		
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2538		
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2539		
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2540		
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2541		
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2542		
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2543		
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	3rd Rdg. Final Passage .....	1174
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2544		
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2544 (Sub)		
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2545		
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2546		
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	Other Action .....	899, 900
2546 (Sub)		
	2nd Rdg. Amendments .....	901
	3rd Rdg. Final Passage .....	904
	Other Action .....	903, 2453
2547		
	Intro. & 1st Rdg. ....	344
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2547 (Sub)		
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	3rd Rdg. Final Passage .....	1076
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2548		
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2548 (Sub)		
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2549		
	Intro. & 1st Rdg. ....	344
	Committee Report .....	676
	2nd Rdg. Amendments .....	1326
	3rd Rdg. Final Passage .....	1326
	Other Action .....	2453
2550		
	Intro. & 1st Rdg. ....	344
	Committee Report .....	676
	2nd Rdg. Amendments .....	1022
	3rd Rdg. Final Passage .....	1023
	Other Action .....	2453
2551		
	Intro. & 1st Rdg. ....	344
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2551 (Sub)		
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2552		
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2552 (Sub)		
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2553		
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	Committee Report .....	790
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2553 (Sub)		
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2554		
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2555		
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	Committee Report .....	677
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2555 (Sub)		
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	3rd Rdg. Final Passage .....	1023
	Other Action .....	1780, 1882, 2144, 2171
2556		
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2557		
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2558		
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2559		
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2560 (Sub)		
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	3rd Rdg. Final Passage .....	1110
	Other Action .....	1128, 1712, 1779
2561		
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2561 (Sub)		
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2562		
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2563		
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2564		
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2567		
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2568		
	Intro. & 1st Rdg. ....	353
	Committee Report .....	678
	2nd Rdg. Amendments .....	1168
	Other Action .....	992
2568 (Sub)		
	2nd Rdg. Amendments .....	1168
	3rd Rdg. Final Passage .....	1169
	Other Action .....	2453
2569		
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2570		
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2571		
	Intro. & 1st Rdg. ....	354
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2571 (Sub)		
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	3rd Rdg. Final Passage .....	975

	Other Action .....	2453
2572	Intro. & 1st Rdg. ....	354
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	3rd Rdg. Final Passage .....	1131
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2573	Intro. & 1st Rdg. ....	354
2574	Intro. & 1st Rdg. ....	354
	Committee Report .....	678
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2574 (Sub)	2nd Rdg. Amendments .....	1024
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2575	Intro. & 1st Rdg. ....	355
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2580	Intro. & 1st Rdg. ....	355
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2581	Intro. & 1st Rdg. ....	356
2582	Intro. & 1st Rdg. ....	356
2583	Intro. & 1st Rdg. ....	356
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2584	Intro. & 1st Rdg. ....	356
2585	Intro. & 1st Rdg. ....	356
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2587	Intro. & 1st Rdg. ....	357
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2587 (Sub)	2nd Rdg. Amendments .....	1024
	3rd Rdg. Final Passage .....	1025
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2588	Intro. & 1st Rdg. ....	357
	Committee Report .....	679
	2nd Rdg. Amendments .....	1169
	Other Action .....	992
2588 (Sub)	2nd Rdg. Amendments .....	1169, 1297
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2589	Intro. & 1st Rdg. ....	357
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2589 (Sub)	2nd Rdg. Amendments .....	1070
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2590	Intro. & 1st Rdg. ....	357
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2590 (Sub)	2nd Rdg. Amendments .....	911, 1397
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2591	Intro. & 1st Rdg. ....	357
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2592	Intro. & 1st Rdg. ....	358
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2594 (Sub)		
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2595		
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2598		
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2599		
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2600		
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2602		
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2603		
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2608 Intro. & 1st Rdg.	360
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2609 Intro. & 1st Rdg.	360
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2610 (Sub) 2nd Rdg. Amendments	1205
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2611 Intro. & 1st Rdg.	361
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2619	Intro. & 1st Rdg. ....	362
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2621	Intro. & 1st Rdg. ....	363
2622	Intro. & 1st Rdg. ....	363
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2623	Intro. & 1st Rdg. ....	363
2624	Intro. & 1st Rdg. ....	363
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2624 (Sub)	2nd Rdg. Amendments .....	1197
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2625	Intro. & 1st Rdg. ....	363
2626	Intro. & 1st Rdg. ....	363
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2626 (Sub)	2nd Rdg. Amendments .....	1117
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2627	Intro. & 1st Rdg. ....	364
2628	Intro. & 1st Rdg. ....	364
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2628 (Sub)	2nd Rdg. Amendments .....	1118
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2629	Intro. & 1st Rdg. ....	364
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2630		
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	Committee Report .....	683
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2630 (Sub)		
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2631		
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	Committee Report .....	561, 683
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2631 (Sub)		
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2632		
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2633		
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2634		
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2635		
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2635 (Sub)		
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2636		
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2636 (Sub)		
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2637		

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	Committee Report .....	684
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2637 (Sub)		
	2nd Rdg. Amendments .....	1026
	3rd Rdg. Final Passage .....	1026
	Other Action .....	2454
2638		
	Intro. & 1st Rdg. ....	366
2639		
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2639 (Sub)		
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2640		
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2640 (Sub)		
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	3rd Rdg. Final Passage .....	1134, 2260
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2641		
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2642		
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2643 (Sub)		
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	Other Action .....	1912, 1914, 2173
2644		
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2648	Intro. & 1st Rdg. ....	381
2649	Intro. & 1st Rdg. ....	381
2650	Intro. & 1st Rdg. ....	382
2651	Intro. & 1st Rdg. ....	382
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2652	Intro. & 1st Rdg. ....	382
2653	Intro. & 1st Rdg. ....	382
	Other Action .....	512
2654	Intro. & 1st Rdg. ....	382
	Other Action .....	512
2655	Intro. & 1st Rdg. ....	382
	Committee Report .....	685
	2nd Rdg. Amendments .....	1172
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	Other Action .....	1769, 1779
2656	Intro. & 1st Rdg. ....	383
2657	Intro. & 1st Rdg. ....	383
2658	Intro. & 1st Rdg. ....	383
2659	Intro. & 1st Rdg. ....	383
	Committee Report .....	685
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	Other Action .....	494
2659 (Sub)	2nd Rdg. Amendments .....	1026
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	Other Action .....	1964, 2144, 2173
2660	Intro. & 1st Rdg. ....	383
	Committee Report .....	685
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2660 (Sub)		
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2661		
	Intro. & 1st Rdg. ....	383
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	Other Action .....	1303, 2454
2662		
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	Other Action .....	1692, 1779
2663		
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2664		
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2665		
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2669		
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2670		
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2671		
	Intro. & 1st Rdg. ....	385
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	2nd Rdg. Amendments .....	1112
2671 (Sub)		
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	3rd Rdg. Final Passage .....	1112
	Other Action .....	1128, 2454
2672		
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	Committee Report .....	792
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2672 (Sub)		
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	3rd Rdg. Final Passage .....	1134
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2673 (Sub)	2nd Rdg. Amendments . . . . .	1031
	3rd Rdg. Final Passage . . . . .	1031
	Other Action . . . . .	1712, 1779
2674	Intro. & 1st Rdg. . . . .	385
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2675	Intro. & 1st Rdg. . . . .	385
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2675 (Sub)	2nd Rdg. Amendments . . . . .	1031
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2676	Intro. & 1st Rdg. . . . .	386
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2676 (Sub)	2nd Rdg. Amendments . . . . .	1328
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2677	Intro. & 1st Rdg. . . . .	386
2678	Intro. & 1st Rdg. . . . .	386
2679	Intro. & 1st Rdg. . . . .	386
	Committee Report . . . . .	687
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2680	Intro. & 1st Rdg. . . . .	386
	Committee Report . . . . .	561
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	3rd Rdg. Final Passage . . . . .	976, 2302
	Other Action . . . . .	2135, 2172, 2292, 2295, 2296, 2434, 2435, 2459
2681	Intro. & 1st Rdg. . . . .	386
	Committee Report . . . . .	562
	2nd Rdg. Amendments . . . . .	976
	3rd Rdg. Final Passage . . . . .	977, 2141
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2682	Intro. & 1st Rdg. ....	386
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2683	Intro. & 1st Rdg. ....	387
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2686	Intro. & 1st Rdg. ....	387
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2686 (Sub)	2nd Rdg. Amendments .....	998
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	Other Action .....	1918, 2144, 2171
2687	Intro. & 1st Rdg. ....	387
2688	Intro. & 1st Rdg. ....	438
2689	Intro. & 1st Rdg. ....	438
2690	Intro. & 1st Rdg. ....	438
	Committee Report .....	687
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2690 (Sub)	2nd Rdg. Amendments .....	1135
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2691	Intro. & 1st Rdg. ....	439
2692	Intro. & 1st Rdg. ....	439
2693	Intro. & 1st Rdg. ....	439
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2694	Intro. & 1st Rdg. ....	439
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2695	Intro. & 1st Rdg. ....	439
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2695 (Sub)		
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2696	Intro. & 1st Rdg. ....	439
2697	Intro. & 1st Rdg. ....	440
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2698	Intro. & 1st Rdg. ....	440
2699	Intro. & 1st Rdg. ....	440
2700	Intro. & 1st Rdg. ....	440
2701	Intro. & 1st Rdg. ....	440
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2702	Intro. & 1st Rdg. ....	440
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2702 (Sub)		
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2703	Intro. & 1st Rdg. ....	441
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2703 (Sub)		
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2704	Intro. & 1st Rdg. ....	441
2705	Intro. & 1st Rdg. ....	441
2706	Intro. & 1st Rdg. ....	441

2707	Intro. & 1st Rdg. ....	441
2708	Intro. & 1st Rdg. ....	441
2709	Intro. & 1st Rdg. ....	442
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2713	Intro. & 1st Rdg. ....	442
2714	Intro. & 1st Rdg. ....	443
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2714 (Sub)		
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2715	Intro. & 1st Rdg. ....	443
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2717	Intro. & 1st Rdg. ....	443
2718	Intro. & 1st Rdg. ....	443
2719	Intro. & 1st Rdg. ....	443
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2719 (Sub)		
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2720	Intro. & 1st Rdg. ....	444
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2720 (Sub)		
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2721	Intro. & 1st Rdg. . . . .	444
2722	Intro. & 1st Rdg. . . . .	444
	Committee Report . . . . .	689
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2722 (Sub)	2nd Rdg. Amendments . . . . .	1067
	3rd Rdg. Final Passage . . . . .	1068
	Other Action . . . . .	2454
2723	Intro. & 1st Rdg. . . . .	444
2724	Intro. & 1st Rdg. . . . .	444
2725	Intro. & 1st Rdg. . . . .	444
2726	Intro. & 1st Rdg. . . . .	445
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2726 (Sub)	2nd Rdg. Amendments . . . . .	1329
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2727	Intro. & 1st Rdg. . . . .	445
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2728	Intro. & 1st Rdg. . . . .	445
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2729	Intro. & 1st Rdg. . . . .	445
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2729 (Sub)	2nd Rdg. Amendments . . . . .	1682, 1683
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2730	Intro. & 1st Rdg. . . . .	445
2731	Intro. & 1st Rdg. . . . .	446
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2731 (Sub)		

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2732	Intro. & 1st Rdg. ....	446
2733	Intro. & 1st Rdg. ....	446
	Committee Report .....	691
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2733 (Sub)	2nd Rdg. Amendments .....	1112
	3rd Rdg. Final Passage .....	1113
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2734	Intro. & 1st Rdg. ....	446
	Committee Report .....	691
	2nd Rdg. Amendments .....	1032
2734 (Sub)	2nd Rdg. Amendments .....	1032
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2735	Intro. & 1st Rdg. ....	457
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2735 (Sub)	2nd Rdg. Amendments .....	1179
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2745 (Sub)		
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2746		
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2747		
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2747 (Sub)		
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2748		
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2749		
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2750		
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2750 (Sub)		
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2751		
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2762	Intro. & 1st Rdg. . . . .	461
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2763	Intro. & 1st Rdg. . . . .	462
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2763 (Sub)	2nd Rdg. Amendments . . . . .	1155
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2764	Intro. & 1st Rdg. . . . .	462
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2764 (Sub)	2nd Rdg. Amendments . . . . .	1033
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2765	Intro. & 1st Rdg. . . . .	462
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2766	Intro. & 1st Rdg. . . . .	462
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2766 (Sub)	2nd Rdg. Amendments . . . . .	1034
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2767	Intro. & 1st Rdg. . . . .	462
2768	Intro. & 1st Rdg. . . . .	462
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2769		
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	2nd Rdg. Amendments .....	1338
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2769 (Sub)		
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2770		
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2770 (Sub)		
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	Other Action .....	1303, 2454
2771		
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2771 (Sub)		
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2772		
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2772 (Sub)		
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2773		
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2774		
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2775		
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2775 (Sub)		
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2776		
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2778		
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2779		
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2780		
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2781		
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2782		
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2783		
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2784		
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2784 (Sub)		
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2785		
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2786		
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2788	Intro. & 1st Rdg. ....	474
2789	Intro. & 1st Rdg. ....	474
2790	Intro. & 1st Rdg. ....	474
2791	Intro. & 1st Rdg. ....	474
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2791 (Sub)		
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2792	Intro. & 1st Rdg. ....	474
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2793	Intro. & 1st Rdg. ....	474
2794	Intro. & 1st Rdg. ....	474
2795	Intro. & 1st Rdg. ....	475
2796	Intro. & 1st Rdg. ....	475
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2796 (Sub)		
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2797	Intro. & 1st Rdg. ....	475
2798	Intro. & 1st Rdg. ....	475
2799	Intro. & 1st Rdg. ....	475
2800	Intro. & 1st Rdg. ....	475
2801	Intro. & 1st Rdg. ....	475
2802	Intro. & 1st Rdg. ....	475

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2802 (Sub)		
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2809		
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2810		
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2811		
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2812		
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2814		
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2814 (Sub)		
	2nd Rdg. Amendments . . . . .	1114
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2815		
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2816		
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2817		
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2817 (Sub)		
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2818		
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2819		
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2819 (Sub)		
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	3rd Rdg. Final Passage . . . . .	1052
	Other Action . . . . .	2454
2820		
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2821		
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2822		
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2823 (Sub)		
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2828		
	Intro. & 1st Rdg. ....	480
2829		
	Intro. & 1st Rdg. ....	480
2830		
	Intro. & 1st Rdg. ....	480
	Committee Report .....	701
	2nd Rdg. Amendments .....	1121
	3rd Rdg. Final Passage .....	1126
	Other Action .....	1120, 1126, 1128, 2454
2831		
	Intro. & 1st Rdg. ....	495
	Committee Report .....	563
	2nd Rdg. Amendments .....	899
2831 (Sub)		
	2nd Rdg. Amendments .....	899
	3rd Rdg. Final Passage .....	900, 1933
	Other Action .....	1933, 2144, 2171
2832		
	Intro. & 1st Rdg. ....	495
2833		
	Intro. & 1st Rdg. ....	495
	Committee Report .....	701
	2nd Rdg. Amendments .....	1053
2833 (Sub)		
	2nd Rdg. Amendments .....	1053
	3rd Rdg. Final Passage .....	1053, 1936
	Other Action .....	1934, 1936, 2144, 2173

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2834	Intro. & 1st Rdg. . . . .	496
	Committee Report . . . . .	701, 879
	2nd Rdg. Amendments . . . . .	1342
2834 (Sub)		
	2nd Rdg. Amendments . . . . .	1342
	3rd Rdg. Final Passage . . . . .	1347
	Other Action . . . . .	2454
2835		
	Intro. & 1st Rdg. . . . .	496
	Committee Report . . . . .	701
	2nd Rdg. Amendments . . . . .	1183
	3rd Rdg. Final Passage . . . . .	1184
	Other Action . . . . .	1303, 1304, 2454
2836		
	Intro. & 1st Rdg. . . . .	496
	Committee Report . . . . .	702
2837		
	Intro. & 1st Rdg. . . . .	496
2838		
	Intro. & 1st Rdg. . . . .	496
2839		
	Intro. & 1st Rdg. . . . .	497
2840		
	Intro. & 1st Rdg. . . . .	497
	Committee Report . . . . .	702
2841		
	Intro. & 1st Rdg. . . . .	497
	Committee Report . . . . .	702
	2nd Rdg. Amendments . . . . .	1085
	3rd Rdg. Final Passage . . . . .	1086
	Other Action . . . . .	1769, 1780
2842		
	Intro. & 1st Rdg. . . . .	497
	Committee Report . . . . .	703
	2nd Rdg. Amendments . . . . .	1357
	Other Action . . . . .	1357
2842 (Sub)		
	2nd Rdg. Amendments . . . . .	1357
	3rd Rdg. Final Passage . . . . .	1358
	Other Action . . . . .	1769, 1780, 1883
2843		
	Intro. & 1st Rdg. . . . .	497
	Committee Report . . . . .	703
	2nd Rdg. Amendments . . . . .	1078
	Other Action . . . . .	1078
2843 (Sub)		
	2nd Rdg. Amendments . . . . .	1079

	3rd Rdg. Final Passage .....	1079
	Other Action .....	2454
2844	Intro. & 1st Rdg. ....	497
	Committee Report .....	879
	2nd Rdg. Amendments .....	1191
	3rd Rdg. Final Passage .....	1192, 1937
	Other Action .....	1304, 1936, 2144, 2173
2845	Intro. & 1st Rdg. ....	497
	Committee Report .....	703
	2nd Rdg. Amendments .....	1079
2845 (Sub)	2nd Rdg. Amendments .....	1079
	3rd Rdg. Final Passage .....	1080
	Other Action .....	1442, 1780
2846	Intro. & 1st Rdg. ....	498
	Committee Report .....	703
	2nd Rdg. Amendments .....	1057
	Other Action .....	1057
2846 (Sub)	2nd Rdg. Amendments .....	1057
	3rd Rdg. Final Passage .....	1057
	Other Action .....	2454
2847	Intro. & 1st Rdg. ....	498
	Committee Report .....	704
	2nd Rdg. Amendments .....	1332
2847 (Sub)	2nd Rdg. Amendments .....	1332
	3rd Rdg. Final Passage .....	1332
	Other Action .....	2454
2848	Intro. & 1st Rdg. ....	498
	Committee Report .....	880
	2nd Rdg. Amendments .....	1192
2848 (Sub)	2nd Rdg. Amendments .....	1192
	3rd Rdg. Final Passage .....	1192
	Other Action .....	1304, 2454
2849	Intro. & 1st Rdg. ....	498
2850	Intro. & 1st Rdg. ....	498
2851	Intro. & 1st Rdg. ....	499
2852	Intro. & 1st Rdg. ....	499

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	Intro. & 1st Rdg. ....	499
2853		
	Intro. & 1st Rdg. ....	499
2854		
	Intro. & 1st Rdg. ....	499
2855		
	Intro. & 1st Rdg. ....	499
2856		
	Intro. & 1st Rdg. ....	499
2857		
	Intro. & 1st Rdg. ....	500
	Committee Report .....	704
	2nd Rdg. Amendments .....	1080
2857 (Sub)		
	2nd Rdg. Amendments .....	1080
	3rd Rdg. Final Passage .....	1080, 2164
	Other Action .....	1080, 2146, 2163, 2164, 2202, 2212
2858		
	Intro. & 1st Rdg. ....	500
	Committee Report .....	704
2859		
	Intro. & 1st Rdg. ....	500
2860		
	Intro. & 1st Rdg. ....	500
	Committee Report .....	704
	2nd Rdg. Amendments .....	1077
2860 (Sub)		
	2nd Rdg. Amendments .....	1077
	3rd Rdg. Final Passage .....	1077
	Other Action .....	2454
2861		
	Intro. & 1st Rdg. ....	500
	Committee Report .....	705
	2nd Rdg. Amendments .....	1333
2861 (Sub)		
	2nd Rdg. Amendments .....	1333
	3rd Rdg. Final Passage .....	1334
	Other Action .....	2454
2862		
	Intro. & 1st Rdg. ....	500
	2nd Rdg. Amendments .....	1334
	3rd Rdg. Final Passage .....	1334
	Other Action .....	716, 2454
2863		
	Intro. & 1st Rdg. ....	501
2864		
	Intro. & 1st Rdg. ....	501
2865		

	Intro. & 1st Rdg. ....	501
	Committee Report .....	705
	2nd Rdg. Amendments .....	1080
2865 (Sub)		
	2nd Rdg. Amendments .....	1081
	3rd Rdg. Final Passage .....	1081, 1939
	Other Action .....	1937, 1939, 2144, 2171
2866		
	Intro. & 1st Rdg. ....	501
2867		
	Intro. & 1st Rdg. ....	501
	Committee Report .....	793
	2nd Rdg. Amendments .....	1185
	Other Action .....	1185
2867 (Sub)		
	2nd Rdg. Amendments .....	1185
	3rd Rdg. Final Passage .....	1186
	Other Action .....	1303, 1769, 1780, 1883
2868		
	Intro. & 1st Rdg. ....	501
2869		
	Intro. & 1st Rdg. ....	502
2870		
	Intro. & 1st Rdg. ....	502
2871		
	Intro. & 1st Rdg. ....	523
2872		
	Intro. & 1st Rdg. ....	523
2873		
	Intro. & 1st Rdg. ....	523
	Committee Report .....	705
	2nd Rdg. Amendments .....	1334
2873 (Sub)		
	2nd Rdg. Amendments .....	1334
	3rd Rdg. Final Passage .....	1335
	Other Action .....	1780, 1882, 2144, 2171
2874		
	Intro. & 1st Rdg. ....	524
	Committee Report .....	706
	2nd Rdg. Amendments .....	1058
2874 (Sub)		
	2nd Rdg. Amendments .....	1058
	3rd Rdg. Final Passage .....	1058, 2130
	Other Action .....	2125, 2129, 2130, 2421
2875		
	Intro. & 1st Rdg. ....	524
2876		
	Intro. & 1st Rdg. ....	524

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	Committee Report .....	706
	2nd Rdg. Amendments .....	1341
	Other Action .....	1341
2876 (Sub)		
	2nd Rdg. Amendments .....	1341, 1363
	3rd Rdg. Final Passage .....	1364, 2183
	Other Action .....	1342, 1362, 1363, 2175, 2182, 2250, 2442
2877		
	Intro. & 1st Rdg. ....	524
	Committee Report .....	706
2878		
	Intro. & 1st Rdg. ....	524
2879		
	Intro. & 1st Rdg. ....	524
2880		
	Intro. & 1st Rdg. ....	525
2881		
	Intro. & 1st Rdg. ....	525
2882		
	Intro. & 1st Rdg. ....	525
2883		
	Intro. & 1st Rdg. ....	525
2884		
	Intro. & 1st Rdg. ....	525
	Committee Report .....	706, 880
2885		
	Intro. & 1st Rdg. ....	525
2886		
	Intro. & 1st Rdg. ....	525
	Committee Report .....	707
	2nd Rdg. Amendments .....	1186
2886 (Sub)		
	2nd Rdg. Amendments .....	1186
	3rd Rdg. Final Passage .....	1186
	Other Action .....	1303, 2454
2887		
	Intro. & 1st Rdg. ....	526
	Committee Report .....	881
	2nd Rdg. Amendments .....	1335
2887 (Sub)		
	2nd Rdg. Amendments .....	1335
	3rd Rdg. Final Passage .....	1336
	Other Action .....	2200, 2250, 2442
2888		
	Intro. & 1st Rdg. ....	526
2889		
	Intro. & 1st Rdg. ....	526
2890		

	Intro. & 1st Rdg. ....	526
2891	Intro. & 1st Rdg. ....	526
	Committee Report .....	707
2892	Intro. & 1st Rdg. ....	526
	Committee Report .....	707
	2nd Rdg. Amendments .....	1081
	3rd Rdg. Final Passage .....	1082
	Other Action .....	2454
2893	Intro. & 1st Rdg. ....	527
2894	Intro. & 1st Rdg. ....	527
	Committee Report .....	597
	2nd Rdg. Amendments .....	1336
	3rd Rdg. Final Passage .....	1336
	Other Action .....	2455
2895	Intro. & 1st Rdg. ....	527
2896	Intro. & 1st Rdg. ....	527
	Committee Report .....	793
	2nd Rdg. Amendments .....	1385
	3rd Rdg. Final Passage .....	1385
	Other Action .....	1884, 2144, 2171
2897	Intro. & 1st Rdg. ....	527
2898	Intro. & 1st Rdg. ....	527
2899	Intro. & 1st Rdg. ....	527
2900	Intro. & 1st Rdg. ....	528
2901	Intro. & 1st Rdg. ....	528
2902	Intro. & 1st Rdg. ....	528
2903	Intro. & 1st Rdg. ....	528
2904	Intro. & 1st Rdg. ....	528
	Committee Report .....	707
	2nd Rdg. Amendments .....	1082
2904 (Sub)	2nd Rdg. Amendments .....	1082
	3rd Rdg. Final Passage .....	1082
	Other Action .....	2455



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2905	Intro. & 1st Rdg. ....	529
	Committee Report .....	708
	2nd Rdg. Amendments .....	1115
	3rd Rdg. Final Passage .....	1115
	Other Action .....	1115, 1128, 2455
2906	Intro. & 1st Rdg. ....	529
2907	Intro. & 1st Rdg. ....	529
2908	Intro. & 1st Rdg. ....	529
2909	Intro. & 1st Rdg. ....	529
2910	Intro. & 1st Rdg. ....	529
2911	Intro. & 1st Rdg. ....	529
2912	Intro. & 1st Rdg. ....	529
2913	Intro. & 1st Rdg. ....	530
2914	Intro. & 1st Rdg. ....	530
	Committee Report .....	708
2915	Intro. & 1st Rdg. ....	530
2916	Intro. & 1st Rdg. ....	530
	Other Action .....	716
2917	Intro. & 1st Rdg. ....	530
	Committee Report .....	708
2918	Intro. & 1st Rdg. ....	530
2919	Intro. & 1st Rdg. ....	531
2920	Intro. & 1st Rdg. ....	531
2921	Intro. & 1st Rdg. ....	531
2922	Intro. & 1st Rdg. ....	531
2923	Intro. & 1st Rdg. ....	531
2924	Intro. & 1st Rdg. ....	531
	Committee Report .....	709

	2nd Rdg. Amendments .....	1186
	3rd Rdg. Final Passage .....	1187
	Other Action .....	1303, 2455
2925	Intro. & 1st Rdg. ....	532
	Committee Report .....	709
	2nd Rdg. Amendments .....	1187
2925 (Sub)	2nd Rdg. Amendments .....	1187
	3rd Rdg. Final Passage .....	1188
	Other Action .....	1303, 2455
2926	Intro. & 1st Rdg. ....	532
	Committee Report .....	709
	2nd Rdg. Amendments .....	1082
	3rd Rdg. Final Passage .....	1083
	Other Action .....	2455
2927	Intro. & 1st Rdg. ....	532
2928	Intro. & 1st Rdg. ....	532
	Committee Report .....	709
	2nd Rdg. Amendments .....	1146
	Other Action .....	1137
2928 (Sub)	2nd Rdg. Amendments .....	1146
	3rd Rdg. Final Passage .....	1148, 1940
	Other Action .....	1940, 2186, 2202
2929	Intro. & 1st Rdg. ....	532
2930	Intro. & 1st Rdg. ....	532
	Committee Report .....	710
	2nd Rdg. Amendments .....	1083
	3rd Rdg. Final Passage .....	1083
	Other Action .....	1712, 1742
2931	Intro. & 1st Rdg. ....	550
	Committee Report .....	881
	2nd Rdg. Amendments .....	1188
	3rd Rdg. Final Passage .....	1188
	Other Action .....	602, 1303, 2455
2932	Intro. & 1st Rdg. ....	551
	Committee Report .....	710
	2nd Rdg. Amendments .....	1336
	3rd Rdg. Final Passage .....	1337, 2309
	Other Action .....	2095, 2307, 2419, 2435, 2459

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2933	Intro. & 1st Rdg. . . . .	551
	Committee Report . . . . .	710
	2nd Rdg. Amendments . . . . .	1189
	3rd Rdg. Final Passage . . . . .	1189
	Other Action . . . . .	1303, 2455
2934	Intro. & 1st Rdg. . . . .	551
2935	Intro. & 1st Rdg. . . . .	551
2936	Intro. & 1st Rdg. . . . .	551
2937	Intro. & 1st Rdg. . . . .	551
	Committee Report . . . . .	882
	2nd Rdg. Amendments . . . . .	1189
2937 (Sub)	2nd Rdg. Amendments . . . . .	1189
	3rd Rdg. Final Passage . . . . .	1190, 2264
	Other Action . . . . .	1303, 2250, 2262, 2264, 2421
2938	Intro. & 1st Rdg. . . . .	551
	Committee Report . . . . .	793
	2nd Rdg. Amendments . . . . .	1156
	3rd Rdg. Final Passage . . . . .	1157
	Other Action . . . . .	1156, 2455
2939	Intro. & 1st Rdg. . . . .	552
	Committee Report . . . . .	711
	2nd Rdg. Amendments . . . . .	1083
2939 (Sub)	2nd Rdg. Amendments . . . . .	1084
	3rd Rdg. Final Passage . . . . .	1084
	Other Action . . . . .	2455
2940	Intro. & 1st Rdg. . . . .	552
	Committee Report . . . . .	711
	2nd Rdg. Amendments . . . . .	1157
	Other Action . . . . .	1156
2940 (Sub)	2nd Rdg. Amendments . . . . .	1157
	3rd Rdg. Final Passage . . . . .	1158
	Other Action . . . . .	2455
2941	Intro. & 1st Rdg. . . . .	552
	Committee Report . . . . .	882
	2nd Rdg. Amendments . . . . .	1192
	3rd Rdg. Final Passage . . . . .	1193

	Other Action . . . . .	1304, 2455
2942	Intro. & 1st Rdg. . . . .	552
	Committee Report . . . . .	882
	2nd Rdg. Amendments . . . . .	1193
	3rd Rdg. Final Passage . . . . .	1193
	Other Action . . . . .	1304, 2455
2943	Intro. & 1st Rdg. . . . .	552
2944	Intro. & 1st Rdg. . . . .	552
	Committee Report . . . . .	711
	2nd Rdg. Amendments . . . . .	1158
	3rd Rdg. Final Passage . . . . .	1158, 2133
	Other Action . . . . .	1120, 1156, 2125, 2131, 2132, 2202, 2212
2945	Intro. & 1st Rdg. . . . .	552
	Committee Report . . . . .	711, 882
	2nd Rdg. Amendments . . . . .	1084
2945 (Sub)	2nd Rdg. Amendments . . . . .	1084
	3rd Rdg. Final Passage . . . . .	1085
	Other Action . . . . .	2455
2946	Intro. & 1st Rdg. . . . .	576
2947	Intro. & 1st Rdg. . . . .	576
	Committee Report . . . . .	883
	2nd Rdg. Amendments . . . . .	1771
2947 (Sub)	2nd Rdg. Amendments . . . . .	1771
	3rd Rdg. Final Passage . . . . .	1772
	Other Action . . . . .	2283, 2419, 2421
2948	Intro. & 1st Rdg. . . . .	577
2949	Intro. & 1st Rdg. . . . .	577
	Committee Report . . . . .	712, 794
2950	Intro. & 1st Rdg. . . . .	577
	Committee Report . . . . .	1388
	2nd Rdg. Amendments . . . . .	2406
	Other Action . . . . .	2406
2950 (Sub)	2nd Rdg. Amendments . . . . .	2406
	3rd Rdg. Final Passage . . . . .	2410
	Other Action . . . . .	2432, 2434, 2445, 2459
2951		

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	Intro. & 1st Rdg. . . . .	577
2952		
	Intro. & 1st Rdg. . . . .	577
2953		
	Intro. & 1st Rdg. . . . .	577
2954		
	Intro. & 1st Rdg. . . . .	577
	Committee Report . . . . .	712, 794
	2nd Rdg. Amendments . . . . .	1068
2954 (Sub)		
	2nd Rdg. Amendments . . . . .	1068
	3rd Rdg. Final Passage . . . . .	1069
	Other Action . . . . .	2455
2955		
	Intro. & 1st Rdg. . . . .	578
2956		
	Intro. & 1st Rdg. . . . .	578
2957		
	Intro. & 1st Rdg. . . . .	578
2958		
	Intro. & 1st Rdg. . . . .	578
2959		
	Intro. & 1st Rdg. . . . .	578
2960		
	Intro. & 1st Rdg. . . . .	578
2961		
	Intro. & 1st Rdg. . . . .	578
	Committee Report . . . . .	712
	2nd Rdg. Amendments . . . . .	1116
	3rd Rdg. Final Passage . . . . .	1117
	Other Action . . . . .	1116, 1128, 1780, 1882, 2144, 2171
2962		
	Intro. & 1st Rdg. . . . .	578
2963		
	Intro. & 1st Rdg. . . . .	579
	Committee Report . . . . .	713
2964		
	Intro. & 1st Rdg. . . . .	579
	Committee Report . . . . .	794
	2nd Rdg. Amendments . . . . .	1735
	Other Action . . . . .	1734
2964 (Sub)		
	2nd Rdg. Amendments . . . . .	1735, 1772
	3rd Rdg. Final Passage . . . . .	1777
	Other Action . . . . .	1738, 1771, 1773, 2215, 2421
2965		
	Intro. & 1st Rdg. . . . .	579
	Committee Report . . . . .	1442

2966	Intro. & 1st Rdg. ....	579
2967	Intro. & 1st Rdg. ....	579
	Committee Report .....	1443
	2nd Rdg. Amendments .....	1744, 1767
	Other Action .....	1745
2967 (Sub)		
	2nd Rdg. Amendments .....	1767
	3rd Rdg. Final Passage .....	1768, 2209
	Other Action .....	2208, 2209, 2421
2968	Intro. & 1st Rdg. ....	579
2969	Intro. & 1st Rdg. ....	580
2970	Intro. & 1st Rdg. ....	580
	Committee Report .....	713
2971	Intro. & 1st Rdg. ....	580
2972	Intro. & 1st Rdg. ....	603
2973	Intro. & 1st Rdg. ....	603
2974	Intro. & 1st Rdg. ....	604
2975	Intro. & 1st Rdg. ....	604
2976	Intro. & 1st Rdg. ....	604
2977	Intro. & 1st Rdg. ....	604
	Committee Report .....	795
	2nd Rdg. Amendments .....	1196
	3rd Rdg. Final Passage .....	1197
	Other Action .....	1196, 1304, 2455
2978	Intro. & 1st Rdg. ....	604
2979	Intro. & 1st Rdg. ....	604
2980	Intro. & 1st Rdg. ....	605
2981	Intro. & 1st Rdg. ....	605
2982	Intro. & 1st Rdg. ....	605
2983	Intro. & 1st Rdg. ....	605

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2591

	Committee Report .....	1667
	2nd Rdg. Amendments .....	1800
	Other Action .....	1799
2983 (Sub)		
	2nd Rdg. Amendments .....	1800
	3rd Rdg. Final Passage .....	1801
	Other Action .....	1800, 2282, 2419, 2421
2984		
	Intro. & 1st Rdg. ....	605
2985		
	Intro. & 1st Rdg. ....	605
	Committee Report .....	883
	2nd Rdg. Amendments .....	1337
2985 (Sub)		
	2nd Rdg. Amendments .....	1337
	3rd Rdg. Final Passage .....	1338, 2166
	Other Action .....	2146, 2165, 2202, 2212
2986		
	Intro. & 1st Rdg. ....	717
	Committee Report .....	1379
	2nd Rdg. Amendments .....	1652
2986 (Sub)		
	2nd Rdg. Amendments .....	1653
	3rd Rdg. Final Passage .....	1666
	Other Action .....	1654, 2455
2987		
	Intro. & 1st Rdg. ....	755
2988		
	Intro. & 1st Rdg. ....	885
2989		
	Intro. & 1st Rdg. ....	1028
2990		
	Intro. & 1st Rdg. ....	1087
	Committee Report .....	1443
	2nd Rdg. Amendments .....	1738
2990 (Sub)		
	2nd Rdg. Amendments .....	1738
	3rd Rdg. Final Passage .....	1740
	Other Action .....	1739, 1780, 1945, 2123
2991		
	Intro. & 1st Rdg. ....	1387
2992		
	Intro. & 1st Rdg. ....	1395
2993		
	Intro. & 1st Rdg. ....	1421
	Committee Report .....	1443
	2nd Rdg. Amendments .....	1801
2993 (Sub)		

	2nd Rdg. Amendments .....	1801
	3rd Rdg. Final Passage .....	1802
	Other Action .....	2200, 2250, 2442
2994	Intro. & 1st Rdg. ....	1421
	Committee Report .....	1667
2995	Intro. & 1st Rdg. ....	1651
2996	Intro. & 1st Rdg. ....	1651
2997	Intro. & 1st Rdg. ....	1651
2998	Intro. & 1st Rdg. ....	1651
2999	Intro. & 1st Rdg. ....	1713



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4007	Other Action .....	270
4010 (Sub)	Committee Report .....	713
	2nd Rdg. Amendments .....	1194
	3rd Rdg. Final Passage .....	1194
	Other Action .....	270, 1304, 2455
4024	Committee Report .....	714
4027	Intro. & 1st Rdg. ....	309
	Committee Report .....	540
	2nd Rdg. Amendments .....	900
	3rd Rdg. Final Passage .....	900
	Other Action .....	2455
4028	Intro. & 1st Rdg. ....	309
4029	Intro. & 1st Rdg. ....	321
	Committee Report .....	795
	2nd Rdg. Amendments .....	1338
	3rd Rdg. Final Passage .....	1338
	Other Action .....	2455
4030	Intro. & 1st Rdg. ....	321
	Committee Report .....	563
	2nd Rdg. Amendments .....	981
	3rd Rdg. Final Passage .....	981
	Other Action .....	2455
4031	Intro. & 1st Rdg. ....	331
4032	Intro. & 1st Rdg. ....	331
4033	Intro. & 1st Rdg. ....	345
	Committee Report .....	714
	2nd Rdg. Amendments .....	1064
4033 (Sub)	2nd Rdg. Amendments .....	1064
	3rd Rdg. Final Passage .....	1064
	Other Action .....	2215, 2421
4034	Intro. & 1st Rdg. ....	502
	Committee Report .....	714
	2nd Rdg. Amendments .....	1085

	3rd Rdg. Final Passage .....	1085
	Other Action .....	2455
4035	Intro. & 1st Rdg. ....	533
	Committee Report .....	715
4036	Intro. & 1st Rdg. ....	553
4037	Intro. & 1st Rdg. ....	580
4038	Intro. & 1st Rdg. ....	605
4039	Intro. & 1st Rdg. ....	606
4040	Intro. & 1st Rdg. ....	1087
4041	Intro. & 1st Rdg. ....	1713
4042	Intro. & 1st Rdg. ....	1742

**HISTORY OF HOUSE JOINT RESOLUTIONS**

4205 (Sub)		
	3rd Rdg. Final Passage .....	574
	Other Action .....	573, 2455
4208		
	3rd Rdg. Final Passage .....	574
	Other Action .....	2455
4216 (Sub)		
	3rd Rdg. Final Passage .....	575
	Other Action .....	574, 2455
4218		
	Other Action .....	2
4221		
	Other Action .....	2
4227		
	Committee Report .....	348
	2nd Rdg. Amendments .....	805
	3rd Rdg. Final Passage .....	805
	Other Action .....	2455
4232		
	Intro. & 1st Rdg. ....	331
4233		
	Intro. & 1st Rdg. ....	345
4234		
	Intro. & 1st Rdg. ....	345
	Committee Report .....	597
	2nd Rdg. Amendments .....	1202
	3rd Rdg. Final Passage .....	1202
	Other Action .....	1201, 1304, 2455
4235		
	Intro. & 1st Rdg. ....	367
4236		
	Intro. & 1st Rdg. ....	387
4237		
	Intro. & 1st Rdg. ....	388
	Committee Report .....	715
4238		
	Intro. & 1st Rdg. ....	388
4239		
	Intro. & 1st Rdg. ....	464
4240		
	Intro. & 1st Rdg. ....	465
4241		
	Intro. & 1st Rdg. ....	465
4242		
	Intro. & 1st Rdg. ....	502

**HISTORY OF HOUSE CONCURRENT RESOLUTIONS**

4424	Intro. & 1st Rdg. . . . .	266
	2nd Rdg. Amendments . . . . .	267
	3rd Rdg. Final Passage . . . . .	267
	Other Action . . . . .	267, 270, 372, 436
4425	Intro. & 1st Rdg. . . . .	266
	2nd Rdg. Amendments . . . . .	267
	3rd Rdg. Final Passage . . . . .	267
	Other Action . . . . .	267, 270, 372, 436
4426	Intro. & 1st Rdg. . . . .	266
	2nd Rdg. Amendments . . . . .	267
	3rd Rdg. Final Passage . . . . .	268
	Other Action . . . . .	268, 334, 372, 436, 1884
	Adopted . . . . .	334
4427	Intro. & 1st Rdg. . . . .	266
	2nd Rdg. Amendments . . . . .	268
	3rd Rdg. Final Passage . . . . .	268
	Other Action . . . . .	268, 270, 372, 437
4428	Intro. & 1st Rdg. . . . .	309
	Committee Report . . . . .	598
	2nd Rdg. Amendments . . . . .	1064
	3rd Rdg. Final Passage . . . . .	1065
	Other Action . . . . .	2455
4429	Intro. & 1st Rdg. . . . .	465
	Committee Report . . . . .	715
	2nd Rdg. Amendments . . . . .	1194
	3rd Rdg. Final Passage . . . . .	1195
	Other Action . . . . .	2455
4429	Other Action . . . . .	1304
4430	Intro. & 1st Rdg. . . . .	1128
	2nd Rdg. Amendments . . . . .	1170
	3rd Rdg. Final Passage . . . . .	1171
	Other Action . . . . .	1128, 2455
4431	Intro. & 1st Rdg. . . . .	1713
4432	Intro. & 1st Rdg. . . . .	1713

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

2597

4433	Intro. & 1st Rdg. . . . .	1743
	2nd Rdg. Amendments . . . . .	2215
	Other Action . . . . .	2186, 2215, 2216, 2455
	Adopted . . . . .	2216
4434	Intro. & 1st Rdg. . . . .	1777
4435	Intro. & 1st Rdg. . . . .	1778
	2nd Rdg. Amendments . . . . .	2216
	Other Action . . . . .	2186, 2216, 2455
	Adopted . . . . .	2216
4436	Intro. & 1st Rdg. . . . .	1778
	Other Action . . . . .	1778
4440	Intro. & 1st Rdg. . . . .	2443
	2nd Rdg. Amendments . . . . .	2443
	Other Action . . . . .	2444
	Adopted . . . . .	2444
4441	Intro. & 1st Rdg. . . . .	2211
	2nd Rdg. Amendments . . . . .	2211
	3rd Rdg. Final Passage . . . . .	2212
	Other Action . . . . .	2211, 2283, 2419, 2421

## HISTORY OF HOUSE RESOLUTIONS

<b>4720 House organized</b>	Introduced .....	7
	Other Action .....	8, 267
	Adopted .....	7
<b>4724 Mossyrock Future Farmers</b>	Introduced .....	456
	Adopted .....	456
<b>4725 Honoring Dr. Martin Luther King Jr.</b>	Introduced .....	348
	Adopted .....	349
<b>4726 Honoring Felicia Knight</b>	Introduced .....	488
	Adopted .....	489
<b>4727 Honoring Women Athletes</b>	Introduced .....	598
	Adopted .....	599
<b>4728 Seattle Mariners</b>	Introduced .....	565
	Adopted .....	566
<b>4730 State Dairy Industry</b>	Introduced .....	506
	Adopted .....	507
<b>4731 BPOE recognition</b>	Introduced .....	510
	Adopted .....	510
<b>4732 O'Dea High Football Team</b>	Introduced .....	565
	Adopted .....	565
<b>4733 Mark Rypien honored</b>	Introduced .....	600
	Adopted .....	601
<b>4734 East Tacoma Reggae Group</b>	Introduced .....	601
	Adopted .....	602
<b>4735 U.S. Women's Soccer Team</b>	Introduced .....	599
	Adopted .....	600
<b>4737 Washington State Huskies Football Team</b>	Introduced .....	893
	Adopted .....	894
<b>4738 Cascade Bruins Football Team</b>	Introduced .....	1393
	Adopted .....	1394
<b>4739 Japanese Americans Day</b>	Introduced .....	1381

HISTORY OF HOUSE RESOLUTIONS

2599

	Adopted .....	1382
<b>4740</b>	<b>Central WA State Fair Assoc.</b>	
	Introduced .....	1381
	Adopted .....	1381
<b>4741</b>	<b>Susan B. Anthony</b>	
	Introduced .....	1101
	Adopted .....	1102
<b>4743</b>	<b>Mark and Gina Andrews</b>	
	Introduced .....	2173
	Adopted .....	2174
<b>4744</b>	<b>Black history shirt day</b>	
	Adopted .....	*
<b>4745</b>	<b>World Cup Soccer Tournament</b>	
	Introduced .....	1380
	Adopted .....	1380
<b>4746</b>	<b>Representative Basich recognized</b>	
	Introduced .....	1419
	Adopted .....	1419
<b>4747</b>	<b>Staff Sgt. Kevin Jackson</b>	
	Introduced .....	1679
	Adopted .....	1680
<b>4748</b>	<b>Honoring Alex Haley</b>	
	Introduced .....	1676
	Adopted .....	1677
<b>4749</b>	<b>National Retail Bakers Week</b>	
	Introduced .....	1418
	Adopted .....	1418
<b>4752</b>	<b>Freedom of Press</b>	
	Introduced .....	1678
	Adopted .....	1679
<b>4754</b>	<b>Future Farmers of America</b>	
	Introduced .....	1652
	Adopted .....	1652
<b>4755</b>	<b>4-H Know Your Government</b>	
	Introduced .....	1666
	Adopted .....	1667
<b>4756</b>	<b>State Capital Museum</b>	
	Introduced .....	1713
	Adopted .....	1714
<b>4758</b>	<b>Caucus handicapped access</b>	
	Introduced .....	1677
	Adopted .....	1678
<b>4759</b>	<b>Self-esteem fostered</b>	
	Introduced .....	1714
	Adopted .....	1716

\* - Adopted by Committee on Rules

<b>4760 Girl Scouts 80th anniversary</b>	
Introduced . . . . .	2169
Adopted . . . . .	2170
<b>4762 International Women's Day</b>	
Introduced . . . . .	1770
Adopted . . . . .	1770
<b>4764 Washington Scholars</b>	
Introduced . . . . .	2184
Adopted . . . . .	2185
<b>4767 Harriet Tubman Day</b>	
Introduced . . . . .	2122
Adopted . . . . .	2123
<b>4769 Lynden Lions Football</b>	
Introduced . . . . .	2170
Adopted . . . . .	2170
<b>4770 Lynden High School Basketball</b>	
Introduced . . . . .	2210
Adopted . . . . .	2210
<b>4771 Captain Robert Gray month</b>	
Introduced . . . . .	2201
Adopted . . . . .	2201
<b>4772 Lynden Christian Basketball</b>	
Introduced . . . . .	2210
Adopted . . . . .	2211
<b>4775 Adjournment sine die</b>	
Introduced . . . . .	2444
Adopted . . . . .	2445
<b>4777 Legislative staff recognized</b>	
Introduced . . . . .	2431
Adopted . . . . .	2431
<b>4778 City of Burien honored</b>	
Introduced . . . . .	2313
Adopted . . . . .	2313
<b>4779 Sterling Munro condolences</b>	
Introduced . . . . .	2429
Adopted . . . . .	2430
<b>4781 Fitzgerald Beaver</b>	
Introduced . . . . .	2430
Adopted . . . . .	2431



**HISTORY OF SENATE BILLS**

5031 (Sub)		
	Intro. & 1st Rdg. . . . .	533
	Other Action . . . . .	522, 2455
5055 (Sub)		
	Intro. & 1st Rdg. . . . .	533
	Other Action . . . . .	522, 2455
5062 (Sub)		
	Intro. & 1st Rdg. . . . .	885
	Other Action . . . . .	811, 2455
5063		
	Intro. & 1st Rdg. . . . .	1364
	Other Action . . . . .	1305, 2455
5067		
	Intro. & 1st Rdg. . . . .	553
	Other Action . . . . .	550, 2455
5069 (Sub)		
	Intro. & 1st Rdg. . . . .	606, 718
	Committee Report . . . . .	1444
	Other Action . . . . .	603, 2455
5086 (Sub)		
	Intro. & 1st Rdg. . . . .	1088
	Other Action . . . . .	1063, 2455
5092 (Sub)		
	Intro. & 1st Rdg. . . . .	1364
	Committee Report . . . . .	1421
	2nd Rdg. Amendments . . . . .	1698
	3rd Rdg. Final Passage . . . . .	1699
	Other Action . . . . .	1130, 1698, 2089, 2124
5105		
	Intro. & 1st Rdg. . . . .	553
	Committee Report . . . . .	1388
	2nd Rdg. Amendments . . . . .	1699
	3rd Rdg. Final Passage . . . . .	1699
	Other Action . . . . .	550, 1943, 1945
5116 (Sub)		
	Intro. & 1st Rdg. . . . .	480
	Committee Report . . . . .	1422
	2nd Rdg. Amendments . . . . .	1764
	3rd Rdg. Final Passage . . . . .	1765
	Other Action . . . . .	472, 1761, 2089, 2123
5121 (Sub)		
	Intro. & 1st Rdg. . . . .	1088
	Committee Report . . . . .	1446, 1668
	2nd Rdg. Amendments . . . . .	1749
	3rd Rdg. Final Passage . . . . .	1750, 2095
	Other Action . . . . .	1041, 1748, 2094, 2167

5135	Intro. & 1st Rdg. . . . .	606, 718
	Other Action . . . . .	603, 2455
5140	Intro. & 1st Rdg. . . . .	533
	Other Action . . . . .	522, 2455
5150	Intro. & 1st Rdg. . . . .	580
	Committee Report . . . . .	1447
	Other Action . . . . .	576, 2455
5151	Intro. & 1st Rdg. . . . .	755
	Committee Report . . . . .	1450
	2nd Rdg. Amendments . . . . .	1855
	Other Action . . . . .	753, 1856, 2455
5180 (Sub)	Intro. & 1st Rdg. . . . .	718
	Other Action . . . . .	717, 2455
5237 (Sub)	Intro. & 1st Rdg. . . . .	481
	Committee Report . . . . .	1668
	Other Action . . . . .	472, 2456
5300 (Sub)	Intro. & 1st Rdg. . . . .	553
	Other Action . . . . .	550, 2456
5302	Intro. & 1st Rdg. . . . .	481
	Committee Report . . . . .	1450
	Other Action . . . . .	472, 2456
5305 (Sub)	Intro. & 1st Rdg. . . . .	481
	Committee Report . . . . .	1423
	2nd Rdg. Amendments . . . . .	1750
	3rd Rdg. Final Passage . . . . .	1751
	Other Action . . . . .	472, 1748, 2089, 2124
5318 2nd (Sub)	Intro & 1st Rdg. . . . .	1372
	Committee Report . . . . .	1452
	2nd Rdg. Amendments . . . . .	1751
	3rd Rdg. Final Passage . . . . .	1752
	Other Action . . . . .	1369, 1748, 2090, 2124, 2166, 2167
5329 (Sub)	Intro. & 1st Rdg. . . . .	1365
	Other Action . . . . .	1200, 2456
5335 2nd (Sub)	Intro & 1st Rdg. . . . .	1372
	Other Action . . . . .	1371, 2456

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2603

5342 (Sub)		
	Intro. & 1st Rdg. ....	553
	Committee Report .....	1449
	2nd Rdg. Amendments .....	1699
	3rd Rdg. Final Passage .....	1700
	Other Action .....	550, 2089, 2124
5345		
	Intro. & 1st Rdg. ....	1365
	Committee Report .....	1459
	Other Action .....	1200, 2456
5346 (Sub)		
	Intro. & 1st Rdg. ....	718
	Committee Report .....	1460
	Other Action .....	717, 2456
5371		
	Intro. & 1st Rdg. ....	533
	Other Action .....	522, 2456
5375		
	Intro. & 1st Rdg. ....	465
	Other Action .....	457, 2456
5380 (Sub)		
	Intro. & 1st Rdg. ....	1088
	Other Action .....	1064, 2456
5386 (Sub)		
	Intro. & 1st Rdg. ....	1372
	Other Action .....	1371, 2456
5389		
	Intro. & 1st Rdg. ....	465
	Committee Report .....	1389
	Other Action .....	457, 2456
5425 (Sub)		
	Intro. & 1st Rdg. ....	553
	Committee Report .....	1461
	2nd Rdg. Amendments .....	1700
	3rd Rdg. Final Passage .....	1701
	Other Action .....	550, 1943, 1945
5438 (Sub)		
	Intro. & 1st Rdg. ....	885
	Other Action .....	811, 2456
5457 (Sub)		
	Intro. & 1st Rdg. ....	1365
	Other Action .....	1305, 2456
5465 (Sub)		
	Intro. & 1st Rdg. ....	481
	Committee Report .....	1461
	2nd Rdg. Amendments .....	1701
	3rd Rdg. Final Passage .....	1701
	Other Action .....	472, 1943, 1945

5481 (Sub)		
	Intro. & 1st Rdg. . . . .	465
	Other Action . . . . .	457, 716, 2456
5510		
	Intro. & 1st Rdg. . . . .	481
	Committee Report . . . . .	1461
	2nd Rdg. Amendments . . . . .	1701
	3rd Rdg. Final Passage . . . . .	1702
	Other Action . . . . .	472, 2090, 2124
5524		
	Intro. & 1st Rdg. . . . .	580
	Other Action . . . . .	576, 2456
5526 (Sub)		
	Intro & 1st Rdg. . . . .	466
	Committee Report . . . . .	1462
	2nd Rdg. Amendments . . . . .	1702
	3rd Rdg. Final Passage . . . . .	1703
	Other Action . . . . .	457, 2091, 2195, 2441, 2456
5557 (Sub)		
	Intro. & 1st Rdg. . . . .	886
	Committee Report . . . . .	1463
	2nd Rdg. Amendments . . . . .	1729
	3rd Rdg. Final Passage . . . . .	1730
	Other Action . . . . .	811, 1703, 1729, 2090, 2124
5559 (Sub)		
	Intro. & 1st Rdg. . . . .	481
	Other Action . . . . .	472, 2456
5566		
	Intro. & 1st Rdg. . . . .	718
	Committee Report . . . . .	1464
	Other Action . . . . .	717, 2456
5634 (Sub)		
	Intro. & 1st Rdg. . . . .	482
	Other Action . . . . .	472, 2456
5644 (Sub)		
	Intro. & 1st Rdg. . . . .	606, 718
	Committee Report . . . . .	1464
	Other Action . . . . .	603, 2456
5661		
	Intro. & 1st Rdg. . . . .	466
	Other Action . . . . .	457, 2456
5666 (Sub)		
	Intro. & 1st Rdg. . . . .	466
	Committee Report . . . . .	1389
	Other Action . . . . .	457, 2456
5675		
	Intro. & 1st Rdg. . . . .	533
	Committee Report . . . . .	1390, 1668

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2605

2nd Rdg. Amendments	1752
3rd Rdg. Final Passage	1753
Other Action	522, 1748, 2091, 2144, 2145, 2200-2202
5699	
Intro. & 1st Rdg.	755
Other Action	753, 2456
5702 (Sub)	
Intro. & 1st Rdg.	554
Other Action	550, 2456
5724 2nd (Sub)	
Intro & 1st Rdg.	482
Committee Report	1472
2nd Rdg. Amendments	1745
3rd Rdg. Final Passage	1745
Other Action	472, 2197, 2200, 2309, 2310, 2432, 2434, 2459
5727 (Sub)	
Intro. & 1st Rdg.	466
Committee Report	1473
2nd Rdg. Amendments	1703
3rd Rdg. Final Passage	1704
Other Action	457, 2144-2146, 2184, 2202
5728 (Sub)	
Intro. & 1st Rdg.	756
Committee Report	1474
2nd Rdg. Amendments	1853
3rd Rdg. Final Passage	1854
Other Action	753, 1854, 2090, 2124, 2166, 2167
5746	
Intro. & 1st Rdg.	554
Committee Report	1423
Other Action	550, 2456
5759 (Sub)	
Intro. & 1st Rdg.	466
Committee Report	1463
Other Action	457, 2456
5780 2nd (Sub)	
Intro. & 1st Rdg.	466
Other Action	457, 2456
5807 (Sub)	
Intro. & 1st Rdg.	1365
Other Action	1305, 2456
5810 (Sub)	
Intro. & 1st Rdg.	533
Committee Report	1475
Other Action	522, 2456
5812 (Sub)	
Intro. & 1st Rdg.	886
Other Action	811, 2456

5848	Intro. & 1st Rdg. . . . .	482
	Other Action . . . . .	472, 2456
5923	Intro. & 1st Rdg. . . . .	886
	Other Action . . . . .	811, 2456
5929 (Sub)	Intro. & 1st Rdg. . . . .	534
	Other Action . . . . .	522, 2456
5935	Intro. & 1st Rdg. . . . .	886
	Other Action . . . . .	811
	Other Action . . . . .	2456
5953 (Sub)	Intro. & 1st Rdg. . . . .	1778
	2nd Rdg. Amendments . . . . .	1779, 1857
	3rd Rdg. Final Passage . . . . .	1873
	Other Action . . . . .	1769, 1779, 1857, 1860, 1873, 2090, 2124, 2166, 2167
5961	Intro. & 1st Rdg. . . . .	2426
	2nd Rdg. Amendments . . . . .	2426
	3rd Rdg. Final Passage . . . . .	2427
	Other Action . . . . .	2425, 2426, 2429, 2446, 2459
5986 (Sub)	Intro. & 1st Rdg. . . . .	756
	Committee Report . . . . .	1479
	2nd Rdg. Amendments . . . . .	1704
	3rd Rdg. Final Passage . . . . .	1704
	Other Action . . . . .	753, 2090, 2124
6004	2nd Rdg. Amendments . . . . .	2312
	3rd Rdg. Final Passage . . . . .	2313
	Other Action . . . . .	2282, 2293, 2312, 2418, 2419, 2459
6008	Intro. & 1st Rdg. . . . .	580
	Committee Report . . . . .	1379
	2nd Rdg. Amendments . . . . .	1704
	3rd Rdg. Final Passage . . . . .	1705
	Other Action . . . . .	576, 2090, 2124
6010	Intro. & 1st Rdg. . . . .	756
	Committee Report . . . . .	1482
	2nd Rdg. Amendments . . . . .	1705
	3rd Rdg. Final Passage . . . . .	1705
	Other Action . . . . .	753, 1943, 1945
6011 (Sub)	Intro. & 1st Rdg. . . . .	606, 719
	Committee Report . . . . .	1483

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2607

	Other Action .....	603, 2456
6013	Other Action .....	753, 2456
6015 (Sub)	Intro. & 1st Rdg. ....	886
	Other Action .....	811, 2456
6022	Intro. & 1st Rdg. ....	886
	Other Action .....	811, 2456
6023	Intro. & 1st Rdg. ....	886
	Committee Report .....	1483
	2nd Rdg. Amendments .....	1753
	3rd Rdg. Final Passage .....	1754
	Other Action .....	811, 2090, 2124
6027	Intro. & 1st Rdg. ....	719
	Committee Report .....	1390
	2nd Rdg. Amendments .....	1706
	3rd Rdg. Final Passage .....	1706
	Other Action .....	717, 1943, 1945
6028	Intro. & 1st Rdg. ....	756
	Committee Report .....	1484
	2nd Rdg. Amendments .....	1706
	3rd Rdg. Final Passage .....	1707
	Other Action .....	753, 1943, 1945
6031	Intro. & 1st Rdg. ....	606, 719
	Other Action .....	603, 2456
6032	Intro. & 1st Rdg. ....	606, 719
	Committee Report .....	1424
	2nd Rdg. Amendments .....	1733
	3rd Rdg. Final Passage .....	1734
	Other Action .....	603, 1733, 1943, 1945
6033	Intro. & 1st Rdg. ....	887
	Committee Report .....	1484
	2nd Rdg. Amendments .....	1809
	3rd Rdg. Final Passage .....	1810
	Other Action .....	811, 2124, 2167
6035 (Sub)	Intro. & 1st Rdg. ....	1088
	Other Action .....	2456
6037	Intro. & 1st Rdg. ....	1088
	Committee Report .....	1487

	Other Action .....	2456
6042 (Sub)		
	Intro. & 1st Rdg. ....	756
	Committee Report .....	1390
	2nd Rdg. Amendments .....	1707
	3rd Rdg. Final Passage .....	1707
	Other Action .....	753, 2090, 2124
6047 (Sub)		
	Intro. & 1st Rdg. ....	756
	Committee Report .....	1488
	Other Action .....	753, 2456
6051		
	Intro. & 1st Rdg. ....	1088
	Committee Report .....	1490, 1669
	Other Action .....	1041, 2456
6052		
	Intro. & 1st Rdg. ....	580
	Committee Report .....	1391
	Other Action .....	576, 2456
6054		
	Intro. & 1st Rdg. ....	1365
	Committee Report .....	1492
	2nd Rdg. Amendments .....	1763, 1802
	3rd Rdg. Final Passage .....	1809
	Other Action .....	1305, 1761, 1763, 2090, 2125, 2166, 2167
6055 (Sub)		
	Intro. & 1st Rdg. ....	607, 719
	Committee Report .....	1379
	2nd Rdg. Amendments .....	1696
	3rd Rdg. Final Passage .....	1697
	Other Action .....	603, 2090, 2125, 2166, 2167
6057 (Sub)		
	Other Action .....	1780, 2456
6060		
	Intro. & 1st Rdg. ....	719
	Committee Report .....	1493
	Other Action .....	717, 2456
6063 (Sub)		
	Intro. & 1st Rdg. ....	887
	Committee Report .....	1391
	Other Action .....	811, 2456
6064 (Sub)		
	Intro. & 1st Rdg. ....	607, 719
	Committee Report .....	1494
	Other Action .....	603, 2457
6067 (Sub)		
	Intro. & 1st Rdg. ....	1372
	Other Action .....	1371, 2457



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6069 (Sub)	Intro. & 1st Rdg. . . . .	1089
	Committee Report . . . . .	1494, 1670
	2nd Rdg. Amendments . . . . .	1811
	3rd Rdg. Final Passage . . . . .	1811
	Other Action . . . . .	2090, 2125, 2166, 2167
6070	Intro. & 1st Rdg. . . . .	887
	Committee Report . . . . .	1494
	2nd Rdg. Amendments . . . . .	1754
	3rd Rdg. Final Passage . . . . .	1755
	Other Action . . . . .	811, 1707, 1754, 1944, 1945
6073	Intro. & 1st Rdg. . . . .	607, 719
	Committee Report . . . . .	1494
	Other Action . . . . .	603, 2457
6074	Intro. & 1st Rdg. . . . .	1372
	Committee Report . . . . .	1495
	2nd Rdg. Amendments . . . . .	1708
	3rd Rdg. Final Passage . . . . .	1708
	Other Action . . . . .	1371, 1943, 1945
6075	Intro. & 1st Rdg. . . . .	1373
	Other Action . . . . .	1371, 2457
6076 (Sub)	Intro. & 1st Rdg. . . . .	1089
	Committee Report . . . . .	1495
	2nd Rdg. Amendments . . . . .	1708
	3rd Rdg. Final Passage . . . . .	1709
	Other Action . . . . .	1943, 1945
6078	Intro. & 1st Rdg. . . . .	1373
	Committee Report . . . . .	1424
	2nd Rdg. Amendments . . . . .	1680
	3rd Rdg. Final Passage . . . . .	1681
	Other Action . . . . .	1371, 1680, 1942, 1945
6080	Intro. & 1st Rdg. . . . .	887
	Other Action . . . . .	811, 2457
6082 (Sub)	Intro. & 1st Rdg. . . . .	887
	Committee Report . . . . .	1391
	Other Action . . . . .	811, 2457
6083 (Sub)	Intro. & 1st Rdg. . . . .	887
	Committee Report . . . . .	1495
	Other Action . . . . .	811, 2457

## 6085 (Sub)

Intro. & 1st Rdg. . . . .	554
Committee Report . . . . .	1496
2nd Rdg. Amendments . . . . .	1709
3rd Rdg. Final Passage . . . . .	1709
Other Action . . . . .	550, 2092, 2172-2174

## 6086 (Sub)

Intro. & 1st Rdg. . . . .	887
Committee Report . . . . .	1497
2nd Rdg. Amendments . . . . .	1710
3rd Rdg. Final Passage . . . . .	1710
Other Action . . . . .	811, 2090, 2124

## 6089

Intro. & 1st Rdg. . . . .	1780
2nd Rdg. Amendments . . . . .	1780
3rd Rdg. Final Passage . . . . .	1799
Other Action . . . . .	1780, 2195, 2196

## 6093

Intro. & 1st Rdg. . . . .	607, 720
Committee Report . . . . .	1497
2nd Rdg. Amendments . . . . .	1852
3rd Rdg. Final Passage . . . . .	1853
Other Action . . . . .	603, 1761, 1765, 1853, 2090, 2125, 2166, 2167

## 6095 (Sub)

Intro. & 1st Rdg. . . . .	1365
Other Action . . . . .	1305, 2457

## 6096

Intro. & 1st Rdg. . . . .	1366
Other Action . . . . .	1200, 2457

## 6103

Intro. & 1st Rdg. . . . .	1028
Committee Report . . . . .	1497
2nd Rdg. Amendments . . . . .	1745
3rd Rdg. Final Passage . . . . .	1746
Other Action . . . . .	993, 1943, 1945

## 6104 (Sub)

Intro. & 1st Rdg. . . . .	756
Committee Report . . . . .	1498
2nd Rdg. Amendments . . . . .	1734
3rd Rdg. Final Passage . . . . .	1734
Other Action . . . . .	753, 1733, 2090, 2124

## 6111 (Sub)

Intro. & 1st Rdg. . . . .	757
Committee Report . . . . .	1524
2nd Rdg. Amendments . . . . .	1763
3rd Rdg. Final Passage . . . . .	1764
Other Action . . . . .	753, 1761, 2124, 2167

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6113 (Sub)		
	Intro. & 1st Rdg. ....	1366
	Other Action .....	1305, 2457
6116		
	Intro. & 1st Rdg. ....	1089
	Other Action .....	2457
6120 (Sub)		
	Intro. & 1st Rdg. ....	1373
	Committee Report .....	1527
	2nd Rdg. Amendments .....	1710
	3rd Rdg. Final Passage .....	1711
	Other Action .....	1369, 2090, 2124
6121		
	Intro. & 1st Rdg. ....	964
	Committee Report .....	1424
	Other Action .....	907, 2457
6122		
	Intro. & 1st Rdg. ....	581
	Committee Report .....	1527
	Other Action .....	576, 2457
6125 (Sub)		
	Intro. & 1st Rdg. ....	888
	Other Action .....	811, 2457
6126		
	Intro. & 1st Rdg. ....	888
	Other Action .....	811, 2457
6128		
	Intro. & 1st Rdg. ....	1366
	Committee Report .....	1529
	2nd Rdg. Amendments .....	1730
	3rd Rdg. Final Passage .....	1731, 2278
	Other Action .....	1305, 2125, 2135, 2173, 2185, 2277, 2434
6130		
	Intro. & 1st Rdg. ....	888
	Committee Report .....	1533
	Other Action .....	811, 2457
6132 (Sub)		
	Intro. & 1st Rdg. ....	1373
	Committee Report .....	1533
	2nd Rdg. Amendments .....	1731
	3rd Rdg. Final Passage .....	1731
	Other Action .....	1371, 1943, 1945
6133		
	Intro. & 1st Rdg. ....	888
	Committee Report .....	1426
	2nd Rdg. Amendments .....	1681
	3rd Rdg. Final Passage .....	1681
	Other Action .....	811, 1942, 1945

6134

Intro. & 1st Rdg. . . . .	888
Committee Report . . . . .	1392
2nd Rdg. Amendments . . . . .	1681
3rd Rdg. Final Passage . . . . .	1682
Other Action . . . . .	811, 1942, 1945

6135 (Sub)

Intro. & 1st Rdg. . . . .	888
Committee Report . . . . .	1392
2nd Rdg. Amendments . . . . .	1682
3rd Rdg. Final Passage . . . . .	1682
Other Action . . . . .	811, 1942, 1945

6137

Intro. & 1st Rdg. . . . .	964
Committee Report . . . . .	1534
Other Action . . . . .	907, 2457

6138 (Sub)

Intro. & 1st Rdg. . . . .	964
Committee Report . . . . .	1393
2nd Rdg. Amendments . . . . .	1689
3rd Rdg. Final Passage . . . . .	1690
Other Action . . . . .	907, 1689, 1942, 1945

6140

Intro. & 1st Rdg. . . . .	964
Committee Report . . . . .	1427
2nd Rdg. Amendments . . . . .	1690
3rd Rdg. Final Passage . . . . .	1690
Other Action . . . . .	907, 1942, 1945

6141 (Sub)

Intro. & 1st Rdg. . . . .	965
Committee Report . . . . .	1427
2nd Rdg. Amendments . . . . .	1690
3rd Rdg. Final Passage . . . . .	1691
Other Action . . . . .	907, 1942, 1945

6144 (Sub)

Intro. & 1st Rdg. . . . .	888
Committee Report . . . . .	1427
Other Action . . . . .	811, 2457

6146 (Sub)

Intro. & 1st Rdg. . . . .	1366
Committee Report . . . . .	1534
2nd Rdg. Amendments . . . . .	1716
3rd Rdg. Final Passage . . . . .	1716
Other Action . . . . .	1305, 1716, 1943, 1945

6150

Intro. & 1st Rdg. . . . .	757
Other Action . . . . .	753, 2457

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2613

6151 (Sub)		
	Intro. & 1st Rdg. ....	1373
	Other Action .....	1371, 2457
6153 (Sub)		
	Intro. & 1st Rdg. ....	1373
	Committee Report .....	1534
	Other Action .....	1371, 2457
6155		
	Intro. & 1st Rdg. ....	1089
	Committee Report .....	1538
	2nd Rdg. Amendments .....	1755
	3rd Rdg. Final Passage .....	1758, 2280
	Other Action .....	1041, 1754, 2092, 2123, 2143, 2279, 2280, 2433, 2434
6158		
	Intro. & 1st Rdg. ....	1374
	Committee Report .....	1539
	Other Action .....	1369, 2457
6159		
	Intro. & 1st Rdg. ....	581
	Committee Report .....	1427
	2nd Rdg. Amendments .....	1697, 1728
	Other Action .....	576, 1698, 1728, 1733, 1734, 2457
6161		
	Intro. & 1st Rdg. ....	965
	Committee Report .....	1540
	2nd Rdg. Amendments .....	1716
	3rd Rdg. Final Passage .....	1717
	Other Action .....	907, 2090, 2124
6169		
	Intro. & 1st Rdg. ....	1366
	Other Action .....	1200, 2457
6172		
	Intro. & 1st Rdg. ....	965
	Committee Report .....	1670
	Other Action .....	907, 2457
6174 (Sub)		
	Intro. & 1st Rdg. ....	1374
	Committee Report .....	1428
	2nd Rdg. Amendments .....	1691
	3rd Rdg. Final Passage .....	1691
	Other Action .....	1371, 1942, 1945
6180 (Sub)		
	2nd Rdg. Amendments .....	2304
	3rd Rdg. Final Passage .....	2306
	Other Action .....	2281, 2304, 2440, 2441, 2446, 2459
6181		
	Intro. & 1st Rdg. ....	965
	Committee Report .....	1540

	Other Action .....	907, 2457
6184	Intro. & 1st Rdg. ....	1366
	Committee Report .....	1541
	2nd Rdg. Amendments .....	1717
	3rd Rdg. Final Passage .....	1718
	Other Action .....	1305, 1943, 1945
6186 (Sub)	Intro. & 1st Rdg. ....	1374
	Committee Report .....	1428
	2nd Rdg. Amendments .....	1691
	3rd Rdg. Final Passage .....	1692
	Other Action .....	1371, 1942, 1945
6187 (Sub)	Intro. & 1st Rdg. ....	965
	Other Action .....	907, 2457
6188 (Sub)	Intro. & 1st Rdg. ....	1089
	Other Action .....	1041, 2457
6191 (Sub)	Intro. & 1st Rdg. ....	965
	Committee Report .....	1541
	2nd Rdg. Amendments .....	1758, 1760
	Other Action .....	907, 1718, 1754, 1758, 1761, 2457
6192 (Sub)	Intro. & 1st Rdg. ....	966
	Committee Report .....	1554
	Other Action .....	907, 1718, 2457
6193 (Sub)	Intro. & 1st Rdg. ....	1374
	Committee Report .....	1565
	2nd Rdg. Amendments .....	1718
	3rd Rdg. Final Passage .....	1719
	Other Action .....	1369, 1718, 1943, 1945
6199	Intro. & 1st Rdg. ....	1367
	Committee Report .....	1565
	2nd Rdg. Amendments .....	1719
	3rd Rdg. Final Passage .....	1719
	Other Action .....	1200, 1943, 1945
6201	Intro. & 1st Rdg. ....	1367
	Other Action .....	1200, 1420, 1777, 2457
6203	Intro. & 1st Rdg. ....	966
	Other Action .....	907, 2457
6212	Intro. & 1st Rdg. ....	966

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2615

	Committee Report .....	1428
	2nd Rdg. Amendments .....	1719
	3rd Rdg. Final Passage .....	1720
	Other Action .....	907, 1943, 1945
6213	Intro. & 1st Rdg. ....	966
	Committee Report .....	1565
	2nd Rdg. Amendments .....	1720
	3rd Rdg. Final Passage .....	1720
	Other Action .....	907, 1943, 1945
6220	Intro. & 1st Rdg. ....	888
	Committee Report .....	1429
	2nd Rdg. Amendments .....	1693, 1728
	3rd Rdg. Final Passage .....	1729
	Other Action .....	811, 1694, 1728, 2090, 2124
6221	Intro. & 1st Rdg. ....	1367
	Committee Report .....	1565
	2nd Rdg. Amendments .....	1720
	3rd Rdg. Final Passage .....	1721
	Other Action .....	1305, 2090, 2124
6223	Intro. & 1st Rdg. ....	554
	Other Action .....	550, 2457
6226	Intro. & 1st Rdg. ....	757
	Committee Report .....	1566
	2nd Rdg. Amendments .....	1721
	3rd Rdg. Final Passage .....	1722
	Other Action .....	753, 1944, 1945
6227	Intro. & 1st Rdg. ....	1089
	Other Action .....	1064, 2457
6228 (Sub)	Intro. & 1st Rdg. ....	966
	Other Action .....	907, 2457
6234 (Sub)	Intro. & 1st Rdg. ....	1374
	Other Action .....	1369, 2457
6241 (Sub)	Intro. & 1st Rdg. ....	966
	Committee Report .....	1566
	2nd Rdg. Amendments .....	1722
	3rd Rdg. Final Passage .....	1722
	Other Action .....	907, 1944, 1945
6244 (Sub)	Intro. & 1st Rdg. ....	1367

	Other Action . . . . .	1305, 2457
6246 (Sub)	Intro. & 1st Rdg. . . . .	1367
	Committee Report . . . . .	1566
	Other Action . . . . .	1305, 2457
6248 (Sub)	2nd Rdg. Amendments . . . . .	1811
	3rd Rdg. Final Passage . . . . .	1850
6254	Intro. & 1st Rdg. . . . .	1367
	Other Action . . . . .	1200, 2457
6255 2nd (Sub)	Intro. & 1st Rdg. . . . .	1367
	Other Action . . . . .	1200, 1778, 2457
6261	Intro. & 1st Rdg. . . . .	1374
	Committee Report . . . . .	1567
	2nd Rdg. Amendments . . . . .	1758
	3rd Rdg. Final Passage . . . . .	1759
	Other Action . . . . .	1371, 1754, 2090, 2125, 2166, 2167
6262 (Sub)	Intro. & 1st Rdg. . . . .	1374
	Other Action . . . . .	1371, 2457
6270	Intro. & 1st Rdg. . . . .	1368
	Committee Report . . . . .	1567
	2nd Rdg. Amendments . . . . .	1722
	3rd Rdg. Final Passage . . . . .	1723
	Other Action . . . . .	1305, 1944, 1945
6272 (Sub)	Intro. & 1st Rdg. . . . .	966
	Committee Report . . . . .	1568
	Other Action . . . . .	907, 2457
6273	Intro. & 1st Rdg. . . . .	1368
	Committee Report . . . . .	1569
	2nd Rdg. Amendments . . . . .	1873
	3rd Rdg. Final Passage . . . . .	1882
	Other Action . . . . .	1305, 1765, 1767, 1872, 1875-1881, 2124, 2167
6276	Intro. & 1st Rdg. . . . .	967
	Committee Report . . . . .	1430
	2nd Rdg. Amendments . . . . .	1696
	3rd Rdg. Final Passage . . . . .	1696
	Other Action . . . . .	907, 1943, 1945
6284	Intro. & 1st Rdg. . . . .	2426
	2nd Rdg. Amendments . . . . .	2428



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2617

	3rd Rdg. Final Passage .....	2429
	Other Action .....	2428, 2429, 2446, 2459
6285	2nd Rdg. Amendments .....	2290
	3rd Rdg. Final Passage .....	2291, 2292
	Other Action .....	2281, 2290-2292, 2418, 2419, 2459
6286 (Sub)	Intro. & 1st Rdg. ....	2426
	2nd Rdg. Amendments .....	2427
	3rd Rdg. Final Passage .....	2428
	Other Action .....	2427, 2429, 2446, 2459
6289	Intro. & 1st Rdg. ....	967
	Committee Report .....	1570
	2nd Rdg. Amendments .....	1723
	3rd Rdg. Final Passage .....	1724
	Other Action .....	907, 2090, 2125, 2166, 2167
6292	Intro. & 1st Rdg. ....	1089
	Committee Report .....	1571
	2nd Rdg. Amendments .....	1731
	3rd Rdg. Final Passage .....	1732
	Other Action .....	1724, 2090, 2125, 2166, 2167
6293	Intro. & 1st Rdg. ....	1090
	Other Action .....	1041, 2457
6295	Intro. & 1st Rdg. ....	967
	Committee Report .....	1430
	2nd Rdg. Amendments .....	1724
	3rd Rdg. Final Passage .....	1724
	Other Action .....	907, 1944, 1945
6296	Intro. & 1st Rdg. ....	967
	Committee Report .....	1571
	2nd Rdg. Amendments .....	1725
	3rd Rdg. Final Passage .....	1725
	Other Action .....	907, 2090, 2125, 2166, 2167
6299 (Sub)	Intro. & 1st Rdg. ....	1375
	Other Action .....	1371, 2457
6300 (Sub)	Other Action .....	1945
6304 (Sub)	Intro. & 1st Rdg. ....	1375
	Other Action .....	1369, 2457
6305 (Sub)	Intro. & 1st Rdg. ....	1375

	Committee Report .....	1572
	Other Action .....	1369, 2457
6306 (Sub)		
	Intro. & 1st Rdg. ....	967
	Committee Report .....	1574
	2nd Rdg. Amendments .....	1725
	3rd Rdg. Final Passage .....	1726
	Other Action .....	907, 1944, 1945
6309		
	Intro. & 1st Rdg. ....	967
	Committee Report .....	1574
	Other Action .....	907, 2457
6315		
	Intro. & 1st Rdg. ....	1375
	Other Action .....	1371, 2457
6318		
	Intro. & 1st Rdg. ....	1090
	Committee Report .....	1575, 1670
	Other Action .....	2458
6319		
	Intro. & 1st Rdg. ....	1090
	Committee Report .....	1582, 1671
	2nd Rdg. Amendments .....	1873, 2219
	3rd Rdg. Final Passage .....	2271
	Other Action .....	1873, 2212, 2223, 2265, 2433, 2434
6321 (Sub)		
	Intro. & 1st Rdg. ....	1090
	Committee Report .....	1584
	2nd Rdg. Amendments .....	1726
	3rd Rdg. Final Passage .....	1727
	Other Action .....	1041, 2090, 2125, 2166, 2167
6322		
	Intro. & 1st Rdg. ....	1375
	Committee Report .....	1588
	Other Action .....	1371, 2458
6326 (Sub)		
	Intro. & 1st Rdg. ....	889
	Committee Report .....	1430
	2nd Rdg. Amendments .....	1692
	3rd Rdg. Final Passage .....	1693
	Other Action .....	811, 2090, 2125, 2166, 2167
6327 (Sub)		
	Intro. & 1st Rdg. ....	1090
	Committee Report .....	1432
	2nd Rdg. Amendments .....	1727
	3rd Rdg. Final Passage .....	1727
	Other Action .....	1041, 1944, 1945
6328 (Sub)		

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2619

	Intro. & 1st Rdg. . . . .	967
	Committee Report . . . . .	1433
	2nd Rdg. Amendments . . . . .	1854
	3rd Rdg. Final Passage . . . . .	1855
	Other Action . . . . .	907, 1944, 1945
6329		
	Intro. & 1st Rdg. . . . .	968
	Committee Report . . . . .	1393
	2nd Rdg. Amendments . . . . .	1727
	3rd Rdg. Final Passage . . . . .	1728
	Other Action . . . . .	907, 1944, 1945
6330 (Sub)		
	Intro. & 1st Rdg. . . . .	968
	Committee Report . . . . .	1589
	2nd Rdg. Amendments . . . . .	1746
	3rd Rdg. Final Passage . . . . .	1747
	Other Action . . . . .	907, 1944, 1945
6333		
	Intro. & 1st Rdg. . . . .	968
	Other Action . . . . .	907, 2458
6338 (Sub)		
	Intro. & 1st Rdg. . . . .	1090
	Committee Report . . . . .	1590
	Other Action . . . . .	2458
6339		
	Intro. & 1st Rdg. . . . .	1368
	Committee Report . . . . .	1592
	2nd Rdg. Amendments . . . . .	1743
	3rd Rdg. Final Passage . . . . .	1743
	Other Action . . . . .	1200, 1944, 1945
6345 (Sub)		
	Intro. & 1st Rdg. . . . .	1368
	Committee Report . . . . .	1592
	Other Action . . . . .	1305, 2458
6347 (2nd Sub)		
	3rd Rdg. Final Passage . . . . .	1762
6347 2nd (Sub)		
	Committee Report . . . . .	1594
	Other Action . . . . .	1671
	2nd Rdg. Amendments . . . . .	1759, 1761
	Other Action . . . . .	1371, 1375, 1754, 1759, 1761, 1944, 1945
6348 (Sub)		
	Intro. & 1st Rdg. . . . .	1375
	Committee Report . . . . .	1599
	Other Action . . . . .	1371, 2458
6349		
	Intro. & 1st Rdg. . . . .	1376
	Committee Report . . . . .	1600

	2nd Rdg. Amendments . . . . .	1747
	Other Action . . . . .	1371, 1747, 2458
6351	Intro. & 1st Rdg. . . . .	968
	Committee Report . . . . .	1393
	2nd Rdg. Amendments . . . . .	1744
	3rd Rdg. Final Passage . . . . .	1744
	Other Action . . . . .	907, 1944, 1946
6353 (Sub)	Intro. & 1st Rdg. . . . .	1376
	Other Action . . . . .	1370, 2458
6354 (Sub)	Intro. & 1st Rdg. . . . .	1376
	Committee Report . . . . .	1601
	2nd Rdg. Amendments . . . . .	1857
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- Milk marketing, market area pooling plan with quotas, creation and participation in, participation in referendum and other conditions subjecting producer-dealer to regulation specified: \*SB 6155, CH 58 (1992)
- Milk plants, license fee established: SSB 6393
- Milk, assessment imposed on milk processed in state to support dairy inspection program, rulemaking authority of director of agriculture: \*SSB 6393, CH 160 (1992)
- Milk, assessment on milk produced in state to support dairy inspection program: SSB 6393
- Nuisances, agricultural activity in conformity with federal, state, and local laws and rules is not a nuisance and may not be restricted as to the hours of operation in which it may be conducted: \*SHB 2457, CH 151 (1992)
- Nuisances, agricultural practices conforming to all laws and rules may not be restricted as to time of day or day of the week: SB 6223
- Nuisances, restrictions on activities that may be restrained as agricultural nuisances, revised provisions: HB 2457
- Nursery dealer license, surcharge to support horticultural nursery research: HB 2315, SHB 2315, \*SB 6027, CH 23 (1992)
- Open space corridors, identification of corridor not to restrict use or management of lands in corridor for agricultural or forest purposes unless city or county acquires sufficient interest to prevent control or development: \*SB 6401, CH 227 (1992)
- Open space lands, farm and agriculture conservation land category created and eligibility requirements established: HB 2928, \*SHB 2928, CH 69 (1992)
- Overheight loads of empty fruit bins, permit for continuous operation, permit periods and fees established: HB 2981
- Pesticides, minor uses advisory committee created in department, membership and duties: HB 1688
- Pesticides, posting requirements prior to application, revised provisions: HB 1687
- Pesticides, potential or actual exposure of workers, employer responsibilities: HB 1567, SHB 1567
- Pesticides, recordkeeping and posting requirements modified: HB 1728, HB 2228, HB 2317
- Pesticides, registration and reregistration, assistance and information program, development duties: HB 1688
- Plant and bee pests and diseases, exclusion procedures to include investigation, quarantine measures, penalties for holding or transporting: HB 1483
- Property access, "enters or remains unlawfully," definition revised in regard to entries for hunting, fishing, or recreation on posted, fenced, or agricultural property: HB 2416
- Salmon commodity commission, authority for Washington commercial salmon producers to elect to form commission: HB 2275, SHB 2275
- Security interests in crops, central filing system: SHB 2086
- Self-propelled agricultural equipment included in motor vehicle lemon law coverage: HB 1526
- Shellfish protection districts and programs, authority to create for protection of shellfish growing areas from animal waste and failing on-site sewage system pollution: \*SSB 6132, CH 100 (1992)
- Shellfish protection districts, fees, charges, and rates, authority of county legislative authority to fix, alter, and control, confined animal feeding operations and other facilities exempted from: \*SSB 6132, CH 100 (1992)
- Somatotropin, director to examine impact and monitor use of supplemental bovine somatotropin, authority to restrict use: HB 2105

- Trespass, "enters or remains unlawfully," definition revised in regard to entries for hunting, fishing, or recreation on posted, fenced, or agricultural property: HB 2416
- Vocational agriculture education program: HB 1303
- Wages of agricultural employees to be paid within twenty-four hours following end of employment, establishes penalties for failure to pay and dispute resolution procedure: HB 2432, HB 2433
- Washington agricultural labor relations act adopted: HB 1961
- Water conservation, agricultural water supply facilities using rate structures as incentives given priority in department of ecology projects: SHB 2629
- Water purveyors completing an application for proceeds from sale of bonds to identify whether and how rate structures could provide an incentive to water users to conserve water: SHB 2629
- Watershed protection programs, financing options including county taxes, fees, bond issues, and a high priority for state financial assistance, limitations on charges and fees to confined animal feeding operations: SHB 2363

#### **AGRICULTURE, DEPARTMENT**

- Agricultural economic impact statements, guidelines and review of rules for minor or negligible impacts, departmental duties: HB 2104, SHB 2104
- Bottled water, health and manufacturing standards established regarding bottled water, departmental duties: HB 2747, \*SHB 2747, CH 34 (1992), SSB 6015
- Dairy industry, supplemental bovine somatotropin, director to examine impact and monitor use, authority to restrict use: HB 2105
- Dairy inspection program advisory committee created, membership and duties: \*SSB 6393, CH 160 (1992)
- Ethanol in motor fuels, department to promote development and use of: HB 2721
- Food processing inspection account created: \*SSB 6393, CH 160 (1992)
- Food processing plant licensing fee: \*SSB 6393, CH 160 (1992)
- Food processing plant licensing required to protect public from unsafe, adulterated, or misbranded food: HB 1483
- Fruit commission authorized to increase assessment on soft tree fruits and classifications of soft tree fruits: \*SB 6212, CH 87 (1992)
- Horticultural nursery research, nursery dealer license surcharge to support: HB 2315, SHB 2315, \*SB 6027, CH 23 (1992)
- Integrated pest management practices to prevent pest problems with minimal damage to ecosystem's natural controls, duties: SHB 1486
- Meat products, adulteration or misbranding, provisions revised: HB 2819, SHB 2819
- Milk marketing, "milk" and "milk dealer" defined: \*SB 6155, CH 58 (1992)
- Milk marketing, authority of director to create marketing areas with pricing and pooling arrangements among producers: HB 1983
- Milk marketing, market area pooling plan with quotas, creation and participation in, participation in referendum and other conditions subjecting producer-dealer to regulation specified: \*SB 6155, CH 58 (1992)
- Milk plants, license fee established: SSB 6393
- Milk, assessment imposed on milk processed in state to support dairy inspection program, rulemaking authority of director of agriculture: \*SSB 6393, CH 160 (1992)
- Milk, assessment on milk produced in state to support dairy inspection program: SSB 6393

- Nursery dealer license, surcharge to support horticultural nursery research: HB 2315, SHB 2315, \*SB 6027, CH 23 (1992)
- Organic food certification, extension to handlers: HB 2502
- Organic food certification, program for producers, processors, and vendors: \*SHB 2502, CH 71 (1992)
- Organic food processors or vendors, certification requirements: \*SHB 2502, CH 71 (1992)
- Organic food producers, confidentiality of valuable trade information protected: HB 2502, \*SHB 2502, CH 71 (1992)
- Organic foods, department to establish list of approved substances in production, processing, and handling: HB 2502, \*SHB 2502, CH 71 (1992)
- Organic foods, labeling requirements: HB 2502, \*SHB 2502, CH 71 (1992)
- Pesticide applicators, posting requirements: HB 2209
- Pesticide applicators, recordkeeping requirements: HB 1261, SHB 1261
- Pesticide licensing laws, revised provisions: \*HB 2448, CH 170 (1992)
- Pesticide recordkeeping and posting provisions, revised duties: HB 2715
- Pesticide recordkeeping and reporting by electronic means, director may establish pilot project: HB 2777
- Pesticide recordkeeping and reporting by electronic means, rulemaking authority of director: HB 2777
- Pesticide regulation, authority given to department to regulate and local regulation prohibited: HB 2531, SB 6273
- Pesticide regulation, local regulation of pesticides prohibited except as expressly authorized by legislature: SB 6273
- Pesticide-sensitive people, compilation and distribution of list to applicators: HB 2872, \*SB 6093, CH 176 (1992)
- Pesticides, identification and reduction in use of pesticides that pose health hazards to workers and public, director's duties: HB 1765
- Pesticides, list of highly toxic pesticides to be published annually: HB 2244
- Pesticides, public notice of application, duties: HB 2244
- Pesticides, recordkeeping and posting required: HB 2209, HB 2210
- Pesticides, recordkeeping and posting requirements revised: HB 2357
- Pesticides, registration statements disclosure to departments of labor and industries and health authorized, restrictions: HB 2576
- Pesticides, retail sales outlets, annual dealer license required as well as compliance with home and garden pesticides public notice requirements and mixing and diluting prohibitions: HB 2705
- Plant and bee pests and diseases exclusion system, duties: HB 1483
- Salmon, labeling by source and common name requirements: HB 2369, SHB 2369
- Senior environmental corps created, powers and duties: HB 2560, \*SHB 2560, CH 63 (1992)
- Sludge applications, government entities to notify department of application from municipal sewage treatment facilities, investigative duties: HB 1963, SHB 1963
- Somatotropin, director to examine impact and monitor use of supplemental bovine somatotropin, authority to restrict use: HB 2105
- Water, bottled, health and manufacturing standards established regarding bottled water, departmental duties: HB 2747, \*SHB 2747, CH 34 (1992), SSB 6015

- Weights and measures, consumer protection program to be funded by general fund and device inspections activities to be funded on a fee-for-service basis until office of financial management concludes study of: HB 2998, \*SSB 6483, CH 237 (1992)
- Weights and measures, inspection and testing fees, department to convene a task force to recommend the appropriate level of fees before setting or changing fees: \*SSB 6483, CH 237 (1992)
- Weights and measures, office of financial management to conduct review of state program, content of review and review procedure requirements established: HB 2998
- Weights and measures, powers and duties of department or city sealer regarding enforcement of weights and measures provisions: \*SSB 6483, CH 237 (1992)
- Weights and measures, revised certification, inspection, testing, and enforcement provisions: HB 2998

#### AID-IN-DYING (See NATURAL DEATH ACT)

#### AIDS

- Class IV human immunodeficiency virus insurance program continued: HB 1646
- Criminal offenses, persons charged with, testing for HIV diseases: SSB 5086
- HIV diseases, testing of persons charged with criminal offenses: SSB 5086
- HIV testing of accused sex offenders after first court appearance: HB 1343, SHB 1343, SSB 5086
- HIV testing of accused sex offenders, crime victims may request test and obtain test results: SHB 1343
- HIV testing of adult and juvenile offenders in sexual offense, prostitution, and drug offense cases required: SSB 5086
- HIV testing of juvenile offenders in sexual offense, prostitution, and drug offense cases required: HB 2491, SHB 2491
- HIV tests, authority of health care provider to conduct test on patient if test is needed to protect health of any provider: SSB 5457
- HIV/AIDS regional service networks, funding requirements, department of social and health services' responsibilities: HB 1482
- Health care professions, HIV infected person, notice to employer or facility administrator required, conditions and limitations: SSB 5457
- Health care professions, HIV infected person, public contact in course of employment, informed consent requirements: SSB 5457
- Incentives to discourage inappropriate placement of persons without primary diagnosis of mental disorder in state hospitals: SB 6319
- Mental illness, secretary of social and health services to develop system to discourage inappropriate placement of those with AIDS at state mental hospitals and to encourage care in a community setting: \*SB 6319, CH 230 (1992)
- Pilot facility for persons living with AIDS, nursing supplies cost exempt from percentile reimbursement limit: \*HB 2811, CH 182 (1992)
- Specialized care programs, secretary of social and health services authorized to establish programs for persons with developmental disabilities, AIDS, or substance abuse: \*SB 6319, CH 230 (1992)

#### AIR POLLUTION

- Clean air act permits, fee increases limited to six percent per year: HB 1973

- Commuting, reduction of single occupant vehicle commuting, duty of state, local governments, and employers to plan and implement: HB 1754
- Impaired air quality, first or second stage, quantitative evidence required to call in county of forty thousand or less: HB 1630
- Motor vehicle excise tax, additional taxes based on emission and fuel economy, deposit of revenues in air pollution control account: HB 1754
- Order compliance factors beyond person's control, modification of requirements: SB 5746
- Outdoor burning prohibited in areas where particulate air quality standards were violated more than one day in preceding twelve months, exceptions: HB 2837, SB 6409
- Outdoor burning, fire protection districts and agencies relieved of regulatory duties concerning: HB 2935
- Outdoor burning, local government regulation in urban growth areas where alternative disposal available at reasonable cost: HB 2837, SB 6409
- Outdoor burning, permits in rural areas, exemption provisions: HB 2900, SSB 6304
- Radon resistive construction requirements under RCW 19.27.190, compliance constitutes defense in civil action for damages for injury caused by indoor air pollution against builder or designer: \*SSB 6386, CH 132 (1992)
- Radon testing requirements for new single and multifamily residences at time of final inspection: \*SSB 6386, CH 132 (1992)
- Solid fuel burning devices, task force on testing and certification of, membership and duties: SB 6315
- Task force on the testing and certification of solid fuel burning devices created, membership and duties: SB 6315
- Transportation plans and programs to conform to state implementation plan for air quality: HB 1754

#### **AIR TRANSPORTATION COMMISSION**

- Air transportation demand, aviation industry trends, and air capacity in Washington through 2020, commission to report on: \*SHB 2609, CH 190 (1992)
- Air transportation planning options in Washington, commission to conduct a transportation systems planning evaluation of: \*SHB 2609, CH 190 (1992)
- Air transportation, commission to evaluate the importance of air transportation in the economic and social vitality of the state including costs and effects of delaying air capacity expansion: \*SHB 2609, CH 190 (1992)
- Airport expansion to be consistent with air transportation policy plan, duties: HB 2609, SHB 2609
- Airport siting policy issues, moratorium on Seattle-Tacoma airport expansion until studies completed and approved by legislature: HB 2754
- Environmental, social, and economic costs associated with expansion and operation of state air transportation system, to conduct review of: \*SHB 2609, CH 190 (1992)
- Puget Sound air transportation committee's flight plan report, to conduct review of final draft of: \*SHB 2609, CH 190 (1992)
- Runway construction of one thousand feet or more or runway expansion by any political subdivision or municipal corporation prohibited until air transportation commission submits final report: SHB 2609
- Runway construction or expansion by any large political subdivision or municipal corporation in western Washington prohibited until commission presents its final report: \*SHB 2609, CH 190 (1992)



**AIRCRAFT**

- Aircraft maintenance vocational training, community or technical college program funding:  
\*HB 2812, CH 183 (1992)
- Aircraft noise abatement, programs of soundproofing structures executed if owner waives damages and conveys easement: HB 2375
- Excise tax, payment of interest authorized when refund is made for overpayment of tax:  
\*HB 2727, CH 154 (1992)
- Excise tax, persons who register in another jurisdiction to avoid tax are liable for unpaid tax, penalties, and interest: \*HB 2727, CH 154 (1992)
- Museum of Flight, appropriation to museum for development, artifact restoration, and construction of "builders" exhibit: HB 2410

**AIRPORTS**

- Air transportation demand, aviation industry trends, and air capacity in Washington through 2020, air transportation commission to report on: \*SHB 2609, CH 190 (1992)
- Air transportation planning options in Washington, air transportation commission to conduct a transportation systems planning evaluation of: \*SHB 2609, CH 190 (1992)
- Air transportation, air transportation commission to evaluate the importance of air transportation in the economic and social vitality of the state including costs and effects of delaying air capacity expansion: \*SHB 2609, CH 190 (1992)
- Aircraft noise abatement, programs of soundproofing structures executed if owner waives damages and conveys easement: HB 2375
- Airport systems plan, needs identification, planning requirements: HB 1816
- Expansion to be consistent with state air transportation policy plan: HB 2609, SHB 2609
- Land use controls, when city may place on land used by port district for runway: HB 1524
- Moses Lake, assistance and support for application as international port of entry: HB 2754
- Runway construction of one thousand feet or more or runway expansion by any political subdivision or municipal corporation prohibited until air transportation commission submits final report: SHB 2609
- Runway construction or expansion by any large political subdivision or municipal corporation in western Washington prohibited until air transportation commission presents its final report: \*SHB 2609, CH 190 (1992)
- Runway construction, decision by port district commission subject to referendum: HB 1506
- Runway construction, moratorium on Seattle-Tacoma airport expansion: HB 2754

**ALCOHOL AND DRUG ABUSE**

- Aid to families with dependent children recipients, drug tests or treatment may be ordered:  
HB 2096
- Alcoholic beverage violations, penalties increased: SB 6137
- Chemically dependent pregnant women, mothers, and infants, interagency coordination of service delivery required: SB 6051
- Child, alcohol and drug abuse evaluation and treatment, involuntary commitment procedure:  
HB 1478
- Children of substance abusers, task force on, membership and duties: SHB 1109
- Children, parental petition to superior court to commit child to secure facility for evaluation and treatment: HB 1007
- Driver's license suspension or revocation for drug and alcohol violations: HB 2097

- Driving privileges, suspension, revocation, or denial in drunk driving cases, revised suspension and appeal procedures: HB 2606
- Driving under the influence of alcohol or drugs, imprisonment of at least seventy-two hours required: HB 2355
- Driving under the influence of intoxicants victims' panel, violator may be required to attend, assessment for costs: HB 2675
- Driving under the influence, blood and urine testing authorized, procedures: HB 1724
- Drug enforcement and education account, seizing agency to make reports to and remit portion of proceeds from property forfeitures to state treasurer for deposit in: \*2SSB 5318, CH 210 (1992)
- Emergency responses required because of person under influence of alcohol or drugs, authority to recover costs from convicted person: SHB 1636
- Family court and family court services expanded, revised provisions: SHB 2155
- Family planning services, training for substance abuse counselors: HB 2364, SHB 2364
- Incentives to discourage inappropriate placement of persons without primary diagnosis of mental disorder in state hospitals: SB 6319
- Infant drug exposure assessment and monitoring program established: SB 6051
- Intoxication, changing blood and breath standards: SSB 5069
- Intoxication, standard for measuring intoxication: SB 5067
- Involuntary commitment of persons suffering from chemical dependency authorized: HB 2726, SHB 2726
- Juveniles, inpatient substance abuse treatment option: HB 2466, SHB 2466
- Medical disciplinary board, authority to obtain driving record to assist in identifying impairment due to alcohol abuse: HB 1895
- Mental illness, secretary of social and health services to develop system to discourage inappropriate placement of those with substance abuse in state mental hospitals and to encourage care in a community setting: \*SB 6319, CH 230 (1992)
- Minors incapacitated by alcohol or other drugs, treatment services for: SHB 1158
- Minors under influence of alcohol in public guilty of misdemeanor: HB 2296, SHB 2296, SB 6158
- Minors with substance abuse problems, involuntary treatment of, procedures: HB 1418
- Norplant implants, procedure to require involuntary insertion of implant in woman giving birth to baby with fetal alcohol syndrome or addicted to drugs: HB 2909
- Pregnancy, alcohol and drug misuse during and immediately after, local prevention and treatment programs: HB 1410, SHB 1410
- Pregnancy, preparation and distribution of educational materials on effects of alcohol and drug use during: HB 1965, SHB 1965
- Pregnant women, program to develop and promote state-wide secondary prevention strategies, four pilot pretreatment projects for pregnant women to be established: HB 2913
- Prenatal drug or alcohol exposure, planning for learning project created to prepare strategies for teaching children with: SSB 6366
- Residential treatment facilities for chemically dependent youth, department of social and health services duties: HB 1418
- School bus drivers and maintenance personnel, drug and alcohol testing authorized as condition of employment, procedures and penalties established: HB 2706
- School bus drivers, drug and alcohol testing and retesting allowed, conditions: HB 2176

- School districts, parent and community involvement in drug and alcohol abuse prevention and intervention programs encouraged: HB 1912
- Sobriety checkpoint programs authorized: HB 2013
- Specialized care programs, secretary of social and health services authorized to establish programs for persons with developmental disabilities, AIDS, or substance abuse: \*SB 6319, CH 230 (1992)
- Substance abuse counselors, training in family planning services: HB 2364, SHB 2364
- Tests or treatment may be ordered for aid to families with dependent children recipients: HB 2096
- Vehicular homicide or assault, alcohol and drug evaluation and treatment as condition of community placement for persons convicted of: HB 2388, SHB 2388
- Vehicular homicide or assault, offenders subject to conditional community placement and must undergo alcohol and drug evaluation and treatment as condition of placement: HB 2388, SHB 2388
- Victims of sexual assault and domestic violence, provision of chemical dependency services to: HB 2477, SHB 2477

## ALCOHOLIC BEVERAGES

- "Spirit cooler" defined, retail sales tax rate established: HB 2204
- Advertising in campus publications prohibited: HB 2384
- Advertising liquor on television prohibited, civil and criminal penalties: HB 1239
- Advertising liquor on television restricted, civil and criminal penalties: HB 2379
- Advertising, congress urged to pass alcoholic beverage advertising act requiring warnings: HJM 4026
- Advertising, format restrictions: HB 2383
- Advertising, health warnings on liquor advertising required, penalties for noncompliance: HB 2380
- Advertising, tax on sale of advertising to fund public awareness campaign: HB 2378
- Alcohol advertising, congress urged to establish fairness doctrine to educate public about alcohol problems and abuse: HJM 4028
- Alcohol awareness program, campaign directed toward minors, funding: HB 2356
- Alcohol server class 12 permit required, proof of completion of alcohol server training program required for permit: HB 2742, SSB 6338
- Awareness program for youth under legal drinking age, liquor control board to appoint advisory committee to provide guidance, membership requirements: SHB 2356
- Beer and malt liquor industry urged to regulate itself and to adopt voluntary code of advertising standards: HCR 4428
- Beer importer's license, applicant must establish a principal office within state before being granted license: HB 2843, SHB 2843
- Beer, alcoholic content by volume printed on label required: HB 2129
- Beer, ingredients listing on label required: HB 2129
- Beer, pasteurization requirements removed from provisions relating to licenses for the sale of: SHB 1628
- Beer, small brewers not required to state alcohol content on container labels: HB 1232
- Beer, tax on beer sold by wholesalers to fund public awareness campaign directed toward minors: HB 2356
- Brewery or winery may be licensed as a retailer for the purpose of selling beer or wine at retail on the premises: \*SB 6292, CH 78 (1992)

- Brewery or winery, beer or wine not produced by brewery or winery and sold at retail to be purchased from licensed wholesaler: \*SB 6292, CH 78 (1992)
- Club license, class H, in civic centers, food service requirements at additional sites limited to times when event is being conducted: HB 2843, SHB 2843
- College and university campuses and related living facilities, liquor prohibited: HB 1515
- Construction and modernization of common schools, use of alcohol tax revenues for: HB 1589
- Credit cards, personal cards to be accepted for payment at state liquor stores: HB 1093
- Deliveries to stores and agencies, first consideration to be given to freight carriers within federal timber impact area: HB 1746
- Fortified wine, board may issue restricted class F wine retailer's license in any county if it finds that the sale of fortified wine would be against the public interest: HB 2797, \*SB 6339, CH 42 (1992)
- Fortified wine, restrictions on sale of: HB 1682
- Golf and country clubs discriminating on basis of gender not entitled to class H license: HB 2340
- Ingredients listing on label required: HB 2129
- Liquor control board, director of, office created, powers and duties: HB 1036
- Liquor control, joint committee on, transfer of liquor sales and marketing from liquor control board to private sector duties: HB 1942
- Liquor license applications, posting requirements: HB 1030
- Liquor licenses, class H, golf and country clubs discriminating on basis of gender not entitled to: HB 2340
- Liquor licenses, corporation ineligible for license if back taxes remain owing from defunct corporation holding a liquor license in which any current officer, director, or shareholder was an officer or director: HB 2843, SHB 2843
- Liquor revolving fund, governor may withhold revenues from county or city not in compliance with growth management planning requirements: HB 1669
- Liquor revolving fund, tax to fund public awareness campaign directed toward minors to be deposited in: HB 2356
- Liquor sale to minor, penalties: HB 2381, HB 2382
- Malt beverages, alcohol content labeling on individual containers, exception: HB 2129
- Minors, furnishing liquor to minors constitutes negligence per se in any civil action for damages resulting from a minor's consumption of liquor: HB 2733, SHB 2733
- Minors, public appearance of minors who have consumed intoxicating liquor prohibited, penalties set: HB 1944
- Minors, restrictions relating to minors on premises where liquor is served: HB 1084
- Motel liquor license, class M, authorized: HB 1408
- Negligence per se, furnishing liquor to minors constitutes negligence per se in any civil action for damages resulting from a minor's consumption of liquor: HB 2733, SHB 2733
- Nonprofit organizations, bottled liquor as raffle prize allowed: HB 2123
- Outdoor advertising of alcohol products prohibited, civil penalties: HB 2011
- Outdoor advertising of tobacco and alcohol products on buses or within one mile radius of school prohibited: SHB 2011
- Private sector sales and marketing, joint committee on liquor control, transfer of liquor control board functions to, duties: HB 1942

- Private sector wholesale and retail sales of liquor, sales left exclusively to private sector entrepreneurs: HB 2508
- Public awareness campaign directed toward minors, funding: HB 2356
- Raffle prizes, nonprofit organizations may offer bottled liquor as prize: HB 2123
- Seized liquor, disposal by agency seizing the liquor: HB 1049
- Special occasion license, class G, permission to sell beer in unopened bottles and original containers for additional fee granted: HB 2843, SHB 2843
- Special occasion licensees with class G or class J licenses may purchase beer from a beer retailer licensed to sell for off-premises consumption or from licensed beer wholesaler: HB 2843, SHB 2843
- Special occasion licensees with class J license may purchase wine from a wine retailer licensed to sell for off-premises consumption or from licensed wine wholesaler: SHB 2843
- Spirits, tax on spirits to fund public awareness campaign directed toward minors: HB 2356
- State liquor stores to accept personal credit cards: HB 1093, HB 1094
- Television commercials, asking congress to prohibit: HJM 4001
- Violations, penalties increased: SB 6137
- Washington state liquor control board, organizational changes, revised powers and duties: HB 1942
- Wine importer's license, applicant must establish a principal office within state before being granted license: HB 2843, SHB 2843
- Wine retailer's license class F, board may issue restricted license in any county if it finds that the sale of fortified wine would be against the public interest: HB 2797, \*SB 6339, CH 42 (1992)
- Wine sales, regulation of, class Q and R wine retail licenses established: HB 1682
- Wine, Washington wine appreciation month, September 1992 and September of each year, proclaimed: HCR 4435
- Wine, ingredients listing on label required: HB 2129
- Wine, tax on wine sold to wholesalers to fund public awareness campaign directed toward minors: HB 2356
- Winery or brewery may be licensed as a retailer for the purpose of selling beer or wine at retail on the premises: \*SB 6292, CH 78 (1992)
- Winery or brewery, wine or beer not produced by winery or brewery and sold at retail to be purchased from licensed wholesaler: \*SB 6292, CH 78 (1992)

## **ALCOHOLISM (See ALCOHOL AND DRUG ABUSE)**

### **ALIENS**

- Restrictions on ownership of agricultural, forest, or mineral land designated by cities and counties under chapter 36.70A RCW: HB 2607

### **AMBULANCES**

- Ambulance operators and directors, licensing period reduced from three to two years: \*SB 6033, CH 128 (1992)
- Certification requirements for ambulance driver modified: \*SB 6033, CH 128 (1992)
- Uniform disciplinary act, application to physician's trained intravenous therapy technicians, airway management technicians, mobile intensive care paramedics, and ambulance operators, directors, and drivers: \*SB 6033, CH 128 (1992)

Vehicle licensing period changed from one to two years: \*SB 6033, CH 128 (1992)

#### **ANATOMIC GIFTS**

Uniform anatomical gift act, adoption: HB 1787, SHB 1787

#### **ANIMALS (See also DOGS)**

Animal control authorities, authority to regulate dangerous and potentially dangerous dogs: SHB 1462

Dogs, guide and service dogs definition to include dogs in training: HB 2333, SHB 2333  
Dogs, judicial or administrative hearing to determine if dangerous, procedure established: SHB 1462

Dogs, regulation of dangerous and potentially dangerous dogs: SHB 1462

Guide and service dogs, governor's committee on disability issues and employment to study issues relating to the implementation of the white cane law: \*SHB 2333, CH 10 (1992)

#### **ANNEXATION (See CITIES AND TOWNS)**

#### **ANTIPSYCHOTIC MEDICATIONS**

Involuntary administration, conditions warranting involuntary administration, revised provisions: HB 1892

#### **APPLES (See AGRICULTURE)**

#### **APPLIANCES**

Electronic equipment warranties, requirements: SHB 1399

Manufacturers and distributors, excise tax to be paid to scrap metal recycling account: HB 2091

#### **AQUACULTURE**

Agricultural economic impact statement required for adoption of rules affecting agricultural activities: SHB 1433

Aquatic animal health and disease training program: HB 1322

Aquatic animal health diagnostic and extension laboratory and certification service: HB 1322

Environmental impact statement required for proposed project: HB 1252

Fish and fish products produced by private sector aquatic farmers included in definition of "agricultural activity": SHB 2104

#### **AQUATIC LANDS (See STATE LANDS)**

#### **ARBITRATION**

Fire protection contracts between state agencies and cities and towns, submission of contract impasses to binding arbitration, requirements and procedures: \*SHB 2937, CH 117 (1992)

Mandatory, award cap set: SB 5063

Mandatory, claim limit in superior court raised to forty-five thousand dollars, conditions: HB 1786

Mandatory, district court civil actions subject to same extent as superior court civil actions, exceptions: SHB 1825

Mandatory, lien foreclosure, claim amount raised to fifty thousand dollars: SHB 1825

Municipal corporation or transit employees' union may demand if agreement is not negotiated within sixty days: HB 1348

Teachers and districts, interest arbitration panels authorized to resolve bargaining impasses: HB 1398

## ARCHAEOLOGY

Oil and hazardous substances spill prevention and response, archaeological resources included among those resources to be protected by program: HB 2389, \*SHB 2389, CH 73 (1992), SB 6013

World heritage sites, provisions for protection of archaeological sites important to all cultures and nations: HB 1626

## ARCHITECTS

Registration requirements, time extended for persons not registered under chapter 323, Laws of 1959, as amended before July 28, 1985: HB 1755

## ARTS COMMISSION

Art acquisition program, higher education capital construction funds set aside for program to remain with institution: SB 6227

Art acquisition program, higher education institution participation optional and on a project-by-project basis: SB 6227

## ASIAN AMERICANS

Asian American endowed scholarship program established: HB 2020

## AT-RISK YOUTH (See CHILDREN)

## ATHLETES AND ATHLETICS (See SPORTS)

## ATTORNEY GENERAL

Agricultural industry, authority to assist in recovery of damages for dissemination of misleading information regarding: HB 1935

Apple industry, class action suit against program "60 Minutes" for statements regarding, appropriation to assist: HB 1935

Ballot titles and summaries of referendum bills and constitutional amendments, submission, notice, and appeal provisions: HB 2285

Charitable organizations and commercial fund raisers required to register with: HB 2637

Charitable solicitations, authorized to conduct investigations of groups registered to make solicitations and to assess civil penalties for violations: HB 2637, SHB 2637, SSB 6246

Colleges and universities, four-year colleges authorized to choose their legal counsel: HB 2616

Consumer and business dispute resolution act, duties: HB 2126

Consumer dispute resolution centers, duties regarding: HB 2126

Crime Stoppers assistance office created in attorney general's office: HB 1367, SHB 1367, SSB 5031

Fire protection sprinkler system contractors, authority to bring civil proceedings to enforce chapter: \*HB 2290, CH 116 (1992)

Petroleum industry acquisitions and mergers, notice to and review by the attorney general: HB 1611

Petroleum marketing practices, regulation of unfair practices: HB 1611

Private property owners' rights protection division established and duties set out: HB 2464

Public records, attorney general to publish pamphlet explaining provisions relating to: HB 2876, \*SHB 2876, CH 139 (1992)

Public records, requestor may ask attorney general to review agency determination that a record is exempt from disclosure: \*SHB 2876, CH 139 (1992)

Retaliatory actions by employer against employee who makes good faith report of potential wrongdoing prohibited, duties: HB 2068

Student government political activities, use of higher education institution's facilities, attorney general to review policies: SHB 2118

Taking of private property, establishes a process to determine when a taking has occurred, duties: HB 1334

#### ATTORNEYS

Colleges and universities, four-year colleges authorized to choose their legal counsel: HB 2616

Deputy sheriffs may practice law, conditions: \*HB 2368, CH 225 (1992)

Fees, award to parties representing themselves in civil actions in instances where, if represented by an attorney, the attorney would be entitled to attorneys' fees: HB 2759

Fees, award when state is not prevailing party in civil action to which it is a party: HB 1837

Fees, costs, and expenses, award to prevailing private party in action against state, including judicial review of agency action: HB 2510

Fees, payment by appellant when appellant does not obtain more favorable judgment in appeal to superior court: HB 1190

Money laundering, class B felony, additional proof requirement imposed when case involves attorney who accepts fee for representing a client in criminal investigation or proceeding: \*2SSB 5318, CH 210 (1992)

Paralegals, certification requirements: HB 1975

Prejudgment interest, no portion to be paid as attorney compensation: HB 1469

#### AUDITORS AND AUDITING

Common schools funding system, performance audit required: HB 2049

#### AUTOMOBILES (See MOTOR VEHICLES)

#### AVIATION

Air transportation demand, aviation industry trends, and air capacity in Washington through 2020, air transportation commission to report on: \*SHB 2609, CH 190 (1992)

Air transportation planning options in Washington, air transportation commission to conduct a transportation systems planning evaluation of: \*SHB 2609, CH 190 (1992)



Museum of Flight, appropriation to museum for development, artifact restoration, and construction of "builder" exhibit: HB 2410

State aviation plan, state-interest component of state-wide transportation plan to include, required elements set out: SHB 1816

## **BALLOONS**

Release of lighter than air balloons prohibited: HB 1033

## **BANKING, SUPERVISOR**

Community credit needs, revised provisions relating to lending policies to encourage investment to resolve community housing needs, duties: HB 2484

## **BANKS AND BANKING (See also FINANCIAL INSTITUTIONS)**

Account information may be disclosed to law enforcement agencies pursuant to unpaid dishonored items, records certificate form: HB 1346

Acquisition of in-state bank, presumption that acquisition would lessen competition when specified conditions are met: HB 2891, SHB 2891

Community credit needs, revised provisions relating to lending policies to encourage investment to resolve community housing needs: HB 2484

Competition, presumption that acquisition of in-state bank would lessen competition when specified conditions are met: HB 2891, SHB 2891

Customers allowed to choose how residential mortgage impound accounts interest be spent, written notification: HB 1874

Deposits and collections, revision and update of uniform commercial code provisions relating to: HB 1964

Deposits and collections, revisions to the uniform commercial code article on: HB 1579

Document preparation for property sales or loans, repeal of obsolete RCW sections: \*SB 6329, CH 91 (1992)

Employees may report financial transactions to law enforcement agencies if unlawful activity is suspected, records certificate form: HB 1346

First-time homebuyers, exemption from business and occupation tax of interest on loans to: HB 1622

Holders of financial assets, duties of, repeal of RCW 11.92.095: \*SB 6008, CH 224 (1992)

House Bill 2891 exempted from cut-off dates established in Engrossed House Concurrent Resolution No. 4426: HCR 4430

Housing trust fund, deposit of revenue from exemption on tax on interest received on loans except that from first-time homebuyers: HB 1622

Money laundering, class B felony, additional proof requirement imposed when case involves a financial institution or its employees: \*2SSB 5318, CH 210 (1992)

Mortgage escrow accounts, financial institutions to pay interest on accounts with the interest used to assist in providing affordable housing: HB 2484

Payroll deductions, state employees, deposit into bank or savings bank authorized, requirements: HB 2025, \*SHB 2025, CH 192 (1992)

Property sale or loan documents, provisions relating to preparation by certain persons, repealed: HB 2361

RCW 11.92.095 repealed: HB 2243, \*SB 6008, CH 224 (1992)

Records, reimbursement by requesting party for cost of providing when cost exceeds twenty-five dollars: SSB 6348

Uniform commercial code articles 1, 3, and 4, revision and update of provisions relating to negotiable instruments and checks: HB 1964

**BARBERS (See COSMETOLOGY)**

**BASIC HEALTH PLAN (See HEALTH CARE)**

**BEER (See ALCOHOLIC BEVERAGES)**

**BEEES AND BEEKEEPING**

Bee pests and diseases, exclusion system to include investigation, quarantine measures, penalties for holding or transporting: HB 1483

**BEVERAGE CONTAINERS**

Deposit and recycling program: HB 1656

Plastic connecting rings for beverage and other containers, sale prohibited, exceptions: HB 2840, SHB 2840

**BICYCLES**

Safety instruction required in grades kindergarten through six: HB 1171

State bicycle plan, identification of needs on state transportation systems, facilities funding: HB 1816, SHB 1816

State bicycle transportation and pedestrian walkways plan, state-interest component of state-wide transportation plan to include, required elements set out: SHB 1816

Trauma registry, health department to collect information on traumatic head injuries suffered by bicyclists, motorcyclists, and motor vehicle operators: HB 2863

**BIDS AND BIDDING**

College and university public works projects, bids to be taken on projects of greater than one hundred thousand dollars: HB 1048

Colleges and universities, exemption from bidding requirements for purchases funded from research grant, contract, or other nonstate funds of fifteen thousand dollars or less, record of price competition required for audit purposes: \*SSB 6328, CH 85 (1992)

Colleges and universities, procedures for purchases not requiring competitive bids: HB 2850, SSB 6328

Low bid, agency to notify lower bidders of reasons for rejection when low bid was not accepted: HB 2478

Municipalities, provisions revised: HB 2505, SHB 2505

Request for proposal criteria to be developed that offer adequate detail for realistic bids from multiple suppliers: HB 2478

School districts, competitive bids required on building or improvement contracts costing in excess of fifty thousand dollars: SHB 1212

School districts, competitive bids required on purchases or improvements costing in excess of fifteen thousand dollars: HB 1212, SHB 1212

**BIOMEDICAL WASTE (See HAZARDOUS WASTE)**

**BIOTECHNOLOGY**

Biotechnology review board, department of ecology to create, membership, powers, duties, and procedures: HB 2839

Release of genetically engineered organism into the environment, permit from biotechnology review board required for: HB 2839

## **BIRTH CERTIFICATES (See VITAL RECORDS)**

### **BIRTH CONTROL**

Norplant implants, procedure to require involuntary insertion of implant in woman giving birth to baby with fetal alcohol syndrome or addicted to drugs: HB 2909

### **BLIND**

Braille instruction to be provided blind students: HB 1945

Guide and service dogs, governor's committee on disability issues and employment to study issues relating to the implementation of the white cane law: \*SHB 2333, CH 10 (1992)

Library for blind and physically handicapped, capital appropriation for acquiring and renovating: HB 2569

White cane law, governor's committee on disability issues and employment to study issues relating to the implementation of the: \*SHB 2333, CH 10 (1992)

### **BLIND, STATE SCHOOL**

Braille instruction to be provided blind students: HB 1945

### **BLOOD**

Directed blood donations, blood donor programs to honor request of donors, procedure: HB 2014

### **BOARDING HOMES**

Parking, department of licensing authorized to issue special disabled parking permits and license plates to boarding homes: \*HB 2417, CH 148 (1992)

### **BOATS (See also COMMERCIAL VESSELS AND SHIPPING)**

Allocation of funds to boating programs, revised provisions: HB 1648

Boating offense compact adopted: \*SB 6199, CH 33 (1992)

Capacity ratings, operation of a vessel loaded or powered beyond its person, weight, or horsepower capacity constitutes a class 2 civil infraction: HB 2544, SHB 2544

Certificate of title, vessel dealer required to possess title or other evidence of ownership for each new or used vessel: HB 2760

Excise tax, payment of interest authorized when refund is made for overpayment of tax: \*HB 2727, CH 154 (1992)

Excise tax, persons who register in another jurisdiction to avoid tax are liable for unpaid tax, penalties, and interest: \*HB 2727, CH 154 (1992)

Intoxication, changing blood and breath standards: SSB 5069

Intoxication, standard for measuring intoxication: SB 5067

Licensing and registration requirements, revised provisions: SHB 1703

Recreational boating code recodified: \*HB 2543, CH 15 (1992)

- Recreational boating, reorganization of statutory references: \*HB 2543, CH 15 (1992), SB 6159
- Vessel dealers, registration and conduct of business requirements, penalties set for violations: HB 2760
- Waste entering state waters, parks and recreation commission to consider funding for portable pumpout facilities: HB 2363, SHB 2363, \*SSB 6132, CH 100 (1992)

**BONDS**

- Agricultural water purveyors completing an application for proceeds from sale of bonds to identify whether and how rate structures could provide an incentive to water users to conserve water: SHB 2629
- Challenges to elections that concern bonds or levies must commence within one hundred eighty days of election: SHB 1827
- Cities and towns authorized to issue revenue bonds to finance water conservation programs: HB 2561, \*SB 6028, CH 25 (1992)
- Counties authorized to issue revenue bonds to finance water conservation programs: HB 2561, \*SB 6028, CH 25 (1992)
- Dairy products commission, authority to issue general obligation bonds to partially fund construction of new building for: HB 2856
- Economic development finance authority, non-recourse revenue bond proceeds may be used to fund authority programs: SHB 2836
- Ferry system vessel and terminal acquisition, construction, and improvements, bond issue authorized to fund: \*HB 2896, CH 158 (1992), HB 2989
- Ferry vessel and terminal acquisition, construction, and materials, bond issuance authorized: HB 2896, HB 2989
- Fire protection districts, maturity date of general obligation bonds issued by districts extended from six to fifteen years: HB 2426
- General obligation bonds, authority to issue to fund projects authorized in the 1991-93 capital and operating budgets: HB 2950, \*SHB 2950, CH 235 (1992)
- Insurers, restrictions placed on investments by domestic insurers in medium and lower grade obligations: HB 2443
- Irrigation districts authorized to include in local improvement district bond issues amount to maintain local improvement guarantee fund: HB 2345, SHB 2345
- Local governments, second phase reform of procedures by which governments issue and sell bonds, repeal of conflicting separate procedures: HB 2288
- Revenue bonds, second phase reform of procedures by which local governments issue and sell bonds, repeal of conflicting separate procedures: HB 2288
- State buildings, bonding authority for new construction to house state agencies limited to construction already authorized: HB 2473
- State buildings, constitutional amendment to prohibit the issuance of bonds for new construction to house state agencies: HJR 4232
- State convention and trade center, appropriation to partly refund parking garage revenue note issued to Industrial Indemnity company: HB 2930, \*SB 6457, CH 4 (1992)
- State patrol headquarters construction project, general obligation bonds issuance authorized: SHB 1810
- Water conservation programs, cities and counties authorized to issue bonds to finance: SHB 2561

Watershed protection districts, creation, abolition, powers, and funding provisions and procedures established: HB 2363, SHB 2363

Watershed protection programs, financing options including county taxes, fees, bond issues, and a high priority for state financial assistance, limitations on charges and fees to confined animal feeding operations: SHB 2363

#### **BONE MARROW TRANSPLANTATION (See also ANATOMIC GIFTS)**

Bone marrow donor recruitment and education program created: HB 2710, \*SSB 6069, CH 109 (1992)

#### **BORDER AREAS**

Border areas account created, department of community development to distribute funds to border areas: HB 2539

#### **BOUNDARY REVIEW BOARDS**

Abolishment in county when specified conditions occur: SHB 1015

Dissolution of, county may disband when it has adopted a comprehensive plan and consistent development regulations: HB 1668, SHB 1668

Growth management act, actions taken to be consistent with requirements of: HB 2824

Growth management goals and plans to be considered in board decisions: HB 2804

Notice to residents and landowners within and in proximity to territory proposed for annexation, requirements: HB 2803

Urban growth areas, duty to evaluate whether annexation or incorporation is consistent with local designations and plans: HB 1668, SHB 1668

Waiver by county legislative authority of review of water and sewer extensions by boundary review board: HB 2507, \*SSB 6085, CH 162 (1992)

#### **BUDGET**

Budget officers to be appointed for each agency: HB 1750

Budget stabilization account, legislature required to appropriate an amount no less than one-half percent of revenue received from previous biennium to account, limits on transfers from account: HB 2974

Budget stabilization account, transfer of funds into emergency reserve fund: SB 6470

Budget stabilization account, transfer of one hundred sixty million dollars to general fund: \*SB 6284, CH 236 (1992)

Budget stabilization account, transfer of two hundred sixty million dollars to general fund: HB 2744, SB 6284

Capital budget, all appropriations, except those specified, made in the 1991-1993 budget to lapse with at least one-half of lapsed funds to be appropriated for common school construction: HB 2975

Capital budget, supplemental, for the 1989-91 biennium: HB 1429, HB 2206

Capital budget, supplemental, for the 1991-1993 biennium: HB 2552, \*SHB 2552, CH 233 (1992)

Cutoff dates for consideration of legislation during 1992 regular session, Engrossed House Concurrent Resolution 4426 amended: SCR 8428

Full-time equivalent employees funded in each year of biennium, adopted omnibus appropriations act to contain estimate of: HB 2474

- General obligation bonds, authority to issue to fund projects authorized in 1991-93 capital and operating budgets: HB 2950, \*SHB 2950, CH 235 (1992)
- Goals, objectives, and desired outcomes to be included in budget proposals and appropriations bills by each state agency: HB 2462, SHB 2462
- Governor to submit comparison of amended appropriation request with appropriation for current and previous biennium: HB 2482
- Governor's budget to link state employees' and teachers' salary increase with department of social and health services' vendor rate and grant standards increase: HB 2838
- Governor's budget to show public employees increment salary increases: HB 2241
- Health services budget created identifying all funds for health services provided through health services act: SHB 2590
- Higher education tuition waivers reductions reduced from 7.9 million dollars to 4 million dollars: \*SB 5961, CH 238 (1992)
- Library for blind and physically handicapped, capital appropriation for acquiring and renovating: HB 2569
- Needs assessment of populations served by the departments of social and health services, health, community development, and corrections to be included in budget document: HB 2907
- Omnibus appropriations bill, constitutional amendment to limit state spending to the cumulative consumer price index absent an affirmative two-thirds vote in both the house and the senate: HJR 4241
- Operating budget, fiscal biennium 1991-1993, unfilled full-time equivalent positions to lapse, redirection of funding to understaffed agencies: HB 2474
- Operating budget, governor to submit comparison of amended appropriation request with appropriation for current and previous biennium: HB 2482
- Operating budget, modified zero base budget review required for future budgets: HB 2704
- Operating budget, supplemental, 1989-91 fiscal biennium: HB 1331
- Operating budget, supplemental, fiscal biennium 1991-1993: HB 2470, \*SHB 2470, CH 232 (1992)
- Social and health services department vendors, additional rate increases authorized in 1992 and 1993: \*SB 5961, CH 238 (1992)
- Social and health services vendor rates and grant standards to be linked to any adjustment for inflation for purchased goods and services in governor's budget: HB 2908
- Traffic safety education programs, appropriation to fund: HB 2247
- Transportation budget, 1992 supplemental budget: HB 2553, \*SHB 2553, CH 166 (1992)
- Zero base budget review, modified review required for future operating budgets: HB 2704

#### **BUILDING CODE COUNCIL**

- Building technologies advisory board, council to provide information to state and local regulators: HB 2136
- Building technologies advisory board, duties: HB 2136
- Energy code, amendments to state energy code for nonresidential buildings, requirements for amendments: HB 2061
- Fire protection standards for high or extreme hazard areas as determined by department of natural resources, duty to develop guidelines for counties in adopting ordinances and resolutions: SHB 2519
- Fire protection standards for high or extreme hazard risk levels in wildland/urban interface areas, incorporation into uniform building code: HB 2519

- Local amendments to building codes, review of, to develop criteria for: HB 1969, SB 6402
- Radon testing for newly constructed residences, administrative duties: SHB 1535
- Radon testing requirements for new single and multifamily residences at the time of final inspection, duty to develop and distribute instructions for: HB 2690, SHB 2690, \*SSB 6386, CH 132 (1992)
- Solid waste and recyclable materials collection, space allocation standards, council duties, requirements: HB 2039
- Stand-alone ordinances and rules proposed by state agencies, review by council, requirements: HB 2484
- Stand-alone ordinances of cities and counties, review of, to develop criteria for: HB 1969, SB 6402
- Water conservation performance standards, plumbing fixtures to meet standards, testing and identification requirements: HB 2109, SHB 2109
- Wildland/urban interface areas, duty to develop guidelines for counties in adopting fire protection standards for high or extreme hazard areas by ordinance or resolution: SHB 2519

### **BUILDING CODES/PERMITS**

- Alterations or repairs to existing buildings may be made without conformance to all code requirements under specified circumstances: HB 2484
- Amendments to state building code by city or county to be accompanied by statement of reasons for variations from code: HB 2478
- County auditor, building permits for construction or alteration work in excess of five hundred dollars, copy to be transmitted to auditor in county where property is located: HB 2494
- Fire protection standards for high or extreme hazard risk levels in wildland/urban interface areas, incorporation into uniform building code: HB 2519
- Omitted assessments on property, interest and penalties to be paid if property was omitted because taxpayer failed to get building permit or knowingly failed to inform assessor of omission: SHB 2324
- Residential buildings moved into or within city or county not required to comply with all building code requirements if occupancy classification of building not changed: HB 2673, \*SHB 2673, CH 79 (1992)
- Stand-alone ordinances and rules proposed by state agencies, review by building code council, requirements: HB 2484
- Stand-alone ordinances of cities and counties, submission to building code council for review: HB 1969, SB 6402
- Verification that all necessary building permits have been issued, duties of county assessor and title insurer: HB 2494
- Women's public restrooms, public assembly buildings to comply with state building code requirements: HB 1144

### **BUILDINGS**

- Energy code, amendments to state energy code for nonresidential buildings, requirements for amendments: HB 2061
- Radon testing for newly constructed residences: SHB 1535

### **BUSES**

- Advertising of tobacco and alcohol products on buses prohibited: SHB 2011  
 Municipal transit stations, provisions of unlawful bus conduct law extended to acts committed in: \*HB 2516, CH 77 (1992)  
 Overweight urban transit buses, congress urged to provide coordination and interpretation of federal requirements for design, safety, and operation that have increased transit weight: HJM 4042  
 School bus drivers and maintenance personnel, drug and alcohol testing authorized as condition of employment, procedures and penalties established: HB 2706  
 School bus drivers, fingerprint and background checks required: HB 2351  
 School buses, driver drug and alcohol testing and retesting allowed, conditions: HB 2176  
 Transit authority entitled to share of penalties collected from violators cited by transit security personnel: HB 2577  
 Transit security personnel given full police powers, training requirements: HB 2577  
 Unlawful bus conduct law, provisions extended to acts committed in municipal transit station: \*HB 2516, CH 77 (1992)  
 Weight restrictions, study to determine feasibility of lighter transit buses: HB 2806

**BUSINESS ASSISTANCE CENTER (See TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT)**

**BUSINESSES**

- Administrative rules and local ordinances affecting small businesses, department of trade and economic development to conduct study of: HB 2901  
 Affordable housing developments, business and occupation tax credits provided to businesses making contributions to: HB 2484  
 Basic health plan, employees of small businesses eligible to enroll in plan: SHB 2590  
 Boycotts or blacklists, right to engage in commerce free from: HB 2953, HB 2954, SHB 2954  
 Business and occupation tax credits for businesses contributing to affordable housing projects: HB 1620, SHB 1620  
 Business and occupation tax exemption for business with gross income or proceeds less than eight thousand dollars per month: HB 2336  
 Business and occupation tax, registration not required for business until gross income is one thousand dollars per month: SSB 6471  
 Business and occupation tax, small business innovation research program awards exempted from tax: HB 2509  
 Business assistance program grants and tax deferrals, participation, rules of conduct: HB 1570, HB 1731  
 Business assistance program grants, tax deferrals, loans, bonds, or tax abatements, participation rules of conduct: SHB 1731  
 Closure or relocation of business, employer responsibilities to employee: HB 1278  
 Closures and employee layoffs prohibited until sixty days after written notice issued, penalties and exceptions established: HB 2441, SHB 2441  
 Commerce and employment resources act enacted: HB 2728, SHB 2728  
 Commerce, right to engage in commerce free from discriminatory boycotts or blacklists, definition of boycott or blacklist expanded: HB 2953, HB 2954, SHB 2954  
 Concert promoter, ticket sales to live performance at which prerecorded vocal tracks are used, prior notice required, penalties: HB 1844



- Discriminatory boycotts or blacklists, right to engage in commerce free from, definition of boycott or blacklist expanded: HB 2953, HB 2954, SHB 2954
- Economic adjustment and assistance act adopted: HB 2441, SHB 2441
- Economic values, consideration in the rulemaking and ordinance making process, department of trade and economic development to conduct study to ensure that appropriate consideration is given to: HB 2901
- Employee layoffs and business closures prohibited until sixty days after written notice issued, penalties and exceptions established: HB 2441, SHB 2441
- Employee noncompetition agreements, requirements to create enforceable agreement: SSB 5526
- Excise tax, registration not required for business until gross income is one thousand dollars per month: SSB 6471
- Going-out-of-business sales, regulations and restrictions: HB 2184
- Goods not considered solicited unless specifically requested: SB 6427
- Goods or services not considered solicited unless specifically requested: \*SB 6427, CH 43 (1992)
- Health care coverage, Washington residents health care reinsurance pool created to provide stop loss coverage on claims made on issuers of small employer health coverage: HB 2903
- Health care insurance, to be allowed to enroll as group in plan without medical underwriting except as specifically provided: HB 2590, SHB 2590, HB 2641, SB 6089
- Health insurance coverage for small employers, insurance commissioner to conduct study and develop legislation to promote the availability of: SHB 2817
- Industrial developments, process for approval of proposed siting of major industrial developments under growth management act: SHB 2785
- Industrial developments, requirements for approval of proposed siting of major industrial developments under growth management act: HB 2785
- Joint administrative rules review committee, conduct of hearings and reviews on small business economic impact statements: \*SHB 2498, CH 197 (1992)
- Liquor, private sector wholesale and retail sales of liquor, sales left exclusively to private sector entrepreneurs: HB 2508
- Loans and loan guarantees to businesses to improve economic development, Washington economic development finance authority may develop programs to make: SHB 2836
- Low-income housing, business and occupation tax credit for businesses contributing to affordable housing projects: HB 1620, SHB 1620
- Master license system, application, handling, renewal, and delinquent renewal fees set for new and renewal master applications processed by the department of licensing to make program self-funding: HB 2618, SHB 2618, \*SSB 6461, CH 107 (1992)
- Minimarts, definition: HB 2818
- Minimarts, toilet facilities required in new or remodeled stores: HB 2818
- Motor vehicle dealers, waiver of dealer license plate issuance requirements, conditions: HB 2660, \*SHB 2660, CH 222 (1992), SB 6333
- Musical artists, ticket sales to live performance at which prerecorded vocal tracks are used, prior notice required, penalties: HB 1844
- Pawnbrokers and second-hand dealers, regulation revisions: HB 1815, SHB 1815
- Plant closure law, notice required, sanctions: HB 1477

- Private enterprise review commission created, membership and duties: HB 1605
- Reductions in business operations, employer obligations to employees and community: HB 1477
- Regulatory agency to recognize existing industry practices that satisfy all or part of regulatory goal: HB 2136
- Regulatory ombudsman, office created and duties upon receiving complaint about unduly burdensome rules established: HB 2478
- Sales representatives and principals, regulation of contractual relationship between representatives and principals including payment of wages and commissions: \*SSB 6120, CH 177 (1992)
- Sales representatives, principal's obligations for commission payment: SSB 6120
- Schools, directory of volunteer programs and business or civic club partnerships in compilation of: HB 1417
- Small business economic impact statements, hearings and reviews by joint administrative rules review committee: \*SHB 2498, CH 197 (1992)
- Small business financing expanded: HB 2133
- Small businesses, attorneys' fees, award when state is not prevailing party in civil action to which it is party: HB 1837
- Small businesses, department of trade and economic development to conduct study of administrative rules and local ordinances affecting: HB 2901
- Small businesses, employees eligible to enroll in basic health plan: HB 1701, HB 2076
- Small businesses, health benefit plan committee, membership and duties: HB 2817, SB 6384
- Small businesses, notification of proposed agency rule affecting small business required: HB 2498, \*SHB 2498, CH 197 (1992)
- Small businesses, regulatory agencies to assist small businesses in understanding basis for agency actions: HB 2136
- Small businesses, small employer health insurance availability act: HB 2817, SB 6384
- Small employer group health coverage, Washington residents health care reinsurance pool created to provide stop loss coverage on claims made on issuers of: HB 2903
- Small employer health insurance availability act enacted to assure fair marketing practices and broad availability of health benefit plans: HB 2870
- Small employer health insurance coverage, issuers of health insurance required to provide workers equal access to health care coverage through their employers without regard to the size of the enterprise: HB 2922, SB 6384
- State agency competition with private enterprise prohibited: HB 1605
- State and local regulation, department of trade and economic development to review and compile report on local government evaluation of economic impacts of its regulations: HB 2728, SHB 2728
- Ticket agents, ticket sales to live performance at which prerecorded vocal tracks are used, prior notice required, penalties: HB 1844
- Unsolicited goods, wares, merchandise, and services considered unconditional gifts: HB 2225
- Urban/rural economic partnerships project created to encourage transfer of excessive Puget Sound business growth to rural areas: HB 2525
- Violation of agency law, rule, or order, business given reasonable opportunity to correct in lieu of penalty, exceptions: HB 2234

Washington residents health care reinsurance pool created to provide stop loss coverage on claims made on issuers of small employer group coverage: HB 2903  
Washington technology center, revised organization and duties: \*HB 2932, CH 142 (1992)  
Women and minority businesses, requirements for the solicitation and employment of by contractors with first class cities: HB 2481, SHB 2481

## CAMPAIGNS

Advertising, advance notice to opponent, requirements: HB 1247  
Advertising, political, accompanying statement of responsibility required: HB 2376, SHB 2376  
Advertising, political, public disclosure of average expenditures by office, notice required on advertising by candidate spending more than the average for that position in the previous election: HB 2880  
Candidate must reside in district or jurisdiction from which candidate elected: HB 1516  
Candidate personal fund loans limited: HI 134  
Candidates' pamphlet to indicate which candidates signed and abided by spending limits and those who did not agree to spending limits: HB 2986, SHB 2986  
Candidates' pamphlet, secretary of state to bill each candidate for prorated space in pamphlet: HB 1593  
Candidates, limits on contributions and other funding sources, restrictions on solicitation and use of contributions: HI 134  
Contribution and expenditure reporting for candidates for state elective office, penalties for violations: HB 2986, SHB 2986  
Contribution limits and reporting requirements: HB 1640  
Contributions limitations for individuals, political parties, and state legislative caucuses, attribution of contributions: HI 134  
Contributions, amount and time frame limitations: HB 1445  
Contributions, prohibitions and restrictions on making, receiving, and use of contributions and campaign funds: HB 2250  
Contributions, spending limits, and partial public financing of campaigns for state office: SHB 1434  
Disclosure of contributions and expenditures by entities that are not political committees or that are political committees domiciled outside the state or that are created primarily to elect persons to federal office required: HB 2401  
Employers and labor organizations, limits on political expenditures and fund raising, prohibition on discrimination for failure to support or contribute to candidate, proposition, or political organization: HI 134  
Expenditure and contribution reporting requirements: HI 134  
Expenditure limitation agreement or alternative contribution limits, spending limits for candidates for state office, penalties for violations: HB 2986, SHB 2986  
Fair campaign practices act adopted: HI 134  
Filing fees, candidate without sufficient assets to pay, submission of information supporting claim, review procedures: HB 1596  
Finance reporting requirements, revised provisions: HB 1699, SB 5150  
Financing of, limitations on campaign contributions and spending: HB 2986, SHB 2986  
Franking privilege, restriction on use by legislator during campaign: HB 2986, SHB 2986  
Franking privileges of state legislator limited during year preceding end of legislator's term: HI 134

- Honoraria, prohibition on accepting certain honoraria: SHB 2986
- Independent expenditures, limits on independent advertising expenditures, disclosure requirements: HI 134
- Independent expenditures, reporting to public disclosure commission, local elections officer, and candidates, requirements: HB 2986, SHB 2986
- Local office candidates, campaign contribution and spending limits apply to candidates for local office beginning July 1, 1995, exceptions: HB 2986, SHB 2986
- Mobile home parks, political meetings and candidate forums for tenants allowed in community halls: HB 2335
- Multicandidate political committees, annual report filing requirements, required contents: HB 2986, SHB 2986
- Nominating conventions, revised provisions relating to: HB 2943
- Nominations by convention, revised provisions relating to: HB 2943
- Personal funds of candidate agreeing to spending limits, candidate must also limit expenditure of personal funds in campaign: HB 2986, SHB 2986
- Political action committees, total of contributions that candidate receives from committees cannot exceed twenty-five percent of all contributions candidate receives by end of election: HB 2986, SHB 2986
- Political advertising, accompanying statement of responsibility required: HB 2376, SHB 2376
- Political advertising, public disclosure of average expenditures by office, notice required on advertising by candidate spending more than average for that position in previous election: HB 2880
- Public disclosure commission, campaign financing limits for candidates for state elective office, authority to revise dollar amounts and to conduct audits and investigations: HB 2986, SHB 2986
- Public funds, prohibition on use of public funds to finance state or local political campaigns: HI 134
- Signature gatherers for initiative or referendum measures, notice to be given that paid signature gatherers are being used to collect signatures, requirements: HB 2923
- Solicitation of contributions during legislative session, limits on, penalties for violations: HB 2986, SHB 2986
- Spending limits for candidates for state office entering into expenditure limitation agreement or under alternative contribution limits, penalties for violations: HB 2986, SHB 2986
- Spending limits, candidate for state office limited in total expenditures that may be made during two or four year election cycle for the office sought, reporting requirements: HB 2986, SHB 2986
- State elective office, limitations on campaign contributions and spending for, penalties for violations: HB 2986, SHB 2986
- State payroll political check-off provision eliminated: HI 134
- State treasurer, prohibition on candidate for state treasurer accepting contributions from a general partner of the state investment board or a money manager doing business with the board: HB 2885
- Surplus funds, transfer of, transfer may be made only to a political party organization or to a caucus of the state legislature: HB 2986, SHB 2986
- Transfer of funds, prohibition on use of funds to run for another office and on transfer to another candidate or political committee: HI 134

Voter registration, candidate must be registered in area subdivision where nominated: SHB 1209

## CANCER

Law enforcement officers and fire fighters, heart disease and cancer presumed to be occupational diseases: HB 1497

## CANDIDATES (See CAMPAIGNS, ELECTIONS)

## CAPITAL INVESTMENT

Capital investment strategy council, governor to appoint members, council duties enumerated: HB 2884, SHB 2884

## CAPITAL PROJECTS

Capital budget, supplemental, for the 1991-1993 biennium: \*SHB 2552, CH 233 (1992)  
City or county budget to identify capital projects funded from real estate excise tax where it is to be indicated that tax is intended to be in addition to other available funds: \*SB 6408, CH 221 (1992)

General obligation bonds, authority to issue to fund projects authorized in the 1991-93 capital and operating budgets: \*SHB 2950, CH 235 (1992)

Limitation on use of revenues from real estate excise tax by city or county to finance capital projects revised: \*SB 6408, CH 221 (1992)

Public works assistance account, authority to make project loans recommended by public works board: \*SHB 2302, CH 135 (1992)

System improvements to public facilities, credits to be provided when impact fees are imposed or mitigation measures are required under state environmental policy act: SHB 2842

System improvements to public facilities, duplication of mitigation and impact fees on the same system improvements prohibited: HB 2842, \*SHB 2842, CH 219 (1992)

## CAPITAL PUNISHMENT (See DEATH PENALTY)

## CAPITOL CAMPUS

Firearms prohibited in state capitol buildings: SHB 1202

## CATS (See ANIMALS)

## CEMETERIES

License and regulatory fees, director to set, with cemetery board consent, and department of licensing to collect all fees: HB 2468

Regulatory charge to be based on each interment, entombment, and inurement, increase limit of twenty-five percent per year: HB 1447

## CENSUS

Municipal annexation, population determination of area may be derived from previous year's census data, conditions: HB 1705

## CENTER FOR VOLUNTARY ACTION

"Serve Washington" pilot program created: HB 1148

Citizen service, state support for, center activities and duties: HB 1147

#### **CENTRAL WASHINGTON UNIVERSITY**

Construction, appropriation for minor repairs and improvements: HB 1178

Enrollment level increased: HB 1549

Enrollment, state-funded enrollment level increased: HB 1319

Trustees, one student member to be appointed to the board of trustees: HB 1218

#### **CERTIFIED PUBLIC ACCOUNTANTS (See ACCOUNTANTS AND ACCOUNTING)**

#### **CHAPLAINS**

Employment by public health care facilities, constitutional amendment to allow: SHJR 4216

Public hospital district employment: SHB 1651

#### **CHARITABLE DONATIONS**

Attorney general authorized to conduct investigations of groups registered to make solicitations and to assess civil penalties for violations: HB 2637, SHB 2637, SSB 6246

Attorney general, all charitable organizations and commercial fund raisers to register with: HB 2637

Charitable organizations and commercial fund raisers, registration, regulatory, and fee setting requirements, authority of secretary of state to set: SHB 2637

Commercial fund raisers, requirements for contracts with charitable organization for any fund raising service or activity: HB 2637, SHB 2637, SSB 6246

Disclosures to be made at the time solicitation is made, requirements for charitable organizations and commercial fund raisers: HB 2637, SHB 2637; SSB 6246

Law enforcement or fire fighter support, false claim of, class C felony: HB 2637, SHB 2637, SSB 6246

Life insurance, donor permitted to transfer ownership interest in life insurance policy to certain tax-exempt organizations: SHB 2306

Secretary of state, all charitable organizations and commercial fund raisers to register with: SSB 6246

Secretary of state, registration, regulatory, and fee requirements for charitable organizations and commercial fund raisers, authority to set: SHB 2637

Veterans' organizations, written authorization required from organization for use of name to solicit contributions: SSB 6246

Veterans, director of veterans' affairs to be notified of application for registration from entity purporting to raise funds to benefit, may advise secretary and attorney general regarding such entity: SHB 2637

#### **CHARITABLE ORGANIZATIONS**

Attorney general authorized to conduct investigations of groups registered to make solicitations and to assess civil penalties for violations: HB 2637, SHB 2637, SSB 6246

Charitable gaming events allowed when conducted by gaming management company in accordance with this law and the rules of the gambling commission: HB 2987

- Commercial fund raisers, requirements for contracts with charitable organization for any fund raising service or activity: HB 2637, SHB 2637, SSB 6246
- Disclosures to be made at the time solicitation is made, requirements for charitable organizations and commercial fund raisers: HB 2637, SHB 2637, SSB 6246
- Fund raising events, reference to fund raising events removed from list of gambling games authorized for these groups to conduct: HB 1763
- Law enforcement or fire fighter support, false claim of, class C felony: HB 2637, SHB 2637, SSB 6246
- Life insurance, certain nonprofit organizations allowed to be named as owner and beneficiary of individual life insurance policy, terms and conditions for joint application for or transfer of policy: \*SSB 6241, CH 51 (1992)
- Life insurance, donor permitted to transfer ownership interest in life insurance policy to certain tax-exempt organizations: SHB 2306
- Nonprofit organization may be named as owner and beneficiary of individual life insurance policy, terms and conditions for joint application for or transfer of policy: \*SSB 6241, CH 51 (1992)
- Property tax exemption for charitable fund-raising organizations, real and personal property exempt when organization meets specified conditions: HB 2892
- Public safety-related organizations solicitation of charitable contributions, identification of caller required, penalties: HB 2101
- Registration of charitable organizations and commercial fund raisers, regulatory, and fee setting requirements, authority of secretary of state to set: SHB 2637
- Registration, all charitable organizations and commercial fund raisers to register with attorney general: HB 2637
- Registration, all charitable organizations and commercial fund raisers to register with secretary of state: SSB 6246
- Secretary of state, registration, regulatory, and fee requirements for charitable organizations and commercial fund raisers, authority to set: SHB 2637
- Veterans' organizations, written authorization required from organization for use of name to solicit contributions: SSB 6246

## **CHARTER BOATS (See BOATS)**

## **CHECK CASHING**

- Sale of checks, drafts, or money orders, bond required before license may be issued for: HB 2731, SHB 2731

## **CHECKS**

- Cashier's, teller's, or certified checks, procedure to establish claim of loss in situation involving lost, destroyed, or stolen checks: HB 2751
- Lost, destroyed, or stolen cashier's, teller's, or certified checks, procedure to establish claim of loss in situation involving: HB 2751
- Sale of checks, drafts, or money orders, bond required before license may be issued for: HB 2731, SHB 2731
- Uniform commercial code articles 1, 3, and 4, revision and update of provisions relating to negotiable instruments and checks: HB 1964

## **CHILD ABUSE**

- Child protective services, duty to investigate complaints in preschools, nursery schools, and private kindergartens: HB 1393
- Community-based family support center program: SHB 1714
- Council for prevention of child abuse to receive funds from the sale of heirloom birth certificates: SHB 2084
- Council on prevention of child abuse, family support centers, review, administration, and evaluation duties of council: HB 2083
- Family support centers, evaluations of programs receiving grants to be submitted to council on prevention of child abuse: HB 2083
- Family violence counselors, certification requirements: HB 1882, SHB 1882
- Family violence pilot programs authorized: HB 1882, SHB 1882
- Interviews with child in abuse and neglect cases by department of social and health services to be recorded by audio or videotape or written transcript when a law enforcement officer is not present: HB 2948
- Residential time and visitation rights of parents who sexually abuse their children, third party supervision required: HB 2529, SHB 2529, HB 2778
- Sexual abuse victims, dissemination of identifying information by authorities or press prohibited: HB 2348, SHB 2348
- Sexual abuse victims, information revealing identity of child victims of sexual assault confidential and not subject to public disclosure, courts authorized to seal information identifying child victim: \*SHB 2348, CH 188 (1992)
- Sexual abuse victims, video testimony of victimized children under ten allowed: SJR 8217
- Sexual abuse, definition of "corroborative evidence" for admission of child's hearsay statement regarding: HB 2749
- Sexual abuse, statute of limitations extended for bringing criminal charges of: HB 2530
- Teacher certification, professional preparation program in child abuse issues required for: HB 1985
- Video testimony of children under ten who are sexual abuse victims, constitutional amendment to allow: HJR 4240

#### **CHILD CARE (See DAY CARE)**

#### **CHILD CUSTODY**

- Modification of a parenting plan or custody decree, revised provisions: HB 2784, \*SHB 2784, CH 229 (1992)
- Parenting plan, modification of, grounds for minor changes: HB 1087, HB 2188, SHB 2188
- Residential time and visitation rights of parents who sexually abuse their children, third party supervision required: HB 2529, SHB 2529, HB 2778

#### **CHILD SUPPORT**

- Actions to change, modify, or enforce final orders regarding child support may be brought in county where children reside: SHB 2154
- Child support schedule adopted: HB 2143
- Dependent children, reunification efforts to be considered in determining parent's income and support obligation for entry of order or decree: HB 2550
- Determination of child support amount, revised provisions: HB 2784, \*SHB 2784, CH 229 (1992)



- Double amendments, correction of double amendments relating to support obligations: HB 2251, SHB 2251
- Economic table adopted: HB 2188, SHB 2188
- Family court and family court services expanded, revised provisions: SHB 2155
- Food stamps, income exempted by federal law not to be considered in determining need or eligibility: HB 1152, HB 1167, SHB 1167
- Forms, development and use of mandatory forms, revised provisions including development of form for financial affidavits for integration into the worksheets: HB 2784, \*SHB 2784, CH 229 (1992)
- Guidelines, adjustments: HB 2236
- Guidelines, revised provisions: HB 2188, SHB 2188
- Guidelines, standards for determination of income: HB 2236
- Guidelines, standards for deviation from standard calculation: HB 2236
- Guidelines, standards for postsecondary educational support awards: HB 2236
- Income withholding actions or alternate arrangements, revised provisions: SHB 2153
- Mandatory wage assignment orders, revised provisions: HB 2784
- Modification actions, filing, service, and response requirements, revised provisions: SHB 2154
- Modification of order or decree of child support, revised provisions: HB 2784, \*SHB 2784, CH 229 (1992)
- Orders and decrees, dependent children, reunification efforts to be considered in determining parent's income and support obligation: HB 2550
- Payroll deductions, when office of support enforcement authorized to issue, court may authorize alternative payment plan: SHB 2153
- Proceedings may be filed in superior court of county in which the petitioner resides: SHB 2154
- Reunification efforts to be considered in determining parent's income and support obligation for dependent child for entry of order or decree: HB 2550
- Schedule, revised provisions: HB 2188, SHB 2188
- Summons service by publication when defendant cannot be found: HB 1807
- Support enforcement, orders, procedures, collection, payment, limitation on actions: HB 1859, SHB 1859
- Support obligations, correction of double amendments relating to: HB 2251, SHB 2251
- Veterans' disability pensions or compensation for military service disability to be disclosed to court: HB 1309
- Wage assignment orders, revised provisions: SHB 2153

## CHILDREN

- Abortion, parent or guardian's consent required for unemancipated minor to obtain abortion, waiver of consent requirement by superior court, procedure established: HB 2859
- Abortion, parental consent required for unemancipated minor child to obtain abortion, exceptions: HB 1700
- African-American at-risk youth in department of social and health services custody, three-step transitional treatment program: HB 1413
- Alcohol and drug abuse, involuntary commitment for evaluation and treatment procedures: HB 1478
- Alcohol and drug abuse, parental petition to superior court to commit child to secure facility for evaluation and treatment: HB 1007

- Alcohol and drug abuse, treatment services for minors incapacitated by: SHB 1158
- Alcohol awareness program for youth under legal drinking age, liquor control board to appoint advisory committee to provide guidance, membership requirements: SHB 2356
- Alcohol awareness program, additional tax imposed on wine, beer, and spirits to fund: HB 2356
- Alcohol, minors under the influence of alcohol in public guilty of misdemeanor: HB 2296, SHB 2296
- Assault against a child in the first, second, and third degree, crimes created and penalties set: HB 2532, SHB 2532, \*SSB 6104, CH 145 (1992)
- Assisted conception, status of children conceived by: HB 1086
- At-risk children, drop-in to catch-up program: HB 1098
- At-risk youth committee, interdivisional committee to plan and coordinate department of social and health services activities: HB 1418
- At-risk youth, continuum of services pilot project, program requirements: HB 1418
- At-risk youth, family reconciliation act, definition amended: HB 1923
- At-risk youth, family reconciliation act, review task force created: SHB 1901.
- At-risk youth, family reconciliation act, review task force membership to reflect racial diversity of juveniles served: SHB 1901
- At-risk youth, family support worker program in schools established: SHB 1543
- At-risk youth, self-supporting motivation or retention programs funding authorized: HB 1374
- At-risk youth, services to, expansion and evaluation of services offered: HB 1418
- Background checks on out-of-state applicants for positions with unsupervised access to children, national criminal history search authorized: HB 2146
- Behavioral sciences institute homebuilders program, expansion: HB 1418
- Birth-to-six interagency coordinating council created to coordinate and enhance existing early intervention services for infants and toddlers with disabilities: SB 6432
- Birth-to-six interagency coordinating council created to ensure coordination of and collaboration in delivery of early intervention services to infants and toddlers with disabilities: \*SSB 6428, CH 198 (1992)
- Birth-to-six interagency coordinating council, governor to appoint for agencies providing early intervention services to disabled infants and toddlers: SHB 1090
- Chemically dependent pregnant women, mothers, and infants, interagency coordination of service delivery required: SB 6051
- Child care wage enhancement grant program established: HB 1566
- Child labor, employer records requirements: SSB 6442
- Child labor, employment of children under age sixteen, hours and conditions: SSB 6442
- Child labor, joint select committee on nonagricultural child labor established: SSB 6442
- Child labor, prohibited employment: SSB 6442
- Children's investment trust act adopted: HB 2471, SHB 2471
- Children's services ombuds, powers and duties: HB 1537
- Children, youth, and families, council on, establishment in governor's office, membership and duties: SSB 6428
- Children, youth, and families, state institute for, established as clearinghouse for information about innovations regarding children, youth, and family issues: SSB 6428

- Community mobilization program for teens, funding and coordination of six projects to meet the needs of teens: SHB 1390
- Comprehensive approach to protective services for at-risk children and their families at the community level, children's investment trust account created as funding source for: HB 2471, SHB 2471
- Consortia on children, youth, and families, juvenile issues task force to study the establishment and role of a network of consortia and the need for an institute on children and family services: SSB 6428
- Controlled substances crimes in protected areas, penalties increased: HB 2311
- Crimes against, assault against a child in the first, second, and third degrees, crimes created and penalties set: HB 2532, SHB 2532, \*SSB 6104, CH 145 (1992)
- Crimes against, communication with a minor for immoral purposes: SSB 5346
- Crimes against, matter harmful to minors, gross misdemeanor to display, sell, or present any matter, including live performance, that is harmful to minors: SSB 6262
- Crimes against, rape of a child in the first degree when victim under twelve, no less than ninety-nine year sentence to be imposed: HB 1758
- Crimes against, sexually explicit films, publications, and devices, gross misdemeanor to display, sell, or present to children: SSB 6262
- Crimes against, time limitations for childhood crime victim's benefits revised: HB 2562
- Criminal history check on persons providing services to children, federal bureau of investigation check required on persons who have been residents for less than five years: HB 2621
- Crisis residential centers, data collection and placement tracking, department of social and health services duties: HB 1418
- Dependency cases, legal representation of indigent parents in: HB 1113, SHB 1113
- Disabled infants and toddlers, early intervention services for: SHB 1090
- Disabled infants and toddlers, governor to appoint a state birth-to-six interagency coordinating council for agencies providing early intervention services: SHB 1090
- Disabled or special needs infants and toddlers, early intervention services for: HB 1090
- Dropouts, retrieval outreach efforts funding authorized: HB 1374
- Drug crimes involving minors, second violation a class B felony: HB 2094
- Drug delivery to child under twelve years old, person convicted to be sentenced to not less than ninety-nine years: HB 2177
- Drug exposure assessment and monitoring of infants, program establishment: SB 6051
- Early childhood education, preschool education assistance: SHB 1026
- Early childhood interagency coordinating councils, state and county, membership and duties: HB 1090
- Early intervention program for children in poverty established: HB 1843, SHB 1843
- Early intervention projects, school-based mental health projects: HB 1550, SHB 1550
- Early intervention services for disabled infants and toddlers, governor to appoint birth-to-six interagency council for agencies providing: SHB 1090
- Early intervention services for infants and toddlers with disabilities: SHB 1090
- Early intervention services for infants and toddlers with disabilities or special needs: HB 1090
- Early intervention services for infants and toddlers with disabilities, birth-to-six interagency coordinating council created to coordinate and enhance existing services: SB 6432
- Early intervention services for infants and toddlers with disabilities, interagency agreements to define responsibilities: SB 6432

- Early intervention services for infants and toddlers with disabilities, use of funds: SB 6432  
Employee may use sick leave to care for child under one year of age: HB 1347  
Employment, hours of work, child labor standards enforcement: SHB 1471  
Employment, safety and health, child labor standards enforcement, penalties: HB 1472, SHB 1472  
Employment, wage payments, child labor standards enforcement, penalties: HB 1472, SHB 1472  
Erotic sound recordings, "adults only" labeling required: \*HB 2554, CH 5 (1992)  
Explosives or deadly weapons, materials containing instructions for making, "adults only" labeling required: HB 2666  
Family policy council created to solicit proposals to facilitate greater flexibility and responsiveness of service to families at the community level, duties, requirements for consideration of proposals: HB 2846, SHB 2846, \*SSB 6428, CH 198 (1992)  
Family reconciliation services, expansion of services and evaluation by department of social and health services: HB 1418  
Firearms, unlawful storage, penalties for allowing minors easy access: SHB 1900  
Foster care, placement with relative may not be denied for relative's belief or disbelief in criminal acts or convictions of child's parent: SSB 6345  
Foster care, visitation with relative may not be denied for relative's belief or disbelief in criminal acts or convictions of child's parent: SSB 6345  
Galactosemia, screening of newborn infants for: HB 1906  
Grandparents, custodial preference over other nonparent third parties: HB 1899  
Group B Streptococcus, testing of newborn infants for, requirements: HB 2866  
Guardianship, family court may appoint guardian to represent interests of minor or dependent child in proceedings: SHB 2155  
High priority infant tracking program created to identify infants at risk for health and developmental problems: HB 1965, SHB 1965  
Homeless children, specialized child care and respite care authorized for children of homeless parents: HB 1614, SHB 1614  
Housing discrimination against families with children or containing a disabled person prohibited: HB 2598  
Housing, equal opportunity and fair housing, revised provisions to protect families with children or containing a disabled person: HB 2484  
Infant mortality review by local health department authorized, confidentiality of records: HB 2571, SHB 2571, \*SB 6296, CH 179 (1992)  
Infants; development of continuum of services for referral and intervention, department of health duties: HB 1965, SHB 1965  
Juvenile court records of persons under twenty-six years of age, courts and counsel allowed to review, when allowed: HB 2179  
Labor laws, enforcement, penalties for violations: HB 1288  
Liquor sale to minor, penalties: HB 2381, HB 2382  
Liquor, public appearance of minors who have consumed intoxicating liquor prohibited, penalties set: HB 1944  
Liquor, restrictions relating to minors on premises where liquor is served: HB 1084  
Mental health delivery systems, development and implementation of: SHB 1609  
Mental health services under public assistance programs and regional support networks increased: SHB 1609

- Mental health services, biennial inventory to be conducted by office of financial management: SHB 1609
- Mental health treatment, voluntary admission and release of minors: HB 1005
- Minors under influence of alcohol in public guilty of misdemeanor: HB 2296, SHB 2296, SB 6158
- Minors, erotic sound recordings' ready accessibility to minors prohibited: \*HB 2554, CH 5 (1992)
- Minors, materials containing instructions for making explosives or deadly weapons, sale to minors prohibited: HB 2666
- Minors, providing shelter after 11:00 p.m. and before 6:00 a.m., notification required: HB 2007
- Minors, restrictions relating to minors on premises where liquor is served: HB 1084
- Newborn assessment standards, department of health duties: HB 1965, SHB 1965
- Newborn infants, testing for "Group B Streptococcus" required: HB 2866
- Newspaper carriers under the age of eighteen with gross income below two thousand dollars per month exempted from tax registration requirements: HB 2895
- Norplant implants, procedure to require involuntary insertion of implant in woman giving birth to baby with fetal alcohol syndrome or addicted to drugs: HB 2909
- Out-of-home placement, state of the children report to analyze biennially: HB 1498
- Parent as first teacher pilot program: HB 1749, SHB 1749
- Prenatal drug or alcohol exposure, planning for learning project created to prepare strategies for teaching children with: SSB 6366
- Preventive services for at-risk children and their families, children's investment trust account created to fund: HB 2471, SHB 2471
- Racial disproportionality in juvenile justice system, department of social and health services' children, youth, and family services division to contract for study: HB 1412, SHB 1412
- Runaway children, commission on runaway children established: HB 1425
- Safe houses for runaway and street youth, establishment and operation of: HB 1604
- School pathway and bus stop improvement program and council established, council membership and duties set out: HB 2780
- Schools and family program created, planning grants, eligibility for continued funding, and family support block grants: HB 1879
- Sexual abuse victims, video testimony of victimized children under ten allowed: SJR 8217
- Sexually explicit films, publications, and devices, gross misdemeanor to display, sell, or present to children: SSB 6262
- State of the children report, biennial analysis of children placed in out-of-home care settings: HB 1498
- Substance abusers, task force on children of, membership and duties: SHB 1109
- Surrogate parenting, status of children conceived by assisted conception: HB 1086
- Teens, community mobilization program for, funding and coordination of six projects to meet the needs of teens: SHB 1390
- Tobacco products purchase and use by minors, state board of health authorized to adopt rules to control: SHB 1158
- Tobacco products, unlawful for person under eighteen to purchase, possess, or use: HB 1974
- Tobacco, prevention of tobacco-caused disease, programs to reduce use by youth and to promote tobacco use reduction: HB 1753, SHB 1753

Uniform status of children of assisted conception act: HB 1086  
 Unlawful harboring of a minor, providing shelter after 11:00 p.m. and before 6:00 a.m.,  
 notification required: HB 2007  
 Video testimony of children under ten who are sexual abuse victims, constitutional  
 amendment to allow: HJR 4240  
 Voluntary admission and release of minors for mental health treatment: HB 1005  
 Washington family policy center established, duties: HB 1420  
 Youth in crisis, tracking system for youth in crisis residential centers: HB 1418

### **CHIROPRACTIC ASSISTANTS**

X-ray technicians, training and examination requirements: HB 2046

### **CHIROPRACTIC DISCIPLINARY BOARD**

Review of chiropractic health care requested by third-party payors to be conducted only by  
 registered chiropractic physicians, board to set registration standards: HB 2774

### **CHIROPRACTORS**

Back conditions, department of health to contract for study of comparative effectiveness of  
 chiropractic and other treatments for low back conditions: HB 2604  
 Chiropractic insurance fairness act enacted: HB 2718  
 Chiropractic treatment and care, revision of definitions in chiropractic practice act: HB  
 2329, SHB 2329, \*SB 6054, CH 241 (1992)  
 Health care authority to establish pilot projects to contract with organizations of  
 chiropractors for prepaid capitated amount: SB 6054  
 Health insurers, service contractors, and health maintenance organizations required to  
 provide and pay for chiropractic services: HB 2718  
 Medical assistance programs to offer chiropractic services: HB 2605, SHB 2605  
 Peer review committee established, membership and duties: HB 2145  
 Review of chiropractic health care requested by third-party payors to be conducted only by  
 registered chiropractic physicians, chiropractic disciplinary board to set registration  
 standards: HB 2774  
 Service and fee limitations, state health care purchasers authorized to establish: \*SB 6054,  
 CH 241 (1992)  
 Workers' compensation, chiropractic services included in services provided: HB 1627

### **CHURCHES**

Day care services, business and occupation tax exemption for church-provided day care  
 services: \*SB 6010, CH 81 (1992)

### **CIGARETTES**

Cigarette sales enforcement fund, licensing fees deposited in: HB 1323  
 Construction and modernization of common schools, use of cigarette tax revenues for: HB  
 1589  
 Outdoor advertising of tobacco and alcohol products on buses or within one mile radius of  
 school prohibited: SHB 2011  
 Outdoor advertising of tobacco products prohibited, civil penalties: HB 2011  
 Purchase and use by minors, state board of health authorized to adopt rules to control: SHB  
 1158

- Purchase, possession, or use of tobacco products, unlawful for person under eighteen: HB 1974
- Sale below cost in wholesale and retail trade prohibited: HB 1323
- Tobacco, prevention of tobacco-caused disease, programs to reduce use by youth and to promote tobacco use reduction: HB 1753, SHB 1753
- Vending machines, prohibition of possession and operation of, exceptions: HB 1597

## CITIES AND TOWNS

- Administrative procedure act, local regulators bear burden of proof for reason for state standards variance: HB 2136
- Affordable housing provision to be part of growth management planning: SHB 1672
- Affordable housing, zoning variance to allow second-family residential units on existing single-family lots, conditions: SSB 5810
- Airport runways, when land use controls may be placed on land used by port district: HB 1524
- Aliens, restrictions on ownership of agricultural, forest, or mineral land designated by cities and counties under chapter 36.70A RCW: HB 2607
- Annexation of territory, limits on territory that may be annexed by second and third class cities, code cities, and towns clarified: HB 2406
- Annexation, notice to residents and landowners within and in proximity to proposed territory, requirements: HB 2803
- Annexation, population determination of area may be derived from previous year's census data, conditions: HB 1705
- Bidding practices for municipalities revised: HB 2505, SHB 2505
- Boundaries, current and accurate information to be provided to county auditor and secretary of state: SHB 1209
- Boundary review board, decisions to be consistent with growth management act requirements: HB 2824
- Building codes, residential buildings moved into or within city or county not required to meet all building code requirements if occupancy classification of building is not changed: HB 2673, \*SHB 2673, CH 79 (1992)
- Building codes, stand-alone ordinances, submission to building code council for review: HB 1969, SB 6402
- Burial-transit permit issuance by registrar allowed before death certificate completed: HB 2300
- Capital projects funded from real estate excise tax to be identified in city or county budget where it is to be indicated that tax is intended to be in addition to other available funds: \*SB 6408, CH 221 (1992)
- Capital projects, limitations on use of revenues from real estate excise tax to finance capital projects revised: \*SB 6408, CH 221 (1992)
- Child care facilities and services, impact fees may be imposed on new development to pay proportionate share of costs for new: HB 2713
- Circuit rider assistance program created to provide technical and funding assistance to small communities: HB 2072
- City managers, withdrawal from public employees' retirement system, retroactive refund to cities authorized: HB 2098
- City sealers, appointment of sealer and deputies: \*SSB 6483, CH 237 (1992)

- City sealers, weights and measures provisions, enforcement powers and duties: \*SSB 6483, CH 237 (1992)
- Claims against local governmental entities, requirements: HB 2499, SHB 2499
- Collection agencies, assignment of public debts for collection: HB 2652
- Collective bargaining, correctional employees and radio dispatch personnel included in definition of "uniformed personnel": SHB 1959
- Community corrections offices, notice to local government of intent to site, contents of notice and local government response requirements: HB 2613
- Community municipal corporations, organization in conjunction with the consolidation of two or more cities: HB 1760
- Commuting, reduction of single occupant vehicle commuting, duty of local governments to plan and implement: HB 1754
- Comprehensive flood control management plan, cities and towns must participate in county plan: SHB 1490
- Comprehensive plans, land use element to contain jobs-housing balance comparison and assessment of whether housing is affordable to workers: HB 2962
- Comprehensive plans, land use element to provide for a range of housing types and county plans to include urban growth areas: HB 2962
- Conflicts of interest by former municipal employee defined and prohibited: HB 1131
- Consolidation of two or more cities, organization of community municipal corporation in conjunction with: HB 1760
- Contracts, interest rate of one percent per month payable on amounts due when public body fails to make timely payment: \*SHB 1736, CH 223 (1992)
- Correctional employees and radio dispatch personnel, included in definition of "uniformed personnel" for collective bargaining: SHB 1959
- Councilmembers pro tem, third class cities and towns authorized to appoint in cases of extended unexcused absence or disability of a councilmember: SHB 1275
- Councilmembers, revised provisions relating to election procedures and number of members: HB 2476, SHB 2476
- Councilmembers, salaries and compensation, revised provisions: HB 2809, SHB 2809
- Councilmembers, waiver of compensation by filing of written waiver: HB 2809, SHB 2809
- Criminal penalties set by cities and counties to be the same as those set by state law: SHB 1186
- Criminal penalties, consideration of possible exceptions to state preemption of local penalties, study authorized: HB 1785
- Critical areas, city development regulations to minimize costs of conformance with regulations for: HB 2716
- Day care facilities, local government zoning regulations and siting of facilities, survey and recommendations urged: HJM 4041
- Desert Shield, health and retirement coverage continued for employees called to active service: HB 1359, SSB 5092
- Development regulations, city to minimize costs of conformance with regulations for critical areas: HB 2716
- Drainage districts, first class cities allowed to remove themselves from a drainage district: HB 1930
- Economic development related projects of regional or state significance, identification and requests for assistance: HB 2676, SHB 2676



- Economic values, consideration in the rulemaking and ordinance making process, department of trade and economic development to conduct study to ensure that appropriate consideration is given to: HB 2901
- Elected officials, campaign finances disclosure report required: HB 2805
- Election procedures altered to become uniform and in conformity with general election law: HB 2476, SHB 2476
- Electric utilities, revised provisions relating to municipal utilities access to high voltage transmission lines: \*HB 2347, CH 11 (1992), SSB 6064
- Electrical facilities, placement of, procedures: SHB 1198
- Electrical inspectors, city inspectors to enforce electricians' licensure and certification requirements: HB 2158
- Electrical substations, procedures for obtaining permit to locate: SHB 1198
- Employees of a third class city or a town serve at the pleasure of the mayor and may be removed by the mayor subject to any applicable civil service laws: SHB 1275
- Employees, conflicts of interest by former municipal employee defined and prohibited: HB 1131
- Employees, council of a third class city or a town to establish duties and compensation of all employees: SHB 1275
- Energy facilities to comply with local government comprehensive plans and development regulation: HB 2653
- Energy facility site certification, applicant to furnish information requested by city: HB 2174
- Energy facility site certification, applicant to pay city's cost of processing: HB 2174
- Environmental impact statements, threshold determination on completed application to be made within ninety days although applicant may request an additional thirty days for determination: \*SSB 5728, CH 208 (1992)
- Fair share housing responsibilities of cities and unincorporated areas, department of community development to establish process for determining and reporting of progress towards meeting of: HB 2962
- Fair share housing, cities and counties planning under growth management act, responsibilities in the promotion of: HB 2962
- Family day-care provider, home is permitted use in all areas zoned for residential or commercial purposes: HB 2674, SHB 2674
- Fire protection services to state-owned facilities, cities and towns may enter into contracts with state agencies requiring that agencies provide a share of the jurisdiction's fire protection funding: HB 2937, \*SHB 2937, CH 117 (1992)
- Fire protection, separate contract between city or town and state agency allowed: HB 2186
- Firemen's pension fund, investment policies revised: \*SB 6226, CH 89 (1992)
- First class cities, solicitation and employment of women and minority businesses by contractors with, revised requirements: HB 2481, SHB 2481
- First-time homebuyers, city moneys and credit used to assist, constitutional amendment to allow: HJR 4236
- First-time homebuyers, city or town may provide loans and financial assistance, conditions: HB 2115
- Flood control maintenance and enhancement funds authorized for municipal corporations subject to floods, uses of moneys in fund: HB 1772
- Gambling tax proceeds, restriction on use removed: HB 1809

- Gambling tax, fifty percent of revenue from local government taxation of gambling to go to gambling related law enforcement activities: HB 2919
- Geographic information systems, authority to recover costs of building and maintaining systems: SHB 1752
- Geographic information systems, joint development and use contracts authorized: SHB 1752
- Growth management act, boundary review board decisions to be consistent with requirements of: HB 2824
- Growth management act, counties and cities encouraged to balance the goals of protecting the environment and protecting private property rights when designating critical areas: HFR 4742
- Historic places, designation of, designating agency or official must obtain written consent of the property owner to designation or, for existing designations, to continue designation: HB 2849
- Housing replacement fee, imposition on development activity that involves demolition of low-income housing authorized: HB 2962
- Housing, financial assistance to moderate-income, first-time homebuyers, authority to provide assistance: HB 2484
- Impact fees may be imposed on new development to pay proportionate share of costs for new child care facilities and services: HB 2713
- Impact fees, effect on ability of median-income wage earners to afford housing, economic impact analysis to be conducted before adoption of impact fee ordinance, limit on amount of fee imposed: HB 2902
- Impact fees, limit on amount of fee that may be imposed: HB 2902
- Impact fees, new growth and development may pay proportionate share of cost of new child care facilities and services needed as result of growth: HB 1476
- Impact fees, remodeling or replacement of existing residence exempt from: HB 2557
- Improper governmental action, local government employee's right to report acts of, reporting procedures policy to be adopted, retaliatory actions prohibited, adjudicative proceeding may be sought for relief from: HB 2976
- Initiative and referendum, noncharter code cities, revised powers and procedures: HB 1761
- Interlocal agreements, revised provisions relating to filing, approval, scope, and form of agreements: \*SHB 2495, CH 161 (1992)
- Inventory of lands and buildings that might be sold, leased, or exchanged for the development of affordable housing: HB 2484
- Jail industries, comprehensive work programs for inmates: HB 2334, SHB 2334
- Jail industries, inmate compensation for work in: HB 2334, SHB 2334
- Jail industries, state-wide board of directors to develop guidelines and provide technical assistance for implementing: HB 2334, SHB 2334
- Land use proposals, local government to notify private property owners of proposals, contents of notice and standing to contest action provisions established: HB 2717
- Leases, division of plat for purposes of lease allowed: HB 2563
- Library board of trustees, membership: HB 2342
- Lodging tax, certain cities in first class counties authorized to impose tax to fund tourist-related activities: HB 2180
- Lodging tax, cities in second class counties, authority to impose tax, conditions and restrictions: HB 1949

- Lodging tax, use for special events or festivals and promotional infrastructures authorized: \*SB 6452, CH 202 (1992)
- Low-income housing, city, town, and county assistance in development or preservation of, revised provisions: HB 2962
- Low-income housing, imposition of housing replacement fee on development activity that involves demolition of low-income housing authorized: HB 2962
- Moratoria or interim zoning, state standards established to minimize impacts and avoid litigation: HB 2051, SSB 5727
- Municipal corporations, community, organization in conjunction with the consolidation of two or more cities: HB 1760
- Municipal criminal justice account, revised distribution procedures: \*HB 2655, CH 55 (1992), SB 6270
- Municipal research council, city and town clerks required to provide a copy of regulatory and other ordinances to council when requested by council after adoption: SHB 1275
- Noncharter code cities, initiative and referendum, revised powers and procedures: HB 1761
- Nonpartisan elections, removal of disqualified candidate from ballot: \*HB 2662, CH 181 (1992), SB 6309
- Nonresident property owners, authorization to vote in local nonpartisan elections when owning property within that government's boundaries: HB 2952
- Officials, reimbursement provisions revised: HB 2809, SHB 2809
- Oil transmission lines, applicant to pay city costs of site application process, procedure: HB 2654
- Oil transmission lines, applicants to pay all costs incurred by city or county for activities related to site application process, city or county to submit quarterly statement of expenses: HB 2970
- Oil transmission lines, applicants to pay ten thousand dollars to city for activities related to energy facility site evaluation process in specified situations: SHB 2970
- Oil transmission lines, siting and regulation to comply with local government planning and control: HB 2653
- Open space corridors not to include private land unless interest is acquired to prevent development and control resource management: SB 6401
- Open space corridors, identification of corridor not to restrict authorized development, uses, and management of private property in corridor unless city acquires sufficient interest to prevent or control development: SB 6401
- Open space corridors, identification of corridor not to restrict use or management of lands in corridor for agricultural or forest purposes unless city acquires sufficient interest to prevent control or development: \*SB 6401, CH 227 (1992)
- Ordinance making, moratorium imposed on ordinances increasing the cost of housing imposed if process does not include provisions for consideration of economic values: HB 2901
- Park lands, sale of closed state park lands to city or county for one dollar, reversionary interest to be reserved in conveyance: HB 2978
- Patients and clients of public emergency medical service, confidentiality of personal information: SHB 1275
- Pesticide regulation, local regulation of pesticides prohibited except as expressly authorized by legislature: SB 6273

- Police department, warrant officer position to be maintained by the city within the police department, revised nomenclature, powers, and duties: \*HB 1732, CH 99 (1992)
- Police department, warrant officer to be maintained within: HB 2648
- Police department, warrant server may be maintained within: HB 1732
- Private property protection act adopted: SB 6201
- Private property, city actions impacting value or use, notice requirements: HB 2669
- Private property, city actions impacting value or use, standing to contest action: HB 2669
- Privilege tax, limitations on tax rate not applicable to taxes levied by city on municipally owned utilities: HB 2614
- Public disclosure, elected officials' campaign finances report required: HB 2805
- Public facilities, authority to contract with developer for construction or improvement of facilities with partial financing from public funds: HB 2280
- Public transit, fare revenue use as match for motor vehicle excise tax funds authorized: HB 2942
- Public transportation benefit areas, city annexation of territory within benefit area boundaries, inclusion of that territory in benefit area: HB 2649
- Public works contracts or purchases, procedures for certain cities: HB 2807
- Public works, award of contract for, criteria for making award, revised provisions: HB 2409, SHB 2409
- Public works, contract bids to include costs for industrial insurance, unemployment compensation, and workers' compensation, action for damages by second lowest bidder authorized: SHB 2414
- Public works, lowest responsible bidder, additional criteria for determination of: SHB 2409
- Radio antennas, amateur, city and county ordinances must conform to limited federal preemption contained in federal communications commission guidelines: HB 2781
- Radon testing requirements for new single and multifamily residences at the time of final inspection, building inspector's duties: HB 2690, SHB 2690, \*SSB 6386, CH 132 (1992)
- Real estate excise tax to fund capital facilities, city must adopt comprehensive plan under growth management act before imposing tax for: HB 2700
- Real estate excise tax, cities and counties authorized to use for financing capital facilities only if growth management plan and regulations enacted: SB 6408
- Real estate excise tax, city or county budget to identify capital projects funded from tax and to indicate that tax is intended to be in addition to other available funds: \*SB 6408, CH 221 (1992)
- Real estate excise tax, limitations on use of revenues from tax for financing capital projects revised: \*SB 6408, CH 221 (1992)
- Receivers to manage real property, civil action to appoint, when city may authorize action by private individual: SSB 5180
- Recycling incentive rates, citizens transporting to recycling facility to receive identical incentives with collection customers: SHB 1947
- Regulatory takings of private property, owner or user right to compensation established, exceptions and alternatives set out: SB 6201
- Rental cars, municipalities imposing local motor vehicle excise tax authorized to impose a sales and use tax at a rate equal to the motor vehicle excise tax with revenues distributed in the same way: HB 2964, \*SHB 2964, CH 194 (1992)

- Residential buildings moved into or within city or county not required to comply with all building code requirements if occupancy classification of building not changed: HB 2673, \*SHB 2673, CH 79 (1992)
- Revenue bonds, authority to issue to finance water conservation programs: HB 2561, \*SB 6028, CH 25 (1992)
- Revenue bonds, second phase reform of procedures by which governments issue and sell bonds, repeal of conflicting separate procedures: HB 2288
- Saltwater tidelands, cooperation with county to establish watershed protection districts and implement programs: SSB 6132
- Second Substitute Senate Bill 6255, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4436
- Self-insurance programs, health and welfare benefits provisions, regulations: HB 2127
- Senate Bill 6201, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4434
- Sewer systems, authority to compel county residents, with county approval, to hook up to city systems: HB 1654, SHB 1654
- Shellfish protection districts, cooperation with county to establish districts and implement programs: \*SSB 6132, CH 100 (1992)
- Sludge applications, government entities to notify department of application from municipal sewage treatment facilities: HB 1963, SHB 1963
- Sludge, city may prohibit, on a permit-by-permit basis, the use of municipal sewage sludge: HB 2640
- Small businesses, department of trade and economic development to conduct study of administrative rules and local ordinances affecting: HB 2901
- Small works rosters, process for municipalities to award contracts on works estimated to cost less than one hundred thousand dollars: HB 2505, SHB 2505
- Small works rosters, uniform process for municipalities to award contracts under: SHB 1681
- Special districts withdrawal of territory in or adjacent to city or town from district, necessary conditions for withdrawal: HB 2973
- Special election held during month of presidential preference primary to be set for the same day as the primary election: HB 2402, SHB 2402, \*SB 6213, CH 37 (1992)
- Special elections held in conjunction with general election, resolutions to be submitted sixty-five days before: HB 1592
- Special meetings called by third class cities and towns required to conform to the special meetings provisions of the open public meetings act: SHB 1275
- Sports franchises, cities, code cities, and counties authorized to own an interest in a professional sports franchise: HB 2722, SHB 2722
- State park lands, parks and recreation commission authorized to sell closed park lands to city or county, reversionary interest to be reserved in conveyance: HB 2978
- Street responsibilities, population requirements for dividing responsibilities between city and state modified: HB 1135
- Street responsibilities, task force to study population threshold for dividing responsibilities: SHB 1135
- Third class cities and towns, revised provisions relating to employment, meetings, and councilmembers pro tem: SHB 1275
- Tourist-related activities, certain cities in first class counties authorized to impose lodging tax to fund: HB 2180

- Towns and third class cities, revised provisions relating to employment, meetings, and councilmembers pro tem: SHB 1275
- Towns authorized to dispose of property by lease, sublease, or conveyance: SHB 1275
- Townships, organization of a county into, revised procedures and repeal of former provisions: HB 2075
- Transit authority entitled to share of penalties collected from violators cited by transit security personnel: HB 2577
- Transit security personnel given full police powers, training requirements: HB 2577
- Transit services, desirable land use patterns to be expressed in six-year transit development and financial program: HB 2940
- Transit services, six-year transit development plan to address land-use patterns and state-wide transit goals and policies: SHB 2940
- Transportation benefit areas, addition of territory to area when city annexation extends city boundaries into a public transportation benefit area: HB 2714, \*SHB 2714, CH 16 (1992)
- Underground storage tanks, state financial assistance to owners and operators, application procedures: SHB 2114
- Utilities, limitations on privilege tax rate not applicable to taxes levied by city on municipally owned: HB 2614
- Vacancies in elective office, declaration of and appointment of successor, revised provisions: HB 2476, SHB 2476
- Veterans credit on civil service examinations for police officers and fire fighters: SHB 1275
- Vital records, registrar authorized to issue burial-transit permit before death certificate completed: HB 2300
- Warrant officer may be maintained within police department: HB 2648
- Warrant officer position to be maintained by the city within the police department, revised nomenclature, powers, and duties: \*HB 1732, CH 99 (1992)
- Warrant server, terminology changed to warrant officer: HB 2648
- Waste transportation, minimum fees imposed on load without cover, duty to adopt ordinance: HB 2397, SHB 2397
- Water conservation programs, authority to issue revenue bonds to finance: HB 2561, \*SB 6028, CH 25 (1992)
- Water conservation programs, cities and counties authorized to issue bonds to finance: SHB 2561
- Water conservation, evaluation of delivery rate structures to encourage: SHB 2629
- Water well construction enforcement authority, delegation to local government agencies authorized: HB 2796
- Weights and measures, city sealer's powers and duties regarding enforcement of weights and measures provisions: \*SSB 6483, CH 237 (1992)
- Weights and measures, city sealers, revised provisions relating to: HB 2998
- Wetlands, criteria in United States army corps of engineers delineation manual to be used to designate and regulate: SB 6254
- Wetlands, inventory map of land to be prepared before adopting development regulations, notice requirements: 2SSB 6255
- Whistleblowers, policy and procedures for reporting improper governmental action: \*SSB 6321, CH 44 (1992)
- Whistleblowers, retaliatory action against employee who provides information in good faith prohibited, adjudicative hearing procedures: \*SSB 6321, CH 44 (1992)

- Whistleblowers, right of city employee to report improper governmental conduct, reporting procedures policy to be adopted, retaliatory actions prohibited, adjudicative proceeding may be sought for relief from: HB 2976
- Women and minority businesses, requirements for the solicitation and employment of by contractors with first class cities: HB 2481, SHB 2481
- Zoning, adoption of moratorium or interim zoning map, ordinance, or official control, requirements concerning public hearings, findings of fact, and effective period: \*SSB 5727, CH 207 (1992)
- Zoning, family day-care provider's home is permitted use in all areas zoned for residential or commercial purposes: HB 2674, SHB 2674

### **CIVIL INFRACTIONS**

- Littering made class 1 or 4 infraction depending on the volume of litter involved and made subject to monetary penalties: SHB 1153

### **CIVIL LIABILITY, IMMUNITY FROM (See IMMUNITY)**

### **CIVIL PROCEDURE**

- Agricultural food products disparagement, action for damages: HB 2858, SHB 2858
- Annuity structured settlement of a personal injury or wrongful death claim authorized, procedures established to collect payment when payment is not made in accordance with terms of agreement: HB 2776
- Arbitration, mandatory, award cap set: SB 5063
- Attorney fees, award to prevailing party in action arising from public works construction contract to which a public body is a party; procedural requirements established: \*SB 6407, CH 171 (1992)
- Attorneys fees, payment by appellant when appellant does not obtain more favorable judgment: HB 1190
- Attorneys' fees, award to parties representing themselves in civil actions in instances where, if represented by an attorney, the attorney would be entitled to attorneys' fees: HB 2759
- Attorneys' fees, award when state is not prevailing party in action to which it is party: HB 1837
- Attorneys' fees, costs, and expenses, award to prevailing private party in action against state, including judicial review of agency action: HB 2510
- Certificate of merit to be filed within thirty days in professional negligence actions, requirements: SSB 5386
- Challenges to jurors, revision of general causes of challenge to a juror: HB 2394, \*SHB 2394, CH 93 (1992)
- Child support summons, service by publication when defendant cannot be found: HB 1807
- Claims against local governmental entities, requirements: HB 2499, SHB 2499
- Defenses, care within accepted health care practice parameters constitutes an affirmative defense in a medical malpractice action: HB 2868
- Disparagement of agricultural food products, action for damages: HB 2858, SHB 2858
- Dissolution of marriage, revised provisions: HB 2188, SHB 2188
- Domestic violence, protection orders, service by publication, when allowed, procedure: SHB 1560

- Domestic violence, temporary restraining orders extended from fourteen to twenty-one days: HB 1560
- Driving while intoxicated, punitive damages for personal injuries or wrongful death resulting from: SHB 1676
- Evictions, landlord may recover costs of moving and storing tenant's property following an eviction: \*SSB 5986, CH 38 (1992)
- Explosives or deadly weapons, materials containing instructions for making, "adults only" labeling requirements: HB 2666
- Fire protection sprinkler system contractors, attorney general or county prosecuting attorney authorized to bring civil proceedings to enforce chapter: \*HB 2290, CH 116 (1992)
- Food products delivery guarantee, penalty for guarantee that results in injury to another or another's property: SSB 6466
- Franchise relationships, discrimination prohibited in, civil action for specific performance of the franchise agreement and to recover damages and costs authorized: HB 2898, HB 2954, SHB 2954
- Health care practice parameters, care within accepted parameters constitutes an affirmative defense in a medical malpractice action: HB 2868
- Illegal activity, agreements, contracts, orders, and judgments in civil court proceedings concealing illegal activity prohibited, procedure to seek temporary or permanent restraint on disclosure established: HB 2881
- Indigent persons, funding of qualified legal aid program civil representation for indigent persons from public safety and education account authorized: \*SHB 1378, CH 54 (1992), HB 2997
- Indigent persons, representation in superior court by qualified legal aid programs, waiver of filing fees: \*SHB 1378, CH 54 (1992)
- Infant mortality review, local departments authorized to conduct, confidentiality of records provided by families, department officials and employees, and health care professionals participating in reviews established: \*SB 6296, CH 179 (1992)
- Infant mortality review, local health departments authorized to conduct, confidentiality of records provided by families, department officials and employees, and health care professionals participating in reviews established: \*SB 6296, CH 179 (1992)
- Insurers, agents, and brokers immune from civil liability in any suit arising from the provision of loss control advice or related services, conditions: HB 2773
- Jurisdictional amount raised in district and superior court: HB 1190
- Jurors, revision of general causes of challenge to a juror: HB 2394, \*SHB 2394, CH 93 (1992)
- Legal separation, revised provisions: HB 2188, SHB 2188
- Liquor, furnishing liquor to minors constitutes negligence per se in any civil action for damages resulting from a minor's consumption of liquor: HB 2733, SHB 2733
- Local government entities, claims against, establishment of single uniform system to pursue: HB 2499, SHB 2499
- Mandatory arbitration, limit raised to forty-five thousand dollars, conditions: HB 1786
- Medical malpractice, care within accepted health care practice parameters constitutes an affirmative defense in a medical malpractice action: HB 2868
- Minors, furnishing liquor to minors constitutes negligence per se in any civil action for damages resulting from a minor's consumption of liquor: HB 2733, SHB 2733
- Name change orders, district court to collect fee for filing and transmit fee and order to county auditor for filing and recording: \*SSB 6135, CH 30 (1992)



- Oil transmission facilities, strict liability imposed on persons responsible for discharges of petroleum or petroleum products from: HB 2701
- Partial summary judgment allowed in civil actions for damages: SHB 1638
- Peremptory challenges of jurors, no juror to be stricken in whole or in part on account of race: HB 1775
- Professional negligence actions, certificate of merit to be filed within thirty days, requirements: SSB 5386
- Public hazards, courts may not enter judgment which has purpose or effect of concealing information from the public: SHB 1320
- Public works construction contracts to which a public body is a party, award of attorney fees to prevailing party in action arising from contract authorized, procedural requirements established: \*SB 6407, CH 171 (1992)
- Public works, contract bids to include costs for industrial insurance, unemployment compensation, and workers' compensation, action for damages by second lowest bidder authorized: SHB 2414
- Radon resistive construction requirements under RCW 19.27.190, compliance constitutes defense in civil action for damages for injury caused by indoor air pollution against builder or designer: \*SSB 6386, CH 132 (1992)
- Receivers to manage real property, civil action to appoint, when city may authorize action by private individual: SSB 5180
- Service of process against marital community, separate service required if spouses do not reside together: SSB 6187
- Sewer systems, imposing strict liability on public sewer systems for damage to individual residences, exceptions: HB 1759
- Size, weight, or load violations, response to traffic infraction notice by written submission sent to court may substitute for personal appearance: HB 2712
- Sports franchises, the state and its political subdivisions given cause of action for economic damages caused by wrongful removal of a professional sports franchise from state: HB 2977
- Strict liability imposed on persons responsible for discharges of petroleum or petroleum products from transmission facilities: HB 2701
- Transfer of litigation, adoption of uniform act: HB 2393
- Warrant officer position to be maintained by the city within the police department, revised nomenclature, powers, and duties: \*HB 1732, CH 99 (1992)
- Whistleblower actions based on reprisal or retaliation, court may award costs as well as reasonable fees to prevailing party: \*SSB 5121, CH 118 (1992)
- Workers' compensation appeals, notice of appeal and copy of record before board of industrial insurance appeals to be served on either the worker or the beneficiary and to any other party: SHB 2496
- Workers' compensation, health care services provider repayment of sums deemed owing: HB 2795, SSB 6299
- Workers' compensation, vocational services provider repayment of sums deemed owing: HB 2795, SSB 6299

## **CLINICAL LABORATORY SCIENCE PRACTITIONERS**

- Clinical laboratory board created, membership, powers, and duties: HB 2081
- Licensing requirements: HB 2081

**CLUBS**

Liquor licenses, class H, golf and country clubs discriminating on basis of gender not entitled to: HB 2340

**COLLECTION AGENCIES**

Claim, definition to include public debts: HB 2652

Libraries may not contract with third party for collection of fines without giving thirty days notice to persons assessed fines: HB 2456

Public debts included in definition of claim: HB 2652

**COLLECTIVE BARGAINING**

Agricultural labor relations act adopted: HB 1961

City and county correctional employees and radio dispatch personnel, included in definition of "uniformed personnel": SHB 1959

Higher education, collective bargaining procedures established for four-year institutions of: HB 2615

Prison employees, additional employees of division of prisons of the department of corrections authorized to participate: SHB 1913

School bargaining unit to include all nonsupervisory classified employees, fragmentation of existing unit prohibited: HB 1839

State employees granted right to organize and bargain, conditions and procedures: SHB 1655

State employees' relations commission, membership and duties: SHB 1655

Superior court employees, definitions revised to include: HB 1286, \*SB 5105, CH 36 (1992)

Uniformed personnel, law enforcement officers and fire fighters of all cities, towns, and counties included: HB 1362

Washington agricultural labor relations act adopted: HB 1961

**COLLEGES AND UNIVERSITIES**

"Resident" student, definition expanded: HB 1778

Accountancy financial assistance account created to provide assistance to economically disadvantaged students in accountancy programs in their last thirty semester hours of college: SHB 2293

Accounting students, fifteen percent surcharge to be made on accountant license fee to be used for financial assistance for economically disadvantaged students in accounting programs: SHB 2293

Admission requirements, study of Indian language to meet any requirement for instruction in a language other than English: HB 2541

African American endowed scholarship program: HB 1424, SHB 1424

Alcoholic beverages prohibited on campuses and in related living facilities: HB 1515

American Indian endowed scholarship program revisions: SHB 1145

American sign language course satisfies college foreign language admission requirement: \*HB 1664, CH 60 (1992)

Art acquisition program, capital construction funds set aside for program to remain with institution: SB 6227

Art acquisition program, participation optional and on a project-by-project basis: SB 6227

Asian American endowed scholarship program established: HB 2020

- Bids to be taken on projects of greater than one hundred thousand dollars: HB 1048
- Building fees, additional fee imposed for facility upgrades to improve personal security on campus: HB 2697
- Children, youth, and families, state institute for, establishment as clearinghouse for information about innovations regarding children, youth, and family issues: SSB 6428
- Civil service employees, personnel files exempt from public records disclosure provisions: HB 2646
- Collective bargaining procedures established for four-year institutions of higher education: HB 2615
- College career entry program created: HB 1035
- College promise program established, financial assistance to eligible students: HB 1667
- College promise, higher education coordinating board to develop a comprehensive system of higher education financial assistance to be known as, goals and requirements: HB 2729, SHB 2729
- Community service placements, higher education coordinating board to define and set salary matching requirements for community service employers: HB 2729, SHB 2729
- Contracts for specific services, requirements: HB 1926
- Desert Shield, health and retirement coverage continued for employees called to active service: HB 1359, SSB 5092
- Disabled students' access to higher education advisory committee established, membership and duties: SHB 1296
- Disabled students, assurance that institutions of higher education accommodate: HCR 4404
- Disabled students, each higher education institution required to ensure that students with disabilities are reasonably accommodated, core service requirements: HB 2421, SHB 2421
- Drug offenses, student convicted of drug offense, denial of state financial assistance: HB 1893
- Education construction account created, emergency reserve fund earnings to be transferred to: SB 6470
- Education construction fund created, appropriations to account for use of public schools and named colleges and universities: HB 1178
- Educational support account created, dedicated revenues deposited in: HB 2232
- Educational support account, institution's operating fees deposited in: HB 2232
- Endowments, institutions not to expend state moneys on personal service contracts to raise money for private endowments: HB 1929
- Enrollment lid modifications: HB 1549
- Enrollment, state-funded enrollment levels increased: HB 1319
- Facilities, maintenance staff to be increased in proportion to increase in space in new or remodeled facilities: HB 1979
- Facilities, student government political activities use, attorney general to review policies: SHB 2118
- Faculty and other designated members, mandatory retirement eliminated after July 1, 1991: HB 1409
- Faculty and other designated members, mandatory retirement eliminated after July 1, 1992: SHB 1409
- Faculty full-time, to be paid salaries at least equivalent to K-12 teachers: HB 1559

- Financial aid, institutions to match state funds with grant funds from private sources: SHB 2729
- Financial assistance, student convicted of drug offense to be denied state financial assistance: HB 1893
- Financial need, higher education coordinating board to conduct study on effect of financial need on the higher education choices of Washington residents: HB 2292, SHB 2292
- Funding, dedicated revenues deposited in educational support account: HB 2232
- Future teacher conditional scholarship program, enhancement and revised provisions: SHB 1598
- Graduate conditional teaching fellowship programs established, eligibility, service responsibility or repayment: HB 1722
- Hard-to-fill positions, procedures to fill: HB 1035
- High school credit, eleventh and twelfth grade students allowed to take courses for: HB 1762, SHB 1762
- High-technology education, study committee to identify issues related to leadership in: HCR 4432, HCR 4437, SCR 8427
- Higher education consolidation, state board of regents for higher education created, duties: HB 1662
- Higher education opportunity act of 1991: HB 1319
- Highly capable students, transition schools authorized at state four-year colleges for: HB 1018
- Hispanic American endowed scholarship program: HB 1066, SHB 1066
- Indian culture, history, and government, required teacher education course in state or Northwest history to include information on: HB 2541
- Indian language study to meet any admission requirement for instruction in a language other than English: HB 2541
- Leases, division of plat for purposes of lease allowed: HB 2563
- Leave sharing program, contribution of sick leave benefits: SHB 1044
- Leave, paid leave granted to volunteer members of emergency services when training or on call: HB 1047, SHB 1047
- Legal counsel, four-year colleges and universities authorized to choose their: HB 2616
- Libraries, reimbursement of libraries at state institutions for use by private college students: HB 1235
- Liquor advertising in campus publications prohibited: HB 2384
- Maintenance staff to be increased in proportion to increase in space in new or remodeled facilities: HB 1979
- Minority criminal justice education loan program created, eligibility and repayment provisions: HB 1976, SHB 1976
- National guard members, tuition waivers for: HB 1097, SHB 1097
- Needy first generation college students, higher education coordinating board to design demonstration project to assist: SHB 2729
- Operating fees account to be established for each four-year institution and one to be established for the community colleges as a whole: \*SB 6285, CH 231 (1992)
- Parking and transportation management programs, development from recommendations of parking and transportation management committee to be considered: SHB 1564
- Peace Corps volunteers, tuition and fees set at rate existing when service began: HB 1422
- Persian Gulf conflict, exemption from tuition and fees for children of persons killed on active service during the: HB 2035

- Persian Gulf conflict, veterans of conflict exempt from increases in tuition and fees: HB 2035
- Persian Gulf veterans, tuition and fees frozen at 1990 rates for: HB 1674
- Personal service contracts, institutions not to expend state moneys on contracts to raise money for private endowments: HB 1929
- Personnel management, Washington management service created, purposes and duties: HB 1035
- Physical access committee to identify barriers to access: SHB 1295
- Print disabilities, textbooks and course materials, publishers encouraged to make available in computer-based format for students with: SHB 2424
- Print disabilities, textbooks and course materials, publishers required to make available in computer-based format for students with: HB 2424
- Private, state-funded financial aid to students attending, students to be provided information on amount: SHB 2671
- Public works projects, bids to be taken on projects of greater than one hundred thousand dollars: HB 1048
- Purchases, exemption from bidding requirements for purchases funded from research grant, contract, or other nonstate funds of fifteen thousand dollars or less, record of price competition required for audit purposes: \*SSB 6328, CH 85 (1992)
- Purchases, procedures for purchases not requiring competitive bids: HB 2850, SSB 6328
- Regents for higher education, state board of, creation, duties: HB 1662
- Regents, two student members to be appointed to the board of regents at University of Washington and at Washington State University: HB 1218
- Regional universities, one undergraduate student to be a member of the board of trustees of each university: HB 1218
- Remedial higher education classes, process established to charge school districts for part of the cost of classes for recent high school graduates: HB 2422
- Remedial higher education classes, report on students enrolled in precollege level classes: SHB 2422
- Remedial or precollege classes, credits received not included in baccalaureate degree credit requirements: HB 2670
- Remedial or precollege classes, state funds use for prohibited, exception: HB 2670
- Resident student, definition expanded: HB 1778
- Retirement service credit, employees employed incidentally to their education may obtain credit by paying cumulative contributions plus interest on past waived credit: HB 2711
- Retirement, mandatory retirement of faculty and other designated members eliminated after July 1, 1991: HB 1409
- Retirement, mandatory retirement of faculty and other designated members eliminated after July 1, 1992: SHB 1409
- Revenues, reservation of portion of increased debt capacity to: SHB 1034
- Running start program, implementation by 1992-93 school year in colleges and universities: SHB 1762
- Salaries of full-time faculty to be at least equivalent to K-12 teachers: HB 1559
- Scholarships, American Indian endowed scholarship program revisions: SHB 1145
- Science fellows, Washington national science fellows program established: HB 1146
- Security, additional building fee imposed for facility upgrades to improve personal security on campus: HB 2697

- Sick leave, contribution to leave sharing program: SHB 1044
- Sign language, American sign language course to satisfy any foreign language requirement that the higher education coordinating board or an institution establishes as a general undergraduate admissions requirement: \*HB 1664, CH 60 (1992)
- Single parents in higher education assistance pilot program: HB 1192
- Single parents, long-term loans to needy single parents for educational expenses: HB 1191
- Spouses of students, retirement service credit for employment at college or community college, conditions: HB 1248
- State employees, exempt employees eligible for tuition and fee waivers: HB 1633
- State patrol officers included in tuition waiver program: HB 1056
- State subsidy of education, students to be provided information on amount: HB 2671
- State support of education, students to be provided information on amount: SHB 2671
- State, workers' compensation, temporary total disability, dates for which compensation will be received: HB 1043
- Student government and its higher education institution deemed separate state agencies for lobbying purposes: SHB 2118
- Student government political activities, use of institution's facilities, attorney general to review policies: SHB 2118
- Student housing needs task force, membership and duties: HB 1238
- Students with disabilities, endowed scholarship program: HB 2189
- Teacher education, required course in state or Northwest history to include information on Indian culture, history, and government: HB 2541
- Teachers, conditional scholarships authorized for teachers seeking master's degree required for continuing certification: HB 2729, SHB 2729
- Textbooks and course materials, publishers encouraged to make available in computer-based format for students with print disabilities: SHB 2424
- Textbooks and course materials, publishers required to make available in computer-based format for students with print disabilities: HB 2424
- Transition schools for highly capable students authorized at state four-year colleges: HB 1018
- Tribally controlled colleges included in definitions of higher education institutions: SHB 1726
- Trustees of the regional universities, one undergraduate student to be a member of the board at each university: HB 1218
- Tuition and fee waivers, exempt state employees included: HB 1633
- Tuition and fee waivers, mandatory waivers made permissive: HB 2692, HB 2729, SHB 2729, \*SB 6285, CH 231 (1992)
- Tuition and fee waivers, reduced fees, and residency exemptions, evaluation criteria and reauthorization requirements: SHB 2030
- Tuition and fee waivers, reduced fees, and residency exemptions, repeal of provisions authorizing: SHB 2030
- Tuition and fee waivers, reduced fees, and residency exemptions, reporting in budget request, requirements: SHB 2030
- Tuition and fee waivers, space available waiver program, administrative fee: SHB 2030
- Tuition and fee waivers, table of maximum amount of waivers allowed per school as percentage of "net authorized operating tuition fee revenue": HB 2729
- Tuition and fees for persons serving in the Peace Corps after August 31, 1991: HB 1422
- Tuition and fees frozen at 1990 rates for Persian Gulf veterans: HB 1674

- Tuition and fees, exemption for children of persons killed on active service in the Persian Gulf conflict: HB 2035
- Tuition and fees, veterans of Persian Gulf conflict exempt from increases in tuition and fees: HB 2035
- Tuition and services and activities fees, minimum and maximum fees, revised provisions relating to setting of: HB 2729, SHB 2729
- Tuition exemption for children of military personnel killed or disabled on active service: HB 1108, SHB 1108
- Tuition surcharge fees charged to selective resident and nonresident students registering at state colleges and universities, table of surcharges, collection duties, and waiver of fee provisions: HB 2743
- Tuition waivers at state schools, inclusion of state patrol officers: HB 1056
- Tuition waivers for national guard members: HB 1097, SHB 1097
- Tuition waivers reductions reduced from 7.9 million dollars to 4 million dollars: \*SB 5961, CH 238 (1992)
- Unemployment compensation, reasonable assurance of employment does not include offers made contingent upon funding, enrollment, or program change: HB 2440
- Unemployment compensation, services ineligible for payment of benefits, revised provisions: HB 2440
- Veterans, Persian Gulf, tuition and fees frozen at 1990 rates for: HB 1674
- Veterans, educational benefits for Vietnam veterans, time for enrollment in state institution of higher education and expiration of section provisions extended: HB 2910
- Vietnam veterans, educational benefits, time for enrollment in state institution of higher education and expiration of section provisions extended: HB 2910
- Vietnam veterans, tuition and fees at state colleges set at rate paid by veterans on October 1, 1977, enrollment period extended: HB 2092
- Vocational agriculture education courses, relevancy and course equivalencies: HB 1303
- Volunteer members of emergency services, paid leave granted when in training or on call: HB 1047, SHB 1047
- Washington college promise program established, financial assistance to eligible students: HB 1667
- Washington technology center, revised organization and duties: \*HB 2932, CH 142 (1992)

## **COLUMBIA RIVER**

- Diversions from salmon and steelhead bearing portions of Columbia and Snake rivers to be equipped with devices to measure instantaneous and seasonal water flows: HB 2627
- Dredging feasibility study funded: HB 1551
- Minimum water flow levels for declining salmonid stock, department of ecology to determine if water withdrawals or diversions are potentially hazardous: SHB 2629
- Vancouver Columbia River renaissance project, capital appropriation for development of waterfront: HB 2740

## **COMMERCIAL VESSELS AND SHIPPING**

- Ballast water, coast guard requested to prohibit dumping in United States waters: SJM 8002
- Ballast water, department of ecology to adopt rules to regulate discharge: HB 2365
- Fishing vessels to be in compliance with all federal safety laws: HB 2367

Maritime commission assessments, proposed increases, revised filing requirements, administrator may reject unjustified increase prior to adoption as final rule: \*SHB 2389, CH 73 (1992)

Merchant marine service included in definition of veteran: HB 1104

Passenger vessels, definition made consistent for all statutes governing oil spill prevention and response: \*SHB 2389, CH 73 (1992)

Property tax on ships and vessels, listing requirements and payment procedures: HB 2110, SHB 2110

Tank vessels, owner or operator may be required to prove membership in international protection and indemnity mutual organization providing oil pollution risk coverage: \*SHB 2389, CH 73 (1992)

Vessels hauling primarily freight required to have certificate of public necessity: HB 2929

### COMMON CARRIERS

Baggage, limits on liability for damage or loss of baggage to be set by utilities and transportation commission: HB 1272

### COMMUNITY AND TECHNICAL COLLEGES

Aircraft maintenance vocational training, program funding: \*HB 2812, CH 183 (1992)

Athletics, gender equity in, community colleges may grant tuition and fee waivers to achieve, conditions and restrictions: HB 2853

Building fees, additional fee imposed for facility upgrades to improve personal security on campus: HB 2697

College promise, higher education coordinating board to develop a comprehensive system of higher education financial assistance to be known as, goals and requirements: HB 2729, SHB 2729

Community and technical college act of 1991: SHB 1039

Community college benefit districts, formation, powers, duties, and organization provisions, authority to impose excise tax on employers: HB 2790

Community service placements, higher education coordinating board to define and set salary matching requirements for community service employees: HB 2729, SHB 2729

Conditional scholarship program: HB 1386

Correction of obsolete nomenclature regarding the community and technical college system: HB 2279, SHB 2279

Court reporting schools, graduates entitle to certification upon graduation: HB 2793

Disabled students' access to higher education advisory committee established, membership and duties: SHB 1296

Education association officials, retirement service credit authorized for periods of unpaid leave while serving as elected official: HB 2418, SHB 2418, \*SSB 6186, CH 3 (1992)

Education construction account created, emergency reserve fund earnings to be transferred to: SB 6470

Education construction fund created, appropriation for minor capital improvements: HB 1178

Educational support account, institution's operating fees deposited in: HB 2232

Enrollment allocations to be based on demand: HB 1548

Enrollment levels increased: HB 1549



- Enrollment, state-funded enrollment levels increased: HB 1319
- Exceptional faculty awards program, funds ownership by college or its foundation: HB 1869, SHB 1869
- Faculty appointments, applications from persons wishing to share a job to be considered in making full-time faculty appointments: HB 2301
- Faculty full-time, to be paid salaries at least equivalent to K-12 teachers: HB 1559
- Faculty, ratio of full-time positions to part-time: HB 1419, SHB 1419
- Financial aid, institutions to match state funds with grant funds from private sources: SHB 2729
- Gender equity in athletics, community colleges may grant tuition and fees waivers to achieve, conditions and restrictions: HB 2853
- Higher education opportunities program for dislocated timber workers: SHB 1870
- Job sharing, applications from persons wishing to share a job to be considered in making full-time faculty appointments: HB 2301
- Job sharing, task force to study issues that deter job sharing in community and technical college system: SHB 2301
- Lake Washington Technical College, capital appropriation for: \*HB 2295, CH 2 (1992)
- Leases, division of plat for purposes of lease allowed: HB 2563
- Leave sharing program, contribution of sick leave benefits: SHB 1044
- Needy first generation college students, higher education coordinating board to design demonstration project to assist: SHB 2729
- Operating fees account to be established for each four-year institution and one to be established for the community colleges as a whole: \*SB 6285, CH 231 (1992)
- Physical access committee to identify barriers to access: SHB 1295
- Print disabilities, textbooks and course materials, publishers encouraged to make available in computer-based format for students with: SHB 2424
- Print disabilities, textbooks and course materials, publishers required to make available in computer-based format for students with: HB 2424
- Purchases, exemption from bidding requirements for purchases funded from research grant, contract, or other nonstate funds of fifteen thousand dollars or less, record of price competition required for audit purposes: \*SSB 6328, CH 85 (1992)
- Purchases, procedures for purchases not requiring competitive bids: SSB 6328
- Remedial higher education classes, process established to charge school districts for part of the cost of classes for recent high school graduates: HB 2422
- Remedial higher education classes, report on students enrolled in precollege level classes: SHB 2422
- Resident student, definition expanded: HB 1778
- Retirement service credit, employees employed incidentally to their education may obtain service credit by paying cumulative contributions plus interest on past waived credit: HB 2711
- Revenues, reservation of portion of increased debt capacity to: SHB 1034
- Running start program pilot project to be implemented in 1991-92 school year and in all colleges in 1992-93 school year: SHB 1762
- Salaries of full-time faculty to be at least equivalent to K-12 teachers: HB 1559
- Salaries, ratio of full-time faculty to part-time: SHB 1419
- Security, additional building fee imposed for facility upgrades to improve personal security on campus: HB 2697

- Shared leave program, limitations on participation by community college, school district, and educational service district employees removed: HB 2199
- Sick leave, contribution to leave sharing program: SHB 1044
- Spouses of students, retirement service credit for employment at college or community college, conditions: HB 1248
- State subsidy of education, students to be provided information on amount: HB 2671
- State support of education, students to be provided information on amount: SHB 2671
- Task force on technical colleges created, duties: SHB 1039
- Teachers' retirement system, "substitute teacher" defined to exclude full time plan I community college district teachers: HB 1020
- Teachers' retirement system, service credit authorized for periods of unpaid leave as elected official of a Washington education association: HB 2418, SHB 2418, \*SSB 6186, CH 3 (1992)
- Technical colleges, funds for high school students enrolled in technical colleges to be allocated to the serving technical college rather than the school district: HB 2602, SHB 2602
- Tenure, job sharing to be considered a faculty appointment for tenure purposes: HB 2301
- Textbooks and course materials, publishers encouraged to make available in computer-based format for students with print disabilities: SHB 2424
- Textbooks and course materials, publishers required to make available in computer-based format for students with print disabilities: HB 2424
- Timber impact areas, designation of additional socially and economically integrated communities as timber impact areas by economic recovery board authorized: \*HB 2821, CH 21 (1992)
- Tuition and fee waivers, community colleges may grant to achieve gender equity in athletics, conditions and restrictions: HB 2853
- Tuition and fee waivers, mandatory waivers made permissive: HB 2692, HB 2729, SHB 2729, \*SB 6285, CH 231 (1992)
- Tuition and fee waivers, reduced fees, and residency exemptions, evaluation criteria and reauthorization requirements: SHB 2030
- Tuition and fee waivers, reduced fees, and residency exemptions, repeal of provisions authorizing: SHB 2030
- Tuition and fee waivers, reduced fees, and residency exemptions, reporting in budget request, requirements: SHB 2030
- Tuition and fee waivers, space available waiver program, administrative fee: SHB 2030
- Tuition and fee waivers, table of maximum account of waivers allowed per school as percentage of "net authorized operating tuition fee revenue": HB 2729
- Tuition and services and activities fees, minimum and maximum fees, revised provisions related to setting of: HB 2729, SHB 2729
- Tuition exemption for children of military personnel killed or disabled on active service: HB 1108, SHB 1108
- Tuition surcharge fees charged to selective resident and nonresident students registering at the community colleges, table of surcharges, collection duties, and waiver of fee provisions: HB 2743
- Tuition waivers reductions reduced from 7.9 million dollars to 4 million dollars: \*SB 5961, CH 238 (1992)
- Vocational agriculture education courses, relevancy and course equivalencies: HB 1303

**COMMUNITY AND TECHNICAL COLLEGES, BOARD**

- Correction of obsolete nomenclature regarding the community and technical college system:  
HB 2279, SHB 2279
- Educational progress oversight panel created to report annually on progress of education reform, panel membership and report content requirements established: SSB 5953
- Job sharing, task force to study issues that deter job sharing in community and technical college system: SHB 2301
- Public disclosure reporting, "executive state officer" redefined to include board members:  
SSB 6228
- State support of education, students at private and public schools to be provided information on amount: SHB 2671
- Women in athletic leadership positions, board to establish information clearinghouse for recruiting women as coaches, athletic directors, and athletic administrators: HB 2852

**COMMUNITY COLLEGE EDUCATION BOARD**

- Conditional scholarship program, duties: HB 1386
- Disabled students' access to higher education advisory committee, duties: SHB 1296
- Educational support account created, dedicated revenues deposited in: HB 2232
- Enrollment allocations to be based on demand: HB 1548
- Enrollment levels increased, allocation responsibilities: HB 1549
- Exceptional faculty awards program, funds ownership by college or its foundation: HB 1869, SHB 1869
- Higher education consolidation, state board of regents for higher education created, duties: HB 1662
- Higher education opportunities program for dislocated timber workers, administrative duties: SHB 1870
- Vocational agriculture education program, responsibilities: HB 1303

**COMMUNITY CORRECTIONS**

- Community corrections boards, renamed local law and justice councils: SHB 1199
- Community placement, inmate to report residence location and living arrangements to department of corrections during period of: HB 2267, SHB 2267
- Community placement, sex and violent offenders required to obtain department approval of living arrangements and residence location during period of: \*SHB 2490, CH 75 (1992)
- Escape from community placement or supervision, class C felony: HB 2490, \*SHB 2490, CH 75 (1992)
- Firearms, community corrections officers authorized to carry: HB 1079
- Law and justice councils, creation of local council authorize to develop local law and justice plan: SHB 1199
- Mental disorders, community supervision alternative for offenders with, conditions and procedures established: HB 2847
- Mentally disordered offenders, sentencing guidelines commission to identify and suggest appropriate sentencing options for, required elements: SHB 2847
- Nonviolent offenders, community-based punishment alternatives for, imposition in form of up to one hundred twenty punishment units: HB 2642

- Residence location and living arrangements, inmate required to report to department of corrections while in period of community placement: HB 2267, SHB 2267
- Retirement provisions, early retirement for corrections officers: HB 1080
- Sex and violent offenders required to obtain department approval of living arrangements and residence location during period of community placement: \*SHB 2490, CH 75 (1992)
- Sexually violent predators, reincarceration of predator released into community on parole when that person refuses to undergo treatment authorized: HB 2959
- Siting of community corrections offices, notification to local government of intent, contents of notice and local government response requirements: HB 2613
- Vehicular homicide or assault, offenders subject to conditional community placement and must undergo alcohol and drug evaluation and treatment as condition of placement: HB 2388, SHB 2388
- Violent offenders, additional community placement authorized: HB 2354, SHB 2354
- Whereabouts of inmate during period of community placement to be reported to department of corrections: HB 2267, SHB 2267

### **COMMUNITY COUNCILS**

- Formation in unincorporated areas authorized: HB 1009

### **COMMUNITY DEVELOPMENT, DEPARTMENT**

- Agriculture, in-state direct marketing opportunities for agricultural producers, to encourage in establishing urban-rural links: HB 1977
- Air quality impacts of new development, department to establish methodology to determine: SHB 1673
- Border areas account created, department to distribute funds to border areas: HB 2539
- Budget, needs assessment of populations served by the department to be included in budget document: HB 2907
- Building technologies advisory board, department duties: HB 2136
- Center for voluntarism and citizen service act, center for voluntary action renamed and its duties enhanced: HB 2735
- Center for volunteerism and citizen service act, center for voluntary action renamed and its duties enhanced: \*SHB 2735, CH 66 (1992)
- Children's investment trust act, departmental duties under: HB 2471, SHB 2471
- Children's services ombuds, position created, powers and duties: HB 1537
- Circuit rider assistance program created to provide technical and funding assistance to small communities: HB 2072
- Citizen service, state support for, departmental duties: HB 1147
- Citizens' review of local government, departmental duties: HB 1017
- Community partnership program established to assist community-based organizations, advisory committee created, duties: HB 1904, SHB 1904
- Community stabilization act, assistance with mortgage and rent payments to avoid homelessness: SHB 1747
- Community work experience pilot program for general assistance recipients not expected to be eligible for supplemental security income and capable of doing public service work: HB 2983
- Counties, solid waste disposal compliance, funding: HB 1553

- Crime victims' advocacy office created, crime victims' ombud created within office, powers and duties, confidentiality of records: HB 2734, SHB 2734
- Developmentally disabled and mentally ill persons, protection and advocacy of rights of, duties relating to federal funding requirements: HB 2591
- Early intervention program for children in poverty established, application guidelines: HB 1843, SHB 1843
- Early intervention program for children in poverty, family resource specialist duties: HB 1843, SHB 1843
- Earthquake preparedness committee created, membership and duties: HB 2791, SHB 2791
- Earthquake preparedness policy in schools, department duties: HB 1266, SHB 2791
- Earthquake preparedness, duties of director regarding promotion and supervision of improvement of state's preparedness: HB 2791, SHB 2791
- Energy use, to develop and implement education program for low-income persons regarding energy use and financial management: HB 2060
- Fair share affordable housing goals to be established by department: SHB 1672
- Fair share housing responsibilities of cities and unincorporated areas, department to establish process for determining and reporting of progress towards meeting of: HB 2962
- Family policy council created to solicit proposals to facilitate greater flexibility and responsiveness of service to families at the community level, duties, requirements for consideration of proposals: HB 2846, SHB 2846, \*SSB 6428, CH 198 (1992)
- Farmworker housing assistance program, grant and loan application: HB 2362, SHB 2362
- Farmworker housing, projects to provide centers and housing for very low-income farmworkers: HB 2362, SHB 2362
- Fire protection services to state-owned facilities, department duties in regard to valuation procedures and arbitration of contract impasses: HB 2937, \*SHB 2937, CH 117 (1992)
- Fire services mobilization plan, state fire defense board to develop and maintain plan containing required elements, duties of director and state fire marshal when plan is mobilized: SHB 2624, \*SHB 2937, CH 117 (1992)
- Fire-extinguishing system, automatic, required in newly constructed schools, responsibilities: HB 1276, SHB 1276
- Fiscal notes, powers, functions, and duties relating to fiscal note preparation transferred to fiscal note council: SSB 6188
- Homelessness prevention act, assistance with mortgage and rent payments to avoid homelessness, duties in development of local homelessness prevention programs: SHB 1747
- Homelessness prevention program, duties: SHB 1747
- Housing advisory plan, duty to prepare and amend a five-year housing advisory plan: HB 2484
- Housing affordability and regulation, office created in department and duties set out: HB 2484
- Housing assistance program created, loans from housing trust fund: HB 1624
- Housing trust fund and housing assistance program, responsibilities: HB 1259
- Housing trust fund, appropriation for capitalization of fund: HB 1623, SHB 1623
- Impact fees, effect on ability of median-income wage earners to afford housing, economic impact analysis to be conducted before adoption of impact fee ordinance, department to provide analysis model and develop "affordability index": HB 2902

- Indigent persons, representation in superior court by qualified legal aid programs, duties: \*SHB 1378, CH 54 (1992)
- Inventory of lands and buildings that might be sold, leased, or exchanged for the development of affordable housing: HB 2484
- Local government service agreements, duties and rulemaking authority in regard to: SHB 1015
- Low-income residences, energy suppliers to submit weatherization plan by December 31, 1991: SHB 1335
- Manufactured home installers, certification requirements and procedures established, penalties set for violations: HB 2764, SHB 2764
- Manufactured housing transaction recovery fund created, recovery actions against fund to be filed with department of community development: HB 2949, SHB 2949
- Minority and women-owned businesses loan fund committee, membership: HB 1737, SHB 1737
- Mobile home parks, owner to pay when relocation funds insufficient, enforcement powers: SHB 1841
- Mobile home parks, purchase by tenant organizations, loans and technical assistance to organizations purchasing parks, duties: HB 2169
- Mobile home parks, relocation assistance for displaced low-income tenants, relocation fund disbursement rules: SHB 1841
- Model energy education programs, department to develop: SHB 1335
- Parent as first teacher pilot program, duties: HB 1749, SHB 1749
- Retired senior citizen volunteer programs, funds distribution: \*HB 2374, CH 65 (1992), SB 6181
- Section eight assisted housing development, sale or transfer, conditions: SHB 1734
- Section eight assisted housing development, sale or transfer, purchaser qualifications criteria: SHB 1734
- Section eight assisted housing preservation advisory group created: SHB 1734
- Senior environmental corps coordinating council, membership and duties: HB 2560, \*SHB 2560, CH 63 (1992)
- Senior environmental corps created, department duties: HB 2560, \*SHB 2560, CH 63 (1992)
- Sexual assault, prevention programs for persons at-risk of becoming victims of sex offenders, grant application requirements: HB 2734, SHB 2734
- Soccer facility construction for 1994 World Cup soccer games: HB 1302, SHB 1302
- Soccer facility construction for 1994 World Cup soccer games, department to conduct economic impact analysis and cost-benefit analysis: SHB 1302
- Soccer facility construction for 1994 World Cup soccer games, grant awards, conditions: SHB 1302
- Urban/rural economic partnerships project created to encourage transfer of excessive Puget Sound business growth to rural areas: HB 2525
- Weatherization for low-income residences, energy suppliers to submit plan by December 31, 1991: SHB 1335
- Wetlands, department to study feasibility of contracting with federal, state, and private agencies to expedite development of maps for use by local governments: 2SSB 6255
- Yakima county criminal justice enhancement, appropriation to provide grant for: HB 1360

**COMMUNITY ECONOMIC REVITALIZATION BOARD**

Business, financial, and commercial information submitted to board, exemption from public disclosure: HB 2595

Timber impact areas, designation of additional socially and economically integrated communities as timber impact areas by economic recovery board authorized: \*HB 2821, CH 21 (1992)

Timber-dependent counties, project applications given priority for funding: HB 1442

**COMMUNITY PROPERTY**

Joint tenancy, either husband or wife may sever tenancy and the property or proceeds will be considered community property: HB 2538

**COMMUNITY SERVICE**

Center for voluntarism and citizen service act, center for voluntary action renamed and its duties enhanced: HB 2735

Center for volunteerism and citizen service act, center for voluntary action renamed and its duties enhanced: \*SHB 2735, CH 66 (1992)

Children's investment trust act adopted to provide funding for protective services programs for at-risk children and their families at the community level: HB 2471, SHB 2471

Community partnership program established to assist community-based organizations, advisory committee created, duties: HB 1904, SHB 1904

Community work experience program to be implemented for general assistance recipients not expected to be eligible for supplemental security income and capable of doing public service work: HB 2983, \*SHB 2983, CH 165 (1992)

Family policy council created to solicit proposals to facilitate greater flexibility and responsiveness of service to families at the community level, duties, requirements for consideration of proposals: HB 2846, SHB 2846, \*SSB 6428, CH 198 (1992)

Family support centers, department of social and health services to provide grants for the operation of community-based centers: HB 2083

High schools encouraged to offer opportunity for students to volunteer for community organizations: SHB 2611

High schools to offer at least one elective course in which students may volunteer for community service: HB 2611

Student suspension, superintendent of public instruction to encourage school districts to utilize community service as alternative to suspension, minimum requirements set: \*SSB 5305, CH 155 (1992)

Student volunteer programs, superintendent of public instruction to prepare guidelines for programs: SHB 2611

Volunteer service credit program established to exchange targeted services for service credit: HB 2851

**COMPUTERS**

Geographic information task force to study development and use of computer-based geographic information, department of information services: HB 1659

Textbooks and course materials at institutions of higher education, publishers encouraged to make available in computer-based format for students with print disabilities: SHB 2424

Textbooks and course materials at institutions of higher education, publishers required to make available in computer-based format for students with print disabilities: HB 2424

### CONCERTS

Prerecorded vocal tracks use during live performance, illegal unless prior notice given to ticket buyers, penalties: HB 1844

### CONCURRENT RESOLUTIONS

Adjournment sine die, 1992 regular session of the Fifty-second Legislature: HCR 4440

Adjournment sine die, 1992 regular session of the Fifty-second Legislature, governor notified: SCR 8431

Beer and malt liquor industry urged to regulate itself and to adopt voluntary code of advertising standards: HCR 4428

Biospheric task force created to focus and coordinate state activities in regard to the Greenhouse Effect and ozone layer depletion, membership and duties: HCR 4405

Council on education reform and funding, goals and mission endorsed: SCR 8422

Cutoff dates for consideration of legislation during 1992 regular session amended: HCR 4441

Cutoff dates for consideration of legislation during 1992 regular session of legislature: HCR 4426

Cutoff dates for consideration of legislation during 1992 regular session, Engrossed House Concurrent Resolution 4426 amended: SCR 8428

Cutoff dates for consideration of legislation during 1992 regular session, amendment: HCR 4438

Education reform and funding, endorsement of charge and plan of work of council on education reform and funding: HCR 4429

Education reform and funding, goals and mission of council on education reform and funding endorsed: SCR 8422

Farmworkers, affordable farmworker housing committee created, membership and duties: SCR 8423

Fishery patrol and wildlife officers, commensurate salaries recommended: HCR 4415

High-technology education, study committee to identify issues related to leadership in: HCR 4432, HCR 4437, SCR 8427

House Bill 2891 exempted from cut-off dates established in Engrossed House Concurrent Resolution No. 4426: HCR 4430

Legislature organized and ready to conduct business, committee appointed to notify governor: SCR 8420

Legislature prepared to conduct business, notification of governor: SCR 8420

Measures returned to house of origin before adjournment sine die of 1992 regular session of the Fifty-second Legislature: SCR 8432

Military personnel and veterans' affairs, joint select committee on created: HCR 4416

Postretirement issues, task force on created to study supplementary benefits for retired teachers and public employees: HCR 4431

Public employees, task force on postretirement issues created to study supplementary benefits for: HCR 4431

Redistricting commission plan, amendments to: SCR 8421



- Redistricting plans, amends joint rule 16 to allow amendments to redistricting plans by concurrent resolution: HCR 4427
- Reintroduction of bills, resolutions, and memorials from 1991 regular and special sessions for consideration in 1992 session: HCR 4424
- Salmon and steelhead recovery, committee to study populations status: HCR 4410, SHCR 4410
- Second Substitute Senate Bill 6255, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4436
- Senate Bill 6201, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4434
- Sentencing alternatives, sentencing guidelines commission to continue development of alternatives to confinement for nonviolent offenders: SCR 8429
- State of the state message, joint session on January 13, 1992, to receive message from governor: HCR 4425
- State personnel issues, joint legislative task force on established: HCR 4417
- Steelhead and salmon recovery, committee to study populations status: HCR 4410, SHCR 4410
- Students with disabilities, assurance that institutions of higher education accommodate: HCR 4404
- Teacher performance-based compensation plans, committee to study various plans: HCR 4407
- Teachers, task force on postretirement issues created to study supplementary benefits for: HCR 4431
- Veterans and military personnel affairs, joint select committee on created: HCR 4416
- Vision: Education 2001 statement endorsed: SCR 8400
- Washington wine appreciation month, September 1992 and September of each year, proclaimed: HCR 4435
- Water system connection rates, study by joint select committee on water resource policy required: HCR 4414
- Wildlife and fishery patrol officers, commensurate salaries recommended: HCR 4415
- Wildlife, department of, joint select committee on established, duties: HCR 4413
- Work force training and retraining finance, task force on to study funding structure and sources: HCR 4433
- Workers' compensation, task force created to review system and make recommendations for its improvement: HCR 4411

## CONDEMNATION

- Compensation for land value loss resulting from environmental protection measures: HB 1695
- Eminent domain, judgment review procedure: SB 6430
- Inverse condemnation resulting from land use planning, zoning, or other regulatory program, statutory basis for: HB 1162, SHB 1162
- Private property protection act adopted: SB 6201
- Regulatory takings of private property, owner or user right to compensation established, exceptions and alternatives set out: SB 6201
- Senate Bill 6201, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4434

Shoreline management act, compensation for landowners adversely affected by regulations adopted under: HB 1693

Shoreline master program, notice and compensation to landowners when property classified as natural or conservancy environment: HB 1694

Taking of private property, establishes a process to determine when a taking has occurred: HB 1334, SHB 1334

### **CONDOMINIUMS**

Binding site plans, revised provisions relating to: \*SSB 6042, CH 220 (1992)

Condominium act, revised provisions: \*SSB 6042, CH 220 (1992)

Declarants and declarations, revised provisions relating to: \*SSB 6042, CH 220 (1992)

Development rights, revised provisions relating to: \*SSB 6042, CH 220 (1992)

Real estate brokers managing association funds must comply with broker licensing requirements: HB 1540

Subassociations, delegation of powers to and exercise of powers by, conditions for: \*SSB 6042, CH 220 (1992)

Unit owners' associations, revised provisions relating to: \*SSB 6042, CH 220 (1992)

### **CONFIDENTIALITY (See PUBLIC DISCLOSURE)**

### **CONGRESS**

Pay raises to take effect only after following congressional election: HJR 4212

Terms, congress asked to propose a constitutional amendment limiting congressional terms to twelve years: HJM 4014

### **CONSERVATION**

Cities and towns authorized to issue revenue bonds to finance water conservation programs: HB 2561, \*SB 6028, CH 25 (1992)

Conservation futures, county may make additional levy for maintenance and operation of lands acquired as conservation futures: HB 2934

Counties authorized to issue revenue bonds to finance water conservation programs: HB 2561, \*SB 6028, CH 25 (1992)

Property tax, conservation futures, county may make additional levy for maintenance and operation of lands acquired as: HB 2934

### **CONSERVATION DISTRICTS**

Animal waste pollution, districts encouraged to contract with shellfish protection districts to control: \*SSB 6132, CH 100 (1992)

Animal waste pollution, districts to contract with county watershed protection districts to control: SSB 6132

Special assessment authority modified: \*HB 2371, CH 70 (1992)

### **CONSTITUTION, STATE**

Ballot titles and summaries of referendum bills and constitutional amendments, submission, notice, and appeal provisions: HB 2285

### **CONSTITUTIONAL AMENDMENTS (See JOINT RESOLUTIONS)**

**CONSUMER PROTECTION**

- Antifreeze, public health safety standards for sale, violation a misdemeanor: HB 2570
- Automotive repair, deceptive acts and practices prohibited and requirements established concerning estimates, parts return, charges, warranties, and recordkeeping: HB 2536, SHB 2536
- Bottled water, health and manufacturing standards established regarding bottled water: HB 2747, \*SHB 2747, CH 34 (1992), SSB 6015
- Charitable solicitations, regulation of charitable organizations and commercial fund raisers engaged in any fund raising activity or service: HB 2637, SHB 2637, SSB 6246
- Consumer and business dispute resolution act: HB 2126
- Consumer credit, joint select committee on consumer credit created, membership and duties: HB 2944
- Consumer dispute resolution centers, attorney general's duties: HB 2126
- Consumer report, failure to report to consumer or dissemination of personally identifying information without permission actionable under consumer protection act: HB 2730
- Credit transactions, joint select committee on consumer credit transactions created, membership and duties: HB 2944
- Dental prosthesis, removable, purchase agreement disclosure requirements and rights of purchaser to rescind transaction: HB 2971
- Denture services, dentist to disclose to purchasers price, materials used, and conditions for return of removable dental prostheses: HB 2002
- Discriminatory practices committed in the course of trade or commerce, unfair practices broadened to include all: SHB 1255
- Electronic equipment warranties, requirements: SHB 1399
- Explosives or deadly weapons, materials containing instructions for making, sale to minors prohibited: HB 2666
- Fire retardant requirements for mattresses, upholstered furniture, and furniture filling materials: HB 2318, SHB 2318
- Flood plain location of real property, conveyances must include statement, remedies: HB 2122
- Furniture, fire retardant requirements, exceptions: HB 2318, SHB 2318
- Going-out-of-business sales, advertising regulations: HB 2184
- Goods not considered solicited unless specifically requested: SB 6427
- Goods or services not considered solicited unless specifically requested: \*SB 6427, CH 43 (1992)
- Home owner association terms and conditions to be included in land developer's public offering statement with other required contents: \*SHB 1495, CH 191 (1992)
- Information delivery services, advertisement of, requirements: HB 1612
- Land development act applicable to developments of twenty-six or more lots, additional exemptions from compliance with act established: SHB 1495
- Land development, delivery of public offering statement to purchaser prior to closing of sale, contents requirements and penalties for violations established: \*SHB 1495, CH 191 (1992)
- Lease-purchase agreement act: HB 2299, \*SHB 2299, CH 134 (1992)
- Manufactured home installation by certified manufactured home installer required after July 1, 1993, certification requirements and procedures established, penalties set for violations: HB 2764, SHB 2764

- Manufactured homes, warranties, escrow provisions, and recovery fund created with respect to sales of manufactured homes: HB 2949, SHB 2949
- Mattresses, fire retardant requirements: HB 2318, SHB 2318
- Meat products, adulteration or misbranding, provisions revised: HB 2819, SHB 2819
- Mobile home landlord-tenant act violations constitute unfair or deceptive practices: HB 1337
- Mobile home parks, park owner prohibited from transferring maintenance responsibility for permanent structures to tenants: HB 2327, SHB 2327
- Motor vehicle liability insurance, failure to disclose availability of preferred risk plan to qualified applicant, unfair practice: HB 1575
- Nursing homes, refund of deposits or minimum stay fees required when resident's stay, at the daily rate, does not exhaust the deposit or fee: HB 2916
- Organic food certification, extension to handlers: HB 2502
- Organic foods, department of agriculture to establish list of approved substances in production, processing, and handling: HB 2502, \*SHB 2502, CH 71 (1992)
- Organic foods, labeling requirements: HB 2502, \*SHB 2502, CH 71 (1992)
- Paint and coating applicators, education, testing, and licensing requirements established, penalties set for violations: HB 2400, SHB 2400
- Pay-per-call services, regulation of: HB 1612
- Personally identifying information, dissemination without permission or failure to disclose consumer report to consumer actionable under consumer protection act: HB 2730
- Petroleum industry acquisitions and mergers, notice to and review by the attorney general: HB 1611
- Petroleum marketing practices, regulation of unfair practices: HB 1611
- Polyurethane foam, fire retardant requirements: HB 2318, SHB 2318
- Prizes, promotional advertising of, regulation of: HB 1227
- Public safety-related organizations solicitation of charitable contributions, identification of caller required, penalties: HB 2101
- Real property, flood plain location statement must be on conveyances, remedies: HB 2122
- Removable dental prosthesis, purchase agreement disclosure requirements and rights of purchaser to rescind transaction: HB 2971
- Retail installment sales, service charge not to exceed schedule or rate agreed to by contract: \*HB 2944, CH 193 (1992), SSB 6305
- Salmon, labeling by source and common name requirements: HB 2369, SHB 2369
- Tanning salons, registration requirements and business practice standards established: HB 2912
- Unsolicited goods, wares, merchandise, and services considered unconditional gifts: HB 2225
- Vision care consumer assistance act enacted to encourage competition in the optical industry: HB 2625
- Water, bottled, health and manufacturing standards established regarding bottled water: HB 2747, \*SHB 2747, CH 34 (1992), SSB 6015
- Weights and measures, consumer protection program to be funded by general fund and device inspections activities to be funded on a fee-for-service basis until office of financial management concludes study of: HB 2998, \*SSB 6483, CH 237 (1992)
- Weights and measures, revised provisions: \*SSB 6483, CH 237 (1992)

#### CONSUMER REPORTING AGENCIES

Information and sources contained in consumer report and list of persons receiving report, to provide to subject person upon written request, correction of errors procedures established: HB 2730

## CONTACT LENSES

Vision care consumer assistance act enacted to encourage competition in the optical industry: HB 2625

## CONTRACTORS

Certificate of competency program, advisory committee to assist department of labor and industries in developing and implementing: SHB 2608

Certificate of competency program, development and implementation of voluntary certification of general and specialty contractors program: HB 2608

Construction contractors, out-of-state contractors required to cover workers with state workers' compensation: HB 2372

Construction contracts, indemnity clauses, limitations on enforceability: HB 2087, SB 5566

Construction contracts, restrictions on allowable clauses regarding contractor liability insurance conditions: HB 2087, SB 5566

Construction liens, technical amendments to revised act: \*SB 6441, CH 126 (1992)

Educational seminar presented by department of revenue, attendance required for applicants for contractor license: HB 2965

Educational seminar presented by department of revenue, attendance required for contractor against whom tax warrant has been filed: SHB 2965

Electrical contractor licenses, unlawful practices, revised provisions: HB 2396, SHB 2396

Electrical contractors, information to be supplied in application for license, revised requirements: \*SHB 2686, CH 217 (1992)

Electrical utilities and contractors exempted from licensing requirements, conditions and limitations: HB 2053

Electrical utilities and contractors retained by utilities, journeyman electrician certificate not required for employee registered with or graduated from state-approved lineman apprenticeship course: \*HB 2053, CH 240 (1992)

Excise tax laws compliance within construction industry, department of revenue to study: SHB 2965

Fair pay act: SHB 1736

Improvements to real property, moneys to be held in trust for benefit of those making payment and those providing materials or labor: SHB 1736

Out-of-state construction contractors required to cover workers with state workers' compensation: HB 2372

Out-of-state, workers' compensation coverage in state of domicile required: HB 2686, SHB 2686

Public improvement contracts, moneys held in trust for payment of claims or taxes arising from contract: \*SHB 1736, CH 223 (1992)

Public improvement contracts, timely payment of subcontractor by contractor: \*SHB 1736, CH 223 (1992)

Public works, contractor's duty to pay subcontractors within ten days of receiving payment, interest penalties for failure to do so authorized: SB 6404

Public works, prompt payment requirements for public owners and for contractors established and remedies set for violations: SB 6404

- Public works, retainage of moneys in trust until completion of work of improvement: SB 6404
- Public works, retainage requirements revised in regard to amount, release, and placement of funds in interest bearing account or securities at contractor's request: SB 6404
- Registration or license application to include information on workers' compensation coverage including coverage in state of domicile for workers employed in Washington: \*SHB 2686, CH 217 (1992)
- Registration requirements, applicants for contractor license required to attend department of revenue educational seminar on law applicable to the contracting business: HB 2965
- Registration requirements, applicants for contractor license to receive information package on tax laws and reporting requirements, signed statement acknowledging receipt required: SHB 2965
- Registration, information seminar on laws and practices, department may require attendance as condition of: SHB 1207
- Registration, workers' compensation coverage in applicant's state of domicile required: HB 2686, SHB 2686
- Sales tax collection, contractors required to pay sales tax on all materials at time of purchase with deductions allowed when contractor collects tax from final consumer: HB 2966
- Tax reporting requirements, applicants for contractor license required to attend department of revenue seminar emphasizing: HB 2965
- Tax reporting requirements, applicants for contractor license to receive information package on, signed statement acknowledging receipt required: SHB 2965
- Women and minority businesses, requirements for the solicitation and employment of by contractors with first class cities: HB 2481, SHB 2481
- Work of improvement, retainage of moneys in trust until completion: SB 6404
- Workers' compensation coverage information required as part of application for registration or license including coverage in state of domicile for workers employed in Washington: \*SHB 2686, CH 217 (1992)

## CONTRACTS

- Construction contracts, restrictions on allowable clauses regarding contractor liability insurance conditions: HB 2087, SB 5566
- Cost of financing contracts included in state debt calculation: HB 1518
- Earned vacation time, payment for time not taken: HB 2377
- Employee noncompetition agreements, requirements to create enforceable agreement: SSB 5526
- Illegal activity, agreements, contracts, orders, and judgments in civil court proceedings concealing illegal activity prohibited, procedure to seek temporary or permanent restraint on disclosure established: HB 2881
- Lease-purchase agreement act: HB 2299, \*SHB 2299, CH 134 (1992)
- Municipalities, provisions revised: HB 2505, SHB 2505
- Personal services contracts between state agencies and legislators, approval procedures: SHB 1133
- Public improvement contracts, moneys held in trust for payment of claims or taxes arising from contract: \*SHB 1736, CH 223 (1992)

- Public improvement contracts, timely payment of subcontractor by contractor: \*SHB 1736, CH 223 (1992)
- Public improvement, retainage held in trust for claims arising under contract: HB 2659, SHB 2659
- Public works, contractor's duty to pay subcontractors within ten days of receiving payment, interest penalties for failure to do so authorized: SB 6404
- Public works, prompt payment requirements for public owners and for contractors established and remedies set for violations: SB 6404
- Public works, retainage of moneys in trust until completion of work of improvement: SB 6404
- Public works, retainage requirements revised in regard to amount, release, and placement of funds in interest bearing account or securities at contractor's request: SB 6404
- Public, "timely payment" defined: \*SHB 1736, CH 223 (1992)
- Public, construction contract action, award to prevailing party of attorneys' fees: \*SB 6407, CH 171 (1992)
- Public, interest rate of one percent per month payable on amounts due when public body fails to make timely payment: \*SHB 1736, CH 223 (1992)
- Public, withheld payments for unsatisfactory performance or failure to meet contract requirements: \*SHB 1736, CH 223 (1992)
- Retail installment contracts, service charge of one and one-half percent per month may be charged on balances for contracts entered into between July 1, 1992, and July 1, 1994: HB 2944
- Retail installment sales, service charge not to exceed schedule or rate agreed to by contract: \*HB 2944, CH 193 (1992)
- Sales representatives and principals, regulation of contractual relationship between representatives and principals including payment of wages and commissions: \*SSB 6120, CH 177 (1992)
- Sales representatives, principal's obligations for commission payment: SSB 6120
- School district officers in second class districts with fewer than 200 students, authority to hire spouse of officer as certificated or classified employee, conditions: HB 2559
- School district officers in second class districts, authority to hire spouse of officer as substitute teacher when board has found there to be a shortage of substitute teachers in district: HB 2559
- School district officers, contract with officer's spouse for certificated or classified employment, conditions: HB 2559
- State, personal services contracts, approval by office of financial management required before contracts become binding: SHB 1133
- State, personal services contracts, review and approval procedures: SHB 1133
- Work of improvement, retainage of moneys in trust until completion: SB 6404

## **CONTROLLED SUBSTANCES (See DRUGS)**

## **CONVENTION AND TRADE CENTERS**

- Convention, tourism, and economic development promotions, business and occupation tax exemption for payments and contributions by public entities to nonprofit corporations for: HB 1898, SB 5661
- State, parking garage revenue note issued to Industrial Indemnity company, appropriation to partially refund note obligations: HB 2930, \*SB 6457, CH 4 (1992)

Tri-cities trade, recreation, and agriculture center, appropriation for the development of, matching requirements established: HB 2783

### **CORPORAL PUNISHMENT**

Prohibited in schools: HB 1528

Schools required to adopt policy prohibiting: HB 1159

### **CORPORATIONS**

Corporate ownership transfers subject to excise tax, exceptions: HB 2223

Employee cooperative corporations, revision of bylaws, revised provisions: HB 1708

Liquor licenses, corporation ineligible for license if back taxes remain owing from defunct corporation holding a liquor license in which any current officer, director, or shareholder was an officer or director: HB 2843, SHB 2843

Nonprofit corporations incorporated by state authorized to joint interlocal cooperation agreements: HB 2269

Professional services corporation, revised requirements relating to corporate name of: SSB 6063

Publicly held corporations to file annual information return with department of revenue disclosing excise taxes due and taxes paid: HB 2222

Transfers of corporate ownership subject to excise tax, exceptions: HB 2223

Unemployment compensation, exclusion of corporate officers from eligibility for benefits, revised provisions: SSB 6063

Violation of agency law, rule, or order, corporation given reasonable opportunity to correct in lieu of penalty, exceptions: HB 2234

### **CORRECTIONS, DEPARTMENT**

Boot camp pilot program for first-time offenders, duties: HB 1433

Budget, needs assessment of populations served by the department to be included in budget document: HB 2907

Collective bargaining, additional employees of the division of prisons authorized to participate in: SHB 1913

Community placement, inmate to report residence location and living arrangements to department during period of: HB 2267, SHB 2267

Community placement, sex and violent offenders required to obtain department approval of living arrangements and residence location during period of: \*SHB 2490, CH 75 (1992)

Correctional facilities, correction of references to state correctional facilities: HB 2263, \*SHB 2263, CH 7 (1992)

Criminally insane, clarification of references to responsibilities of departments and corrections officers regarding criminal procedure for the: HB 2265

Early release time, completion of high school required before early release time can be taken, conditions and exceptions: HB 1962

Electronic monitoring, day reporting, and telephone reporting, offender to pay cost of services rendered when able to do so: HB 2266

Harassment, department required to notify the victim and law enforcement of release from prison or mental hospital of person who was charged or convicted of felony harassment: \*SHB 2702, CH 186 (1992)



- Health care coverage for corrections employees who are retired early from an on the job injury, state to pay full cost of premiums: HB 2770, SHB 2770
- Incarceration costs, obligation of inmate to pay, assessment and collection procedures: HB 1685
- Inmate transition training program established: HB 2203
- Inmate work programs, operation and management of employer model and customer model free venture industries, revised provisions: HB 2268, \*SHB 2268, CH 123 (1992)
- Inmate work programs, wage standards for inmates working in tax reduction industries and community work industries, revised provisions: HB 2268, \*SHB 2268, CH 123 (1992)
- Mental disorders, community supervision alternative for offenders with, conditions and procedures established: HB 2847
- Mentally disordered offenders, sentencing guidelines commission to identify and suggest appropriate sentencing options for, departmental cooperation in study: SHB 2847
- Offender financial obligations monthly payment, notice and issuance of order, responsibilities: HB 1373
- Prison industries, twenty-five percent participation in class I and II industries to be achieved by December 30, 1996, and fifty percent participation by December 30, 1998, application of inmate wages to incarceration costs: SHB 2834
- Prisons division, additional employees of the division authorized to participate in collective bargaining: SHB 1913
- Residence location and living arrangements, inmate required to report to department of corrections while in period of community placement: HB 2267, SHB 2267
- Retirement, early retirement for eligible employees: HB 1077
- Sex and violent offenders required to obtain department approval of living arrangements and residence location during period of community placement: \*SHB 2490, CH 75 (1992)
- Sexual offenders, notice to be given police chief prior to release when future residence unknown, requirements: \*SHB 2262, CH 45 (1992)
- Sexual offenders, notice to be given to sheriff and state patrol prior to release when future residence unknown, requirements: HB 2262, \*SHB 2262, CH 45 (1992)
- Sexually violent predator, notice to prosecuting attorney of anticipated release of, requirements: HB 2262, \*SHB 2262, CH 45 (1992)
- Special services for offenders, offender to pay for services when financially able to do so: HB 2266
- Subsistence account to be used for expenses upon release, portion of prison earnings to be deposited in: SSB 6125
- Transition training program for inmates established: HB 2203
- Whereabouts of inmate during period of community placement to be reported to department of corrections: HB 2267, SHB 2267

## **COSMETOLOGY**

- Managers of salon/shops, revised licensing requirements: HB 2286
- Out-of-state cosmetologists, barbers and manicurists, licensing requirements: HB 1321
- Vocational student, redefinition for purposes of cosmetology: HB 2737

## **COUNSELORS AND COUNSELING**

- Families of homicide victims, counseling provided: \*SSB 6174, CH 203 (1992)

Family violence counselors, certification requirements: HB 1882, SHB 1882  
 Homicide victims, counseling provided for families: \*SSB 6174, CH 203 (1992)  
 Homicide victims, families of homicide victims to receive counseling benefits: HB 2034,  
 HB 2255  
 Registration requirements, termination provisions repealed: HB 2467  
 Vocational rehabilitation counselors, workers' compensation program, selection criteria: HB  
 1160

## COUNTIES

Administrative procedure act, local regulators bear burden of proof for reason for state  
 standards variance: HB 2136  
 Affordable housing provision to be part of growth management planning: SHB 1672  
 Affordable housing, zoning variance to allow second-family residential units on existing  
 single-family lots, conditions: SSB 5810  
 Aliens, restrictions on ownership of agricultural, forest, or mineral land designated by cities  
 and counties under chapter 36.70A RCW: HB 2607  
 Annexation, notice to residents and landowners within and in proximity to proposed  
 territory, requirements: HB 2803  
 Bidding practices for municipalities revised: HB 2505, SHB 2505  
 Boundaries, current and accurate information to be provided to county auditor and secretary  
 of state: SHB 1209  
 Boundary review board, abolishment in county when specified conditions occur: SHB 1015  
 Boundary review board, decisions to be consistent with growth management act  
 requirements: HB 2824  
 Building codes, residential buildings moved into or within city or county not required to  
 meet all building code requirements if occupancy classification of building is not  
 changed: HB 2673, \*SHB 2673, CH 79 (1992)  
 Building codes, stand-alone ordinances, submission to building code council for review: HB  
 1969, SB 6402  
 Burial benefits of indigent veterans increased: HB 2117  
 Burial-transit permit issuance by registrar allowed before death certificate completed: HB  
 2300  
 Capital projects funded from real estate excise tax to be identified in city or county budget  
 where it is to be indicated that tax is intended to be in addition to other available  
 funds: \*SB 6408, CH 221 (1992)  
 Capital projects, limitations on use of revenues from real estate excise tax to finance capital  
 projects revised: \*SB 6408, CH 221 (1992)  
 Charters, constitutional amendment to provide alternative method of framing: HJR 4201  
 Child care facilities and services, impact fees may be imposed on new development to pay  
 proportionate share of costs for new: HB 2713  
 Citizens' review of local government, process established: HB 1017  
 Civil service commission, counties authorized to compensate members of: HB 1140  
 Claims against local governmental entities, requirements: HB 2499, SHB 2499  
 Collection agencies, assignment of public debts for collection: HB 2652  
 Collective bargaining, correctional employees and radio dispatch personnel included in  
 definition of "uniformed personnel": SHB 1959  
 Commissioner office vacancy, nomination procedures revised: SJR 8231  
 Community corrections boards, renamed local law and justice councils: SHB 1199

- Community corrections offices, notice to local government of intent to site, contents of notice and local government response requirements: HB 2613
- Community councils; formation in unincorporated areas authorized: HB 1009
- Commuting, reduction of single occupant vehicle commuting, duty of local governments to plan and implement: HB 1754
- Comprehensive flood control management plan, advisory committees to assist in development, authorized: SHB 1490
- Comprehensive flood control management plan, counties may adopt for any drainage basin in the county: SHB 1490
- Comprehensive plans, land use element to contain jobs-housing balance comparison and assessment of whether housing is affordable to workers: HB 2962
- Comprehensive plans, land use element to provide for a range of housing types and county plans to include urban growth areas: HB 2962
- Conservation districts, special assessment authority modified: \*HB 2371, CH 70 (1992)
- Conservation futures, county may make additional levy for maintenance and operation of lands acquired as conservation futures: HB 2934
- Contracts, interest rate of one percent per month payable on amounts due when public body fails to make timely payment: \*SHB 1736, CH 223 (1992)
- Correctional employees and radio dispatch personnel, included in definition of "uniformed personnel" for collective bargaining: SHB 1959
- County research services account created to fund government research and services: HB 2338, SHB 2338
- Criminal justice programs, superior court revenues from fines may be retained by local jurisdiction for: HB 2343
- Criminal justice purposes, authority to impose additional tax for criminal justice purposes in larger counties east of the Cascades: HB 1980
- Criminal penalties set by cities and counties to be the same as those set by state law: SHB 1186
- Criminal penalties, consideration of possible exceptions to state preemption of local penalties, study authorized: HB 1785
- Critical areas, county development regulations to minimize costs of conformance with regulations for: HB 2716
- Day care facilities, local government zoning regulations and siting of facilities, survey and recommendations urged: HJM 4041
- Deputy sheriffs may practice law, conditions: \*HB 2368, CH 225 (1992)
- Desert Shield, health and retirement coverage continued for employees called to active service: HB 1359, SSB 5092
- Development regulations, county to minimize costs of conformance with regulations for critical areas: HB 2716
- Disabled infants and toddlers, early intervention services for, health department duties: SHB 1090
- Domestic violence, technical assistance grants to develop comprehensive county plan for dealing with: HB 1741
- Early childhood interagency coordinating councils, membership and duties: HB 1090
- Early intervention services for infants and toddlers with disabilities, health department duties: SHB 1090
- Economic development related projects of regional or state significance, identification and requests for assistance: HB 2676, SHB 2676

- Economic values, consideration in the rulemaking and ordinance making process, department of trade and economic development to conduct study to ensure that appropriate consideration is given to: HB 2901
- Elected officials, campaign finances disclosure report required: HB 2805
- Electrical substations, procedures for obtaining permit to locate: SHB 1198
- Energy facilities to comply with local government comprehensive plans and development regulation: HB 2653
- Energy facility site certification, applicant to furnish information requested by county: HB 2174
- Energy facility site certification, applicant to pay county's cost of processing: HB 2174
- Environmental impact statements, threshold determination on completed application to be made within ninety days although applicant may request an additional thirty days for determination: \*SSB 5728, CH 208 (1992)
- Excise tax on motor vehicle rental or lease, county may impose tax to finance all or part of cost of maintaining and operating a public sports stadium facility: HB 2982
- Fair share housing responsibilities of cities and unincorporated areas, department to establish process for determining and reporting of progress towards meeting of: HB 2962
- Fair share housing, cities and counties planning under growth management act, responsibilities in the promotion of: HB 2962
- Family court and family court services expanded, revised provisions, county duties: SHB 2155
- Family day-care provider, home is permitted use in all areas zoned for residential or commercial purposes: HB 2674, SHB 2674
- Fire protection standards for high or extreme hazard areas as determined by department of natural resources, duty to adopt by ordinance or resolution, required elements: SHB 2519
- Fire protection, regional fire defense boards created, membership and duties: \*SHB 2937, CH 117 (1992)
- First-time homebuyers, county may provide loans and financial assistance, conditions: HB 2115
- First-time homebuyers, county moneys and credit used to assist, constitutional amendment to allow: HJR 4236
- Gambling tax proceeds, restriction on use removed: HB 1809
- Gambling tax, fifty percent of revenue from local government taxation of gambling to go to gambling related law enforcement activities: HB 2919
- Game violations, counties electing property tax in lieu payments on game land to pay state all game violation moneys: HB 2564
- Geographic information systems, authority to recover costs of building and maintaining systems: SHB 1752
- Geographic information systems, joint development and use contracts authorized: SHB 1752
- Growth management act, boundary review board actions to be consistent with requirements of: HB 2824
- Growth management act, counties and cities encouraged to balance the goals of protecting the environment and protecting private property rights when designating critical areas: HFR 4742

- Growth management act, county with population under one hundred thousand allowed to discontinue planning: HB 2820, SB 6448
- Growth management act, county with population under two hundred thousand allowed to discontinue planning: SB 6448
- Growth management act, goals to be considered in boundary review board decisions: HB 2804
- Health care facilities, chaplain employment by county, constitutional amendment to allow: SHJR 4216
- Health department, early intervention services for infants and toddlers with disabilities, duties: SHB 1090
- Historic places, designation of, designating agency or official must obtain written consent of the property owner to designation or, for existing designations, to continue designation: HB 2849
- Hospitals, appointment of trustees to county hospital boards of trustees, revised provisions: HB 2771, SHB 2771
- Hospitals, six-year capital plan to be submitted to county legislative authority annually: HB 2771, SHB 2771
- Housing replacement fee, imposition on development activity that involves demolition of low-income housing authorized: HB 2962
- Housing, financial assistance to moderate-income, first-time homebuyers, authority to provide assistance: HB 2484
- Impact fees may be imposed on new development to pay proportionate share of costs for new child care facilities and services: HB 2713
- Impact fees, effect on ability of median-income wage earners to afford housing, economic impact analysis to be conducted before adoption of impact fee ordinance, limit on amount of fee imposed: HB 2902
- Impact fees, limit on amount of fee that may be imposed: HB 2902
- Impact fees, new growth and development may pay proportionate share of cost of new child care facilities and services needed as result of growth: HB 1476
- Impact fees, remodeling or replacement of existing residence exempt from: HB 2557
- Impaired air quality, first or second stage, quantitative evidence required to call in county of forty thousand or less: HB 1630
- Improper governmental action, local government employee's right to report acts of, reporting procedures policy to be adopted, retaliatory actions prohibited, adjudicative proceedings may be sought for relief from: HB 2976
- Indigent defense costs, limits on county responsibility for expenses, state to pay excess: HB 1375
- Industrial developments, process for approval of proposed siting of major industrial developments under growth management act: SHB 2785
- Industrial developments, requirements for approval of proposed siting of major industrial developments under growth management act: HB 2785
- Interlocal agreements, revised provisions relating to filing, approval, scope, and form of agreements: \*SHB 2495, CH 161 (1992)
- Inventory of lands and buildings that might be sold, leased, or exchanged for the development of affordable housing: HB 2484
- Jail industries, comprehensive work programs for inmates: HB 2334, SHB 2334
- Jail industries, inmate compensation for work in: HB 2334, SHB 2334

- Jail industries, state-wide board of directors to develop guidelines and provide technical assistance for implementing: HB 2334, SHB 2334
- Jails, exemption of residences near jails from county property tax levy: HB 1101
- Land purchase by state agency of more than one hundred acres in one county, three public hearings to be held prior to purchase and written finding of economic effect of purchase to be made: HB 2707
- Land use proposals, local government to notify private property owners of proposals, contents of notice and standing to contest action provisions established: HB 2717
- Law and justice councils, creation of local council authorized to develop local law and justice plan: SHB 1199
- Law libraries, filing fee amount deposited in library fund for each superior court or district court filing increased: \*SHB 1378, CH 54 (1992), HB 2997
- Law libraries, governance and maintenance of, revised provisions relating to: HB 2284, \*SHB 2284, CH 62 (1992), HB 2997
- Library board of trustees, membership: HB 2342
- Locomotive bells and whistles, certain counties allowed to adopt ordinance restricting the ringing of bells and sounding of whistles at certain railway crossings: HB 2789, SSB 6353
- Lodging tax, rate of special excise tax on lodging raised from two to three percent: HB 2799
- Lodging tax, use for special events or festivals and promotional infrastructures authorized: \*SB 6452, CH 202 (1992)
- Low-income housing, city, town, and county assistance in development or preservation of, revised provisions: HB 2962
- Low-income housing, imposition of housing replacement fee on development activity that involves demolition of low-income housing authorized: HB 2962
- Mental health programs, department of social and health services and state hospitals to provide support services for: SB 6318
- Mental health regional support networks, funding for programs that provide periods of stable community living: SB 6318
- Mental health regional support networks, savings from reduction in use of state-reimbursed hospitals to be retained by network: SB 6318
- Metropolitan municipal corporation function, assumption by county, revised provisions: SHB 1927, HB 2830
- Moratoria or interim zoning, state standards established to minimize impacts and avoid litigation: HB 2051, SSB 5727
- Motor vehicle license fees, exemption for persons qualifying for senior citizen property tax exemption: SHB 2660
- Motor vehicle licensing fees, county may exempt senior, low-income, and disabled persons from county licensing fee: HB 2619
- Motor vehicle rental or lease, county may impose tax for financing all or part of cost of maintaining and operating a public sports stadium facility: HB 2982
- Motor vehicle title and registration fees, reimbursement of county for operational losses in collecting fees: HB 2024, SHB 2024
- Municipal research council duties expanded to include contracting for county research services: HB 2338, SHB 2338
- Nonresident property owners, authorization to vote in local nonpartisan elections when owning property within that government's boundaries: HB 2952

- Officials, reimbursement provisions revised: HB 2809
- Oil transmission lines, applicant to pay county costs of site application process, procedure: HB 2654
- Oil transmission lines, applicants to pay all costs incurred by city or county for activities related to site application process, city or county to submit quarterly statement of expenses: HB 2970
- Oil transmission lines, applicants to pay twenty-five thousand dollars to county for activities related to energy facility site evaluation process in specified situations: SHB 2970
- Oil transmission lines, siting and regulation to comply with local government planning and control: HB 2653
- Open space corridors not to include private land unless interest is acquired to prevent development and control resource management: SB 6401
- Open space corridors, identification of corridor not to restrict authorized development, uses, and management of private property in corridor unless county acquires sufficient interest to prevent or control development: SB 6401
- Open space corridors, identification of corridor not to restrict use or management of lands in corridor for agricultural or forest purposes unless county acquires sufficient interest to prevent control or development: \*SB 6401, CH 227 (1992)
- Ordinance making, moratorium imposed on ordinances increasing the cost of housing imposed if process does not include provisions for consideration of economic values: HB 2901
- Park lands, sale of closed state park lands to city or county for one dollar, reversionary interest to be reserved in conveyance: HB 2978
- Pesticide regulation, local regulation of pesticides prohibited except as expressly authorized by legislature: SB 6273
- Political parties, county central committee chair and vice-chair need not be of opposite sexes: HB 2658
- Port districts, creation of less than county-wide district authorized in county bordering on saltwater which already has such a district, procedures established: \*HB 2287, CH 147 (1992)
- Private property protection act adopted: SB 6201
- Private property, county actions impacting value or use, notice requirements: HB 2669
- Private property, county actions impacting value or use, standing to contest action: HB 2669
- Property tax, assessed value of owner-occupied residence reduced below true and fair value: HB 2239
- Property tax, assessment and collection of, revised provisions: HB 1994
- Property tax, conservation futures, county may make additional levy for maintenance and operation of lands acquired as: HB 2934
- Property tax, counties electing in lieu payments on game land to pay state all game violation moneys: HB 2564
- Property tax, department of wildlife lands exempt from taxes in lieu of property taxes: HB 2565
- Property tax, exemption of residences near jails from county levy: HB 1101
- Prosecuting attorneys salary increase, state to reimburse county for additional costs incurred: HB 1848
- Public disclosure, elected officials' campaign finances report required: HB 2805

- Public facilities, authority to contract with developer for construction or improvement of facilities with partial financing from public funds: HB 2280
- Public works, award of contract for, criteria for making award, revised provisions: HB 2409, SHB 2409
- Public works, contract bids to include costs for industrial insurance, unemployment compensation, and workers' compensation, action for damages by second lowest bidder authorized: SHB 2414
- Public works, lowest responsible bidder, additional criteria for determination of: SHB 2409
- Purchase or exchange of tax-paying parcel of land, requirement that county receive property of equal or greater tax value: HB 1967
- Radio antennas, amateur, city and county ordinances must conform to limited federal preemption contained in federal communications commission guidelines: HB 2781
- Radon testing requirements for new single and multifamily residences at the time of final inspection, building inspector's duties: HB 2690, SHB 2690, \*SSB 6386, CH 132 (1992)
- Real estate excise tax to fund capital facilities, county must adopt comprehensive plan under growth management act before imposing tax for: HB 2700
- Real estate excise tax, cities and counties authorized to use for financing capital facilities only if growth management plan and regulations enacted: SB 6408
- Real estate excise tax, city or county budget to identify capital projects funded from tax and to indicate that tax is intended to be in addition to other available funds: \*SB 6408, CH 221 (1992)
- Real estate excise tax, limitations on use of revenues from tax for financing capital projects revised: \*SB 6408, CH 221 (1992)
- Recycling incentive rates, citizens transporting to recycling facility to receive identical incentives with collection customers: SHB 1947
- Regional transit authority, authority of certain counties to establish, governance, financing, powers, and duties of authority: \*SHB 2610, CH 101 (1992)
- Regulatory takings of private property, owner or user right to compensation established, exceptions and alternatives set out: SB 6201
- Rental cars, counties imposing local motor vehicle excise tax authorized to impose a sales and use tax at a rate equal to the motor vehicle excise tax with revenues distributed in the same way: HB 2964, \*SHB 2964, CH 194 (1992)
- Research services, municipal research council duties expanded to include contracting for county research services: HB 2338, SHB 2338
- Residential buildings moved into or within city or county not required to comply with all building code requirements if occupancy classification of building not changed: HB 2673, \*SHB 2673, CH 79 (1992)
- Revenue bonds, authority to issue to finance water conservation programs: HB 2561, \*SB 6028, CH 25 (1992)
- Revenue bonds, second phase reform of procedures by which governments issue and sell bonds, repeal of conflicting separate procedures: HB 2288
- Road equipment, purchase authorized from lowest and best bidder, exception, penalties: HB 1791
- Roads, authority to contract with developer to construct or improve roads with partial financing from public funds: HB 2280
- Roads, owners of property near road authorized to petition for its vacation: HB 1578



- Sales and use tax equalization account, additional distribution in place of department of wildlife in-lieu tax distribution: HB 2520, SHB 2520
- Sales and use taxes, authority to impose additional tax for criminal justice purposes in larger counties east of the Cascades: HB 1980
- Saltwater tidelands within boundaries, watershed protection districts and programs to protect shellfish authorized: HB 2363, SHB 2363, SSB 6132
- Second Substitute Senate Bill 6255, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4436
- Self-insurance programs, health and welfare benefits provisions, regulations: HB 2127
- Senate Bill 6201, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4434
- Service agreements, meeting required to consider establishment of local government service agreements in counties with one hundred thousand or more in population: SHB 1015
- Sewer systems, city authority to compel county residents, with county approval, to hook up to city systems: HB 1654, SHB 1654
- Shellfish protection districts, creation and operation of district, revised procedures and deadlines, powers of county legislative authority revised: \*SSB 6132, CH 100 (1992)
- Shellfish protection districts, fees, charges, and rates, authority of county legislative authority to fix, alter, and control, confined animal feeding operations and other facilities exempted from: \*SSB 6132, CH 100 (1992)
- Shellfish tidelands, plans and programs to protect: HB 2363, SHB 2363, \*SSB 6132, CH 100 (1992)
- Sludge, county may prohibit, on a permit-by-permit basis, the use of municipal sewage sludge: HB 2640
- Small businesses, department of trade and economic development to conduct study of administrative rules and local ordinances affecting: HB 2901
- Small works rosters, process for municipalities to award contracts on works estimated to cost less than one hundred thousand dollars: HB 2505, SHB 2505
- Small works rosters, uniform process for municipalities to award contracts under: SHB 1681
- Solid waste collection and regulation authorized, rate regulation may be delegated to utilities and transportation commission: HB 2099
- Solid waste disposal compliance, funding: HB 1553
- Solid waste handling system, residents may be required by county to use system: HB 2099
- Solid waste imported into county, county legislative authority authorized to impose a fee on: HB 2960
- Special election held during month of presidential preference primary to be set for the same day as the primary election: HB 2402, SHB 2402, \*SB 6213, CH 37 (1992)
- Special elections held in conjunction with general election, resolutions to be submitted sixty-five days before: HB 1592
- Sports franchises, cities, code cities, and counties authorized to own an interest in a professional sports franchise: HB 2722, SHB 2722
- Sports stadium facilities, county may impose tax on motor vehicle rental or lease to finance all or part of cost of maintaining and operating a public facility: HB 2982
- State park lands, parks and recreation commission authorized to sell closed park lands to city or county, reversionary interest to be reserved in conveyance: HB 2978

- State wildlife and recreation lands management, task force to report on funding needed to assist counties with local service to protect state-owned lands: \*SHB 2594, CH 153 (1992)
- Superior court, reimbursement to county for costs of transfer of jurisdiction of offenders from indeterminate sentence review board to sentencing court: SHB 2834
- Tax foreclosed property, sale by private negotiation, when authorized: HB 2271, SHB 2271
- Television reception improvement districts, board membership: \*SB 6444, CH 150 (1992)
- Tires, studded tires, counties may impose fee on retail sales of studded tires: SHB 1154
- Townships, organization of a county into, revised procedures and repeal of former provisions: HB 2075
- Transit authority entitled to share of penalties collected from violators cited by transit security personnel: HB 2577
- Transit security personnel given full police powers, training requirements: HB 2577
- Transit services, desirable land use patterns to be expressed in six-year transit development and financial program: HB 2940
- Transit services, six-year transit development plan to address land-use patterns and state-wide transit goals and policies: SHB 2940
- Transit, authority of certain counties to establish regional transit authority, governance, financing, powers, and duties of authority: \*SHB 2610, CH 101 (1992)
- Underground storage tanks, state financial assistance to owners and operators, application procedures: SHB 2114
- Vacancies in offices, constitutional amendment to revise provisions to fill: HJR 4227
- Vacation of roads, owners of property near road authorized to petition for: HB 1578
- Veterans, burial benefits of indigent increased: HB 2117
- Vital records, registrar authorized to issue burial-transit permit before death certificate completed: HB 2300
- Waste transportation, minimum fees imposed on load without cover, duty to adopt ordinance: HB 2397, SHB 2397
- Water conservation programs, authority to issue revenue bonds to finance: HB 2561, \*SB 6028, CH 25 (1992)
- Water conservation programs, cities and counties authorized to issue bonds to finance: SHB 2561
- Water conservation, evaluation of delivery rate structures to encourage: SHB 2629
- Water resources utilities, authority and procedures for establishing, functions of utility: HB 1970
- Water rights, reservation by counties, issuance of permit and protection of senior water rights and minimum flow levels, revised provisions: HB 2407
- Water well construction enforcement authority, delegation to local government agencies authorized: HB 2796, \*SHB 2796, CH 67 (1992)
- Watershed financial assistance program created in department of ecology to assist counties to form and implement watershed protection districts: HB 2363, SHB 2363
- Watershed financial assistance program created in department of ecology, qualifications for grants and loans: SSB 6132
- Watershed protection districts to contract with conservation districts to control animal waste pollution: SSB 6132
- Watershed protection districts, creation, abolition, powers, and funding provisions and procedures established: HB 2363, SHB 2363

- Watershed protection programs, financing options including county taxes, fees, bond issues, and a high priority for state financial assistance, limitations on charges and fees to confined animal feeding operations: SHB 2363
- Wetlands, criteria in United States army corps of engineers delineation manual to be used to designate and regulate: SB 6254
- Wetlands, inventory map of land to be prepared before adopting development regulations, notice requirements: 2SSB 6255
- Whistleblowers, policy and procedures for reporting improper governmental action: \*SSB 6321, CH 44 (1992)
- Whistleblowers, retaliatory action against employee who provides information in good faith prohibited, adjudicative hearing procedures: \*SSB 6321, CH 44 (1992)
- Whistleblowers, right of city employee to report improper governmental conduct, reporting procedures policy to be adopted, retaliatory actions prohibited, adjudicative proceeding may be sought for relief from: HB 2976
- Wildland/urban interface areas, duty to adopt fire protection standards for high or extreme hazard areas by ordinance or resolution, required elements: SHB 2519
- Wildlife department, lands exempt from taxes in lieu of property taxes: HB 2565
- Youth offender discipline program to provide intensive educational, physical, and rehabilitative program for appropriate children: SHB 2466
- Zoning, adoption of moratorium or interim zoning map, ordinance, or official control, requirements concerning public hearings, findings of fact, and effective period: \*SSB 5727, CH 207 (1992)
- Zoning, family day-care provider's home is permitted use in all areas zoned for residential or commercial purposes: HB 2674, SHB 2674

## COUNTY ASSESSORS

- Assessment of new construction or remodelled owner-occupied homes: HB 2166, HB 2178
- Assessment of real property exclusive of structures, calculation to average sales within the four-year evaluation cycle: HB 2699
- Assessment rolls, corrections involving revaluation of property, conditions to be met in order for correction to be made: HB 2925, SHB 2925
- Assessments to be at lesser of true value or most recent assessment plus six percent annually: HB 2166, HB 2178
- Averaging of large property valuation increases over four year period, revised assessment procedures: HB 2067
- Averaging of large property valuation increases, revised assessment procedures: SHB 1300, HB 2182
- Building permits, duty of county assessor to verify that all necessary building permits have been issued: HB 2494
- Forest land classification withdrawal or removal, notice requirements: HB 1823, HB 2330, \*SHB 2330, CH 52 (1992)
- Low-income housing, current use valuation of: HB 1225
- Omitted assessments on property, interest and penalties to be paid if property was omitted because taxpayer failed to get building permit or knowingly failed to inform assessor of omission: SHB 2324
- Omitted assessments on property, one year waiver of penalty and interest removed: HB 2324

- Open space lands, classification and current use valuation of, revised definitions and procedures: HB 2928, \*SHB 2928, CH 69 (1992)
- Open space lands, farm and agriculture conservation land category created and eligibility requirements established: HB 2928, \*SHB 2928, CH 69 (1992)
- Property tax, assessed value of owner-occupied residence reduced below true and fair value: HB 2239
- Property tax, assessment and collection of, revised provisions: HB 1994
- Reduction in property values or highest and best use as the result of government action to be considered in computing property value: HB 2312
- Revaluation of real property annually, duties in development of implementation plan for: HB 2924
- Revaluation of real property to be conducted annually beginning no later than January 1, 1999: HB 2924
- Valuation of owner-occupied residential property on change of ownership: HB 1026
- Wetlands, land designated as or that may be subject to regulation as wetland, revaluation request: 2SSB 6255

#### COUNTY AUDITORS

- Absentee voter records, address disclosure of actual or threatened victim of domestic violence prohibited, conditions: HB 2156
- Absentee voting, establishment of satellite offices for absentee voting authorized: HB 1697
- Building permits for construction or alteration work in excess of five hundred dollars, copy to be transmitted to auditor in county where property is located: HB 2494
- Candidacy residency requirement, duties: HB 1516
- Certificate of occupancy issued on completion of construction or alteration work on residential building, copy to be transmitted to auditor in county where property is located: HB 2494
- Election audit, duties: HB 1711
- Election costs, determination of proportionate basis for allocation of election costs, revision of formula for establishing share: HB 2469
- Election policies, procedures, and practices, review by election review staff of secretary of state's office: HB 2319, \*SHB 2319, CH 163 (1992)
- Elections assistants or deputies, qualifications and appointment: HB 2319, \*SHB 2319, CH 163 (1992)
- Federal tax liens on real property, recording duties, auditor to bill internal revenue service or other federal agency monthly for document filing fees: \*HB 1185, CH 133 (1992)
- Licensing department agents, appointment as, standard contract with department, disclosure of costs and revenues: HB 2023
- Motor vehicle licensing activities, counties that do not cover expenses of conducting may submit request to department of licensing for cost-coverage moneys with payment to be made from licensing services account: \*SHB 2643, CH 216 (1992)
- Motor vehicle licensing activities, department of licensing to define and standardize allowable costs that counties may charge to: \*SHB 2643, CH 216 (1992)
- Motor vehicle licensing activities, department to develop procedures to standardize and prescribe allowable costs for auditors and subagents: HB 2643

- Motor vehicle licensing agents and subagents, director to provide standard contracts containing minimum provisions to appointee as agent or subagent: HB 2643, \*SHB 2643, CH 216 (1992)
- Motor vehicle licensing fees, revision of amounts to be collected by agents and subagents and of remittance procedures: HB 2643, \*SHB 2643, CH 216 (1992)
- Motor vehicle licensing subagents, auditor may request the director of licensing to appoint subagents in the county, procedure established for soliciting vendors to be submitted for appointment: \*SHB 2643, CH 216 (1992)
- Name change orders, district court to collect fee for filing and transmit fee and order to auditor for filing and recording: \*SSB 6135, CH 30 (1992)
- Process servers, registration procedures: \*SHB 2370, CH 125 (1992)
- Property tax, waiver of delinquent tax interest and penalties when mortgage lien removed but county has not notified owner of taxes owed: HB 2326, SHB 2326
- Subagents, motor vehicle licensing and permit fees collected by, rate adjustment: HB 2160
- Tax appeals, filing of appeal to state board of tax appeals, timely filing of appeal, revised provisions: HB 2955
- Training and education programs for elections administration personnel required: HB 1711
- Vote by mail primary or special election may be held under specified conditions, voting and canvassing procedures established: SHB 1501
- Voter registration by mail, duties: HB 1310, SHB 1310
- Voter registration, fraudulent documents or false information, registrar notice to applicant that use is class C felony: HB 2875, 2SSB 6364
- Voter registration, precinct identification card not valid for identification purposes: HB 2875, 2SSB 6364
- Voters' pamphlet arguments, to appoint committees to prepare local pamphlet arguments: HB 1594
- Voting by mail, auditor may determine if nonpartisan special election may be conducted by mail in precincts with less than two hundred voters: SHB 1501

## COUNTY CLERKS

- Process servers, registration procedures: HB 2370, SHB 2370

## COUNTY COMMISSIONERS

- Boundary review boards, county may waive review of water and sewer extensions by: HB 2507, \*SSB 6085, CH 162 (1992)
- Five-member boards, effective date of act authorizing made earlier: HB 1405
- Shellfish protection districts, creation and operation of district, revised procedures and deadlines, powers of county legislative authority revised: \*SSB 6132, CH 100 (1992)
- Shellfish protection districts, fees, charges, and rates, authority of county legislative authority to fix, alter, and control, confined animal feeding operations and other facilities exempted from: \*SSB 6132, CH 100 (1992)
- Solid waste imported into county, county legislative authority authorized to impose a fee on: HB 2960
- Vacancies, nomination procedures revised: SJR 8231
- Vacancies, revised procedures for filling: HB 2171, SHB 2171
- Waiver by county of review of water and sewer extensions by boundary review board: HB 2507, \*SSB 6085, CH 162 (1992)

Water resources utilities, authority and procedures for establishing, functions of utility: HB 1970

### **COUNTY LEGISLATIVE AUTHORITY (See COUNTY COMMISSIONERS)**

#### **COUNTY TREASURERS**

Property tax, waiver of delinquent tax interest and penalties when mortgage lien removed but county has not notified owner of taxes owed: HB 2326, SHB 2326

#### **COURT OF APPEALS**

Filing fees increased: HB 2887, \*SHB 2887, CH 140 (1992), HB 2997

#### **COURT REPORTERS**

Court reporting schools, graduates of community and technical college court reporting schools and of schools approved by the national court reporters association entitled to certification upon graduation: HB 2793

### **COURTS (See also COURT OF APPEALS, DISTRICT COURT, MUNICIPAL COURT, SUPERIOR COURT, SUPREME COURT)**

Antiharassment petition may be filed in judicial district where event occurred or respondent resides: \*SSB 6141, CH 127 (1992)

Child sexual abuse victims, dissemination of identifying information obtained during proceedings prohibited: HB 2348, SHB 2348

Child sexual abuse victims, information revealing identity of child victims of sexual assault confidential and not subject to public disclosure, courts authorized to seal information identifying child victim: \*SHB 2348, CH 188 (1992)

Fees, courts organized under Title 3 or 35 RCW authorized to impose fees under RCW 3.62.060 and to allow those fees as court costs whenever a judgment for costs is awarded: \*SHB 2284, CH 62 (1992), HB 2997

Firearm or other weapon, misdemeanor for person to possess in building containing a courtroom or judge's chambers, weapon of violator may be forfeited: HB 2310

Firearm or other weapon, misdemeanor for persons to possess in courtroom or judge's chambers, weapon of violator may be forfeited: SHB 2310

Funding, publications describing delivery of public services to include information about source of funding for services: HB 2999

Illegal activity, agreements, contracts, orders, and judgments in civil court proceedings concealing illegal activity prohibited, procedure to seek temporary or permanent restraint on disclosure established: HB 2881

Public hazards, courts may not enter judgment which has purpose or effect of concealing information from the public: SHB 1320

Public services, publications describing delivery of services to include information about source of funding for: HB 2999

Suppression of evidence prohibited if evidence collected in good faith belief of its legality: HB 1719

Transfer of litigation, adoption of uniform act: HB 2393

### **COURTS, OFFICE OF THE ADMINISTRATOR**

Child support forms, development and use of mandatory forms, revised provisions including development of form for financial affidavits for integration into the worksheets: HB 2784, \*SHB 2784, CH 229 (1992)

Child support schedule adopted, rulemaking duties: HB 2143

Domestic violence, forms and informational brochures for petitioners, preparation responsibilities: HB 2808, 2SSB 6347

Process servers registration form: HB 2370

Process servers, registration form: \*SHB 2370, CH 125 (1992)

### **COWLITZ RIVER**

Water conservation programs authorized to promote wild salmonid recovery: HB 2629

### **CREDIT**

Consumer credit transactions, joint select committee on consumer credit transactions created, membership and duties: HB 2944

Consumer credit, joint select committee on consumer credit created, membership and duties: HB 2944

National competitive retail credit market task force created, membership and duties: SSB 6305

Retail installment sales, service charge not to exceed schedule or rate agreed to by contract: \*HB 2944, CH 193 (1992), SSB 6305

### **CREDIT CARDS**

Factoring of transaction, class C felony: SB 6349

Factoring, definition: SB 6349

State business, personal credit cards to be accepted for payment: HB 1093

State liquor stores to accept personal credit cards: HB 1093, HB 1094

### **CREDIT UNIONS**

Account information may be disclosed to law enforcement agencies pursuant to unpaid dishonored items, records certificate form: HB 1346

Directors and officers, fiduciary duty to credit union: HB 1085, SHB 1085

Employees may report financial transactions to law enforcement agencies if unlawful activity is suspected, records certificate form: HB 1346

Mortgage escrow accounts, financial institutions to pay interest on accounts with the interest used to assist in providing affordable housing: HB 2484

Payroll deductions, requirement removed that credit union participating in authorized deduction program be organized solely for public employees: \*SHB 2025, CH 192 (1992)

Public employee payroll deductions, authority not restricted to credit unions organized solely for public employees: HB 2062

Records, reimbursement by requesting party for cost of providing when cost exceeds twenty-five dollars: SSB 6348

### **CRIME PREVENTION**

Crime Stoppers assistance office created in attorney general's office: HB 1367, SHB 1367, SSB 5031

**CRIMES**

- "Sexually violent offense" defined: HB 2119
- Alcohol server permits and training program, violations constitute a misdemeanor, penalties set: HB 2742, SSB 6338
- Alcohol, minors under the influence of alcohol in public guilty of misdemeanor: HB 2296, SHB 2296
- Anti-terrorist act of 1992 enacted to increase penalties for drive by shootings: HB 2979
- Arson, penalties increased: HB 2883
- Assault against a child in the first, second, and third degrees, crimes created and penalties set: HB 2532, SHB 2532, \*SSB 6104, CH 145 (1992)
- Assault, on staff at state hospitals for the mentally ill, class C felony: HB 1345
- Bigotry and bias crimes, central repository to be established for collection of data regarding, reporting requirements set: HB 2458
- Bigotry or bias crimes, malicious harassment based on perceived race and sexual orientation included in definition: SHB 1037
- Bigotry or bias crimes, monitoring and collection of information relating to: SHB 1037
- Bus conduct, provisions of unlawful bus conduct law extended to acts committed in municipal transit stations: \*HB 2516, CH 77 (1992)
- Charitable solicitations, false claim of law enforcement or fire fighter support, class C felony: HB 2637, SHB 2637, SSB 6246
- Child labor laws, serious violations constitute gross misdemeanor: HB 1288
- Child sexual abuse, statute of limitations extended for bringing criminal charges of: HB 2530
- Child, crimes of assault against a child in the first, second, and third degrees created and penalties established: HB 2532, SHB 2532, \*SSB 6104, CH 145 (1992)
- Children, matter harmful to minors, gross misdemeanor to display, sell, or present any matter, including live performance, that is harmful to minors: SSB 6262
- Children, sexual exploitation of, defenses to prosecutions for, revised provisions: \*SB 6261, CH 178 (1992)
- Communication with a minor for immoral purposes: SSB 5346
- Community placement or supervision, escape from, class C felony: HB 2490, \*SHB 2490, CH 75 (1992)
- Community placement, failure of inmate to report residence location and living arrangement during period of, class C felony: HB 2267, SHB 2267
- Concealed weapons permit, ineligibility of person convicted of certain crimes: HB 2373, SHB 2373
- Concealed weapons permit, ineligibility of person convicted of certain crimes, eligibility for permit restored one year after successful completion of sentence: \*SHB 2373, CH 168 (1992)
- Controlled substances crimes in protected areas, penalties increased: HB 2311
- Controlled substances, sale near a preschool prohibited, penalties set: HB 2148
- Correctional institutions, consecutive sentences for offenders committing serious violent crimes while incarcerated in state correctional institutions: SHB 2834
- Courtroom or judge's chamber, misdemeanor for person to possess firearm or other weapon in building containing, weapon of violator may be forfeited: HB 2310
- Courtroom or judge's chamber, misdemeanor for person to possess firearm or other weapon in, weapon of violator may be forfeited: SHB 2310
- Credit cards, factoring of transaction, class C felony: SB 6349



- Credit union directors and officers, violation of fiduciary duty to credit union, gross misdemeanor: HB 1085, SHB 1085
- Criminal street gang activities, behavior defined, imposition of exceptional sentences: HB 2344, SHB 2344
- Criminal street gang activities, offenses defined, penalties set: HB 1756
- Domestic violence, penalties increased for assault and reckless endangerment in domestic setting: HB 1741
- Drive by shooting in which a person is killed, trial for aggravated first degree murder subject to death penalty authorized: HB 2979
- Drive by shootings, discharge of a firearm under circumstances manifesting an extreme indifference to human life, class A felony: HB 2979
- Driving under the influence of alcohol or drugs, imprisonment of at least seventy-two hours required: HB 2355
- Driving under the influence of alcohol or drugs, penalties may include attending victims' panel: HB 2675, SHB 2675, \*SB 6295, CH 64 (1992)
- Driving under the influence of alcohol or drugs, penalties may include attending victims' panel, assessment for costs: HB 2675
- Driving while suspended or revoked but eligible to reinstate license defined as driving while license suspended or revoked in the third degree, a misdemeanor: \*SSB 6330, CH 130 (1992)
- Driving while suspended or revoked in the first degree, habitual traffic offenders, penalties: HB 1182
- Drug crimes involving minors, second violation a class B felony: HB 2094
- Drug delivery to child under twelve years old, person convicted to be sentenced to not less than ninety-nine years: HB 2177
- Drug offenses, student convicted of drug offense to be denied state financial assistance: HB 1893
- Drunk or intoxicated drivers may be required to attend educational program focusing on the emotional, physical, and financial suffering of victims: \*SB 6295, CH 64 (1992)
- Enters or remains unlawfully, definition revised in regard to entries for hunting, fishing, or recreation on posted, fenced, or agricultural property: HB 2416
- Erotic sound recordings, "adults only" labeling required: \*HB 2554, CH 5 (1992)
- Escape from community placement or supervision, class C felony: HB 2490, \*SHB 2490, CH 75 (1992)
- Explosives or deadly weapons, materials containing instructions for making, sale to minors prohibited, penalties for violation: HB 2666
- Explosives, classification of unlawful uses: SSB 6153
- Felonies and specified gross misdemeanors, sentences increased for offenders who commit these crimes while armed with a firearm: HB 2524
- Felonies, seizure and forfeiture of property involved in commission of a felony: SHB 1616
- Fire protection sprinkler system contractors, conduct of business without contractor's license, gross misdemeanor: \*HB 2290, CH 116 (1992)
- Fire protection sprinkler system contractors, installation or maintenance of system that threatens safety of occupant or user, class C felony: \*HB 2290, CH 116 (1992)
- Firearm or other weapon, misdemeanor for person to possess in building containing a courtroom of judge's chambers, weapon of violator may be forfeited: HB 2310

- Firearms, dealers, importers, manufacturers, and others convicted of certain federal felonies may have right to possess firearms restored when granted relief from disabilities by secretary of the treasury: \*SHB 2373, CH 168 (1992)
- Firearms, discharge under circumstances manifesting an extreme indifference to human life, class A felony: HB 2979
- Firearms, drive by shooting in which a person is killed, trial for aggravated first degree murder subject to death penalty authorized: HB 2979
- Firearms, penalties and restrictions for use of firearm by juvenile in commission of offense increased: HB 2466, \*SHB 2466, CH 205 (1992)
- Firearms, possession in state capitol buildings, misdemeanor: SHB 1202
- Firearms, sentences increased for offenders who commit felonies and specified gross misdemeanors while armed with a firearm: HB 2524
- Firearms, unlawful possession of a firearm by a mentally ill or insane person, class C felony: \*SHB 2373, CH 168 (1992)
- Forest, range, brush, or grain areas, throwing lighted material away in, gross misdemeanor: HB 1769
- Fraudulent documents or false information for voter registration purposes, class C felony: HB 2875, 2SSB 6364
- Gang activities, criminal street gang behavior defined and imposition of exceptional sentences authorized: HB 2344, SHB 2344
- Harassment, class C felony when harasser threatens to kill person threatened or any other person: \*SHB 2702, CH 186 (1992)
- Harassment, crimes of harassment in the first, second, and third degrees defined and penalties established: HB 2702
- Harassment, new crime of stalking included as form of harassment: \*SHB 2702, CH 186 (1992)
- Harassment, notification of the victim and law enforcement of release from prison or mental hospital of person who was charged or convicted of felony harassment required: \*SHB 2702, CH 186 (1992)
- Homicide, counseling provided for families of victims: \*SSB 6174, CH 203 (1992)
- Impersonation of law enforcement officer, misdemeanor: HB 2506, SHB 2506
- Initiative and referendum petition signatures, collection of, penalties set for violations of laws regarding: HB 2404
- Initiative and referendum, paid solicitation of signatures restricted, violation a gross misdemeanor: HB 2558
- Juveniles, penalties and restrictions for use of firearm in commission of offense increased: HB 2466, \*SHB 2466, CH 205 (1992)
- Law enforcement officer impersonation, misdemeanor: HB 2506, SHB 2506
- Law enforcement officer, criminal impersonation of defined: SSB 6082
- Lighted material thrown away in forest, range, brush, or grain areas, gross misdemeanor: HB 1769
- Liquor advertising on television, gross misdemeanor: HB 1239
- Littering, fines imposed: SHB 1153
- Malicious harassment based on perceived race and sexual orientation included in definition of bigotry or bias crimes: SHB 1037
- Malicious harassment, central repository to be established for collection of data regarding violations and other crimes of bigotry or bias, reporting requirements set: HB 2458

- Malicious harassment, cross burning and defacement of property with hate symbols constitutes prima facie evidence of: SHB 1037
- Malicious harassment, elements of crime revised and crime made a class B felony, restitution to victim may be required as additional penalty: HB 2458
- Marihuana growing and selling, penalties increased: HB 1698
- Mentally ill, assault on staff of hospitals for the mentally ill, class C felony: HB 1345
- Minors under the influence of alcohol in public guilty of misdemeanor: HB 2296, SHB 2296
- Minors, communication with a minor for immoral purposes: SSB 5346
- Minors, erotic sound recordings, ready accessibility to minors prohibited: \*HB 2554, CH 5 (1992)
- Mobile home parks, operating without health and sanitation license, misdemeanor: HB 2173
- Money laundering, class B felony, definition and penalties, proceeds subject to seizure and forfeiture: \*2SSB 5318, CH 210 (1992)
- Motor vehicle violations, failure to comply with promise to appear is gross misdemeanor: \*SB 6140, CH 32 (1992)
- Motor vehicles, providing false evidence of financial responsibility when licensing or renewing the license on a motor vehicle: HB 2254
- Municipal transit stations, provisions of unlawful bus conduct law extended to acts committed in: \*HB 2516, CH 77 (1992)
- Murder, sentence reduction for defendant convicted of murder prior to July 23, 1989, when victim subjected defendant or defendant's children to continuing sexual or physical abuse and the murder was in response to that abuse: HB 2703, SHB 2703
- Penalties set by cities and counties to be the same as those set by state law: SHB 1186
- Personally identifying information, intentional dissemination without permission, gross misdemeanor: HB 2730
- Property, market value of stolen property or service redefined: HB 2323, SHB 2323
- Public safety-related organizations solicitation of charitable contributions, identification of caller required, penalties: HB 2101
- Rape of child in the first degree when victim under twelve, no less than ninety-nine year sentence to be imposed: HB 1758
- Recordings, failure to disclose origin of recording, offense defined, penalties: SHB 1064
- Recordings, unauthorized reproduction or recording of material, offenses defined, penalties: SHB 1064
- Rental or leased property, fraudulent means to obtain or use, penalties: HB 2888
- Residence location and living arrangements, failure of inmate to report during period of community placement, class C felony: HB 2267, SHB 2267
- Rural mailboxes, damage or destruction of, malicious mischief in the second degree: SB 5935
- School premises, prohibition on possession on school premises extended to all persons, exemption and penalty provisions established: HB 2537, SHB 2537
- Seaweed, maximum daily wet weight harvest or possession limit set at ten pounds per person for seaweed taken from private and state tidelands and state bedlands for personal use, violation is a misdemeanor: SHB 1455
- Services of service providers, fraudulent means to obtain or use, penalties: HB 2888
- Sexual exploitation of children, defenses to prosecutions for, revised provisions: \*SB 6261, CH 178 (1992)

Sexually explicit films, publications, and devices, gross misdemeanor to display, sell, or present to children: SSB 6262

Sexually violent offenses, sentencing provisions: HB 2119

Stalking, crime of stalking defined and penalties set, gross misdemeanor or class C felony: \*SHB 2702, CH 186 (1992)

Stalking, defined as harassment in the first degree, a class B felony, or in the second degree, a class C felony: HB 2702

Stolen property values increased for determining degree of theft: HB 1187, SSB 5438

Telephone threats, class C felony when harasser threatens to kill person threatened or any other person: \*SHB 2702, CH 186 (1992)

Theft, stolen property values increased for determining degree of theft: HB 1187, SSB 5438

Tobacco products, purchase or attempted purchase by person under the age of eighteen, misdemeanor: HB 1974

Uniform controlled substances act, comprehensive revision and update, penalties increased for violations: HB 2028, SHB 2028

Vehicular assault, definition and defenses: HB 1134

Vehicular homicide or assault, alcohol and drug evaluation and treatment as condition of community placement for persons convicted of: HB 2388, SHB 2388

Vehicular homicide or assault, offenders subject to conditional community placement and must undergo alcohol and drug evaluation and treatment as condition of placement: HB 2388, SHB 2388

Vehicular homicide under influence of intoxicating liquor or any drug, penalties increased: HB 2883

Vehicular homicide, definition and defenses: HB 1134

Vessel dealers, conducting business without a current registration, gross misdemeanor: HB 2760

Weapons, prohibition on possession of dangerous weapons on school premises extended to all persons, exemption and penalty provisions established: HB 2537, SHB 2537

Whereabouts of inmate during period of community placement, failure to report, class C felony: HB 2267, SHB 2267

Wildlife, illegal commercial trafficking in, penalties increased: HB 2535

Workers' compensation fraud, class C felony, penalties: HB 2575

#### **CRIMINAL JUSTICE SERVICES**

Community corrections boards, renamed local law and justice councils: SHB 1199

Law and justice councils, creation of local council authorized to develop local law and justice plan: SHB 1199

Minority criminal justice education loan program created, eligibility and repayment provisions: HB 1976, SHB 1976

Municipal criminal justice account, revised distribution procedures: \*HB 2655, CH 55 (1992), SB 6270

Sales and use taxes, authority to impose additional tax for criminal justice purposes in larger counties east of the Cascades: HB 1980

Superior court fines, revenues may be retained by local jurisdiction for criminal justice programs: HB 2343

#### **CRIMINAL JUSTICE TRAINING COMMISSION**

Armed private security guards, firearms certification and proficiency requirements: SHB 1180

Bigotry and bias crimes, to provide training to law enforcement officers, attorneys, and judges regarding: HB 2458

Domestic violence, records of incidents required in annual crime report: HB 2808, 2SSB 6347

## CRIMINAL OFFENDERS

Boot camp pilot program for first-time offenders: HB 1433

Boot camp, shock incarceration programs, and other residential programs, institute of public policy to study: SHB 1433

Community placement, sex and violent offenders required to obtain department approval of living arrangements and residence location during period of: \*SHB 2490, CH 75 (1992)

Crime laboratory system, forensic evidence analysis fee: HB 2349, SHB 2349

Criminal street gang activities, behavior defined, imposition of exceptional sentences: HB 2344, SHB 2344

Financial obligations monthly payment, duties of person served with notice: HB 1373

Gang activities, criminal street gang behavior defined and imposition of exceptional sentences authorized: HB 2344, SHB 2344

HIV testing of adult and juvenile offenders in sexual offense, prostitution, and drug offense cases required: SSB 5086

Mediation program for victims and offenders authorized, exceptions: HB 2130

Mental disorders, community supervision alternative for offenders with, conditions and procedures established: HB 2847

Mentally disordered offenders, sentencing guidelines commission to identify and suggest appropriate sentencing options for, required elements: SHB 2847

Parole periods established for sex and violent offenders and for all other offenders, terms, conditions, sanctions for violations, and final discharge provisions established: SHB 2834

Rehabilitation, use of criminal history background check to determine status of prospective employee or volunteer: HB 2055, SHB 2055

Sentencing of adult criminal offenders, task force on created, membership and duties: HB 2170

Sex and violent offenders required to obtain department approval of living arrangements and residence location during period of community placement: \*SHB 2490, CH 75 (1992)

Sexual offenders, notice to sheriff and state patrol prior to release when future residence unknown, requirements: HB 2262, \*SHB 2262, CH 45 (1992)

Sexually violent predator, notice to prosecuting attorney of anticipated release of, requirements: HB 2262, \*SHB 2262, CH 45 (1992)

Sexually violent predators, civil commitment may occur when term of confinement is complete or nearly complete, criteria for release from commitment revised: \*SHB 2262, CH 45 (1992)

Subsistence account to be used for expenses upon release, portion of prison earnings to be deposited in: SSB 6125

Violent offenders, additional community placement authorized: HB 2354, SHB 2354

Vulnerable adults, employment involving provision of services to, disqualification for three to five years of certain offenders depending on gravity of offense: \*SHB 2055, CH 104 (1992)

### CRIMINAL PROCEDURE

- Antiharassment petition may be filed in judicial district where event occurred or respondent resides: \*SSB 6141, CH 127 (1992)
- Bonds to keep the peace, district court power to require repealed: \*SSB 6138, CH 31 (1992).
- Child sexual abuse victims, dissemination of identifying information about victim prohibited without consent of victim or victim's legal guardian other than as specifically allowed: SHB 2348
- Child sexual abuse victims, information revealing identity of child victims of sexual assault confidential and not subject to public disclosure, courts authorized to seal information identifying child victim: \*SHB 2348, CH 188 (1992)
- Child sexual abuse victims, video testimony of victimized children under ten allowed: SJR 8217
- Children, sexual exploitation of, defenses to prosecutions for, revised provisions: \*SB 6261, CH 178 (1992)
- Crime laboratory analysis fee to be levied on persons found guilty to pay costs associated with analysis of forensic evidence by state crime laboratory: SSB 6057
- Crime laboratory, certified copy of analytical report admissible in evidence in controlled substances prosecutions, criminologist may be subpoenaed to testify: \*SSB 6055, CH 129 (1992)
- Crime laboratory, certified copy of analytical report admissible in evidence in controlled substances prosecutions, defendant may subpoena the criminologist to testify: SSB 6055
- Crime laboratory, reports by or testimony of criminologists admissible as evidence in controlled substances prosecutions: HB 2303
- Crime laboratory, reports by or testimony of forensic scientists admissible as evidence in controlled substances prosecutions: SHB 2303
- Criminal penalties, consideration of possible exception to state preemption of local penalties, study authorized: HB 1785
- Criminally insane, clarification of references to responsibilities of departments and corrections officers regarding criminal procedure for the: HB 2265
- Defenses to prosecutions for sexual exploitation of children, revised provisions: \*SB 6261, CH 178 (1992)
- Domestic violence protection orders and antiharassment orders, permanent orders, one year orders, or uncontested renewal orders, revised grounds and procedures for granting, service by publication permitted in specified circumstances: HB 2745, \*SHB 2745, CH 143 (1992)
- Evidence, certified copy of analytical report admissible in controlled substances prosecutions, defendant may subpoena the criminologist to testify: SSB 6055
- Evidence, certified copy of crime laboratory analytical report admissible in evidence in controlled substances prosecutions, criminologist may be subpoenaed to testify: \*SSB 6055, CH 129 (1992)
- Evidence, reports by or testimony of criminologists at state crime laboratory admissible in controlled substances prosecutions: HB 2303

- Evidence, reports by or testimony of forensic scientists at state crime laboratory admissible in controlled substances prosecutions: SHB 2303
- HIV diseases, testing of persons charged with criminal offenses: SSB 5086
- Hearsay, definition of "corroborative evidence" for admission of child's hearsay statement regarding acts of sexual contact: HB 2749
- Illegal activity, agreements, contracts, orders, and judgments in civil court proceedings concealing illegal activity prohibited, procedure to seek temporary or permanent restraint on disclosure established: HB 2881
- Indigent defense costs, limits on county responsibility for expenses, state to pay excess: HB 1375
- Infant mortality review, local health departments authorized to conduct, confidentiality of records provided by families, department officials and employees, and health care professionals participating in reviews established: \*SB 6296, CH 179 (1992)
- Intruder in a dwelling, use of force, including deadly force against, conditions justifying, immunity from civil and criminal liability: SB 5140
- Juvenile court records of persons under twenty-six years of age, courts and counsel allowed to review, when allowed: HB 2179
- Malicious harassment, cross burning and defacement of property with hate symbols constitutes prima facie evidence of: SHB 1037
- Money laundering, additional proof requirements when case involves an attorney who accepts a fee for representing a client in a criminal matter or a financial institution or its employees: \*2SSB 5318, CH 210 (1992)
- Sentence reduction for defendant convicted of murder prior to July 23, 1989, when victim subjected defendant or defendant's children to continuing sexual or physical abuse and the murder was in response to that abuse: HB 2703, SHB 2703
- Sexual exploitation of children, defenses to prosecutions for, revised provisions: \*SB 6261, CH 178 (1992)
- Suppression of evidence prohibited if evidence collected in good faith belief of its legality: HB 1719
- Vehicular assault, definition and defenses: HB 1134
- Vehicular homicide, definition and defenses: HB 1134
- Video testimony of children under ten who are sexual abuse victims, constitutional amendment to allow: HJR 4240
- Warrant officer position to be maintained by the city within the police department, revised nomenclature, powers, and duties: \*HB 1732, CH 99 (1992)

## **DAIRIES (See AGRICULTURE)**

## **DAMAGES**

- Annuity structured settlement of a personal injury or wrongful death claim authorized, procedures established to collect payment when payment is not made in accordance with terms of agreement: HB 2776
- Driving while intoxicated, punitive damages for personal injuries or wrongful death resulting from: SHB 1676
- Human rights commission, noneconomic damages awarded for humiliation and emotional suffering, limit increased: SHB 1255

## **DAMS**

Clear Creek dam rebuilding project, funding for: HB 1361

#### DAY CARE

"Agency" redefined for purposes of licensing: HB 1394

"Agency" redefined to exclude persons who do not solicit for child care services, receive no public funds, and care for fewer than five children: HB 2798

"Family day-care provider" defined: HB 2674, SHB 2674

Before-and-after school child care programs, appropriation to fund: HB 2623

Before-and-after-school child care facility grant program established, promotion of programs in or near public schools established as state policy: SHB 2528

Before-and-after-school child care programs, funding provided to encourage programs in or near public elementary schools: HB 2528

Business and occupation tax credit for employer providing child care assistance to employees: HB 1538

Business and occupation tax credit for employer-sponsored child care facilities: HB 1637, SHB 1637

Business and occupation tax exemption for church-provided day care services: \*SB 6010, CH 81 (1992)

Child and family care, employer-assisted programs to include fair share from new growth and development for additional facilities and services: HB 1476, SHB 1476

Child care coordinating committee appropriation: HB 1382

Child care coordinating committee, membership increased by one member each from department of personnel and department of health: HB 2308, SHB 2308

Child care facility revolving fund created: SHB 1808

Child care partnership expanded to include family care: HB 1476, SHB 1476

Child care providers conditional scholarship program established: HB 1814

Child care resources coordinator, revised duties: HB 1166

Child care wage enhancement grant program established: HB 1566

Church-provided day care services, exemption from business and occupation tax: \*SB 6010, CH 81 (1992)

Community-based child care resource and referral programs, application for funding to establish: HB 1166

Criminal history check on persons providing services to children, federal bureau of investigation check required on persons who have been residents for less than five years: HB 2621

Diapers, day-care facility may not refuse to admit or provide care for a child because the parent furnishes or authorizes use of reusable diapers: HB 2757

Employee organizations, applications for loans, loan guarantees, or grants from child care facility fund: SHB 1808

Employer-assisted child and family care: SHB 1471

Family day care facilities, local government zoning regulations and siting of facilities, survey and recommendations urged: HJM 4041

Family day-care provider, home is permitted use in all areas zoned for residential or commercial purposes: HB 2674, SHB 2674

Foundation for families act enacted: SHB 1471

Homeless children, specialized child care and respite care authorized for children of homeless parents: HB 1614, SHB 1614



- Impact fees may be imposed on new development to pay proportionate share of costs for new child care facilities and services: HB 2713
- Kindergartens and nursery schools, inclusion in definition of "agency" for licensing purposes: HB 1394
- Nonprofit state employee organizations to contract for the provision of child care services authorized: HB 2308, SHB 2308
- Pesticide warning signs, posting required when pesticides are applied to grounds by certified applicator, information to be supplied to owner of property: HB 2705
- State employee child care advisory subcommittee to child care coordinating committee established, duties set out: SHB 2308
- State employee child care program and policy development, requirements and conditions: HB 2308, SHB 2308
- Uniform business identifier number required for licensing: HB 1508

### DEAF PERSONS

- Advisory committee for state programs for the deaf created: SHB 1523
- Hearing-impaired demographical study team created, duties: HB 1793
- Regional service centers established: SHB 1523
- Telecommunications devices for the deaf advisory committee, progress reports: SSB 6377
- Telecommunications devices for the deaf, contract award procedures revised: SSB 6377
- Telecommunications relay service excise tax, utilities and transportation commission to determine amount of tax necessary to fund program based on information provided by the office of deaf services: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system advisory committee to make progress reports at least four times a year to administrators and operators of system, required elements of report established: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system and text telephone, department to maintain program for the hearing and speech impaired, revised requirements: HB 2769, SHB 2769, \*SSB 6377, CH 144.(1992)
- Telecommunications relay system, department of social and health services to apply to federal communications commission to have a state-controlled program by October 1, 1992: SHB 2769
- Telecommunications relay system, department of social and health services to apply to federal communications commission for certification of the state-wide relay service: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system, discounted long distance rates for service in conjunction with system required: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system, operation and maintenance of system, requirements for award of contract for provision of service commencing July 26, 1993: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system, operation of system to be bid out to a qualified contractor: HB 2769, SHB 2769
- Telephone excise tax ceiling raised to fourteen cents per month per telephone line to fund telephone relay system program: SHB 2769

### DEATH PENALTY

- Drive by shooting in which a person is killed, trial for aggravated first degree murder subject to death penalty authorized: HB 2979

Execution to be by lethal injection, death by hanging allowed if execution by lethal injection is held invalid or unconstitutional: HB 2489

Lethal injection to be means of execution: HB 1055, SB 5151

Mentally retarded person may not be sentenced to death: SHB 1234

Sentencing proceedings, victims and survivors of victims entitled to make victim impact statements at: HB 2638

#### **DEATH WITH DIGNITY ACT**

Legislative alternative: HB 1481

#### **DEBT MANAGEMENT**

Cost of financing contracts included in state debt calculation: HB 1518

Debt limit raised from seven percent to yearly incremental limit, return to seven percent after 2003: SHB 1034

Debt limit raised, reservation of additional revenues to specified uses: SHB 1034

#### **DECEDENTS' ESTATES**

Simultaneous death, 1991 uniform simultaneous death act enacted: HB 2752

Slayers denied state retirement system beneficiary benefits, considered to have predeceased decedent for purposes of distribution: HB 2246, SHB 2246

#### **DEFENSES (See CRIMINAL PROCEDURE)**

#### **DENTAL DISCIPLINARY BOARD**

Sterilization of equipment and infection control requirements, rulemaking duties and authority of board: SSB 5634

#### **DENTAL HYGIENISTS**

Licensing extended to those licensed in another state, conditions: SSB 6234

Scope of practice without supervision of dentist, revised provisions: HB 1948

#### **DENTAL LABORATORIES AND TECHNICIANS**

Licensing of laboratories and certification of dental technicians required: HB 2761

#### **DENTISTS AND DENTISTRY**

Dental prosthesis, removable, purchase agreement disclosure requirements and rights of purchaser to rescind transaction: HB 2971

Denture services, dentist to disclose to purchasers price, materials used, conditions for return of removable dental prostheses: HB 2002

Licensing extended to those licensed in another state, conditions: HB 1479

Limited license for University of Washington postgraduate dental residents authorized: HB 2555, \*SHB 2555, CH 59 (1992)

Removable dental prosthesis purchase agreement, disclosure requirements and rights of purchaser to rescind transaction: HB 2971

Removable dental prosthesis, definition: HB 2971

Sterilization of equipment and infection control requirements, dentists' offices to comply with: SSB 5634

University of Washington postgraduate dental residents, limited license authorized: HB 2555, \*SHB 2555, CH 59 (1992)

**DENTURISTS**

- Certification required, fields of practice specified: HB 2088
- Dental prosthesis, removable, purchase agreement disclosure requirements and rights of purchaser to rescind transaction: HB 2971
- Removable dental prosthesis purchase agreement, disclosure requirements and rights of purchaser to rescind transaction: HB 2971
- Removable dental prosthesis, definition: HB 2971

**DESERT SHIELD (See PERSIAN GULF)**

**DESERT STORM (See PERSIAN GULF)**

**DETERGENTS**

- Phosphorus content limits: HB 1388

**DEVELOPMENTALLY DISABLED**

- Birth-to-six interagency coordinating council, governor to appoint for agencies providing early intervention services to disabled infants and toddlers: SHB 1090
- Community residential programs, employee wages and benefits to equal those paid to state employees performing comparable work: HB 1541
- Community residential programs, reimbursement rate increase: HB 1541
- Consolidation of state and federal medical and health services and programs, legislative budget committee to determine feasibility and desirability of: SHB 2590
- Early intervention services for disabled infants and toddlers, governor to appoint birth-to-six interagency council for agencies providing: SHB 1090
- Employment, regional disabilities employment function to provide school to employment transition services for high school students: 2SSB 5780
- Employment, regional disabilities employment function to provide services for high school graduates established: 2SSB 5780
- Incentives to discourage inappropriate placement of persons without primary diagnosis of mental disorder in state hospitals: SB 6319
- Infants and toddlers, governor to appoint a state birth-to-six interagency coordinating council for agencies providing early intervention services: SHB 1090
- Mental illness, secretary of social and health services to develop system to discourage inappropriate placement of those with developmental disability in state mental hospitals and to encourage care in a community setting: \*SB 6319, CH 230 (1992)
- Placement decisions, review of, revised provisions relating to presumptions and placements during appeal: HB 2802, SHB 2802
- Placement in community settings, department of social and health services to provide residents with services required to successfully transfer and maintain: SHB 2802
- Private community programs for adults expanded to serve persons on waiting lists for services: HB 1542, SHB 1542
- Protection and advocacy of rights of developmentally disabled persons, governor to appoint agency to implement program of: HB 2591

- Regional disabilities employment function to provide school to employment transition services for high school students: 2SSB 5780
- Regional disabilities employment function to provide services for high school graduates established: 2SSB 5780
- Residential habilitation center reduction task force created: HB 1735
- Residential habilitation centers, Frances Haddon Morgan Children's Center corrected to Frances Haddon Morgan Center: HB 1520
- Residential habilitation centers, Interlake school and Fircrest school to be closed: HB 1735
- Residential habilitation centers, population reduction through plan to provide community residences and services: HB 1735
- Rights of developmentally disabled persons, governor to appoint agency to implement protection and advocacy program: HB 2591
- Specialized care programs, secretary of social and health services authorized to establish programs for persons with developmental disabilities, AIDS, or substance abuse: \*SB 6319, CH 230 (1992)
- Students, assurance that institutions of higher education accommodate: HCR 4404

#### **DEWATTO RIVER**

- Water conservation programs authorized to promote wild salmonid recovery: HB 2629

#### **DIABETES**

- Glucose monitoring equipment, exemption from sales and use taxes: HB 1602

#### **DIAPERS**

- Day-care facility may not refuse to admit or provide care for a child because the parent furnishes or authorizes use of reusable diapers: HB 2757

#### **DIKING DISTRICTS**

- Reorganization as drainage and irrigation improvement district or diking, drainage, and irrigation improvement district authorized: HB 2973

#### **DISABLED PERSONS**

- Birth-to-six interagency coordinating council created to ensure coordination of and collaboration in delivery of early intervention services to infants and toddlers with disabilities: \*SSB 6428, CH 198 (1992)
- Birth-to-six interagency coordinating council, governor to appoint for agencies providing early intervention services to disabled infants and toddlers: SHB 1090
- Community-based long-term care and support services pilot projects: SHB 1569
- Community-based long-term care and support services system for functionally disabled, establishment and administration: SHB 1569
- Community-based long-term care secured benefit program policy advisory committee, membership and duties: SHB 1569
- Criminal background checks required on sole independent contractors hired by physically disabled, mentally ill, or impaired persons and paid by state: HB 2622, SHB 2622
- Criminal history background check requirements extended to persons providing services to physically disabled and mentally impaired persons: HB 2415
- Early intervention services for disabled infants and toddlers, governor to appoint birth-to-six interagency council for agencies providing: SHB 1090

- Families with disabled members, housing trust fund to assist in making housing more accessible: SHB 2161
- Housing discrimination against families with children or containing a disabled person prohibited: HB 2598
- Housing for families with disabled members, housing trust fund to assist in making more accessible: SHB 2161
- Housing, equal opportunity and fair housing, revised provisions to protect families with children or containing a disabled person: HB 2484
- Infants and toddlers, birth-to-six interagency coordinating council created to coordinate and enhance existing early intervention services for those with disabilities: SB 6432
- Infants and toddlers, early intervention services for those with disabilities: SHB 1090
- Infants and toddlers, early intervention services for those with disabilities or special needs: HB 1090
- Infants and toddlers, early intervention services for those with disabilities, use of funds: SB 6432
- Infants and toddlers, governor to appoint a state birth-to-six interagency coordinating council for agencies providing early intervention services: SHB 1090
- Interdepartmental advisory council for persons with functional disabilities established: HB 1921
- Motor vehicle licensing fees, county may exempt senior, low-income, and disabled persons from county licensing fee: HB 2619
- Parking, department of licensing authorized to issue special disabled parking permits and license plates to boarding homes: \*HB 2417, CH 148 (1992)
- Parking, fines increased for improper parking in spaces for the disabled: SHB 1634
- Physical access committee established at institutions of higher education: SHB 1295
- Print disabilities, textbooks and course materials at institutions of higher education, publishers encouraged to make available in computer-based format for students with: SHB 2424
- Print disabilities, textbooks and course materials at institutions of higher education, publishers required to make available in computer-based format for students with: HB 2424
- Property tax exemption, ownership and occupancy dates to qualify changed from January 1 to December 31 of year in which exemption or deferral is claimed: HB 2748
- Property tax, exemption from and deferral of: HB 1240, HB 2178
- Specialized transportation services for, provision of: HB 1507
- State employees, disabled, exempted from automobile license fees: HB 1078
- Statutory references to handicapped changed to disabled: HB 2008
- Students with disabilities, endowed scholarship program: HB 2189
- Students, each higher education institution required to ensure that students with disabilities are reasonably accommodated, core service requirements: HB 2421, SHB 2421
- Wildlife director to develop plan to comply with Americans with Disabilities Act of 1990: SHB 1250

## **DISASTER RELIEF (See EMERGENCY SERVICES)**

## **DISCRIMINATION**

- African-American affairs, commission on, created, membership, powers, and duties: \*SHB 1631, CH 96 (1992)

- Age discrimination, upper limit on application of age discrimination statute removed: SHB 1255
- Bigotry and bias crimes, central repository to be established for collection of data regarding, reporting requirements set: HB 2458
- Bigotry or bias crimes, malicious harassment based on perceived race or sexual orientation included in definition: SHB 1037
- Bigotry or bias crimes, monitoring and collection of information relating to: SHB 1037
- Boycotts or blacklists, right to engage in commerce free from: HB 2953, HB 2954, SHB 2954
- Commerce, right to engage in commerce free from discriminatory boycotts or blacklists, definition of boycott or blacklist expanded: HB 2953, HB 2954, SHB 2954
- Consumer protection act, unfair practices broadened to include all discriminatory practices committed in the course of trade or commerce: SHB 1255
- Discriminatory boycotts or blacklists, right to engage in commerce free from, definition of boycott or blacklist expanded: HB 2953, HB 2954, SHB 2954
- Employer discrimination against employee for consumption of lawful products off premises during nonworking hours prohibited: HB 2274, SHB 2274
- Employer discrimination, employer of one or more persons subject to provisions of the freedom from discrimination statute: HB 2264
- Family leave for employee to care for family member, discrimination against employee exercising rights prohibited: HB 1474
- Family leave to meet family care responsibilities, employer may not discriminate against employee: HB 2220
- Family, employer policy, may not limit or discourage use of leave rights: SHB 1471
- Franchise relationships, discrimination prohibited in, civil action for specific performance of the franchise agreement and to recover damages and costs authorized: HB 2898, HB 2954, SHB 2954
- Gender discrimination, golf and country club access to services and facilities on basis of gender, complaint procedure: HB 2340
- Holocaust instruction, high schools encouraged to include in their curriculum, course may also use other examples from ancient and modern history: \*SHB 2212, CH 24 (1992)
- Housing, discrimination against families with children or containing a disabled person prohibited: HB 2598
- Housing, equal opportunity and fair housing, revised provisions to protect families with children or containing a disabled person: HB 2484
- Identity of agency employee seeking advice regarding a possible unfair practice under the discrimination laws and requesting that information not be disclosed exempt from public disclosure: \*SHB 2876, CH 139 (1992)
- Juvenile justice system, independent study of racial disproportionality in, submission date of report modified: HB 2466, \*SHB 2466, CH 205 (1992)
- Juvenile offenders, economic or racial disparity in processing of juvenile offenders, department of social and health services to make annual report: HB 2466, SHB 2466
- Malicious harassment based on perceived race and sexual orientation included in definition of bigotry or bias crimes: SHB 1037
- Malicious harassment, central repository to be established for collection of data regarding violations and other crimes of bigotry or bias, reporting requirements set: HB 2458

- Malicious harassment, cross burning and defacement of property with hate symbols constitutes prima facie evidence of: SHB 1037
- Malicious harassment, elements of crime revised and crime made a class B felony, restitution to victim may be required as additional penalty: HB 2458
- Minority criminal justice education loan program created, eligibility and repayment provisions: HB 1976, SHB 1976
- Overtime work, employment discrimination for refusal to work prohibited: HB 1475, SHB 1475
- Peremptory challenges of jurors, no juror to be stricken in whole or in part on account of race: HB 1775
- Protection of some statutes pertaining to discrimination extended to some persons not previously included: SHB 1255
- Racial disproportionality in the juvenile justice system, submission date of report modified: HB 2466, \*SHB 2466, CH 205 (1992)
- Reproductive status in workplace where hazardous substances may harm reproductive function, discrimination prohibited: SHB 1725
- Technical revisions to statutes pertaining to discrimination: SHB 1255

#### **DISLOCATED WORKERS**

- Natural resource worker project established for dislocated timber workers: SHB 1314
- Natural resource worker project in Skagit county: SHB 1314
- Training pilot project for dislocated timber industry workers in Skagit county: SHB 1315

#### **DISPUTE RESOLUTION CENTERS**

- Mediation program for victims and offenders authorized, exceptions: HB 2130

#### **DISSOLUTION OF MARRIAGE**

- Actions to change, modify, or enforce final orders regarding child support may be brought in county where children reside: SHB 2154
- Child support guidelines, adjustments: HB 2236
- Child support schedule adopted: HB 2143
- Child support schedule, calculation of income: HB 2188, SHB 2188
- Contract to allow dissolution only on a showing of fault by one party permitted, requirements: HB 1403
- Family court and family court services expanded, revised provisions: SHB 2155
- Grandparents custodial preference over other nonparent third parties: HB 1899
- Grandparents, visitation rights: HB 1899
- Proceedings may be filed in superior court of county in which the petitioner resides: SHB 2154
- Residential time and visitation rights of parents who sexually abuse their children, third party supervision required: HB 2529, SHB 2529, HB 2778
- Revised provisions: HB 2188, SHB 2188
- Spousal maintenance, past, present, and future earnings capacity to be considered in determining: HB 1666
- Spouse dying intestate, surviving spouse to receive none of decedent's share of estate if decedent has filed for dissolution or separation: HB 2657

#### **DISTRESSED AREAS**

- Basic health plan, timber impact area residents, including those without a history of direct timber employment, eligible to enroll in plan: SHB 2994
- Circuit rider assistance program created to provide technical and funding assistance to small communities: HB 2072
- Community stabilization act, assistance with mortgage and rent payments to avoid homelessness: SHB 1747
- Economic diversification and strengthening infrastructure in timber-dependent counties, funding priority: HB 1442
- Higher education opportunities program for dislocated timber workers: SHB 1870
- Homelessness prevention act, assistance with mortgage and rent payments to avoid homelessness, development of local homelessness prevention programs: SHB 1747
- Homelessness prevention program, department of community development duties: SHB 1747
- Liquor deliveries to stores and agencies, first consideration to be given to freight carriers within federal timber impact area: HB 1746
- School district funding assistance to districts with two thousand students or less, conditions: HB 1788
- Tax exemptions for investments or costs resulting in the creation of jobs in distressed areas: HB 2864
- Timber impact areas, designation of additional socially and economically integrated communities as timber impact areas by economic recovery board authorized: \*HB 2821, CH 21 (1992)
- Timber impact areas, public works loans authorized to local governments in: HB 1647
- Timber supply impact areas, public facility loans and grants authorized in: HB 1645
- Timberlands foundation established to achieve and sustain quality of life in timberlands region, organization and duties: HB 2181
- Timberlands revitalization act: HB 2181

#### DISTRICT COURT

- Bonds to keep the peace, power to require repealed: \*SSB 6138, CH 31 (1992)
- Clerks to collect new and increased fees for providing official services: \*SHB 2284, CH 62 (1992), HB 2997
- Deferral of determination that a traffic infraction was committed, limitations and standards: SHB 1552
- Fees, clerks to collect new and increased fees for providing official services: \*SHB 2284, CH 62 (1992), HB 2997
- Judges, remuneration for unused leave or sick leave when vacating office, limited to thirty days' monetary compensation: \*SB 6276, CH 76 (1992)
- Judges, two additional positions authorized in Pierce County: HB 1114
- Jurisdictional amount, not to exceed twenty-five thousand dollars: HB 1190
- Law libraries, filing fee amount deposited in library fund for each superior court or district court filing increased: \*SHB 1378, CH 54 (1992), HB 2997
- Mandatory arbitration, civil actions subject to same extent as superior court civil actions, exceptions: SHB 1825
- Name change orders, court to collect fee for filing and transmit fee and order to county auditor for filing and recording: \*SSB 6135, CH 30 (1992)
- Norplant implants, procedure to require involuntary insertion of implant in woman giving birth to baby with fetal alcohol syndrome or addicted to drugs: HB 2909



Reallocation of number of judges, provision repealed: \*SSB 6138, CH 31 (1992)  
Seals required: \*SB 6134, CH 29 (1992)

## **DIVORCE (See DISSOLUTION OF MARRIAGE)**

### **DOGS (See also ANIMALS)**

Dangerous dogs, judicial or administrative hearing procedure to determine established: SHB 1462

Dangerous dogs, regulation of dangerous and potentially dangerous dogs: SHB 1462

Guide and service dogs, definition to include dogs in training: HB 2333, SHB 2333

Guide and service dogs, governor's committee on disability issues and employment to study issues relating to the implementation of the white cane law: \*SHB 2333, CH 10 (1992)

Hunting dog training, Scatter creek wildlife area recreational use to include: HB 2131, SHB 2131

Hunting dog training, workout, field trial, and show area to be developed by department of wildlife: HB 1798

### **DOMESTIC RELATIONS**

Domestic violence protection orders and antiharassment orders, permanent orders, one year orders, or uncontested renewal orders, revised grounds and procedures for granting, service by publication permitted in specified circumstances: HB 2745, \*SHB 2745, CH 143 (1992)

Fingerprinting of all persons convicted under Title 26 RCW required: HB 2304

Provisions revised: HB 2188, SHB 2188

### **DOMESTIC VIOLENCE**

Actual or threatened victim of domestic violence may use address of secretary of state's office as own, responsibilities: HB 2156

Address disclosure of actual or threatened victim prohibited, certificate authorizing protected record status, procedure: HB 2156

Assault and reckless endangerment, penalties increased for offenses in domestic setting: HB 1741

Certificate authorizing protected record status for actual or threatened victim, procedure: HB 2156

Community technical assistance grant program to assist communities in developing responses to domestic violence: HB 1741

Counselors, certification of domestic violence perpetrator counselors, requirements and procedures: HB 1741

Education for professional working in field, review and report authorized: HB 2808, \*2SSB 6347, CH 111 (1992)

Electronic monitoring authorized in cases where no-contact order has been issued, defendant may be required to bear monitoring costs: \*SB 6103, CH 86 (1992)

Family violence counselors, certification requirements: HB 1882, SHB 1882

Family violence pilot programs authorized: HB 1882, SHB 1882

Homeless children, specialized child care and respite care authorized for children of homeless parents: HB 1614, SHB 1614

- Incident reporting, law enforcement agencies to report to Washington association of sheriffs and police chiefs for inclusion in the annual report of crime produced by the association: 2SSB 6347
- Persons sixteen years of age and older may petition as family or household member: HB 2808, \*2SSB 6347, CH 111 (1992)
- Petitioner forms and informational brochures, administrator of the courts to prepare: HB 2808, 2SSB 6347
- Protection order, notice and hearing: HB 2808, \*2SSB 6347, CH 111 (1992)
- Protection orders and antiharassment orders, permanent orders, one year orders, or uncontested renewal orders, revised grounds and procedures for granting, service by publication permitted in specified circumstances: HB 2745, \*SHB 2745, CH 143 (1992)
- Records of incidents, criminal justice training commission requirements: HB 2808, 2SSB 6347
- Rental agreement, expedited termination allowed when tenant has valid protection order which has been violated, has been threatened by another tenant, or has been threatened with a weapon by the landlord: SHB 2297, \*SSB 5986, CH 38 (1992)
- Service by publication, when allowed, procedure: SHB 1560
- Temporary restraining orders extended from fourteen to twenty-one days in duration: HB 1560
- Victim of crime benefits, revised eligibility standards, availability of counseling services: HB 1741
- Victims of sexual assault and domestic violence, provision of chemical dependency services to: HB 2477, SHB 2477

#### **DRAINAGE DISTRICTS**

- Cities, first class cities allowed to remove themselves from a drainage district: HB 1930
- Reorganization as drainage and irrigation improvement district or diking, drainage, and irrigation improvement district authorized: HB 2973

#### **DRIVER TRAINING SCHOOLS**

- Recreational vehicle drivers' training, minimum curriculum for commercial driver training schools and traffic safety organizations to be established: HB 2453, SHB 2453

#### **DRIVERS' LICENSES**

- Applicant identification requirements: HB 2875, 2SSB 6364
- Driving while suspended or revoked but eligible to reinstate license defined as driving while license suspended or revoked in the third degree, a misdemeanor: \*SSB 6330, CH 130 (1992)
- Driving while suspended or revoked in the first degree, habitual traffic offenders, penalties: HB 1182
- Highway safety fund, all drivers' license fees to be deposited in: HB 1801
- Instruction permits, nonresident who is at least fifteen and who hold a valid instruction permit may drive in Washington: SB 6073
- Motorcycle endorsement, high-performance super cycles classified as category four: HB 2567
- Motorcycle endorsements and instruction permits, revised provisions relating to: HB 2863

- Nonresident who is at least fifteen and who holds a valid instruction permit may drive in Washington: SB 6073
- Recreational vehicle drivers, need for special licensing study: HB 1799
- Renewal, satisfaction of outstanding traffic infractions required prior to renewal, revised provisions: HB 2890
- Revocation warning to be given by officer when informing driver of right to refuse breath or blood alcohol test: HB 2309, SHB 2309
- School attendance, revocation of license or instructional permit when licensee withdraws from school: HB 1768
- Social security number on application required: HB 1803
- Suspension or revocation for drug and alcohol violations: HB 2097
- Suspension, investigation of driving ability required before reissuance: HB 1415
- Suspension, revocation, or denial of driving privileges in drunk driving cases, revised suspension and appeal procedures: HB 2606
- Towing and storage charges, license not issued to persons owing: SHB 1324
- Traffic infractions, satisfaction of outstanding traffic infractions required prior to renewal, revised provisions: HB 2890
- Treatment driver's license for person with revoked privileges, application procedures, conditions: HB 2097
- Vehicle registration, new residents informed of obligation when applying for license: SB 6130

#### **DRIVING WHILE INTOXICATED**

- Blood and urine testing for drugs authorized, procedures: HB 1724
- Driving privileges, suspension, revocation, or denial in drunk driving cases, revised suspension and appeal procedures: HB 2606
- Driving under the influence of intoxicants victims' panel, violator may be required to attend: \*SB 6295, CH 64 (1992)
- Driving under the influence of intoxicants victims' panel, violator may be required to attend, assessment for costs: HB 2675
- Imprisonment of at least seventy-two hours required: HB 2355
- Intoxication, changing blood and breath standards: SSB 5069
- Intoxication, standard for measuring intoxication: SB 5067
- License revocation warning to be given by officer when informing driver of right to refuse breath or blood test: HB 2309, SHB 2309
- Negligent driving in the first degree, defined and penalties established: SHB 1183
- Punitive damages for personal injuries or deaths resulting from driving while intoxicated: SHB 1676
- Vehicular homicide or assault, offenders subject to conditional community placement and must undergo alcohol and drug evaluation and treatment as condition of placement: HB 2388, SHB 2388
- Victims of drunk or intoxicated drivers, offender may be required to attend educational program focusing on the emotional, financial, and physical suffering of victims: \*SB 6295, CH 64 (1992)
- Victims' panel, violator may be required to attend driving under the influence of intoxicants victims' panel: SHB 2675

#### **DRUG ABUSE (See ALCOHOL AND DRUG ABUSE)**

**DRUGS**

- "Dispensing drug outlet" defined, board of pharmacy authority regarding: HB 2893
- Birth control prescription drugs, sales and use tax exemption: HB 1533
- Chemically dependent pregnant women, mothers, and infants, interagency coordination of service delivery required: SB 6051
- Children, person convicted of delivery to child under twelve years old to be sentenced to not less than ninety-nine years: HB 2177
- Confiscated property, violations of controlled substances law, landlord's claims for damage to property: HB 1130, HB 2501, \*SHB 2501, CH 211 (1992)
- Confiscated property, violations of controlled substances law, recordkeeping requirements of seizing agency: \*SHB 2501, CH 211 (1992)
- Controlled substances crimes in protected areas, penalties increased: HB 2311
- Controlled substances, analogs of controlled substances to be treated as schedule I substances: HB 2587, SHB 2587, SSB 6191
- Controlled substances, authority of board of pharmacy to control, revised provisions: HB 2587, SHB 2587, SSB 6191
- Controlled substances, certified copy of crime laboratory analytical report admissible in evidence in controlled substances prosecutions, criminologist may be subpoenaed to testify: \*SSB 6055, CH 129 (1992)
- Controlled substances, certified copy of crime laboratory analytical report admissible in evidence in prosecutions involving analysis of, defendant may subpoena criminologist to testify: SSB 6055
- Controlled substances, reporting procedures for Schedule II controlled substances: HB 1163, SHB 1163
- Controlled substances, reports by and testimony of criminologists at state crime laboratory admissible as evidence in prosecutions involving analysis of: HB 2303
- Controlled substances, reports by and testimony of forensic scientists at state crime laboratory admissible as evidence in prosecutions involving analysis of: SHB 2303
- Controlled substances, revision of schedules of drugs under control of the board of pharmacy: HB 2587, SHB 2587, SSB 6191
- Controlled substances, sale near a preschool prohibited, penalties set: HB 2148
- Crimes involving minors, second violation a class B felony: HB 2094
- Driving under the influence, blood and urine testing authorized, procedures: HB 1724
- Drug enforcement and education account, funding: HB 2353
- Drug enforcement and education account, seizing agency to make reports to and remit portion of proceeds from property forfeitures to state treasurer for deposit in: \*2SSB 5318, CH 210 (1992)
- Financial assistance to be denied college student convicted of drug offense: HB 1893
- Fines and penalties from drug violations to be deposited in drug enforcement and education account: HB 2353
- Forfeiture of property used in manufacture, sale, or conveyance of illegal drugs, percentage of proceeds to be deposited in drug enforcement and education account: HB 2353
- Forfeiture of vehicles used in the sale and purchase of illegal drugs, vehicles subject to forfeiture: HB 1615
- Forfeitures in controlled substances cases, revised provisions relating to the distribution of proceeds from: HB 2429, SHB 2429
- Forfeitures in controlled substances cases, valuation of property retained by seizing agency, procedures established: HB 2429, SHB 2429

- HIV testing of adult and juvenile offenders in sexual offense, prostitution, and drug offense cases required: SSB 5086
- HIV testing of juvenile offenders in sexual offense, prostitution, and drug offense cases required: HB 2491, SHB 2491
- Infant drug exposure assessment and monitoring program established: SB 6051
- Landlord's claim against confiscated property for damages due to violation of controlled substances law: HB 1130, HB 2501, \*SHB 2501, CH 211 (1992)
- Legend drugs, identification and labeling system for, board of pharmacy to establish by rule: HB 2017
- Marihuana growing and selling, penalties increased: HB 1698
- Nurse practitioners, authority of advanced practitioners to prescribe drugs: HB 1138
- Pharmacist's and practitioner's duty to supply information to assure proper utilization: SHB 1003
- Pharmacy board drug regulation, revised definitions of terms used in the regulation of drugs by the board: HB 2588, SHB 2588, SSB 6192
- Practitioner's and pharmacist's duty to supply information to assure proper utilization: SHB 1003
- Prescription drugs, insurance policies prohibited from limiting where prescriptions may be purchased: HB 1069, SHB 1069
- Prescription drugs, nurse practitioners, authority of advanced practitioners to prescribe drugs: HB 1138
- Prescription drugs, pharmacist's and practitioner's duty to supply information to assure proper utilization: SHB 1003
- Prescription drugs, review of multitiered pricing of requested: HJM 4003
- Prescription drugs, sale of all prescription drugs, including those for family planning purposes, exempted from sales tax: HB 2632
- Prescriptions, birth control drugs, sales and use tax exemption: HB 1533
- Prescriptions, filling of a prescription written by a nonstate-licensed authorized prescriber after six months permitted: HB 1110
- School bus drivers, drug and alcohol testing and retesting allowed, conditions: HB 2176
- Uniform controlled substances act, comprehensive revision and update, penalties increased for violations: HB 2028, SHB 2028
- Veterinarian authorized to dispense legend drugs prescribed by another veterinarian: SHB 1237
- Victims of drunk or intoxicated drivers, offender may be required to attend educational program focusing on the emotional, financial, and physical suffering of victims: \*SB 6295, CH 64 (1992)

## **DRUNK DRIVING**

- Driving privileges, suspension, revocation, or denial in drunk driving cases, revised suspension and appeal procedures: HB 2606
- License revocation warning to be given by officer when informing driver of right to refuse breath or blood test: HB 2309, SHB 2309
- Vehicular homicide or assault, offenders subject to conditional community placement and must undergo alcohol and drug evaluation and treatment as condition of placement: HB 2388, SHB 2388

Victims of drunk or intoxicated drivers, offender may be required to attend educational program focusing on the emotional, financial, and physical suffering of victims: \*SB 6295, CH 64 (1992)

Victims' panel, violator may be required to attend driving under the influence of intoxicants victims' panel: SHB 2675

#### **DUNGENESS RIVER**

Water conservation programs authorized to promote wild salmonid recovery: HB 2629

#### **EARTHQUAKES**

Earthquake preparedness committee created, membership and duties: HB 2791, SHB 2791

Promotion and supervision of improvement of state's earthquake preparedness, duties of director of community development: HB 2791, SHB 2791

School preparedness policy, requirements: HB 1266

#### **EASTERN STATE HOSPITAL**

Assaults on state employees at, department of labor and industries to conduct study of causes and solutions to assaults: HB 2647, SHB 2647

Institute for the study and treatment of mental disorders, community mental health program responsibilities: \*SB 6319, CH 230 (1992)

Institute for the study and treatment of mental disorders, training of community service providers and hospital staff, funding approval: \*SB 6319, CH 230 (1992)

Mentally ill patients, hospital to become clinical center for handling the most complicated long-term care needs of patients with primary diagnosis of mental illness: \*SB 6319, CH 230 (1992)

#### **EASTERN WASHINGTON UNIVERSITY**

Construction, appropriation for minor repairs and improvements: HB 1178

Enrollment level increased: HB 1549

Enrollment, state-funded enrollment level increased: HB 1319

Trustees, one student member to be appointed to the board of trustees: HB 1218

Washington family policy center, subcontract with University of Washington to study rural family policy issues: HB 1420

#### **ECOLOGY, DEPARTMENT**

"Noise pollution" responsibilities of department of ecology transferred to department of health: HB 2283, SHB 2283

Agricultural water purveyors completing an application for proceeds from sale of bonds to identify whether and how rate structures could provide an incentive to water users to conserve water: SHB 2629

Air and water related permits, fee increases limited to six percent per year: HB 1973

Air pollution, order compliance factors beyond person's control, modification of requirements: SB 5746

Air pollution, outdoor burning in rural areas, permit exemption provisions: HB 2900, SSB 6304

- Alternative fuel and solar powered vehicles, contract with Western Washington University for research and development: HB 1754
- Ballast water, department to adopt rules to regulate discharge: HB 2365
- Biosolid management program, department to establish a program that will conform with recent and proposed federal regulations on municipal sewage sludge, civil and criminal penalties for violations: \*SHB 2640, CH 174 (1992)
- Biosolid use and disposal permits, department authorized to delegate authority to issue and enforce to local health departments: \*SHB 2640, CH 174 (1992)
- Biosolid use and disposal permits, local health department may appeal department decision to pollution control hearings board: \*SHB 2640, CH 174 (1992)
- Biosolids, department authorized to promote beneficial uses of biosolids: \*SHB 2640, CH 174 (1992)
- Biotechnology review board, department to create, membership, powers, duties, and procedures: HB 2839
- Clean-fuel performance and clean-fuel vehicle emissions specifications, development duties: HB 1902
- Comprehensive flood control management plans, duties: SHB 1490
- Conservation of water, programs to increase instream flows in areas where wild salmonids are in decline: HB 2629, SHB 2629
- Degraded rivers, biennial report identifying degraded or endangered rivers: SHB 1836
- Detergent phosphorus content limits, duties: HB 1388
- Disposal facility capacity needs, department to assess need, factors to be considered: SHB 1865
- Disposal facility permits, department may issue only if facility is no larger than necessary to meet regional capacity needs: SHB 1865
- Environmental excellence award grant program created, departmental duties: HB 2149
- Game fish-bearing waters, pre-1947 unscreened diversions to be registered and screened, time limits set: HB 2627
- Genetically engineered organisms, permit required from biotechnology review board for release into environment: HB 2839
- Hazardous substance release on real property; reporting and notice requirements: SSB 5055
- Hazardous substance release, immunity from liability for person cleaning up spill if three years have passed without department discovering any further harm from release: HB 2523
- Hazardous substances incineration facilities, permit application review fees: HB 2665
- Hazardous substances, incineration facilities, fees: HB 2823, SHB 2823
- Hazardous waste clean-up, notice of remedial action taken, issuance by department: SSB 5055
- Littering, reclassification as civil infraction: HB 2331, SHB 2331
- Low-level radioactive waste haulers, demonstration of financial assurance required, duties: HB 2873, \*SHB 2873, CH 61 (1992), SSB 6383
- Minimum water flow levels for declining salmonid stock on Columbia and Snake rivers, department to determine if water withdrawals or diversions are potentially hazardous: SHB 2629
- Minimum water flow levels for salmonid recovery, department to implement minimum flow levels on some rivers and recommend minimum levels on others: HB 2629

- Minimum water flow levels for salmonid recovery, department to prioritize evaluation and implementation of minimum flow levels in basins with declining salmonid stock: SHB 2629
- Oil, recycling guidelines: SHB 1459
- Packaging and packaging components, certificate of compliance with recycling requirements required, duties: SHB 1459, HB 2678
- Paper mill waste, department to study impacts of regulating: HB 2029
- Paper products, recycled content requirements: HB 2678
- Phosphorus content in certain detergents limits, duties: HB 1388
- Plastic connecting rings for beverage and other containers, sale prohibited, exceptions, departmental duties: HB 2840, SHB 2840
- Pulp and paper mills discharging chlorinated organics, department may require that each submit an engineering report on cost of installing technology to reduce discharges, restrictions on establishing permit limits on discharges: \*2SSB 5724, CH 201 (1992)
- Pulp mills, issuance of permits for discharge of chlorinated organic compounds prohibited until federal government issues final guidelines: 2SSB 5724
- Radioactive waste management advisory council, membership modifications: HB 2835
- Reclaimed water, authority to issue permits for land applications of reclaimed water: \*SHB 2833, CH 204 (1992)
- Reclaimed water, lawful users of reclaimed water prior to effective date of act exempted from compliance with standards, procedures, and guidelines adopted by the departments of health and ecology before July 1, 1995: \*SHB 2833, CH 204 (1992)
- Reclaimed water, to adopt a single set of standards, procedures, and guidelines for land applications of reclaimed water in conjunction with department of health: \*SHB 2833, CH 204 (1992)
- Reclaimed water, to adopt a single set of standards, procedures, and guidelines for the industrial and commercial use of reclaimed water in conjunction with department of health: \*SHB 2833, CH 204 (1992)
- Recycling funding, task force established, department duties: SHB 1459
- Recycling, packaging materials recycling rate of fifty percent established: SHB 1459
- Recycling, plan to recover fifty percent of packaging material recycling costs, duties: SHB 1459
- River management program, water quality monitoring duties: SHB 1836
- Scrap metal recycling, hazardous waste components, identification and management practices: HB 2091
- Senior environmental corps created, powers and duties: HB 2560, \*SHB 2560, CH 63 (1992)
- Shoreline residences and appurtenant structures, erosion protection prioritized: \*SB 6128, CH 105 (1992)
- Shoreline residences and associated uplands, erosion protection prioritized: SB 6128
- Sludge management, department to establish comprehensive sludge management program: HB 2640, \*SHB 2640, CH 174 (1992)
- Sludge, department of ecology may delegate authority to issue and enforce permits to use or dispose of municipal sludge to local health departments, department may review permits issued: \*SHB 2640, CH 174 (1992)
- Sludge, department to report on the establishment of beneficial uses by agencies and private entities: HB 2640



- Sludge, local health department may appeal a department of ecology permit decision to the board: \*SHB 2640, CH 174 (1992)
- Solid waste, fee payment required for importation of out-of-state waste if the generating state charges a fee for waste generated in Washington: SHB 2636
- Solid waste, report required sixty days prior to facility receiving waste generated outside the state: SHB 2636
- Storm water, special committee on government storm water pollution and liability created, membership and duties: HB 2946
- Technical assistance officers authorized for department to coordinate voluntary compliance with the regulatory laws: HB 2768, \*SHB 2768, CH 19 (1992)
- Underground storage tanks, removal or closure, department statement that action conforms to departmental rules: SSB 5055
- Used oil, transporter and processor requirements: SHB 1459
- Waste reduction, packaging materials manufacturers registry created, licensing: HB 1826
- Waste reduction, packaging materials target recycling rate, duties: HB 1826
- Wastewater operator certification costs to be split equally between the operators and the state: HB 2800
- Wastewater operator certification, committee to review the certification program to be established by department, membership and duties: HB 2800
- Wastewater, department to adopt standards for land applications of treated wastewater: HB 2833, SHB 2833
- Water conservation programs, economic incentives offered to water users who conserve in the Dungeness, Cowlitz, Dewatto, and Tahuya river watersheds: HB 2629
- Water conservation, alternative rate-setting formulas for water conservation to be provided to irrigation districts: HB 2629, SHB 2629
- Water resources program, administrative fees increased: HB 1851, SHB 1851
- Water resources program, penalties for violations increased: HB 1851, SHB 1851
- Water right fee committee established: SHB 1851
- Water rights claims with priority date prior to June 6, 1917, procedure and filing in claim registry: HB 1582, SHB 1582, SB 5389
- Water rights, seasonal use right change to yearly use right, transfer criteria: SSB 5807
- Water system interties allowed, proposal review duties: HB 1443
- Water well construction and well driller licensing, expansion of department authority to regulate and require compliance: HB 2452
- Water well construction enforcement authority, delegation to local government agencies authorized: HB 2796, \*SHB 2796, CH 67 (1992)
- Water well construction, revised regulatory provisions: HB 1453
- Water wells, department to undertake pilot project to identify and tag existing wells: HB 1453
- Watershed financial assistance program created in department to assist counties to form and implement watershed protection districts: HB 2363, SHB 2363
- Watershed financial assistance program created, qualifications for grants and loans to counties: SSB 6132

## **ECONOMIC DEVELOPMENT**

- Agriculture, in-state direct marketing opportunities for agricultural producers, department to encourage in establishing urban-rural links: HB 1977

- Circuit rider assistance program created to provide technical and funding assistance to small communities: HB 2072
- Convention, tourism, and economic development promotions, business and occupation tax exemption for payments and contributions by public entities to nonprofit corporations for: HB 1898, SB 5661
- Diamond Point trust parcel, sale to parks and recreation commission by board of natural resources, authority to vary boundaries and acreage of parcel transferred: \*SHB 2990, CH 185 (1992)
- Industrial developments, process for approval of proposed siting of major industrial developments under growth management act: SHB 2785
- Industrial developments, requirements for approval of proposed siting of major industrial developments under growth management act: HB 2785
- Industrial growth management demonstration pilot project established in Yakima county: HB 1998, SHB 1998
- Loans and loan guarantees to businesses to improve economic development, Washington economic development finance authority may develop programs to make: SHB 2836
- Pacific Northwest export assistance project, purposes and duties: HB 1990
- Private enterprise review commission created, membership and duties: HB 1605
- Projects of regional or state significance, county or city may identify and request assistance: HB 2676, SHB 2676
- Promotion of lease between state and federal government at Hanford, department of trade and economic development to cooperate with associate development organizations located in or near the Tri-Cities area: \*SSB 6494, CH 228 (1992)
- Public forests commission created, membership and duties: HB 1583, SHB 1583
- Social and health services policy act, impact statement requirements: HB 1684
- State agency competition with private enterprise prohibited: HB 1605
- Tax exemptions for investments or costs resulting in the creation of jobs in distressed areas: HB 2864
- Timber impact areas, public works loans authorized to local governments in: HB 1647
- Timber supply impact areas, public facility loans and grants authorized in: HB 1645
- Tri-cities trade, recreation, and agriculture center, appropriation for the development of, matching requirements established: HB 2783
- Urban/rural economic partnerships project created to encourage transfer of excessive Puget Sound business growth to rural areas: HB 2525
- Washington rural development council created, membership, organization, and duties: HB 2526
- Washington rural development council recognized by legislature and state entities encouraged to participate in council activities, council to be located in branch or agency of state or federal government: SHB 2526
- Washington technology center, revised organization and duties: \*HB 2932, CH 142 (1992)

#### **ECONOMIC DEVELOPMENT FINANCE AUTHORITY**

- Funds, use for financing for individual transactions or programs: HB 2836
- Loans and loan guarantees to businesses to improve economic development in Washington, authority to develop programs to make: SHB 2836
- Non-recourse revenue bond proceeds may be used to fund authority programs: SHB 2836

**ECONOMIC FORECASTS**

- Economic, revenue, and caseload forecast council created, membership and duties: SSB 5702
- Economic, revenue, and caseload forecast council to employ caseload forecast supervisor, duties: SSB 5702

**ECONOMIC RECOVERY COORDINATION BOARD**

- Timber impact areas, designation of additional socially and economically integrated communities as timber impact areas by economic recovery board authorized: \*HB 2821, CH 21 (1992)

**EDUCATION, STATE BOARD**

- Academic and vocational integration development program, pilot projects: HB 2359, \*SHB 2359, CH 137 (1992)
- Academic contests account created; uses of funds in: HB 1149
- Alternatives to classroom instructional time, board may define for students in grades nine through twelve: HB 2240
- American sign language course to satisfy state or local public school foreign language requirement: \*HB 1664, CH 60 (1992)
- Assessment of student educational progress, statewide information system to monitor: HB 2325
- Certification of teachers, powers and duties revised relating to: HB 1170
- Certification requirements for teachers and administrators, board to study and report on options for improving current system: HB 2522
- Commission on functional competence to guide implementation of essential core competencies necessary for high school graduation: HB 1545
- Commission on student learning, membership and duties, coordination of activities with board required: \*SSB 5953, CH 141 (1992)
- Corporal punishment in schools prohibited, to adopt policy on: HB 1159
- Criminal record check through state patrol and federal bureau of investigation required for potential school employees, powers and duties: HB 2518, \*SHB 2518, CH 159 (1992)
- Educational progress oversight panel created to report annually on progress of education reform, panel membership and report content requirements established: SSB 5953
- Employees with unsupervised access to children, fingerprint check required before hiring: HB 2332
- Entrance to practice examination, passage required to obtain initial teacher certification, content requirements established: SSB 5953 ✓
- Essential core competencies, development and implementation duties with superintendent of public instruction: HB 1545
- Excellent school building program established to award buildings that achieve substantial educational improvements: HB 1223
- Fingerprint check of employees with unsupervised access to children required before hiring: HB 2332
- High school graduation requirements, authority to set: HB 1912
- High school graduation requirements, board of education to establish requirements and equivalents: \*SSB 5953, CH 141 (1992)
- High school graduation requirements, board to establish, revised provisions: HB 2546

- Master's degree equivalency standards for vocational instructors to be implemented after August 31, 1995: HB 2190
- Master's degree requirement for certification deadline extended to 1997: HB 1307
- Master's degree requirement for certification deadline extended to August 31, 1995: HB 2190
- Membership and terms of office: HB 2493, \*SB 6133, CH 56 (1992)
- Modernization and construction of school facilities, allocation of funds to be based on priorities set by board: HB 2631, SHB 2631
- Noncertificated persons, eligibility to teach without supervision, rulemaking authority: HB 1068, SHB 1068
- Restructuring plan, waiver of statutory requirements regarding school building self-study, classroom teacher contact hours, and basic education program hours authorized as part of: \*SSB 5953, CH 141 (1992)
- School construction, all appropriations in the 1991-1993 capital budget, except those specified, to lapse with at least one-half of lapsed funds to be appropriated for: HB 2975
- School district boundary changes, procedural requirements for regional committee to reach decision, appeal by petitioners to board: HB 1951
- Schools for the twenty-first century program, final report to legislature and governor, information to be included: \*SB 6220, CH 112 (1992)
- Sign language instructors' qualifications, state board to consult with various groups concerning standards for evaluation and certification of American sign language instructors: \*HB 1664, CH 60 (1992)
- Sign language, American sign language course to satisfy state or local public school foreign language requirement: \*HB 1664, CH 60 (1992)
- Special education students, board of education to develop alternatives for special education students to receive a high school diploma: SSB 5953
- Student assessment and testing, district required to adjust curriculum in areas where scores indicate that students need additional help, parental notification of scores required: \*SSB 5953, CH 141 (1992)
- Student diversity training, professional and paraprofessional preparation programs to report to board on actions taken to ensure that their students have necessary knowledge and skills: HB 2517
- Student learning alternative program, application approval, monitoring authority: HB 1521
- Student learning, establishment of commission on student learning, membership and duties, coordination of activities with board required: \*SSB 5953, CH 141 (1992)
- Student transportation safety, state assistance for school plant facility construction related to improvement of: HB 1175
- Teacher and administrator certification, board to study current requirements in conjunction with council on education reform and funding and present options for improving certification system: \*SSB 5953, CH 141 (1992)
- Teacher certification to include ethnic diversity education throughout curricula, board to require: SHB 1365
- Teacher certification, initial certificate to be valid for seven years with reinstatement available under board of education rules: SSB 5953
- Teachers' certificates, initial certificate valid for no more than seven years but may be reinstated under board rules: HB 2522

- Transportation safety for students, state assistance for school plant facility construction related to improvement of: HB 1175
- Vocational education instructors, master's degree equivalency standards to be implemented after August 31, 1995: HB 2190
- Vocational instructors, board to education to adopt baccalaureate equivalency standards: \*SSB 5953, CH 141 (1992)
- Vocational instructors, board to establish baccalaureate and masters degree equivalency standards for: HB 2522
- Waivers of statutory requirements regarding school building self-study, classroom teacher contact hours, and basic education program hours authorized as part of restructuring plan containing required elements: \*SSB 5953, CH 141 (1992)
- Work stoppages, implementation of rules regarding, duties: HB 2207

### **EFFICIENCY AND ACCOUNTABILITY IN GOVERNMENT, COMMISSION**

- Architectural and engineering services, commission to conduct review of procurement and use of: HB 1132
- Extension of commission for additional four years: HB 1038
- Membership and duties, revised provisions under government accountability act of 1992: HB 2462, SHB 2462
- Program evaluation system, commission duties in establishing state-wide system: HB 2462

### **ELECTIONS**

- "Community standards," authorized means of expressing and establishing standards: HB 1978
- "Short term" defined for partisan and nonpartisan elective offices: HB 2090
- Absentee voters, eligibility for ongoing absentee voter status expanded: HB 2403
- Absentee voting, establishment of satellite offices for absentee voting authorized: HB 1697
- Advertising, political, public disclosure of average expenditures by office, notice required on advertising by candidate spending more than the average for that position in the previous election: HB 2880
- Appeals, procedure: HB 2319, \*SHB 2319, CH 163 (1992)
- Ballot titles and summaries of referendum bills and constitutional amendments, submission, notice, and appeal provisions: HB 2285
- Ballot titles for referenda measures, requirements established: HB 2592
- Ballots, official count to be conducted at precinct polling place by precinct election officers or under their direction: HB 2167
- Campaign financing, limitations on campaign contributions and spending: HB 2986, SHB 2986
- Candidate for elective office to be registered voter of district or political subdivision and residency requirements in excess of that standard may not be adopted: SSB 6067
- Candidate must be registered voter in area subdivision where nominated: SHB 1209
- Candidate must reside in district or jurisdiction from which candidate elected: HB 1516
- Candidate personal fund loans limited: HI 134
- Candidates' pamphlet to indicate which candidates signed and abided by spending limits and those who did not agree to spending limits: HB 2986, SHB 2986
- Candidates' pamphlet, secretary of state to bill each candidate for prorated space in pamphlet: HB 1593

- Candidates, limits on contributions and other funding sources, restrictions on solicitation and use of contributions: HI 134
- Candidates, residency, election officers to review candidate's filings to determine: SHB 1209
- Candidates, withdrawal of declaration of candidacy to declare for different office: HB 1076
- Challenges to elections that concern bonds or levies must commence within one hundred eighty days of election: SHB 1827
- Cities, towns, and special districts, election procedures altered to become uniform and in conformity to general election law: HB 2476, SHB 2476
- City councilmembers, revised provisions relating to election procedures and number of members: HB 2476, SHB 2476
- Contribution and expenditure reporting for candidates for state elective office, penalties for violations: HB 2986, SHB 2986
- Contribution limitations for individuals, political parties, and state legislative caucuses, attribution of contributions: HI 134
- Contribution limits and reporting requirements: HB 1640
- Costs, determination of proportionate basis for allocation of election costs, revision of formula for establishing share: HB 2469
- Declaration of candidacy, withdrawal of declaration to declare for different office: HB 1076
- Disclosure of contributions and expenditures by entities that are not political committees or that are political committees domiciled outside the state or that are created primarily to elect persons to federal office required: HB 2401
- Disqualified candidate in nonpartisan elections, removal from ballot: \*HB 2662, CH 181 (1992), SB 6309
- Division of elections established in office of secretary of state: HB 2319, \*SHB 2319, CH 163 (1992)
- Division of elections in office of secretary of state created: HB 1711
- Election administration and certification board, membership and duties: HB 2319, \*SHB 2319, CH 163 (1992)
- Election administration training advisory committee established: HB 1711
- Election assistance and clearinghouse program established in office of secretary of state: HB 2319, \*SHB 2319, CH 163 (1992)
- Election integrity act of 1991: HB 2167
- Election review section established in division of elections, responsibilities: HB 2319, \*SHB 2319, CH 163 (1992)
- Elections administration officials and personnel, training and certification programs: HB 2319, \*SHB 2319, CH 163 (1992)
- Elections assistants or deputies, appointment by county auditor: HB 2319, \*SHB 2319, CH 163 (1992)
- Expenditure and contribution reporting requirements: HI 134
- Expenditure limitation agreement or alternative contribution limits, spending limits for candidates for state office, penalties for violations: HB 2986, SHB 2986
- Facsimile filing of election documents authorized: HB 1041
- Fair campaign practices act adopted: HI 134
- Filing fees, candidate without sufficient assets to pay, submission of information supporting claim, review procedures: HB 1596
- Franking privilege, restriction on use by legislator during campaign: HB 2986, SHB 2986

- Franking privileges of state legislator limited during year preceding end of legislator's term:  
HI 134
- General elections, names of top two vote getters in primary for nonpartisan position to appear on general election ballot: SHB 1001
- Honoraria, prohibition on accepting certain honoraria: SHB 2986
- Independent expenditures, limits on independent advertising expenditures, disclosure requirements: HI 134
- Independent expenditures, reporting to public disclosure commission, local elections officer, and candidates, requirements: HB 2986, SHB 2986
- Initiative and referendum, paid solicitation of signatures restricted, violation a gross misdemeanor: HB 2558
- Judges, election procedures: HB 1074
- Judges, when primary election not required: SHB 1001
- Local government elected officials, revised election procedures: HB 2476, SHB 2476
- Local office candidates, campaign contribution and spending limits apply to candidates for local office beginning July 1, 1995, exceptions: HB 2986, SHB 2986
- Multicandidate political committees, annual report filing requirements, required contents: HB 2986, SHB 2986
- Nominating conventions, revised provisions relating to: HB 2943
- Nominations by convention, revised provisions relating to: HB 2943
- Nonpartisan elections, judicial election procedures: HB 1074
- Nonpartisan elections, names of top two vote getters in primary to appear on general election ballot: SHB 1001
- Nonpartisan elections, removal of disqualified candidate from ballot: \*HB 2662, CH 181 (1992), SB 6309
- Nonpartisan elections, repeal of special constitutional procedures regarding the conduct of: HJR 4200
- Nonresident property owners, authorization to vote in local nonpartisan elections when owning property within that government's boundaries: HB 2952
- Personal funds of candidate agreeing to spending limits, candidate must also limit expenditure of personal funds in campaign: HB 2986, SHB 2986
- Political action committees, total of contributions that candidate receives from committees cannot exceed twenty-five percent of all contributions candidate receives by end of election: HB 2986, SHB 2986
- Political parties, county central committee chair and vice-chair need not be of opposite sexes: HB 2658
- Political parties, state committee chair and vice-chair need not be of opposite sexes: HB 2658
- Political party observers, training and certification programs: HB 2319, \*SHB 2319, CH 163 (1992)
- Precinct committee officers, election procedures: HB 1075
- Presidential preference primary date fixed: SHB 2089
- Primary elections, judicial elections, when primary not required: SHB 1001
- Primary elections, school district directors, when primary not required: SHB 1001
- Primary elections, superintendent of public instruction, when primary not required: SHB 1001

- Public disclosure commission, campaign financing limits for candidates for state elective office, authority to revise dollar amounts and to conduct audits and investigations: HB 2986, SHB 2986
- Public funds, prohibition on use of public funds to finance state or local political campaigns: HI 134
- Public utility district election procedures, revised provisions: HB 2513
- Public utility districts, candidate name order to be rotated on ballots in each precinct: HB 2233
- Referenda measures, requirements established for ballot titles for: HB 2592
- Residency of candidate, election officers to review candidate's filings to determine: SHB 1209
- Residency requirements for candidates for elective office, candidate to be registered voter of district or political subdivision: SSB 6067
- School district directors, procedures: HB 1074
- School district directors, when primary not required: SHB 1001
- School levy measures, number of electors needed to approve: HJR 4234
- Sheriffs, office to be nonpartisan except in counties where home rule charter declares it to be partisan: SHB 1715
- Signature gatherers for initiative or referendum measures, notice to be given that paid signature gatherers are being used to collect signatures, requirements: HB 2923
- Solicitation of contributions during legislative session, limits on, penalties for violations: HB 2986, SHB 2986
- Special districts, cities, and towns, election procedures altered to become uniform and in conformity to general election law: HB 2476, SHB 2476
- Special districts, election of district officers is void if proposal to create district is defeated: HB 2476, SHB 2476
- Special election held during month of presidential preference primary to be set for the same day as the primary election: HB 2402, SHB 2402, \*SB 6213, CH 37 (1992)
- Special elections, local special election held in conjunction with general election, resolutions to be submitted sixty-five days before: HB 1592
- Special elections, local special election held in conjunction with presidential primary: SHB 2089
- Spending limits for candidates for state office entering into expenditure limitation agreement or under alternative contribution limits, penalties for violations: HB 2986, SHB 2986
- Spending limits, candidate for state office limited in total expenditures that may be made during two or four year election cycle for the office sought, reporting requirements: HB 2986, SHB 2986
- State elective office, limitations on campaign contributions and spending for, penalties for violations: HB 2986, SHB 2986
- State, payroll political check-off provision eliminated: HI 134
- Superintendent of public instruction, procedures: HB 1074
- Superintendent of public instruction, when primary not required: SHB 1001
- Surplus funds, transfer of, transfer may be made only to a political party organization or to a caucus of the state legislature: HB 2986, SHB 2986
- Training and certification programs for elections administration officials and personnel: HB 2319, \*SHB 2319, CH 163 (1992)
- Training and education programs for elections administration personnel required: HB 1711



- Transfer of funds, prohibition on use of funds to run for another office and on transfer to another candidate or political committee: HI 134
- Vote by mail primary or special election may be held under specified conditions, voting and canvassing procedures established: SHB 1501
- Voter address verification, revised procedures for verifying registrant's address: HB 1554
- Voter qualifications, revision of provisions relating to who is eligible and ineligible to vote: HJR 4215
- Voter registration allowed until fifteen days before election: HB 1099
- Voter registration allowed up to fifteen days before election for absentee voting: HB 1217
- Voter registration by mail: HB 1310, SHB 1310
- Voter registration, candidate must be registered in area subdivision where nominated: SHB 1209
- Voters' pamphlet arguments, county auditor to appoint committees to prepare local pamphlet arguments: HB 1594
- Voters' pamphlet explanatory statement to summarize laws repealed by a ballot measure: SB 6080
- Voting by mail, nonpartisan special election may be conducted by mail in precincts with less than two hundred voters, conditions: SHB 1501
- Withdrawal of candidate for elective special district office allowed any time before primary unless absentee ballots have been issued or primary ballots printed: HB 2463

## **ELECTRICAL INSTALLATIONS**

- Building codes, residential buildings moved into or within city or county not required to meet all building code requirements if occupancy classification of building is not changed: HB 2673, \*SHB 2673, CH 79 (1992)
- Continuing education requirements established for renewal of electrician and electrical training certificates: HB 2984
- Contractor licenses, unlawful practices, revised provisions: HB 2396, SHB 2396
- Contractors, information to be supplied in application for license, revised requirements: \*SHB 2686, CH 217 (1992)
- Electrical inspectors, city inspectors to enforce electricians' licensure and certification requirements: HB 2158
- Electrical utilities and contractors retained by utilities, journeyman electrician certificate not required for employee registered with or graduated from state-approved lineman apprenticeship course: \*HB 2053, CH 240 (1992)
- Electrical utilities, exemptions from licensing and inspection requirements for work in connection with installation, repair, and maintenance of lines, wires, apparatus, and equipment, conditions and limitations: \*HB 2053, CH 240 (1992)
- Electrician and electrical training certificates, continuing education requirements for renewal of certificate established: HB 2984
- Residential buildings moved into or within city or county not required to comply with all building code requirements if occupancy classification of building not changed: HB 2673, \*SHB 2673, CH 79 (1992)
- Workers' compensation coverage information required as part of application for registration or license including coverage in state of domicile for workers employed in Washington: \*SHB 2686, CH 217 (1992)

## **ELECTRICITY**

- Cities and towns, electrical substations, procedures for obtaining permit to locate in: SHB 1198
- Cities and towns, regulation of the placement of electrical facilities: SHB 1198
- Cogeneration facilities, deferral of excise taxes for eligible investment projects: SB 6116
- Continuing education requirements established for renewal of electrician and electrical training certificates: HB 2984
- Counties, electrical substations, procedures for obtaining permit to locate in: SHB 1198
- Electric and magnetic fields, congress asked to expand and accelerate study of possible health effects: HJM 4007
- Electrical utilities and contractors exempted from licensing requirements, conditions and limitations: HB 2053
- Electrical utilities and contractors retained by utilities, journeyman electrician certificate not required for employee registered with or graduated from state-approved lineman apprenticeship course: \*HB 2053, CH 240 (1992)
- Electrical utilities, exemptions from licensing and inspection requirements for work in connection with installation, repair, and maintenance of lines, wires, apparatus, and equipment, conditions and limitations: \*HB 2053, CH 240 (1992)
- Electrician and electrical training certificates, continuing education requirements for renewal of certificate established: HB 2984
- Energy conservation tariff, utilities to file: SHB 1335
- Hatcheries, United States department of energy and Bonneville Power Administration requested to fund electric power costs for state-funded hatcheries: HJM 4032
- High voltage power line siting, state preemption of field: HB 1613
- Hydroelectric projects, declaration that state has no regulatory authority over federally owned or licensed hydroelectric projects: HB 2917
- Hydroelectric projects, state has no regulatory authority over federally owned or licensed unless authority granted by federal government: SHB 2917, SSB 6475
- Hydropower plan, task force to prepare state comprehensive hydropower plan, extension of task force and revision of duties: HB 2917
- Island inhabitants, provisions to protect them from loss of electricity during storms: HB 1650
- Municipal electric utilities, revised provisions relating to utilities access to high voltage transmission lines: \*HB 2347, CH 11 (1992), SSB 6064
- Substations, procedures for obtaining permit to locate electrical substation in city or county: SHB 1198
- Transmission lines and magnetic fields, interim policy to limit new or upgraded lines to level of existing lines: HB 1547
- Weatherization for low-income residences, utilities to submit plan by December 31, 1991: SHB 1335
- Wildland/urban interface areas, fire prevention duties of owner of electrical transmission or distribution line in high or extreme risk level area: HB 2519

#### **ELECTRONIC EQUIPMENT**

- Warranties, requirements: SHB 1399

#### **EMERGENCY MEDICAL SERVICE DISTRICTS**

- Trustees, board of, membership and duties: 2SSB 5335

Volunteer workers, inclusion in benefits available under the volunteer fire fighters relief and pension fund: 2SSB 5335

### EMERGENCY SERVICES

- Abstract of driving record exclusion for public workers driving official vehicles in emergency situations: HB 1318
- Alcohol or drug caused emergency responses, public agency authorized to recover costs from person convicted of being under influence: SHB 1636
- Ambulance driver certification requirements modified: \*SB 6033, CH 128 (1992)
- Ambulance operators and directors, licensing period reduced from three to two years: \*SB 6033, CH 128 (1992)
- Ambulance vehicle licensing period changed from one to two years: \*SB 6033, CH 128 (1992)
- Certification and recertification of physician's trained intravenous therapy technicians, airway management technicians, and mobile intensive care paramedics, certification period changed to three years: \*SB 6033, CH 128 (1992)
- Disaster assistance fund created, authorized uses of moneys in fund: HB 1773
- Earthquake preparedness, duties of director of community development and earthquake preparedness committee in regard to improvement of: HB 2791, SHB 2791
- Emergency medical services committee, repeal of termination provisions: \*SB 6032, CH 84 (1992)
- Emergency vehicles included in definition of "new motor vehicle" for warranty coverage: HB 2677
- Natural death act, department to adopt guidelines for emergency medical personnel in regard to patients who do not wish to receive futile treatment: \*SHB 1481, CH 98 (1992)
- Patients and clients of public emergency medical service, confidentiality of personal information: SHB 1275
- Radio dispatch personnel included in definition of "uniformed personnel" for collective bargaining: SHB 1959
- Uniform disciplinary act, application to physician's trained intravenous therapy technicians, airway management technicians, mobile intensive care paramedics, and ambulance operators, directors, and drivers: \*SB 6033, CH 128 (1992)

### EMINENT DOMAIN

- Compensation for land value loss resulting from environmental protection measures: HB 1695
- Judgment review procedure: SB 6430
- Private land, designation as wetland, open space, or other public benefit property, full compensation to be paid when designation prohibits or restricts use of property: HB 2739
- Shoreline management act, compensation for landowners adversely affected by regulations adopted under: HB 1693
- Shoreline master program, notice and compensation to landowners when property classified as natural or conservancy environment: HB 1694
- Taking of private property, establishes a process to determine when a taking has occurred: HB 1334, SHB 1334

**EMPLOYER AND EMPLOYEE**

- Agricultural employees to be paid within twenty-four hours following end of employment, establishes penalties for failure to pay and dispute resolution procedure: HB 2432, HB 2433
- Agricultural workers protection act adopted, fair employment practices established for farm labor: HB 2432
- Business and occupation tax credit for employer providing child care assistance: HB 1538
- Business and occupation tax credit for employer-sponsored child care facilities: HB 1637, SHB 1637
- Business closures and employee layoffs prohibited until sixty days after written notice issued, penalties and exceptions established: HB 2441, SHB 2441
- Child and family care, need to increase and improve child care services through training of providers: HB 1476
- Child and family care, new growth and development to pay fair share of additional facilities and services needs as result of growth: HB 1476
- Child care facility fund, applications by employee organization for loans, loan guarantees, or grants: SHB 1808
- Child labor, employer records requirements: SSB 6442
- Child labor, employment of children under age sixteen, hours and conditions: SSB 6442
- Child labor, prohibited employment: SSB 6442
- Closure or relocation of business, employer responsibilities to employees: HB 1278
- Discrimination by employer against employee for consumption of lawful products off premises during nonworking hours prohibited: HB 2274, SHB 2274
- Earned vacation time, payment for time not taken: HB 2377
- Economic adjustment and assistance act adopted: HB 2441, SHB 2441
- Employee layoffs and business closures prohibited until sixty days after written notice issued, penalties and exceptions established: HB 2441, SHB 2441
- Employee may use sick leave to care for child under one year of age: HB 1347
- Employee noncompetition agreements, agreement must be entered into on initial employment and employer must provide additional consideration: SSB 5526
- Employee noncompetition agreements, continued employment not considered additional consideration for entering into agreement: SSB 5526
- Employee noncompetition agreements, requirements to create enforceable agreement: SSB 5526
- Employee noncompetition agreements, written notice to both parties of effect of agreement required, notice format: SSB 5526
- Employee safety, crime prevention training for late night retail establishment employees, requirements: HB 2663
- Employee safety, parking area lighting requirements for late night retail establishments: HB 2663
- Employer discrimination, employer of one or more persons subject to provisions of the freedom from discrimination statute: HB 2264
- Family educational leave, employee entitled to sixteen hours during any twenty-four month period, notice to employer: HB 2220
- Family leave for employee to care for family member, discrimination against employee exercising rights prohibited: HB 1474
- Family leave to meet family care responsibilities: HB 2220

- Firing employee exposed to reproductive hazards who refuses compulsory sterilization, prohibited: SHB 1725
- Late night retail establishments, crime prevention training requirements, penalties for violation: HB 2663
- Late night retail establishments, employee parking area lighting requirements: HB 2663
- Lockouts, eligibility of workers for unemployment compensation: HB 1279
- Medical examinations, payment for time lost while attending for industrial insurance: HB 1285
- Noncompetition agreements, agreement must be entered into on initial employment and employer must provide additional consideration: SSB 5526
- Noncompetition agreements, continued employment not considered additional consideration for entering into agreement: SSB 5526
- Noncompetition agreements, employee, written notice to both parties of effect of agreement required, notice format: SSB 5526
- Noncompetition agreements, requirements to create enforceable agreement: SSB 5526
- Overtime work, discrimination for refusal to work prohibited: HB 1475, SHB 1475
- Pesticides, recordkeeping and posting requirements modified: HB 2317
- Plant closure law, employer notice required, sanctions: HB 1477
- Political expenditure and fund raising limits, prohibition on employer discrimination for failure to support or contribute to candidate, proposition, or political organization: HI 134
- Reductions in business operations, employer obligations to employees and community: HB 1477
- Reproductive status may not be employment condition: SHB 1725
- Retaliatory actions by employer against employee who makes good faith report of potential wrongdoing prohibited, remedies: HB 2068
- Safety bonus programs that reward workers prohibited: HB 1284
- Safety bonus programs that reward workers, criteria established: SHB 1284
- Sales representatives and principals, regulation of contractual relationship between representatives and principals including payment of wages and commissions: \*SSB 6120, CH 177 (1992)
- Small employer health insurance availability act enacted to assure fair marketing practices and broad availability of health benefit plans: HB 2870
- Termination of employee within one year of vesting for pension or sixty days of qualifying for health benefits prohibited except for good cause, remedies and exceptions: HB 2787
- Video display terminals, employers to use safeguards and practices to enhance employee health and safety: HB 1680

## EMPLOYMENT

- Alcohol server class 12 permit required, proof of completion of alcohol server training program required for permit: HB 2742, SSB 6338
- Basic health plan employer tax levied to fund program: HB 2590, SB 6089
- Basic health plan employer tax, small business health insurance hardship program established to assist employers severely effected by payment of tax: HB 2590, SB 6089
- Basic health plan, employees of small businesses eligible to enroll in plan: HB 1701, HB 2076

- Child labor laws, enforcement, penalties for violations: HB 1288
- Child labor standards enforcement, penalties: HB 1472
- Community college benefit districts, authority to impose excise tax on employers in district: HB 2790
- Community work experience program to be implemented for general assistance recipients not expected to be eligible for supplemental security income and capable of doing public service work: HB 2983, \*SHB 2983, CH 165 (1992)
- Commuting, reduction of single occupant vehicle commuting, duty of employers to plan and implement: HB 1754
- Discrimination, employer discrimination against employee for consumption of lawful products off premises during nonworking hours prohibited: SHB 2274
- Employer discrimination, employer of one or more persons subject to provisions of the freedom from discrimination statute: HB 2264
- Employment security, congress urged to release tax moneys paid by state employers: SJM 8029
- Family educational leave, employee entitled to sixteen hours during any twenty-four month period, notice to employer: HB 2220
- Family leave for employee to care for family member, discrimination against employee exercising right prohibited: HB 1474
- Family leave to meet family care responsibilities: HB 2220
- Health care, small employer health insurance coverage, issuers of health insurance required to provide workers equal access to health care coverage through their employers without regard to the size of the enterprise: HB 2922, SB 6384
- Health hazards to workers and public, identification and reduction in use of pesticides that pose: HB 1765
- Job training partnership account created, department of employment security duties: HB 2006, SHB 2006
- Job training trust fund created, funds to be used to train and retrain adults requiring vocational skills to be employed: HB 2603, SHB 2603
- Labor market information and economic analysis, employment security department responsibilities and authority: HB 2386, SHB 2386
- Newspaper carriers under the age of eighteen with gross income below two thousand dollars per month exempted from tax registration requirements: HB 2895
- Partners in education program, school service leave from employment authorized: SHB 1653
- Rehabilitation of criminal offender, use of criminal history background check to determine status of prospective employee: HB 2055, SHB 2055
- Sales representatives and principals, regulation of contractual relationship between representatives and principals including payment of wages and commissions: \*SSB 6120, CH 177 (1992)
- School service leave from employment authorized: SHB 1653
- Small employer health insurance coverage, issuers of health insurance required to provide workers equal access to health care coverage through their employers without regard to the size of the enterprise: HB 2922, SB 6384
- State government employment, growth rate limited to no more than the annual rate of growth of the state's population: SB 6075
- State, preference for hiring Washington residents established if legislature or governor has initiated a reduction in force: HB 2855

- Tax exemptions for investments or costs resulting in the creation of jobs in distressed areas: HB 2864
- Timber workers, counter-cyclical program for dislocated workers, employment and counseling opportunities: HB 1600
- Tipped employee, credit for tips to be computed into determination of minimum wage for: HB 1584
- Tobacco, unfair practice to require individual to abstain from legal tobacco use away from place of work: HB 1617
- Vulnerable adults, employment involving provision of services to, disqualification for three to five years of certain criminal offenders depending on gravity of offense: \*SHB 2055, CH 104 (1992)
- Work opportunities program created to foster recipient job training and encourage independence from public assistance: HB 2515

### **EMPLOYMENT AGENCIES**

- Employment listing and referral services, regulatory provisions: HB 2043

### **EMPLOYMENT SECURITY, DEPARTMENT**

- Business assistance program, duties: HB 1570, HB 1731, SHB 1731
- Business closure and employee layoff notice requirement, responsibilities of displaced worker unit: HB 2441, SHB 2441
- Dislocated timber industry workers, natural resource worker project in Skagit county: SHB 1314
- Dislocated timber industry workers, training pilot project established in Skagit county, duties: SHB 1315
- Dislocated timber workers, natural resource worker project established for: SHB 1314
- Displaced worker unit, business closure and employee layoff notice requirement, unit responsibilities: HB 2441, SHB 2441
- Family policy council created to solicit proposals to facilitate greater flexibility and responsiveness of service to families at the community level, duties, requirements for consideration of proposals: HB 2846, SHB 2846, \*SSB 6428, CH 198 (1992)
- Federal unemployment tax, congress urged to release moneys paid by state employers to support employment security programs: SJM 8029
- Homeless persons, employment services program established, duties: HB 1922
- Job training partnership account, allocation duties: HB 2006, SHB 2006
- Labor market information and economic analysis responsibilities and authority: HB 2386, SHB 2386
- Natural resource worker project established for dislocated timber workers: SHB 1314
- Natural resource worker project in Skagit county for dislocated timber industry workers: SHB 1314
- Timber workers, counter-cyclical program for dislocated workers, duties: HB 1600
- Training pilot project for dislocated timber industry workers in Skagit county: SHB 1315

### **ENERGY**

- Cogeneration facilities, deferral of excise taxes for eligible investment projects: SB 6116
- Cogeneration projects in state facilities, feasibility studies and sale of energy: SHB 1022
- Energy code, amendments to state energy code for nonresidential buildings, requirements for amendments: HB 2061

Energy efficiency construction account created, appropriation uses: SHB 1022  
 Energy efficiency services account, uses: SHB 1022  
 Energy facilities to comply with local government comprehensive plans and development regulation: HB 2653  
 Energy facility site certification, applicant to furnish information requested by city or county: HB 2174  
 Energy facility site certification, applicant to pay city's or county's cost of processing: HB 2174  
 Energy facility site evaluation council, siting of high voltage power lines, duties: HB 1613  
 Energy office, state energy strategy and public sector energy use reduction, duties: SHB 1022  
 Energy office, state energy strategy, advisory committee membership and duties: SHB 1022  
 National policy, congress asked to develop a national energy policy: SHJM 4010  
 Public utilities, energy conservation projects participation: SHB 1022  
 State agencies and school districts, energy use reduction and energy efficiency projects: SHB 1022  
 State energy strategy, state energy office to develop: SHB 1022

#### **ENERGY FACILITIES SITE EVALUATION COUNCIL**

Aquifers, proposed oil pipeline must demonstrate that it will meet federal regulations designed to protect sole source aquifer areas: HB 2701  
 Oil pipelines, proposed pipeline must demonstrate that it will meet federal regulations designed to protect sole source aquifer areas: HB 2701  
 Oil transmission lines, applicant to pay city and county costs of site application process, procedure: HB 2654  
 Oil transmission lines, applicants to pay all costs incurred by city or county for activities related to site application process, city or county to submit quarterly statement of expenses: HB 2970  
 Oil transmission lines, applicants to pay fees to cities and counties for activities related to energy facility site evaluation process in specified situations, amount of fees set: SHB 2970

#### **ENGINEERS**

On-site sewage disposal systems design and installation, authority for certified designer to practice: HB 2074  
 Registration board membership modified: HB 1308  
 Registration requirements: HB 1117  
 Registration requirements for engineers and engineers-in-training, revised provisions: HB 2897

#### **ENGLISH LANGUAGE**

Declared official language of the state of Washington: HJR 4223

#### **ENVIRONMENT**

Air pollution, order compliance factors beyond person's control, modification of requirements: SB 5746  
 Aquaculture, environmental impact statement required for proposed project: HB 1252  
 At risk coastal resources, Olympic natural resources center to study: SHB 2047



- Ballast water, coast guard requested to prohibit dumping in United States waters: SJM 8002
- Balloons, release of lighter than air balloons prohibited: HB 1033
- Biospheric task force created to focus and coordinate state activities in regard to the Greenhouse Effect and ozone layer depletion, membership and duties: HCR 4405
- Coastal resources program created at the University of Washington and Grays Harbor College, program goals and requirements: HB 2047
- Commerce and employment resources act enacted: HB 2728, SHB 2728
- Compensation for land value loss resulting from environmental protection measures: HB 1695
- Environmental excellence award grant program created: HB 2149
- Environmental impact statements, threshold determination on completed application to be made within ninety days although applicant may request an additional thirty days for determination: \*SSB 5728, CH 208 (1992)
- Environmental impact statements, threshold determination to be completed in fifteen to sixty days: SSB 5728
- Environmental impact statements, threshold determination to be completed in fifteen to thirty days: HB 2063, SSB 5728
- Fish and wildlife education council to raise and distribute funds for public school environmental education programs that emphasize species conservation and projects in fish and wildlife preservation and management: SHB 2630
- Fish and wildlife education in the public schools, development duties and funding provisions: HB 2630
- Forest practice permits, fees imposed on applicants for, to assist with review and permitting costs related to environmental protection: HB 1854
- Growth management act, counties and cities encouraged to balance the goals of protecting the environment and protecting private property rights when designating critical areas: HFR 4742
- Oil heat tank pollution liability act: HB 1896
- Oil transmission lines to conform to local zoning and environmental codes: HB 1251, SHB 1251
- Pacific ocean resources compact, adoption of: HB 2545
- Pesticides, identification and reduction in use of pesticides that pose health hazards to workers and public: HB 1765
- Senior environmental corps created, goals: HB 2560, \*SHB 2560, CH 63 (1992)
- Social and health services policy act, impact statement requirements: HB 1684
- System improvements to public facilities, credits to be provided when impact fees are imposed or mitigation measures are required under state environmental policy act: SHB 2842
- System improvements to public facilities, duplication of mitigation and impact fees on the same system improvements prohibited: HB 2842, \*SHB 2842, CH 219 (1992)
- Threshold determination requiring environmental impact statement to be issued within ninety days of receiving application and other determinations to be issued within one hundred twenty days: HB 2728, SHB 2728
- Transportation planning, pilot program to define environmental elements and environmental cost estimates for all projects within pilot district: HB 2848, SHB 2848

**ESCROW AGENTS AND COMPANIES**

Disclosure of financial or ownership interest in escrow company being utilized required of any party to real estate transaction: HB 2249

Document preparation for property sales or loans, repeal of obsolete RCW sections: \*SB 6329, CH 91 (1992)

Property sale or loan documents, provisions relating to preparation repealed: HB 2361

#### **ESTATE TAX (See TAXES - ESTATE TAX)**

#### **ESTATES**

Intestate, surviving spouse to receive none of decedent's share of estate if decedent has filed for dissolution or separation: HB 2657

#### **ESTHETICIANS (See COSMETOLOGY)**

#### **ETHANOL**

Agriculture department to promote development and use of ethanol in motor fuels: HB 2721

Energy self-sufficiency commission created to study the production and use of ethanol in the state: HB 1590

Gasohol, all gasoline sold after January 1, 1993, to be gasohol: HB 1580

Motor fuels sold by Washington distributors to contain specified percentages of ethanol beginning in 1993, penalties set for failure to comply: HB 2721

State fueling facilities, gasohol to be dispensed as passenger vehicle fuel: HB 1591

Tax exemptions for alcohol fuel production extended through 1999: HB 2387

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#### **EVERGREEN STATE COLLEGE, THE**

Construction, appropriation for minor repairs and improvements: HB 1178

Enrollment level increased: HB 1549

Enrollment, state-funded enrollment level increased: HB 1319

#### **EVIDENCE**

Child sexual abuse victims, video testimony of victimized children under ten allowed: SJR 8217

Controlled substances, certified copy of crime laboratory analytical report admissible in evidence in controlled substances prosecutions, criminologist may be subpoenaed to testify: \*SSB 6055, CH 129 (1992)

Controlled substances, certified copy of crime laboratory analytical report admissible in evidence in prosecutions involving analysis of, defendant may subpoena criminologist to testify: SSB 6055

Controlled substances, reports by and testimony of criminologists at state crime laboratory admissible in prosecutions involving analysis of: HB 2303

Crime laboratory analysis fee to be levied on persons found guilty to pay costs associated with analysis of forensic evidence by state crime laboratory: SSB 6057

Crime laboratory system, forensic evidence analysis fee: HB 2349, SHB 2349

Crime laboratory, certified copy of analytical report admissible in controlled substances prosecutions, defendant may subpoena the criminologist to testify: SSB 6055

- Crime laboratory, certified copy of analytical report admissible in evidence in controlled substances prosecutions, criminologist may be subpoenaed to testify: \*SSB 6055, CH 129 (1992)
- Crime laboratory, reports by or testimony of criminologists admissible in controlled substances prosecutions: HB 2303
- Crime laboratory, reports by or testimony of forensic scientists at state crime laboratory admissible in prosecutions involving analysis of: SHB 2303
- Hearsay, definition of "corroborative evidence" for admission of child's hearsay statement regarding acts of sexual contact: HB 2749
- Malicious harassment, cross burning and defacement of property with hate symbols constitutes prima facie evidence of: SHB 1037
- Money laundering, additional proof requirements when case involves an attorney who accepts a fee for representing a client in a criminal matter or a financial institution or its employees: \*2SSB 5318, CH 210 (1992)
- Negligence per se, furnishing liquor to minors constitutes negligence per se in any civil action for damages resulting from a minor's consumption of liquor: HB 2733, SHB 2733
- Suppression prohibited if evidence collected in good faith belief of its legality: HB 1719
- Video testimony of children under ten who are sexual abuse victims, constitutional amendment to allow: HJR 4240
- Waiver of overpayment allowed, conditions: HB 1718

#### **EXCISE TAX (See TAXES - EXCISE TAX)**

#### **EXECUTIONS**

- Exemption of property from out-of-state judgment for failure to pay that state's income tax on pension or retirement benefits: HB 1292

#### **EXPLOSIVES**

- Manufacturing or storage facility, persons authorized to enter, violation a gross misdemeanor: SSB 6153
- Materials containing instructions for making explosives or deadly weapons, sale to minors prohibited: HB 2666
- Seized explosives, destruction: SSB 6153
- Theft or loss, reporting requirements: SSB 6153
- Unlawful use, classification: SSB 6153

#### **FACSIMILE DEVICES**

- Election documents, facsimile filing authorized: HB 1041
- Rule-making hearings, facsimile and recorded telephone comments may be allowed by agency at: HB 2511, \*SB 6289, CH 57 (1992)

#### **FAIRS AND EXHIBITIONS**

- Lodging tax, use for special events or festivals and promotional infrastructures authorized: \*SB 6452, CH 202 (1992)

#### **FAMILY INDEPENDENCE PROGRAM**

Internship earnings, department of social and health services to seek waiver to allow recipients to retain internship income: HB 1941

### **FAMILY LIFE**

At-risk youth legislation, review task force created: SHB 1901

At-risk youth legislation, review task force membership to reflect racial diversity of juveniles served under legislation: SHB 1901

Child care partnership expanded to include family care: HB 1476

Children, youth, and families, council on, establishment in governor's office, membership and duties: SSB 6428

Children, youth, and families, state institute for, establishment as clearinghouse for information about innovations regarding children, youth, and family issues: SSB 6428

Community-based family support center program: SHB 1714

Consortia on children, youth, and families, juvenile issues task force to study the establishment and role of a network of consortia and the need for an institute on children and family services: SSB 6428

Employer-assisted child and family care: SHB 1471

Employment leave for family members care: SHB 1471

Family educational leave, employee entitled to sixteen hours during any twenty-four month period, notice to employer: HB 2220

Family impact statement, required before government entities act: HB 1745

Family leave for employee to care for family members, provisions expanded: HB 1474

Family leave to meet family care responsibilities: HB 2220

Family policy council created to solicit proposals to facilitate greater flexibility and responsiveness of services to families at the community level, duties, requirements for consideration of proposals: HB 2846, SHB 2846, \*SSB 6428, CH 198 (1992)

Family preservation services program established to reduce or avoid the need for foster care placement of children: HB 2472, SHB 2472, \*SSB 6111, CH 214 (1992)

Family reconciliation act, review task force created: SHB 1901

Family reconciliation act, review task force membership to reflect racial diversity of juveniles served under act: SHB 1901

Family support centers, department of social and health services to provide grants for the operation of community-based: HB 2083

Family violence counselors, certification requirements: HB 1882, SHB 1882

Family violence pilot programs authorized: HB 1882, SHB 1882

Foundation for families act enacted: SHB 1471

Parent as first teacher pilot program: HB 1749, SHB 1749

Safe houses for runaway and street youth, establishment and operation of: HB 1604

Schools and family program created, planning grants, eligibility for continued funding, and family support block grants: HB 1879

Tax fairness act for families, exemption for dependent children of at least thirty-five hundred dollars urged: HJM 4023

Washington family policy center established, duties: HB 1420

### **FERRIES**

- Animal waste falling from vehicles carrying live farm animals while crossing a ferry capable of transporting fewer than twenty-five vehicles, exemption from load containment requirements: SHB 2457
- Bond issue authorized to fund vessel and terminal acquisition, construction and improvements for state ferry system: \*HB 2896, CH 158 (1992), HB 2989
- Bonds for vessel and terminal acquisition, construction, and material authorized: HB 2896, HB 2989
- Ferry system plan, establishment of service standards, demand forecasting, strategies: HB 1816, SHB 1816
- Load containment requirements, exemption for animal waste falling from vehicles carrying live farm animals while crossing a ferry capable of transporting fewer than twenty-five vehicles: SHB 2457
- Motor vehicle fund, transfers to ferry bond retirement fund for vessel and terminal acquisition, construction, and improvement to be reimbursed from the Puget Sound capital construction account: HB 2989
- Puget Island ferry funding: \*SSB 6306, CH 82 (1992)
- Recycling requirements established for machines located on passenger ferry or in highway rest area: SHB 2390
- Repair or improvement contracts, requirements: HB 1713
- Steamboat operators, regulation revisions: HB 1819
- Vending machines located on passenger ferry or in highway rest area, requirements for the recycling of bottles and cans established: SHB 2390

#### **FINANCIAL INSTITUTIONS**

- Account information may be disclosed to law enforcement agencies pursuant to unpaid dishonored items, records certificate form: HB 1346
- Customers allowed to choose how residential mortgage impound accounts interest be spent, written notification: HB 1874
- Employees may report financial transactions to law enforcement agencies if unlawful activity is suspected, certification form: HB 1346
- National competitive retail credit market task force created, membership and duties: SSB 6305
- Records, reimbursement by requesting party for cost of providing when cost exceeds twenty-five dollars: SSB 6348

#### **FINANCIAL MANAGEMENT, OFFICE**

- Accountability, government accountability consortium established, administrator appointment and duties: HB 1873
- Attorneys' fees, award when state is not prevailing party in civil action to which it is party, duties: HB 1837
- Budget officers to be appointed for each agency: HB 1750
- Cap on number of state employees for 1991-93 biennium at eighty-one thousand five hundred and thirty full time equivalents: HB 2185
- Capital budget, all appropriations, except those specified, made in the 1991-1993 budget to lapse, to report amount of appropriations lapsed by agency and fund account to legislative fiscal committees: HB 2975
- Fiscal impact statement when agencies adopt, amend, or repeal rules, duties: HB 1660

- Fiscal notes, powers, functions, and duties relating to fiscal note preparation transferred to fiscal note council: SSB 6188
- Fiscal notes, preparation responsibility of council on fiscal legislation: HB 2593
- Fiscal notes, preparation responsibility of fiscal note council: SSB 6188
- Full-time equivalent employees currently employed, director to provide number to governor and legislature annually: HB 2474
- Full-time equivalent employees, unfilled positions for fiscal biennium 1991-1993 to lapse with funds redirected to understaffed agencies, duties: HB 2474
- Government accountability task force, membership and duties: SHB 2462
- Information technology projects, office to establish policies and standards governing the funding of major projects: HB 2814, \*SHB 2814, CH 20 (1992)
- Mental health services for children, services delivery plan development: SHB 1609
- Mental health services for children, to conduct biennial inventory of: SHB 1609
- Municipal annexation, population determination of area subject to approval and certification: HB 1705
- Needs assessment of populations served by the departments of social and health services, health, community development, and corrections to be included in budget document: HB 2907
- Personal services contracts, approval by office required before contracts become binding: SHB 1133
- Personal services contracts, contracts between state agencies and legislators, approval procedures: SHB 1133
- Personal services contracts, to maintain list of contracts entered into by state agencies: SHB 1133
- Program evaluation system, office duties in establishing state-wide system: SHB 2462
- Restructuring plan for state government to facilitate strategic planning and state-wide program evaluation system, duties: SHB 2462
- Retired and disabled public employee health care benefits study commission established, duties: SHB 1796
- State convention and trade center, appropriation to partly refund parking garage revenue note issued to Industrial Indemnity company: HB 2930, \*SB 6457, CH 4 (1992)
- State of the children report, biennial analysis of children placed in out-of-home care settings: HB 1498
- Strategic planning process for state government, joint executive/legislative committee on planning established, duties: HB 1873
- Violent families, inventory and assessment of programs serving, office to conduct: HB 1882, SHB 1882
- Washington healthcare plan, implementation duties of office: HB 2205
- Weights and measures programs, office to conduct review of: \*SSB 6483, CH 237 (1992)
- Weights and measures, office to conduct review of state program, content of review and review procedure requirements established: HB 2998

## **FINGERPRINTING**

- Domestic relations, fingerprinting of all persons convicted under Title 26 RCW required: HB 2304
- Educational employees, state patrol and federal bureau of investigation to accept fingerprints only if they can assure that no record will be kept after background check is completed: \*SHB 2518, CH 159 (1992)

Fingerprint identification account created for deposit of fees from school district fingerprint checks and expenditures authorized only for the cost of background checks: \*SHB 2518, CH 159 (1992)

School bus drivers, fingerprint and background checks required: HB 2351

School employees with unsupervised access to children, fingerprint check required before hiring: HB 2332

## **FIRE FIGHTERS**

Collective bargaining extended to uniformed personnel of all cities, towns, and counties: HB 1362

Duty hours, provisions revised: HB 1475, SHB 1475

Fire district commissioner serving as volunteer fire fighter, reimbursement of expenses not considered compensation: HB 1193

Firemen's pension fund, investment policies revised: \*SB 6226, CH 89 (1992)

Medicare supplemental insurance, reimbursement of disabled retirees under firemen's relief and pension act for premiums paid for, authority: \*SHB 2867, CH 22 (1992)

Occupational diseases, heart disease and cancer presumed to be: HB 1497

Public safety-related organizations solicitation of charitable contributions, identification of caller required, penalties: HB 2101

Radio dispatch personnel included in definition of "uniformed personnel" for collective bargaining: SHB 1959

Retired, eligibility to elect and be elected to pension board: SHB 1269

Veterans credit on city and town civil service examinations for police officers and fire fighters authorized: SHB 1275

Volunteer fire fighters' relief and pension fund, revised provisions: \*HB 2398, CH 97 (1992)

## **FIRE MARSHAL, STATE**

Fire services mobilization plan, marshal to develop and maintain plan: HB 2624, SSB 6272

Fire services mobilization plan, to act as state fire resources coordinator when plan is mobilized: SHB 2624, \*SHB 2937, CH 117 (1992)

## **FIRE PROTECTION**

Emergency medical service district workers, inclusion in benefits available under the volunteer fire fighters relief and pension fund: 2SSB 5335

Fire protection standards for high or extreme hazard areas as determined by department of natural resources, duty of county to adopt by ordinance or resolution, required elements: SHB 2519

Fire retardant requirements for mattresses, upholstered furniture, and furniture filling materials: HB 2318, SHB 2318

Fire risk in wildland/urban interface or intermix, development of rating system to evaluate levels of wildfire risk: SHB 2519

Fire services mobilization plan, state fire defense board to develop and maintain plan containing required elements: SHB 2624, \*SHB 2937, CH 117 (1992)

Fire services mobilization plan, state fire marshal to develop and maintain plan: HB 2624, SSB 6272

Fire services trust fund created to fund investigations, code enforcement, education, and administration: HB 1679, SHB 1679

- Firemen's pension fund, investment policies revised: \*SB 6226, CH 89 (1992)
- Forest fires, investigative duties of department of natural resources: SHB 1205
- Forest fires, liability for expenses of fighting fire: SHB 1205
- Furniture, fire retardant requirements, exceptions: HB 2318, SHB 2318
- Large scale mobilization of fire fighting resources to be achieved through the creation of the Washington state fire services mobilization plan: HB 2624, SHB 2624, \*SHB 2937, CH 117 (1992), SSB 6272
- Lighted material thrown away in forest, range, brush, or grain areas, gross misdemeanor: HB 1769
- Mattresses, fire retardant requirements: HB 2318, SHB 2318
- Outdoor burning, fire protection districts and agencies relieved of regulatory duties concerning: HB 2935
- Polyurethane foam, fire retardant requirements: HB 2318, SHB 2318
- Rural homeowners fire protection act adopted: HB 2519
- Schools, automatic fire-extinguishing system required in newly constructed schools: HB 1276, SHB 1276
- Separate fire protection contract between city or town and state agency allowed: HB 2186
- State and regional fire defense boards created, membership and duties: HB 2624, SHB 2624, \*SHB 2937, CH 117 (1992), SSB 6272
- State patrol officer who is trained fire fighter or flood control worker may be released from duty to serve as emergency fire fighter or flood control worker: HB 2936
- State-owned facilities, cities and towns may enter into contracts with state agencies requiring that agencies provide a share of the jurisdiction's fire protection funding: HB 2937, \*SHB 2937, CH 117 (1992)
- Volunteer fire fighters relief and pension fund, inclusion of volunteer emergency service workers in benefits provided by fund: 2SSB 5335
- Wildland/urban interface areas, duty to adopt fire protection standards for high or extreme hazard areas by ordinance or resolution, required elements: SHB 2519
- Wildland/urban interface areas, fire prevention duties of owner of electrical transmission or distribution line in high or extreme risk level area: HB 2519
- Wildland/urban interface areas, fire protection requirements for plat approval in high or extreme risk level area: HB 2519
- Wildland/urban interface areas, incorporation of fire protection standards for high or extreme hazard risk levels into uniform building code: HB 2519

#### **FIRE PROTECTION DISTRICTS**

- Bidding practices on public works, revised provisions: HB 2505, SHB 2505
- Bonds, maturity date of general obligation bonds issued by districts extended from six to fifteen years: HB 2426
- Commissioner districts, authority and procedure to create commissioner districts within any fire district: \*SHB 2305, CH 74 (1992)
- Commissioner districts, ballot proposition to authorize creation may be submitted at same election with proposition to merge districts, procedure and election of commissioners: HB 2305, \*SHB 2305, CH 74 (1992)
- Commissioner serving as volunteer fire fighter, reimbursement of expenses not considered compensation: HB 1193
- Identification of district resulting from merger of two or more districts in the same county, procedures for assigning name and number: \*SHB 2305, CH 74 (1992)



- Outdoor burning, fire protection districts and agencies relieved of regulatory duties concerning: HB 2935
- Pension board membership, retired fire fighters eligible to elect and to be elected to membership on board: \*HB 2261, CH 6 (1992)
- Property tax, authority to submit a single proposition to impose excess levies for either one or two years: HJR 4209
- Public entity owning building in district or receiving services from district to pay fee for necessary fire protection services, procedure set for determination of assessment rate: HB 2788
- Small works rosters, authority to use to award contracts for public works up to ten thousand dollars: HB 2505, SHB 2505

### **FIRE PROTECTION SPRINKLER SYSTEM CONTRACTORS**

- Civil proceedings to enforce chapter may be brought by attorney general or county prosecuting attorney: \*HB 2290, CH 116 (1992)
- Crimes, conduct of business without a fire protection sprinkler system contractor's license, gross misdemeanor: \*HB 2290, CH 116 (1992)
- Crimes, installation or maintenance of system that threatens safety of occupant or user, class C felony: \*HB 2290, CH 116 (1992)

### **FIREARMS**

- Armed private security guards, firearms registration and proficiency requirements: SHB 1180
- Capitol buildings, firearms prohibited in: SHB 1202
- Community corrections officers authorized to carry: HB 1079
- Concealed weapons permit, ineligibility of person convicted of certain crimes: HB 2373, SHB 2373
- Concealed weapons permit, ineligibility of person convicted of certain crimes, eligibility for permit restored one year after successful completion of sentence: \*SHB 2373, CH 168 (1992)
- Concealed weapons permit, ineligibility of person ineligible under federal law to possess a weapon: SHB 1016
- Concealed weapons permit, revocation upon issuance of an order to forfeit a firearm: SHB 1016
- Courtroom or judge's chamber, misdemeanor for person to possess firearm or other weapon in building containing, weapon of violator may be forfeited: HB 2310
- Courtroom or judge's chamber, misdemeanor for person to possess firearm or other weapon in, weapon of violator may be forfeited: SHB 2310
- Dealers, importers, manufacturers, and others convicted of certain federal felonies may have right to possess firearms restored when granted relief from disabilities by secretary of the treasury: \*SHB 2373, CH 168 (1992)
- Drive by shooting in which a person is killed, trial for aggravated first degree murder subject to death penalty authorized: HB 2979
- Drive by shootings, discharge of firearm under circumstances manifesting an extreme indifference to human life, class A felony: HB 2979
- Intoxication, changing blood and breath standards: SSB 5069
- Intoxication, standard for measuring intoxication: SB 5067

- Juveniles, penalties and restrictions for use of firearm in commission of offense increased: HB 2466, \*SHB 2466, CH 205 (1992)
- Law enforcement agencies allowed to trade forfeited firearms for other police equipment, conditions and procedures: HB 1966
- Mental illness, person committed under criminal insanity or involuntary treatment statutes prohibited from possessing a firearm, process to be established for person to regain right to possess firearm: \*SHB 2373, CH 168 (1992)
- Nuisances, unlawful use of firearm or other deadly weapon in or adjacent to dwelling that threatens physical safety of others is a nuisance and may be abated as such: \*SSB 5986, CH 38 (1992)
- Sale of firearms prohibited near schools and residential areas: HB 2882
- School premises, prohibition on possession on school premises extended to all persons, exemption and penalty provisions established: HB 2537, SHB 2537
- Sentences increased for offenders who commit felonies and specified gross misdemeanors while armed with a firearm: HB 2524
- Trigger-locking device on handguns, dealer to offer for sale, dealer and purchaser responsibilities: SHB 1903
- Unlawful possession of a firearm by a mentally ill or insane person, class C felony: \*SHB 2373, CH 168 (1992)
- Unlawful storage of firearm, penalties for allowing minors easy access: SHB 1900
- Weapons on school premises, arrest for probable cause authorized: SB 6122

#### **FIRES, OUTDOOR**

- Fire protection districts and agencies relieved of regulatory duties concerning outdoor burning: HB 2935
- Local government regulation in urban growth areas where alternative disposal available at reasonable cost: HB 2837, SB 6409
- Prohibition in areas where particulate air quality standards were violated more than one day in preceding twelve months, exceptions: HB 2837, SB 6409
- Rural areas, burning permit exemption provisions: HB 2900, SSB 6304

#### **FISCAL LEGISLATION, COUNCIL ON**

- Created, membership and duties: HB 2593
- Fiscal notes, council to oversee preparation: HB 2593

#### **FISCAL NOTE COUNCIL, SSB 6188**

- Long-term fiscal analysis to project impact of legislation for at least ten years authorized: SSB 6188
- Membership and duties: SSB 6188
- Powers, functions, and duties relating to fiscal note preparation transferred from office of financial management and department of community development to fiscal note council: SSB 6188

#### **FISH**

- Agricultural and grazing practices, development of practices to protect riparian-associated fish and wildlife habitat: HB 2628, SHB 2628
- Agricultural economic impact statement required for adoption of rules affecting agricultural activities: SHB 2104

- Fin fish rearing facilities permit appeal process: HB 1387
- Fish and fish products by private sector aquatic farmers included in definition of "agricultural activity": SHB 2104
- Fish and wildlife education council to raise and distribute funds for public school environmental education programs that emphasize species conservation and projects in fish and wildlife preservation and management: SHB 2630
- Fish and wildlife education, state commission on funding for, creation, membership, organization, and duties: HB 2630
- Fish screen standards, department of fisheries to conduct an inventory within four years to determine whether standards comply with RCW 75.20.040: HB 2627
- Game fish-bearing waters, pre-1947 unscreened diversions to be registered and screened, time limits set: HB 2627
- Hatchery fish, department of fisheries to determine cost of marking all hatchery fish: HB 2626, SHB 2626
- Informational materials concerning food fish and shellfish, sale by department of fisheries authorized: \*HB 2360, CH 13 (1992)
- Plastic connecting rings for beverage and other containers, sale prohibited, exceptions: HB 2840, SHB 2840
- Salmon, labeling by source and common name requirements: HB 2369, SHB 2369

#### **FISHERIES, DEPARTMENT**

- Commercial fishing vessels to be in compliance with all federal safety laws: HB 2367
- Commercial salmon licenses, Columbia River/Willapa Bay and Columbia River/Grays Harbor licenses buy back program: HB 2786
- Commercial salmon licenses, commercial fishery gear reduction task force to develop plan and make recommendations to legislature: SSB 6047
- Crab fishing in coastal waters, participation in coast-wide study of the Dungeness crab fishery by the Pacific States Marine Fisheries Commission, reporting requirements: \*HB 2294, CH 9 (1992), SB 6052
- Fish and wildlife education in the public schools, development duties and funding provisions: HB 2630
- Fish screen standards, to conduct an inventory within four years to determine whether standards comply with RCW 75.20.040: HB 2627
- Fishery patrol and wildlife officers, commensurate salaries recommended: HCR 4415
- Fishing guide license fees for Oregon residents, reciprocity provisions and conditions: HB 2792
- Flood control improvements repair, emergency hydraulic permit issuance: SHB 1490
- Habitat management practices, to develop agricultural and grazing practices to protect fish within department jurisdiction: HB 2628
- Hatchery fish, department to determine cost of marking all hatchery fish: HB 2626, SHB 2626
- Hood Canal salmon, management of commercial fishery: HB 1350
- Hydraulic project approval, projects on single-family residence property, procedure: SHB 1641
- Hydraulic project approval, projects on single-family residence property, procedure, advisory committee: HB 1641
- Hydraulic projects permits, fees imposed upon applicants for: HB 1855, SHB 1855
- Incidental catch of fish, study to observe and document, duties: HB 1860

- Informational materials concerning food fish and shellfish, sale authorized: \*HB 2360, CH 13 (1992)
- Marine aquatic plant research, department and department of natural resources to explore possibility of private funding for: SHB 1455
- Natural resources enforcement office, consolidation of enforcement responsibilities in, evaluation duties: HB 1010
- Natural resources enforcement, to study in conjunction with department of wildlife: SHB 1010
- Nets, recovery of lost, abandoned, or discarded nets, duties regarding: SHB 1012
- Puget Sound chinook salmon, director to increase opportunity for recreational fishers to harvest to correct past errors in catch accounting between treaty Indian fishers and nonIndian fishers: SB 6293
- Regional fisheries enhancement groups, duties: HB 1437
- Regional fisheries enhancement groups, salmon and salmon egg sales proceeds to include: HB 1438
- Salmon and salmon egg sales proceeds, allocations to include regional fisheries enhancement groups: HB 1438
- Salmon and steelhead, department to develop plan with wildlife department to accurately record catches: SB 6150
- Salmon and steelhead, department to pursue authority to lethally remove nonendangered marine mammals preying on: SSB 5666
- Salmon and steelhead, incentives to improve reporting accuracy to be examined: SB 6150
- Salmon fishing licenses, reduction to target number of commercial licenses by year 2000, plan development responsibilities: HB 2869
- Salmon payback plan, director to develop and implement plan to correct overestimation of salmon catch by recreational fishers: HB 1987
- Salmon production designated as primary mission of department: SB 5302
- Salmon, implementation of temporary commercial salmon fishing license leasing program: HB 2626, SHB 2626
- Seaweed harvesting, regulation within state and its offshore waters: HB 1455
- Senior environmental corps created, powers and duties: HB 2560, \*SHB 2560, CH 63 (1992)
- Skagit river salmon recovery plan, director of fisheries to prepare: \*SB 5675, CH 88 (1992)
- Species list of fish that may be commercially harvested and sold, director to prepare: HB 1860
- Sturgeon fisheries closure: HB 1905
- Sturgeon fisheries closure, conditions for reopening: HB 2159
- Wild salmonid review and inventory team, departments of fisheries and wildlife to establish, membership and duties: SHB 2626
- Wild salmonid review and recovery team, departments of fisheries and wildlife to establish, membership and duties: HB 2626
- Wildlife, department of, legislative budget committee to study feasibility of merging with department of fisheries: HB 2366

#### **FISHING, COMMERCIAL (See also SALMON)**

- Ballast water, coast guard requested to prohibit dumping in United States waters: SJM 8002
- Business and occupation tax, exemption for extractors taking fish in waters without this state for initial sale in state: SSB 5300

- Columbia River/Willapa Bay and Columbia River/Grays Harbor licenses buy back program:  
HB 2786
- Crab fishing in coastal waters, participation in coast-wide study of the Dungeness crab fishery by the Pacific States Marine Fisheries Commission: \*HB 2294, CH 9 (1992), SB 6052
- Fishing guide license fees for Oregon residents, reciprocity provisions and conditions: HB 2792
- Food fish enhancement stamp required on license of person taking food fish for commercial purposes: HB 1011
- Hood Canal salmon management: HB 1350
- Incidental catch of fish, study to observe and document: HB 1860
- Marine fish enhancement research program created, additional stamp required on charter boat license: HB 1011
- Nets, intentional discarding of or failure to notify department of lost or abandoned net prohibited, penalty: SHB 1012
- Nets, recovery of lost, abandoned, or discarded nets, duties and responsibilities regarding: SHB 1012
- Salmon commodity commission, authority for Washington commercial salmon producers to elect to form commission: HB 2275, SHB 2275
- Salmon fishing licenses, reduction to target number by year 2000, plan development responsibilities: HB 2869
- Salmon licenses, commercial fishery gear reduction task force to develop plan and make recommendations to legislature: SSB 6047
- Salmon licenses, commercial license fees and previous year salmon catch requirements, revised provisions: HB 2869
- Species list of fish that may be commercially harvested and sold to be prepared: HB 1860
- Sturgeon fisheries closure: HB 1905
- Sturgeon fisheries closure, conditions for reopening: HB 2159
- Vessels to be in compliance with all federal safety laws: HB 2367

**FISHING, RECREATIONAL (See also SALMON)**

- "Enters or remains unlawfully," definition revised in regard to entries for hunting, fishing, or recreation on posted, fenced, or agricultural property: HB 2416
- Ballast water, coast guard requested to prohibit dumping in United States waters: SJM 8002
- Fishing guide license, fifty dollar surcharge to go to regional game fish enhancement group account: HB 1437
- License fees increased: SHB 1850
- License, seventy-year-old residents' eligibility for free license removed: SHB 1850
- Licenses, one dollar surcharge to go to regional game fish enhancement group account: HB 1437
- Licenses, persons over sixty-five eligible for reduced fees: HB 1822
- Marine fish enhancement research program created, additional stamp required on personal use license: HB 1011
- Puget Sound chinook salmon, director to increase opportunity for recreational fishers to harvest to correct past errors in catch accounting between treaty Indian fishers and nonIndian fishers: SB 6293
- Regional fisheries enhancement groups, organization and funding: HB 1437
- Salmon guide vessel operators, license required: SB 6126

- Salmon payback plan, director to develop and implement plan to correct overestimation of salmon catch by recreational fishers: HB 1987
- State wildlife and recreation lands management act adopted: HB 2594, \*SHB 2594, CH 153 (1992)
- Steelhead punchcard, one dollar surcharge to go to regional game fish enhancement group account: HB 1437
- Sturgeon, recreational harvest adjustment if necessary to increase population: HB 2159
- Wildlife and recreation lands management, task force to develop and report recommendations on funding sources: HB 2594, \*SHB 2594, CH 153 (1992)

**FLAGS**

- Flag desecration, requesting congress to amend the United States constitution to prevent: HJM 4009
- United States flag, congress asked to propose constitutional amendment to prohibit physical desecration of: SJM 8008

**FLOOD CONTROL**

- Comprehensive flood control management plan, advisory committees to assist in development, authorized: SHB 1490
- Comprehensive flood control management plan, counties may adopt for any drainage basin in the county: SHB 1490
- Construction of flood control facilities, provisions to facilitate permit application processing and establish priorities for allocating funds: HB 2920, SSB 6095
- Coordinated state policy for the implementation of state laws requiring that alleviation of flood damage be a high priority: HB 1770
- Emergency hydraulic permits for repair of flood control improvements damage in the November 1990 flood: SHB 1490
- Flood control assistance account may receive moneys appropriated by legislature and other monies received by the state for providing flood control financial assistance: HB 2972
- Flood control assistance account, transfers of funds to keep account between four and ten million dollars authorized: HB 2512
- Flood control enhancement, funding provisions: HB 1772
- Flood control enhancement, state participation in: SHB 1490
- Flood damage alleviation, coordinated state policy for the implementation of state laws requiring high priority for: HB 1770
- Flood damage relief, presidential disaster declaration urged to include storm of December 26-28, 1990: HJM 4017
- Real property, flood plain location statement must be on conveyances, remedies: HB 2122
- State and local authorities to cooperate in flood control enhancement projects: HB 1772
- State flood damage reduction commission, membership and duties: SHB 1491
- State patrol officer who is trained fire fighter or flood control worker may be released from duty to serve as emergency fire fighter or flood control worker: HB 2936

**FLOOD CONTROL DISTRICTS**

- Reorganization as drainage and irrigation improvement district or diking, drainage, and irrigation improvement district authorized: HB 2973

**FLOOR RESOLUTIONS, HOUSE**

- 4-H delegates to state-wide "4-H Know Your Government" program welcomed to state capital and value of 4-H programs recognized: HFR 4755
- Adjournment sine die, 1992 regular session of the Fifty-second Legislature: HFR 4775
- Adjournment sine die, notice to Senate that House ready to adjourn: HFR 4699
- Andrews, Mark and Gina Andrews commended for being named Washington's Outstanding Tree Farmer of the Year: HFR 4743
- Anthony, Susan B. honored and remembered for her dedication to equal rights and women's suffrage: HFR 4741
- Bainbridge girls lacrosse club recognized for winning 1991 Seattle area league championship: HFR 4717
- Basich, Bob, contributions to community and induction into Saint Martin's College sports hall of fame recognized: HFR 4746
- Beaver, Fitzgerald, service to African American community, journalism industry, and residents of state recognized and honored: HFR 4781
- Beer and malt liquor industry urged to adopt voluntary code of advertising standards: HFR 4721
- Black history shirt day, house recognizes the importance of the concept and extends best wishes for its success: HFR 4744
- Burien welcomed as newest incorporated city in state: HFR 4778
- Cancer pain initiative supported: HFR 4766
- Cascade high school Bruins honored as 1991 class AAA football champions: HFR 4738
- Central Washington State Fair Association saluted on one hundred years of conducting state fairs in Yakima: HFR 4740
- Critical areas, joint select committee on critical areas established, membership and duties: HFR 4776
- Dairy industry, Dairy Princess Karen McKay, and the Bosma family, 1992 Dairy Family, recognized: HFR 4730
- Desert Shield and Desert Storm participants from Washington commended: HFR 4608
- Earth Summit, goals and objectives to create and adopt global agreements to protect environment endorsed: HFR 4774
- Electric and magnetic fields, federal funding requested to expand nation research program to study health effects: HFR 4695
- Elks, Benevolent and Protective Order of, recognized for service and programs: HFR 4731
- Environmental protection, trade policies and agreements to incorporate strong safeguards to ensure: HFR 4750
- Excel, East Tacoma reggae group, recognized for talents and contributions: HFR 4734
- Fair trade policies, promotion urged to strengthen economy and support jobs in state and nation by enhancing foreign trade: HFR 4751
- Federal recognition of Chinook, Cowlitz, Duwamish, Samish, Snohomish, Snoqualmie, and Steilacoom tribes supported: HFR 4693
- Fidalgo Bay oil spill cleanup participants recognized: HFR 4681
- Freedom of the press supported and encouraged: HFR 4699, HFR 4752
- Future Farmers of America programs in high schools honored: HFR 4754
- Girl Scouts of America eightieth anniversary day, March 12, 1992, designated: HFR 4760
- Gray, Captain Robert, May designated as Captain Robert Gray month in celebration of 200th anniversary of the exploration of the Columbia River: HFR 4771

- Growth management act, balance between protection of environment and private property rights urged in implementation of: HFR 4763
- Growth management act, counties and cities encouraged to balance the goals of protecting the environment and protecting private property rights when designating critical areas: HFR 4742
- Haley, Alex, author and historian's contributions in teaching importance of racial diversity honored: HFR 4748
- Handicapped persons, political parties urged to provide access to caucus facilities for physically handicapped: HFR 4758
- Health care commission encouraged to implement its plan for 1992 and to continue to address reform of the health system, endorsement of commission's 1991 interim report: HFR 4736
- House organized and ready to conduct business, committee appointed to notify Senate: HFR 4720
- Indian tribes, right of all tribes to petition for acknowledgement under clear, unbiased, and timely procedure supported: HFR 4757
- Jackson, Staff Sergeant Kevin, service in Operation Desert Storm and determination to recover from injuries recognized: HFR 4747
- Japanese American internment during World War II, February 19, 1992, the fiftieth anniversary of the signing of federal Executive Order 9066 declared a Day of Remembrance to warn against the recurrence of past mistakes: HFR 4739
- Juvenile offenders, study of regionally based facilities to house urged: HFR 4780
- King, Rev. Martin Luther, Jr., honored for wisdom, principles, and accomplishments: HFR 4725
- Knight, Felicia, 1991-92 "Miss Junior America of Tacoma" recognized as outstanding citizen and role model: HFR 4726
- Knight, Felicia, Miss Junior America of Washington participant, recognized as outstanding citizen and role model: HFR 4725
- LeMay, Harold E., contributions to waste management field recognized: HFR 4702
- Legislative staff thanked for efforts during session: HFR 4777
- Liquor advertising, broadcast media urged to adopt voluntary code of advertising standards: HFR 4722
- Lynden Christian high school girls basketball team congratulated as 1992 class A champions: HFR 4772
- Lynden high school boys basketball team recognized as 1992 class A champions: HFR 4770
- Lynden high school football team congratulated as 1991 class A state champions: HFR 4769
- Marine cleanup, use of environmentally sound non-toxic materials manufactured in state urged: HFR 4768
- Mariners, fans, and investors attempting to keep team in Seattle recognized: HFR 4728
- Martha and Mary nursing home centennial celebration recognized: HFR 4670
- Monro, Sterling, lifetime of public service honored: HFR 4779
- Mossyrock High School Future Farmers of America parliamentary procedure team honored on winning national championship: HFR 4724
- National and community service program and participants supported: HFR 4765
- O'Dea high school Irish football team congratulated as 1991 class AA state champions: HFR 4732



- Operation Desert Storm forces and their families commended: HFR 4611
- Puget Sound naval shipyard centennial celebrated: HFR 4696
- Retail Bakers Week, February 23-29, 1992, celebrated: HFR 4749
- Reynolds Metals Company fiftieth anniversary acknowledged: HFR 4715
- Rypien, Mark, Washington Redskins quarterback and Super Bowl XXVI's most valuable player, honored: HFR 4733
- Salmon, department of fisheries encouraged to implement programs to reduce number of commercial salmon licenses: HFR 4773
- School districts in partnership with community urged to help students learn saleable skills: HFR 4729
- Sea Mar community health center honored for culturally sensitive health and social services: HFR 4761
- Self-esteem and personal and social responsibility, all citizens and groups urged to promote: HFR 4759
- State Capital Museum Day declared on March 5, 1992, and the State Capital Historical Association commended for its work on its fiftieth anniversary: HFR 4756
- Student housing needs study by higher education coordinating board: HFR 4684
- Teachers Calvin R. Davis and Julie Blystad honored for being named to 1992 honor roll of teachers: HFR 4753
- Tubman, Harriet, Harriet Tubman Day, March 10, 1992, recognized on anniversary of her death: HFR 4767
- Udall, Morris K., "Mo," congratulated on service to United States House of Representatives: HFR 4686
- United States women's soccer team and its members from Washington congratulated as world cup championship team: HFR 4735
- University of Washington Huskies honored as 1991 national football champion and 1992 Rose Bowl champion: HFR 4737
- University of Washington football team and coach Don James honored on 1990 season and Rose Bowl victory: HFR 4602
- Washington Scholars for 1992 honored and congratulated for academic achievements and community contributions: HFR 4764
- Washington state games recognized: HFR 4698
- Washington tree farm program commended: HFR 4689
- Wine industry commended for effective self-regulation of advertising: HFR 4723
- Women athletes recognized and National Girls and Women in Sports Day, February 6, 1992, declared: HFR 4725
- Women athletes, February 6, 1992, designated National Girls and Women in Sports Day: HFR 4727
- Women's history month and international women's day, March 8, 1992, designated: HFR 4762
- World Cup soccer games, efforts to bring 1994 games to Seattle endorsed: HFR 4745
- Youth contributions to drug and alcohol abuse prevention commended: HFR 4676

**FLUORIDE**

- Public utility districts, commissioners may place proposition to fluoridate water system before voters who must approve proposition to become effective: HB 2750, SHB 2750

Water districts and public utility districts, procedures to obtain voter approval for adding fluoride to water supply: HB 2045

#### **FOOD AND FOOD PRODUCTS (See ORGANIC FOOD)**

"Food products delivery guarantee" defined: SSB 6466

"Food products" redefined to provide additional revenue for funding nonemployee-related costs of superintendent of public instruction: HB 2202

"Food products" redefined, exclusions: HB 2202

Adulteration, processing plant license suspension for conditions allowing: HB 1483

Agricultural food products disparagement, action for damages: HB 2858, SHB 2858

Disparagement of agricultural products, action for damages: HB 2858, SHB 2858

Food processing inspection account created: \*SSB 6393, CH 160 (1992)

Food products delivery guarantee, deliverers required to have insurance or proof of financial responsibility: SSB 6466

Milk, assessment imposed on milk processed in state to support dairy inspection program, rulemaking authority of director of agriculture: \*SSB 6393, CH 160 (1992)

Processing plant license suspension for conditions allowing adulteration of food: HB 1483

Processing plant licensing fee: \*SSB 6393, CH 160 (1992)

Processing plant licensing required to protect public from unsafe, adulterated, or misbranded food: HB 1483

#### **FOOD BANKS**

Emergency food assistance program, additional funding for: HB 1167, SHB 1167

Timber dependent communities, additional appropriation for food bank operation in: SHB 1167

#### **FOREST FIRES (See FIRE PROTECTION)**

#### **FOREST PRACTICES (See also TIMBER AND TIMBER INDUSTRIES)**

Application and notification to conduct, revised filing procedures, two year, for practice permits authorized: HB 2330, \*SHB 2330, CH 52 (1992)

Community and urban forestry program, department of natural resources duties: SHB 1111

Even-aged harvest methods within water resource inventory area monitoring system, forest practices board to establish and review: HB 1823

Fees imposed on applicants for forest practice permits to assist with review and permitting costs related to environmental protection: HB 1854

Forest land base, incentives to maintain: HB 2330, \*SHB 2330, CH 52 (1992)

Forest land classification withdrawal or removal, notice requirements: HB 2330, \*SHB 2330, CH 52 (1992)

Forest land, special benefit assessments exemption, provisions: HB 2330, \*SHB 2330, CH 52 (1992)

Forest lands, landowner may charge fees for recreational use of: HB 2330, \*SHB 2330, CH 52 (1992)

Islands, forest practices board to establish rules related to practices on: HB 1823

Lighted materials thrown away in forest, range, brush, or grain areas, gross misdemeanor: HB 1769

Management and harvesting of timber, only those rules in effect when a stand of timber is planted are applicable to: HB 2428

- Nuisances, activities consistent with good forest practices do not constitute: HB 2330
- Open space corridors, identification of corridor not to restrict use or management of lands in corridor for agricultural or forest purposes unless city or county acquires sufficient interest to prevent control or development: \*SB 6401, CH 227 (1992)
- Public forests commission created, membership and duties: HB 1583, SHB 1583
- Pulp wood and timber, highway rights of way plantings to provide potential source of: HB 2003
- Screening, analysis, and threshold system, forest practices board to establish by rule: HB 1823
- Sustainable forestry act adopted: HB 1823
- Timber harvesting practices, rulemaking authority of forest practices board: HB 1823
- Timber salvage in national forests, congress urged to authorize sale: HJM 4036, SSJM 8024
- Wild mushrooms, specialized forest products permit required to harvest, possess, and transport wild mushrooms, limit set on amount that may be harvested: \*SHB 2865, CH 184 (1992)
- Wildlife habitat provisions, rulemaking authority of forest practices board: HB 1823

#### **FOREST PRODUCTS INDUSTRY (See also TIMBER AND TIMBER INDUSTRIES)**

- Forest and families protection act, congress urged to enact: HJM 4033, SHJM 4033
- Lumber and wood products workers, extended unemployment compensation benefits for, conditions: SHB 1599

#### **FORFEITURES**

- Confiscated property, violations of controlled substances law, landlord's claim for damage to property: HB 1130, HB 2501, \*SHB 2501, CH 211 (1992)
- Confiscated property, violations of controlled substances law, recordkeeping requirements of seizing agency: \*SHB 2501, CH 211 (1992)
- Criminal street gang activities, offenses defined, penalties set: HB 1756
- Drive by shootings, firearm and automobile used in commission of offense to be forfeited to jurisdiction making the arrest: HB 2979
- Felonies, seizure and forfeiture of property involved in commission of a felony: SHB 1616
- Landlord's claim against confiscated property for damages due to violation of controlled substances law: HB 1130, HB 2501, \*SHB 2501, CH 211 (1992)
- Law enforcement agencies allowed to trade forfeited firearms for other police equipment, conditions and procedures: HB 1966
- Money laundering, proceeds traceable to or derived from violations subject to seizure and forfeiture, procedures established: \*2SSB 5318, CH 210 (1992)
- Motor vehicle of driver whose license suspended or revoked: HB 1260
- Proceeds from forfeitures in controlled substances cases, revised provisions relating to distribution of: HB 2429, SHB 2429
- Seizing agency, recordkeeping, reporting, and remittance requirements revised for seizing agency: \*2SSB 5318, CH 210 (1992)
- Valuation of property retained by seizing agency, procedures established: HB 2429, SHB 2429
- Vehicles used in the sale and purchase of illegal drugs, vehicles subject to forfeiture: HB 1615

#### **FOSTER CARE**

- Citizen review boards, Indian child welfare advisory committee to serve as board for Indian children: SHB 1940
- Citizen review boards, county pilot programs established: SHB 1940
- Citizen review boards, revised duties: SHB 1940
- Crisis residential centers, revised provisions and responsibilities relating to: HB 2466, \*SHB 2466, CH 205 (1992)
- Family preservation services program established to reduce or avoid the need for foster care placement of children: HB 2472, SHB 2472, \*SSB 6111, CH 214 (1992)
- Foster parent, basic health plan coverage extended to: SSB 6035
- License renewal for foster family home, deadline for requesting renewal: HB 1053
- Placement with relative may not be denied for relative's belief or disbelief in criminal acts or convictions of child's parent: SSB 6345
- Social and health services department vendors, additional rate increases authorized in 1992 and 1993: \*SB 5961, CH 238 (1992)
- State of the children report, biennial analysis of children placed in out-of-home settings: HB 1498
- Visitation with relative may not be denied for relative's belief or disbelief in criminal acts or convictions of child's parent: SSB 6345

#### **FRANCHISES**

- Discrimination in franchise relationships prohibited, civil action for specific performance of the franchise agreement and to recover damages and costs authorized: HB 2898, HB 2954, SHB 2954
- Investment protection, notice of rights of prospective franchisee, in his or her primary language, to be attached to offering circular when circular is not in that language: HB 2277

#### **FREEDOM OF EXPRESSION**

- Public school students granted, conditions and limitations: HB 2064

#### **FUNDS (See PUBLIC FUNDS AND ACCOUNTS)**

#### **FUNERAL DIRECTORS**

- Cremation, personal representative of decedent may authorize, crematory not liable: SSB 5759
- Crematory may rely on personal representative of decedent or decedent's estate for authority to cremate free from criminal or civil liability: SHB 2328
- Death certificates, duty to file, personal data and cause of death to be recorded, sources of information and contents requirements established: SHB 2300
- Death certificates, vital statistics task force created to report and make recommendations on issues relating to: SHB 2300
- Final disposition or removal of body not allowed until authorized by local registrar of vital statistics: SHB 2300
- Funeral directors and embalmers account created: SSB 5759
- Funeral expenses of public assistance recipients, department of social and health services responsibility for transportation, preparation, and interment: HB 2556, HB 2874

- Funeral expenses of public assistance recipients, responsibility of department of social and health services and surviving children for transportation and funeral services: \*SHB 2874, CH 108 (1992)
- Public assistance recipients, department of social and health services responsibility for funeral expenses: HB 2556, HB 2874
- Public assistance recipients, responsibility of department of social and health services and surviving children for transportation and funeral services: \*SHB 2874, CH 108 (1992)
- Registration fees, deposit in funeral directors and embalmers account: HB 2468
- Vital statistics task force created to report and make recommendations on issues relating to death certificates: SHB 2300

## FURNITURE

- Fire retardant requirements, exceptions: HB 2318, SHB 2318

## GAMBLING

- Business and occupation tax imposed on punch boards, pull-tabs, and card games at rate of three percent of gross proceeds: HB 2446
- Casino-style gambling declared contrary to policy of state: HB 2121
- Charitable fund raising events, game types authorized: HB 2121
- Charitable gaming events allowed when conducted by gaming management company in accordance with this law and the rules of the gambling commission: HB 2987
- Compulsive gambling, development of state-based nonprofit organization to assist in the prevention of problem and compulsive gambling: HB 2411, SHB 2411
- Fund raising events, reference to fund raising events removed from games charitable and nonprofit groups authorized to conduct: HB 1763
- Game types at charitable fund raising events authorized: HB 2121
- Indian gaming compacts, gambling commission through its director authorized to negotiate compacts on behalf of state, negotiation process and procedures established: \*SB 6004, CH 172 (1992)
- Indian gaming compacts, gambling commission to negotiate with tribe to enter into tribal-state compact: SB 6004
- Indian gaming compacts, governor authorized to execute compacts with federally recognized tribes for conduct of class III gambling on Indian lands: \*SB 6004, CH 172 (1992)
- Indian gaming compacts, joint legislative committee created to review proposed compacts: HB 2080
- Indian gaming compacts, joint legislative committee created to review, duties: SB 6004
- Indian tribes, authority to conduct gambling activity, conditions: HB 2121
- Limits on gambling activities, gambling commission authorized to impose in place of deleted statutory limitations: HB 2899
- Local laws inconsistent with state gambling law are null and void: HB 1809
- Local tax proceeds, restriction on use removed: HB 1809
- Punch boards, pull-tabs, and card games, business and occupation tax imposed at rate of three percent of gross proceeds: HB 2446
- Punchboards and pulltabs, tax, rate not to exceed ten percent of net proceeds: HB 1866
- Social card games, tax rate not to exceed ten percent of gross revenue: HB 1867

Video card games authorized for play, licensing and approval requirements, tax imposed on licensed video card games: HB 2597

### **GAMBLING COMMISSION**

Bingo income limitations, commission's powers and duties permissive and not mandatory: HB 2919

Bingo, commission powers and duties regulating bingo are permissive and not mandatory: HB 2919

Charitable gaming events allowed when conducted by gaming management company in accordance with this law and the rules of the gambling commission: HB 2987

Expenses for nonprofit organization's activities, commission's powers and duties permissive and not mandatory: HB 2919

Indian gaming compacts, commission to negotiate with tribe to enter into tribal-state compact, duties: SB 6004

Indian gaming compacts, gambling commission through its director authorized to negotiate compacts on behalf of state, negotiation process and procedures established: \*SB 6004, CH 172 (1992)

Limits on gambling activities, commission authorized to impose in place of deleted statutory limitations: HB 2899

Salaries and wages paid to charitable or nonprofit organization employees, commission powers and duties regulating salaries are permissive and not mandatory: HB 2919

Salaries or wages of nonprofit organization's employees, commission's powers and duties permissive and not mandatory: HB 2919

Video card games authorized for play, licensing and approval requirements, tax imposed on licensed video card games: HB 2597

### **GANGS**

Criminal street gang activities, behavior defined, imposition of exceptional sentences: HB 2344, SHB 2344

### **GARNISHMENT**

Forty times state minimum wage per hour made one measure of wages exempt from garnishment: HB 2405

### **GASOHOL (See ETHANOL)**

### **GENERAL ADMINISTRATION, DEPARTMENT**

Building rent, excess receipts to be returned to treasury: HB 1562

Commuting, reduction of single occupant vehicle commuting, duty to plan and implement: HB 1754

Contract specifications task force established, membership and duties: HB 2136

Facility land bank, annual report on properties acquired and held within: SHB 1563

Facility land bank, authority to purchase real property for inclusion in: SHB 1563

Parking and transportation comprehensive program, consultation with local public transit agencies required: SHB 1564

Parking and transportation fees and charges, use: SHB 1564

Parking and transportation management advisory committee, duties: SHB 1564

Parking and transportation, development and implementation of comprehensive program for state agencies and facilities: SHB 1564

Pesticides, to develop specifications for pesticide purchase consistent with integrated pest management practices: SHB 1486

Real property, authority to purchase for inclusion in facility land bank: SHB 1563

Services, purchase by contract, rulemaking authority and requirements: HB 1926

#### **GENERAL OBLIGATION BONDS (See BONDS)**

#### **GENETIC ENGINEERING**

Biotechnology review board, department of ecology to create, membership, powers, duties, and procedures: HB 2839

Release of genetically engineered organism into the environment, permit from biotechnology review board required for: HB 2839

#### **GEOGRAPHIC NAMES, BOARD ON**

Membership and duties: HB 2307, SHB 2307

#### **GEOLOGY AND GEOLOGISTS**

Board of registration for geologists created, membership, organization, powers, and duties: HB 2877, SHB 2877

Registration of geologists, requirements: HB 2877, SHB 2877

#### **GEORGETOWN STEAM PLANT**

Appropriation to fund preservation of: HB 1006

#### **GIFTS**

Goods not considered solicited unless specifically requested: SB 6427

Goods or services not considered solicited unless specifically requested: \*SB 6427, CH 43 (1992)

Unsolicited goods, wares, merchandise, and services considered unconditional gifts: HB 2225

#### **GOVERNMENT DOCUMENTS**

State, documents to show total cost of run and cost of individual document on cover or first page: HB 1644

#### **GOVERNOR**

Academic and vocational integration, task force on, appointment of members, task force duties: HB 1764

Accountancy, authority to appoint executive director for board of accountancy transferred from board to governor: \*SHB 2293, CH 103 (1992)

Alcohol and drug abuse by children, appointment of task force to study treatment methods and programs: HB 1007

Biennial budgets to provide adjustment for inflation for all purchased goods and services: HB 1792

Budget, social and health services vendor rates and grant standards to be linked to any adjustment for inflation for purchased goods and services in governor's budget: HB 2908	
Budget, to submit comparison of amended appropriation request with appropriation for current and previous biennium: HB 2482	
Capital investment strategy council, governor to appoint members, council duties enumerated: HB 2884, SHB 2884	
Children, youth, and families, council on, membership and duties: SSB 6428	
Council on education reform and funding, goals and mission endorsed: SCR 8422	
County commissioner vacancies, revised procedures for filling: HB 2171, SHB 2171	
County hospital boards of trustees, appointment of trustees, revised provisions: HB 2771, SHB 2771	
Developmentally disabled and mentally ill persons, to appoint agency to implement program of protection and advocacy of rights of: HB 2591	
Education reform and funding, goals and mission of council on education reform and funding endorsed: SCR 8422	
Fish and wildlife education council, appointment and duties: SHB 2630	
Health care reform, governor's proposal: HB 2590, SHB 2590, SB 6089	
High-technology education, study committee to identify issues related to leadership in: HCR 4432, HCR 4437, SCR 8427	
Indian gaming compacts, gambling commission through its director authorized to negotiate compacts on behalf of state, negotiation process and procedures established: *SB 6004, CH 172 (1992)	
Indian gaming compacts, governor authorized to execute compacts with federally recognized tribes for conduct of class III gambling on Indian lands: *SB 6004, CH 172 (1992)	
Restructuring plan for state government to facilitate strategic planning and state-wide program evaluation system, duties: HB 2462	
State of the state message, joint session of Legislature on January 13, 1992, to receive message from governor: HCR 4425	
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**GRAYS HARBOR COMMUNITY COLLEGE**

Coastal resources program created in cooperation with the University of Washington, program goals and requirements: HB 2047  
 Higher education opportunities program for dislocated timber workers, allocation increased: SHB 1870

**GRAYS HARBOR COUNTY**

Superior court, one additional judge authorized: HB 2459, \*SHB 2459, CH 189 (1992)

**GREEN RIVER**

Scenic river system, Green river added to: HB 2601  
 Scenic river system, portion below city of Tacoma diversion dam to crossing of highway 18 bridge designated as part of system: HB 2103

**GROWTH MANAGEMENT**

Affordable housing appeals, growth planning hearing boards authorized to hear, petition procedures and standards of review established: HB 2709  
 Affordable housing goal determination and implementation: SHB 1672  
 Air and water quality, comprehensive plans to include considerations: SHB 1673  
 Aliens, restrictions on ownership of agricultural, forest, or mineral land designated by cities and counties under chapter 36.70A RCW: HB 2607  
 Capital projects funded from real estate excise tax to be identified in city or county budget where it is to be indicated that tax is intended to be in addition to other available funds: \*SB 6408, CH 221 (1992)  
 Capital projects, limitations on use of revenues from real estate excise tax to finance capital projects revised: \*SB 6408, CH 221 (1992)  
 Child care facilities and services, impact fees may be imposed on new development to pay proportionate share of costs for new: HB 2713  
 Commerce and employment resources act enacted: HB 2728, SHB 2728  
 Comprehensive plans, land use element to contain jobs-housing balance comparison and assessment of whether housing is affordable to workers: HB 2962  
 Comprehensive plans, land use element to provide for a range of housing types and county plans to include urban growth areas: HB 2962  
 Comprehensive plans, mandatory and optional elements, amendments to plans, revised provisions: HB 2144  
 Comprehensive plans, required and optional elements: HB 1668, SHB 1668, HB 1669, SHB 1669  
 Conservation futures, county may make additional levy for maintenance and operation of lands acquired as conservation futures: HB 2934  
 County with population under one hundred thousand allowed to discontinue planning: HB 2820, SB 6448

- County with population under two hundred thousand allowed to discontinue planning: SB 6448
- Critical area designation and protection, counties and cities encouraged to balance the goals of protecting the environment and protecting private property rights when implementing the growth management act: HFR 4742
- Critical areas, city and county development regulations to minimize costs of conformance with regulations for: HB 2716
- Development regulations, cities and counties to minimize costs of conformance with regulations for critical areas: HB 2716
- Dispute resolution councils, creation, powers, and duties: HB 2144
- Economic development planning required part of comprehensive plan: SHB 1669
- Energy facilities to comply with local government comprehensive plans and development regulation: HB 2653
- Fair share housing responsibilities of cities and unincorporated areas, process developed to allocate: HB 2484
- Fair share housing, cities and counties planning under growth management act, responsibilities in the promotion of: HB 2962
- Growth management act, balance between protection of environment and private property rights urged in implementation of: HFR 4763
- Growth management board established, membership and duties: HB 1668, SHB 1668, HB 1669
- Growth management hearings board established, duties: SHB 1669
- Growth planning hearing boards authorized to hear affordable housing appeals, petition procedures and standards of review established: HB 2709
- Housing replacement fee, imposition on development activity that involves demolition of low-income housing authorized: HB 2962
- Housing, revised provisions to achieve the goal of making available a fair share of affordable housing including housing for people with special needs: HB 2484
- Impact fees may be imposed on new development to pay proportionate share of costs for new child care facilities and services: HB 2713
- Impact fees paid by a business taxpayer, credit to be allowed against sales tax due equal to the amount of, eligibility requirements: HB 2728, SHB 2728
- Impact fees, effect on ability of median-income wage earners to afford housing, economic impact analysis to be conducted before adoption of impact fee ordinance, limit on amount of fee imposed: HB 2902
- Impact fees, limit on amount of fee that may be imposed: HB 2902
- Impact fees, revised provisions: HB 2144
- Industrial developments, process for approval of proposed siting of major industrial developments: SHB 2785
- Industrial developments, requirements for approval of proposed siting of major industrial developments: HB 2785
- Local economic development planning required: SHB 1669
- Local government role: HB 2144
- Local planning requirements: HB 1668, SHB 1668, HB 1669, SHB 1669, HB 1670, SHB 1670, HB 1672, SHB 1672, HB 1673, SHB 1673, HB 2144
- Low-income housing, imposition of housing replacement fee on development activity that involves demolition of low-income housing authorized: HB 2962

- Moratoria or interim zoning, state standards established to minimize impacts and avoid litigation: HB 2051, SSB 5727
- Natural resources and open space planning: HB 1670, SHB 1670
- Natural resources of state-wide significance, committee to establish criteria to identify and develop recommendations for their protection: SHB 1670
- Oil transmission lines, siting and regulation to comply with local government planning and control: HB 2653
- Open space corridors, identification of corridor not to restrict authorized development of private property in corridor unless city or county acquires sufficient interest to prevent or control development: SB 6401
- Open space corridors, identification of corridor not to restrict use or management of lands in corridor for agricultural or forest purposes unless city or county acquires sufficient interest to prevent control or development: \*SB 6401, CH 227 (1992)
- Planning goals: HB 1668, SHB 1668, HB 1669, SHB 1669, HB 1670, SHB 1670, HB 1672, SHB 1672, HB 1673, SHB 1673, HB 2144
- Public transportation benefit area in counties of over one hundred fifty thousand planning under growth management act, annexation of or withdrawal of city transit system: HB 2938
- Real estate excise tax to fund capital facilities, city or county must adopt comprehensive plan under growth management act before imposing tax for: HB 2700
- Real estate excise tax, additional tax, rates, authorization: HB 2144
- Real estate excise tax, authorization to use for financing capital facilities dependant upon enactment of growth management plan and regulations: SB 6408
- Real estate excise tax, city or county budget to identify capital projects funded from tax and to indicate that tax is intended to be in addition to other available funds: \*SB 6408, CH 221 (1992)
- Real estate excise tax, limitations on use of revenues from tax for financing capital projects revised: \*SB 6408, CH 221 (1992)
- Regional economic development plans: HB 1668, HB 1669, SHB 1669
- Regional growth management organizations authorized, duties: HB 2144
- Regional transportation planning organizations, optional duties: HB 2144
- Replacement of low-income housing lost to new development, replacement housing and relocation assistance requirements, funding provisions: HB 2484
- Revenues, governor may withhold from city or county not in compliance with planning requirements: HB 1669
- Sales tax credit allowed equal to the amount of impact fees paid by a business taxpayer, eligibility requirements: HB 2728, SHB 2728
- Second Substitute Senate Bill 6255, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4436
- Shellfish growing areas, land use element of comprehensive plan expanded to include protection of marine water quality in: SHB 2363
- Shellfish industry maintenance and protection added to natural resources based industries goals: SHB 2363
- State agency coordinating council created, membership and duties: SHB 1669
- State role in planning: HB 1668, SHB 1668, HB 1669, SHB 1669, HB 1670, SHB 1670, HB 2144

System improvements to public facilities, credits to be provided when impact fees are imposed or mitigation measures are required under state environmental policy act: SHB 2842

System improvements to public facilities, duplication of mitigation and impact fees on the same system improvements prohibited: HB 2842, \*SHB 2842, CH 219 (1992)

Wetlands, local jurisdictions to use criteria in United States army corps of engineers delineation manual to designate and regulate: SB 6254

### **GROWTH PLANNING**

Community councils, formation in unincorporated areas authorized: HB 1009

Zoning, adoption of moratorium or interim zoning map, ordinance, or official control, requirements concerning public hearings, findings of fact, and effective period: \*SSB 5727, CH 207 (1992)

### **GUARDIANSHIP**

Family court may appoint guardian to represent interests of minor or dependent child in proceedings: SHB 2155

Holders of financial assets, duties of, repeal of RCW 11.92.095: \*SB 6008, CH 224 (1992)

Provisions revised: HB 1510

RCW 11.92.095 repealed: HB 2243, \*SB 6008, CH 224 (1992)

### **GUBERNATORIAL APPOINTMENTS**

Citizens' regulatory ombudsman office created, duties: HB 2136

### **GUIDES (See PACKERS AND GUIDES)**

### **GUNS (See FIREARMS)**

### **HANDICAPPED PERSONS**

Library for blind and physically handicapped, capital appropriation for acquiring and renovating: HB 2569

Physically handicapped, political parties urged to provide access to caucus facilities for: HFR 4758

Statutory references to handicapped changed to disabled: HB 2008

Students, special educational services demonstration projects, unnecessary labeling of children discouraged while funding necessary services for children with identifiable needs: \*SHB 2551, CH 180 (1992)

### **HANFORD**

Hanford sublease rent account created: \*SSB 6494, CH 228 (1992)

Hazardous materials management and emergency response training center, requesting that Congress create at Hanford: HJM 4005

Promotion of lease between state and federal government at Hanford, department of trade and economic development to cooperate with associate development organizations located in or near the Tri-Cities area: \*SSB 6494, CH 228 (1992)

Sublease of state-leased land, promotion to nuclear-related industry, funding: SSB 6494

### **HARASSMENT**

Antiharassment petition may be filed in judicial district where event occurred or respondent resides: \*SSB 6141, CH 127 (1992)

Crimes of harassment in the first, second, and third degrees defined and penalties established: HB 2702

Domestic violence protection orders and antiharassment orders, permanent orders, one year orders, or uncontested renewal orders, revised grounds and procedures for granting, service by publication permitted in specified circumstances: HB 2745, \*SHB 2745, CH 143 (1992)

### **HATCH ACT**

Federal civilian and postal workers, requests that congress amend act to permit greater political activity by: HJM 4039

### **HAZARDOUS MATERIALS**

Antifreeze, public health safety standards for sale, violation a misdemeanor: HB 2570

Archaeological resources included among those resources to be protected by oil and hazardous substances spill prevention and response program: HB 2389, \*SHB 2389, CH 73 (1992), SB 6013

Hanford hazardous materials management and emergency response training center, requesting that Congress create: HJM 4005

Hazardous substances incineration facilities, permit application review fees: HB 2665

Immunity from liability for person cleaning up hazardous substance spill if three years have passed without department discovering further harm from the release: HB 2523

Oil and hazardous substance spill prevention and response, archaeological resources included among those resources to be protected by program: \*SHB 2389, CH 73 (1992)

Oil and hazardous substances spill prevention and response, archaeological resources included among those resources to be protected by program: HB 2389, SB 6013

### **HAZARDOUS WASTE**

Biomedical waste, state-wide definition adopted preempting local definitions: \*SHB 2391, CH 14 (1992)

Biomedical waste, treatment and handling requirements established: HB 2391

Disposal facility capacity needs, department to assess need, factors to be considered: SHB 1865

Disposal facility permits, department may issue only if facility is no larger than necessary to meet regional capacity needs: SHB 1865

Hazardous substances incineration facilities, permit application review fees: HB 2665

Hazardous waste, order noncompliance not creating serious danger, reasonable period of time to comply allowed: SB 5746

Incineration facilities, fees: HB 2823, SHB 2823

Incinerator facilities, location within five miles of commercial agriculture site prohibited: HB 1925

Infectious waste, definition and restrictions on disposal of: HB 2079

Low-level radioactive waste site operators, fee payment on operating revenue to equal cost of supervising and regulating operators: SHB 2031

Low-level radioactive waste sites, disposal rate setting by utilities and transportation commission: SHB 2031

Low-level radioactive waste sites, reduction in business and occupation tax rate: SHB 2031  
 Low-level radioactive waste, haulers required to demonstrate financial assurance: HB 2873,  
 \*SHB 2873, CH 61 (1992), SSB 6383  
 Low-level radioactive waste, seven dollar per cubic foot surcharge imposed: SHB 2031  
 Moderate-risk wastes, local governments to encourage use of privately owned facilities:  
 \*HB 2633, CH 17 (1992)  
 Northwest low-level waste compact, payment of costs for compact meetings held outside  
 Washington state prohibited: SB 6203  
 Notice of remedial action taken, issuance by department of ecology: SSB 5055  
 Radioactive waste advisory council terminated: HB 2756  
 Radioactive waste, inspections to be conducted at newly designated ports of entry and  
 public safety tariff to be collected from each highway transporter to defray  
 inspection facility and operating costs: HB 2779  
 Radioactive waste, public safety tariff imposed on each highway transporter of: HB 2779  
 Radioactive waste, state to intervene and request that NEPA environmental impact  
 statement be prepared if actions pursuant to federal law are likely to result in waste  
 entering state at other than approved port of entry: HB 2779  
 Release of hazardous substances on real property, reporting and notice requirements: SSB  
 5055

#### HEALTH CARE (See also RURAL HEALTH)

"Dispensing drug outlet" defined, board of pharmacy authority regarding: HB 2893  
 "Group B Streptococcus," testing of newborn infants for, requirements: HB 2866  
 "Nonprofit facility" redefined to allow additional facilities to be eligible for financing by  
 housing finance commission: HB 2486, SHB 2486  
 AIDS pilot facility, nursing supplies cost exempt from percentile reimbursement limit: \*HB  
 2811, CH 182 (1992)  
 Back conditions, health department to contract for study of comparative effectiveness of  
 chiropractic and other treatments for low back conditions: HB 2604  
 Basic health plan, employees of small businesses eligible to enroll in plan: HB 1701, HB  
 2076, HB 2590, SHB 2590, HB 2641, SSB 6035, SB 6089  
 Basic health plan, employer tax levied to fund program: HB 2590, SB 6089  
 Basic health plan, enrollment of persons eligible for subsidies increased: HB 1161  
 Basic health plan, foster parent eligible to enroll as subsidized enrollee: SSB 6035  
 Basic health plan, maternity coverage excluded for pregnancies diagnosed after June 30,  
 1992, one month exception to provide continuity of care: HB 2994, SHB 2994  
 Basic health plan, nonsubsidized enrollees, revised eligibility, premium, and managed health  
 system provisions: HB 2921  
 Basic health plan, persons residing in area served by plan eligible to enroll in: SSB 6035  
 Basic health plan, revision of provisions relating to enrollees, plan administration, and  
 funding: HB 2076, HB 2590, SHB 2590, HB 2641, SSB 6035, SB 6089  
 Basic health plan, small business health insurance hardship program established to assist  
 employers severely effected by the payment of employer tax: HB 2590, SB 6089  
 Basic health plan, termination date extended: HB 2921  
 Basic health plan, timber impact area residents, including those without a history of direct  
 timber employment, eligible to enroll in plan: SHB 2994

- Basic health plan, timber impact areas, designation of additional socially and economically integrated communities as timber impact areas by economic recovery board authorized: \*HB 2821, CH 21 (1992)
- Basic health plan, transfer of powers, duties, and functions to the Washington health care authority: HB 2076, HB 2590, SHB 2590, HB 2641, HB 2994, SHB 2994, SB 6089
- Budget, health services budget created identifying all funds for health services provided through health services act: SHB 2590
- Certified health care plans, requirements for certification: HB 2590, SHB 2590, SB 6089
- Charity care requirements, health maintenance organizations: HB 2135
- Chemically dependent pregnant women, mothers, and infants, interagency coordination of service delivery required: SB 6051
- Chiropractor peer review committee established, membership and duties: HB 2145
- Chiropractor service and fee limitations, state health care purchasers authorized to establish: \*SB 6054, CH 241 (1992)
- Class IV human immunodeficiency virus insurance program continued: HB 1646
- Comprehensive health care reform, governor's proposal: HB 2590, SHB 2590, SB 6089
- Consolidation of state and federal medical and health services and programs, legislative budget committee to determine feasibility and desirability of: SHB 2590
- Corrections employees who are retired early from an on the job injury, state to pay full cost of premiums for health care coverage: HB 2770, SHB 2770
- Cost shifting by health care providers, health care authority to study: HB 2832
- Desert Shield, health and retirement coverage continued for employees called to active service: HB 1359, SSB 5092
- Facilities, "nonprofit facility" redefined to allow additional facilities to be eligible for financing by housing finance commission: HB 2486, SHB 2486
- Galactosemia, screening of newborn infants for: HB 1906
- Glucose monitoring equipment, exemption from sales and use taxes: HB 1602
- Health care commission, Washington, house encourages commission to implement its plan for 1992 and to continue to address issues of health care reform: HJM 4040
- Health care practice parameters, adoption, care within accepted parameters constitutes an affirmative defense in a medical malpractice action: HB 2868
- Health care records, information disclosure by provider, authorization to expire ninety days after issuance: HB 2568, SHB 2568
- Health care records, information disclosure by provider, fee: HB 2568, SHB 2568
- Health care records, third-party payor allowed access to beneficiary's health information for payment purposes: SHB 2568
- Health care records, unauthorized disclosure of name, residence, and sex allowed for purposes of identification, further disclosures allowed in cases of public record: SHB 2568
- Health care reform, requesting congress and president to reach consensus on principles to be incorporated into: HJM 4038
- Health maintenance organizations, charity care requirements: HB 2135
- Health services act, implementation of, legislative budget committee to conduct evaluation of: SHB 2590
- Health services commission created, membership, organization, powers, and duties: SHB 2590

- Health services commission, legislative budget committee to study of whether administrative and service delivery structure should be continued: SHB 2590
- Health services trust fund, additional taxes imposed on tobacco products, spirits, wine, beer, and each authorized insurer for deposit in fund: HB 2590, SB 6089
- High priority infant tracking program created to identify infants at risk for health and developmental problems: HB 1965, SHB 1965
- Home health care, property tax relief for person receiving: HB 1002, HB 1004, HB 2178
- Hospital charges, state hospital association and others invited to develop a protocol to establish a standardized system for disclosure of charges for hospital-based services: SHB 2341
- Hospital in-house services ordered for patients, hospital disclosure to health care providers of charges for: HB 2341, SHB 2341
- Infant drug exposure assessment and monitoring program established: SB 6051
- Infants, development of continuum of services for referral and intervention, department of health duties: HB 1965, SHB 1965
- Insurance, Washington residents health care reinsurance pool created to provide stop loss coverage on claims made on issuers of small employer group coverage: HB 2903
- Insurance, all private carriers to use the HCFA 1500 or UB 82 form, or their successors as uniform health care insurance claim form, after January 1, 1994, with stated exceptions: SB 6037
- Insurance, billing forms for services exempt from requirement to use HCFA 1500 or UB 82 form to be developed by January 1, 1993: SB 6037
- Insurance, businesses to be allowed to enroll as group in plan without medical underwriting except as specifically provided: HB 2590, SHB 2590, HB 2641, SB 6089
- Insurance, cancellation or nonrenewal prohibited solely on the basis that the insured has submitted claims on the policy: HB 1933
- Insurance, chiropractic services, policies required to provide and pay for: HB 2718
- Insurance, costs not considered compensation for elected officials of public entities: HB 2451
- Insurance, coverage for small employers, insurance commissioner to conduct study and develop legislation to promote the availability of: SHB 2817
- Insurance, high risk persons, new contract forms prohibited that have effect of isolating high risk persons: HB 2694, SHB 2694
- Insurance, individuals may not be excluded from employer-sponsored group coverage solely on the basis of individual medical condition or health status: HB 2772, SHB 2772
- Insurance, interim insurance reform provisions established pending full implementation of residency-based health services system: SHB 2590
- Insurance, marketing and underwriting practices of insurers, health care service contractors, and health maintenance organizations, restrictions and requirements: HB 2590, SHB 2590, HB 2641, SB 6089
- Insurance, medicare supplement plan for retired and disabled public employees authorized: HB 1665
- Insurance, medicare supplemental insurance, revised provisions to conform policy requirements to federal law: HB 2479, \*SHB 2479, CH 138 (1992)
- Insurance, neurodevelopmental therapy coverage for public employees expanded: HB 2578
- Insurance, participation by retired or disabled school district employees: HB 1838
- Insurance, policies prohibited from limiting where prescription drugs may be purchased: HB 1069, SHB 1069



- Insurance, prescription medicine purchase limited to designated pharmacy prohibited: HB 2586
- Insurance, proof of coverage requirements, eligibility for low interest loans to make copayments, deductibles, or other cost-sharing payments: HB 2641
- Insurance, renewability of individual policy, except for nonpayment, misrepresentation, fraud, or cause authorized by insurance commissioner, provision required: SHB 2694
- Insurance, renewability of individual policy, except for nonpayment, provision required: HB 2694
- Insurance, requirements for insurers regarding preexisting conditions, policy renewal, exclusions, and rates: HB 2040
- Insurance, small employer health benefit plan committee, membership and duties: HB 2817, SB 6384
- Insurance, small employer health insurance availability act: HB 2817, SB 6384
- Insurance, small employer health insurance availability act enacted to assure fair marketing practices and broad availability of health benefit plans: HB 2870
- Insurance, small employer health insurance coverage, issuers of health insurance required to provide workers equal access to health care coverage through their employers without regard to the size of the enterprise: HB 2922, SB 6384
- Insurance, state agencies that pay for health care to adopt HCFA 1500 or UB 82 form, or their successors, as uniform health care insurance claim form after July 1, 1994: SB 6037
- Insurance, stop loss insurance for self-insurers allowed: HB 2503, SHB 2503, \*SSB 6193, CH 226 (1992)
- Insurance, uniform benefits package to be minimum benefits package offered by any plan: HB 2590, SHB 2590, HB 2641, SB 6089
- Insurance, uniform health care insurance claim form system, development and use requirements: SB 6037
- Limited casualty program, maximum deductible increased: HB 1889
- Long-term care, development and financing of community-based long-term care and support services system to be studied for later inclusion in health services act: SHB 2590
- Low-income people, development of a coordinated system of health care for low-income people declared a priority: HB 2590, SB 6089
- Low-income persons, retired physicians providing free services to, immunity from civil liability: SB 5371
- Managed health care systems, contracts with nonphysician health care practitioners, departmental duties: SHB 2084
- Medicaid, congress urged to investigate combining medicaid with basic health plan: HJM 4037
- Medical clinics owned by nonprofit organization, property tax exemption: HB 1492
- Medicare supplemental insurance, revised provisions to conform policy requirements to federal law: HB 2479, \*SHB 2479, CH 138 (1992)
- Newborn assessment standards, department of health duties: HB 1965, SHB 1965
- Newborn infants, testing for "Group B Streptococcus" required: HB 2866
- Personal health services data and information system, health services commission to develop and adopt criteria for: HB 2590, SHB 2590, SB 6089

- Personal health services data and information system, state health policy council to develop and adopt criteria for: HB 2641
- Poison information center, department of health to report on funding, efficiencies, and fees associated with establishing a single center and to recommend funding levels and how center should be funded: SHB 2016
- Poison information center, services to be centralized in a single center by June 30, 1993: HB 2016, SHB 2016
- Poison information centers, service delivery, revised provisions: HB 2016, SHB 2016
- Poison information specialist, certification by secretary of health required to perform the duties of: SHB 2016
- Policy councils, state and regional, establishment, membership, powers, and duties: HB 2641
- Prenatal and postnatal services provided under medical assistance program, basic health plan coverage excluded for pregnancies diagnosed after June 30, 1992: HB 2994, SHB 2994
- Prescription drugs, review of multitiered pricing of requested: HJM 4003
- Prescription medicine purchase limited to designated pharmacy prohibited in health care insurance policies: HB 2586
- Professionals, unprofessional conduct in gratuity acceptance from health-related product or services representative in anticipation of sale: HB 2120
- Property tax relief for persons receiving home health care: HB 1002, HB 1004, HB 2178
- Provider conflict of interest standards to be established by health services commission: HB 2590, SHB 2590, SB 6089
- Provider contracts with certified health plans, health services commission to establish standards for: HB 2590, SB 6089
- Rationing of health services, health services commission to establish explicit policy on, required elements: SHB 2590
- Reproductive health care, Title X funding urged to provide accurate and unbiased information for low-income women: HJM 4025
- Residency-based health services system established to provide uniform benefits package to all state residents by July 1996: SHB 2590
- Retired and disabled public employee health care benefits study commission established, membership and duties: SHB 1796
- Retired and disabled public employees, interim medicare supplement insurance plan: SHB 1796
- Retired physicians providing free care to low-income people at community clinics, department of health to purchase liability insurance for, terms and conditions for participation set out: \*SHB 2337, CH 113 (1992)
- Retired physicians, provision of free services to low-income persons, immunity from civil liability: SB 5371
- Retired physicians, provision of free services to low-income persons, malpractice insurance provided: HB 2337, SHB 2337
- School district employees, provision of continued health care benefits for retired or disabled employees and their dependents: HB 2857, \*SHB 2857, CH 152 (1992)
- School employee benefits, supplemental basic benefits and employer contributions: HB 1842
- Small employer health insurance availability act enacted to assure fair marketing practices and broad availability of health benefit plans: HB 2870

- Small employer health insurance coverage, issuers of health insurance required to provide workers equal access to health care coverage through their employers without regard to the size of the enterprise: HB 2922, SB 6384
- State employee working in foreign country may waive health care coverage if comparable coverage is provided by another source: HB 2755
- State employees' benefits board to develop a comprehensive state-purchased uniform benefit package and uniform administrative procedures: HB 2641
- Surgical care, delegation of preoperative and postoperative care, limitations on: HB 1968
- Tanning salons, registration requirements and business practice standards established: HB 2912
- Termination of employee within sixty days before employee qualifies for health benefits prohibited except for good cause, remedies and exceptions: HB 2787
- Uniform benefits package to be provided by certified health plans: HB 2590, SHB 2590, SB 6089
- Utilization review of disability insurers, health care service contractors, and health maintenance organizations: HB 1242
- Vision care consumer assistance act enacted to encourage competition in the optical industry: HB 2625
- Washington health care commission, house encourages commission to implement its plan for 1992 and to continue to address issues of health care reform: HJM 4040
- Washington health services commission created, membership, organization, powers and duties: HB 2590, SHB 2590, SB 6089
- Washington healthcare plan created, Washington healthcare service to administer as public corporation: HB 2205
- Washington residents health care reinsurance pool created to provide stop loss coverage on claims made on issuers of small employer group coverage: HB 2903
- Workers' compensation and the uniform benefits package, workers' compensation advisory committee to conduct study on the relationship between: HB 2590, SB 6089

#### **HEALTH CARE AUTHORITY**

- Basic health plan, transfer of powers, duties, and functions to the Washington health care authority: HB 2076, HB 2590, SHB 2590, HB 2641, HB 2994, SHB 2994, SB 6089
- Chiropractors, pilot projects established to contract with chiropractor organizations for prepaid capitated amount: SB 6054
- Cost shifting by health care providers, study required: HB 2832
- Health care insurance provided retired public employees by employers, study authorized: HB 1834
- Insurance plans approved to receive payment through voluntary payroll deductions, duties: HB 1083
- Insurance, uniform health care insurance claim form system, development and use requirements: SB 6037
- Law enforcement officers' and fire fighters' retirement system, enrollment in health care authority benefits plan authorized subject to right to bargain collectively: \*HB 2813, CH 199 (1992)
- Law enforcement officers' and fire fighters' retirement system, health care insurance transferred to: HB 2813

- Local government self-insurance programs, health and welfare benefits, authority duties: HB 2127
- Long-term care services, authority to develop recommendations for inclusion in the state-purchased uniform benefit package: HB 2641
- Medicare supplement insurance for retired state employees through individual purchase into state insurance plan: HB 1643
- Retired and disabled public employees, interim medicare supplement insurance plan: SHB 1796
- Retired and disabled public employees, medicare supplement health insurance plan authorized: HB 1665
- Rural hospitals, essential health care services to medical assistance clients, payment provisions: HB 1795
- School district employees, health care authority to study group health insurance coverage for retired and disabled school district employees: HB 2857, \*SHB 2857, CH 152 (1992)
- School district health care benefits, reporting to authority, summary data requirements revised: SHB 2077
- Workers' compensation, authority to develop recommendations on relationship between state-purchased uniform benefit package and: HB 2641

#### **HEALTH CARE PROFESSIONS**

- "Dispensing drug outlet" defined, board of pharmacy authority regarding: HB 2893
- Clinical laboratory science practitioners, licensing requirements: HB 2081
- Clinical privileges and staff membership to be extended to nonphysician health care practitioners within the scope of their practice: SHB 2084
- Community mental health practitioners, to achieve salary parity with state workers by 1995: HB 1914
- Gratuity acceptance from health-related product or services representative in anticipation of sale considered unprofessional conduct: HB 2120
- HIV infected person, notice to employer or facility administrator required, conditions and limitations: SSB 5457
- HIV infected person, public contact in course of employment, informed consent requirements: SSB 5457
- HIV tests, authority to conduct test on patient if provider determines that test is needed to protect health of any provider: SSB 5457
- Health care practice parameters, adoption, care within accepted parameters constitutes an affirmative defense in a medical malpractice action: HB 2868
- Health care records, information disclosure by provider, authorization to expire ninety days after issuance absent agreement as to expiration date: SHB 2568
- Health care records, information disclosure by provider, limit on fees for copying records: SHB 2568
- Health care records, third-party payor allowed access to beneficiary's health information for payment purposes: SHB 2568
- Health care records, unauthorized disclosure of name, residence, and sex allowed for purposes of identification, further disclosures allowed in cases of public record: SHB 2568

- Hospital charges, state hospital association and others invited to develop a protocol to establish a standardized system for disclosure of charges for hospital-based services: SHB 2341
- Infant mortality review, local health departments authorized to conduct, confidentiality of records provided by families, department officials and employees, and health care professionals participating in reviews established: \*SB 6296, CH 179 (1992)
- Lead poisoning, reporting of cases to department of health, requirements to be set by board of health: HB 2705
- Medical malpractice, care within accepted health care practice parameters constitutes an affirmative defense in a medical malpractice action: HB 2868
- Medical test site provisions repealed: HB 1070
- Mental health practitioners' conditional scholarship program for those working in mental health shortage areas: HB 1230, SHB 1230
- Mental health practitioners' loan repayment program for those working in mental health shortage areas: HB 1229, SHB 1229
- Pregnant women, substance abuse by, training and education regarding effects of: SB 6051
- Prescription drugs, pharmacist's and practitioner's duty to supply information to assure proper utilization: SHB 1003
- Provider conflict of interest standards to be established by health services commission: HB 2590, SHB 2590, SB 6089
- Provider contracts with certified health plans, health services commission to establish standards for: HB 2590, SB 6089
- Surgical care, delegation of preoperative and postoperative care, limitations on: HB 1968
- Uniform disciplinary act, application to physician's trained intravenous therapy technicians, airway management technicians, mobile intensive care paramedics, and ambulance operators, directors, and drivers: \*SB 6033, CH 128 (1992)
- Unprofessional conduct, gratuity acceptance from health-related product or services representative in anticipation of sale: HB 2120
- Vision care consumer assistance act enacted to encourage competition in the optical industry: HB 2625
- Workers' compensation medical services, health care practitioner reimbursement allowed if comparable reimbursement to another practitioner is allowed: HB 2980

#### **HEALTH CARE PROVIDERS**

- Health care records, information disclosure by provider, authorization to expire ninety days after issuance: HB 2568, SHB 2568
- Health care records, information disclosure by provider, fee: HB 2568

#### **HEALTH CARE SERVICE CONTRACTORS**

- Chiropractic services, contractors required to provide and pay for: HB 2718
- Exclusion of individuals from employer-sponsored group coverage solely on the basis of individual medical condition or health status prohibited: HB 2772, SHB 2772

#### **HEALTH MAINTENANCE ORGANIZATIONS**

- Charity care requirements, violation a misdemeanor: HB 2135
- Chiropractic services, organizations required to provide and pay for: HB 2718
- Coinsurance defined, may be included in participant obligations under subscriber agreement: HB 2782

Exclusion of individuals from employer-sponsored group coverage solely on the basis of individual medical condition or health status prohibited: HB 2772, SHB 2772  
 Prescription drugs, agreements prohibited from limiting where prescriptions may be purchased: SHB 1069

### HEALTH, DEPARTMENT

"Group B Streptococcus," testing of newborn infants for, requirements: HB 2866  
 "Noise pollution" responsibilities of department of ecology transferred to department of health: HB 2283, SHB 2283  
 Abortion, collection of statistical data requirements: HB 2859  
 Alcohol and drug misuse during and immediately after pregnancy, local prevention and treatment programs, duties: HB 1410, SHB 1410  
 Ambulance driver certification requirements modified: \*SB 6033, CH 128 (1992)  
 Ambulance operators and directors, licensing period reduced from three to two years: \*SB 6033, CH 128 (1992)  
 Ambulance vehicle licensing period changed from one to two years: \*SB 6033, CH 128 (1992)  
 Antifreeze, safety standards for sale, violation a misdemeanor: HB 2570  
 Back conditions, department to contract for study of comparative effectiveness of chiropractic and other treatments for low back conditions: HB 2604  
 Biomedical waste treatment technologies, department may evaluate at the request of applicant and at applicant's expense: \*SHB 2391, CH 14 (1992)  
 Biomedical waste, development of new technologies, duties: HB 2391  
 Bone marrow donor recruitment and education program created, departmental duties: HB 2710, \*SSB 6069, CH 109 (1992)  
 Budget, needs assessment of populations served by the department to be included in budget document: HB 2907  
 Certificate of need requirements revised for rural hospitals and rural health care facilities: HB 2420, SHB 2420, \*SSB 6076, CH 27 (1992)  
 Certification and recertification of physician's trained intravenous therapy technicians, airway management technicians, and mobile intensive care paramedics, certification period changed to three years: \*SB 6033, CH 128 (1992)  
 Chemically dependent pregnant women, mothers, and infants, interagency coordination of service delivery requirements: SB 6051  
 Child care coordinating committee, representative from department added to membership of: HB 2308, SHB 2308  
 Clinical laboratory science practitioners, licensing requirements: HB 2081  
 Death certificates, vital statistics task force created to report and make recommendations on issues relating to: SHB 2300  
 Dental laboratories and technicians, licensing of laboratories and certification of dental technicians required: HB 2761  
 Denturist advisory committee created, membership and duties: HB 2088  
 Denturists, certification required, department powers and duties: HB 2088  
 Disabled infants and toddlers, early intervention services for, department duties: SHB 1090  
 Domestic violence perpetrator counselors, certification of, requirements and procedures, duties: HB 1741  
 Early intervention services for infants and toddlers with disabilities, duties: SHB 1090  
 Family planning services, training for substance abuse counselors: HB 2364, SHB 2364

- Family policy council created to solicit proposals to facilitate greater flexibility and responsiveness of service to families at the community level, duties, requirements for consideration of proposals: HB 2846, SHB 2846, \*SSB 6428, CH 198 (1992)
- Family violence counselors, certification requirements: HB 1882, SHB 1882
- Family violence, surveillance system to track morbidity associated with, department to develop: SHB 1882
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Enters or remains unlawfully, definition revised in regard to entries for hunting, fishing, or recreation on posted, fenced, or agricultural property: HB 2416

License fees increased: SHB 1850

Pheasant hunting permit for western Washington required, harvest limits: \*SB 6221, CH 41 (1992)

Private land, fees charged to hunters not to be based on success in bagging animal: HB 2352

Trapping, leghold traps, use prohibited: HB 1691

Trapping, licensing requirements revised: HB 1691

Upland game bird permits, revised recordkeeping requirements and harvest limits for western Washington pheasant: \*SB 6221, CH 41 (1992)

### HYDRAULIC PERMITS

Project approval, projects on single-family residence property, procedure: SHB 1641

Project approval, projects on single-family residence property, procedure, advisory committee: HB 1641

### HYDROELECTRIC DEVELOPMENTS

Federally owned or licensed hydroelectric projects, declaration that the state has no regulatory authority over: HB 2917

Federally owned or licensed hydroelectric projects, state has no regulatory authority over except when authority granted by federal government: SHB 2917, SSB 6475

Hydropower plan, task force to prepare state comprehensive hydropower plan, extension of task force and revision of duties: HB 2917

### IDENTIFICATION

Driver's license or identicard, applicant identification requirements: HB 2875, 2SSB 6364

Fraudulent documents, identification procedures training for agency screening personnel: HB 2875, 2SSB 6364

Fraudulent documents, state patrol organized crime advisory board to report on impact of identification document fraud: 2SSB 6364

Identicard or driver's license, applicant identification requirements: HB 2875, 2SSB 6364

Voter card issued to registrant to include words, "not valid for identification purposes": 2SSB 6364

Voter precinct identification card not valid for identification purposes: HB 2875, 2SSB 6364

### IMMUNITY

Crematory may rely on personal representative of decedent or decedent's estate for authority to cremate free from criminal or civil liability: SHB 2328

Fraudulent documents, identification of fraudulent documents by department of licensing and department of social and health services screening personnel, immunity from civil liability resulting from: 2SSB 6364

Hazardous substance release, immunity from liability for person cleaning up spill if three years have passed without department discovering any further harm from release: HB 2523

Insurers, agents, and brokers immune from civil liability in any suit arising from the provision of loss control advice or related services, conditions: HB 2773

Intruder in a dwelling, use of force, including deadly force against, conditions justifying, immunity from civil and criminal liability: SB 5140

Landlord immune from civil liability for bringing unlawful detainer action against tenant for drug related or threatening activity: SHB 2297, \*SSB 5986, CH 38 (1992)

- License or permit is not fee for purposes of limiting liability of owner permitting recreational use of land: HB 1369
- Psychiatric facilities, immunity from civil and criminal liability if duties performed in good faith: HB 1520
- Public records, immunity from liability for damages resulting from release of public record when public agency, official, employee, or custodian was acting in good faith: \*SHB 2876, CH 139 (1992)
- Retired physicians, provision of free services to low-income persons, immunity from civil liability: SB 5371
- State employees, immunity from civil liability when acting within scope of duties: HB 2918

### IMPLIED CONSENT

- License revocation warning to be given by officer when informing driver of right to refuse breath or blood test: HB 2309, SHB 2309

### IMPROVEMENT DISTRICTS

- Diking, drainage, irrigation, and flood control districts of specified types authorized to reorganize as drainage and irrigation improvement district or diking, drainage, and irrigation improvement district: HB 2973

### INCOME TAX (See TAXES - INCOME TAX)

### INDETERMINATE SENTENCE REVIEW BOARD

- Final discharge, grant of final order of discharge and issuance of certificate of discharge to parolee, revised conditions: SHB 2834
- Offenders under jurisdiction, sentences converted to determinate sentences by June 30, 1992: HB 2834
- Offenders under jurisdiction, sentences converted to determinate sentences by June 30, 1993: SHB 2834
- Parole periods established for sex and violent offenders and for all other offenders, terms, conditions, sanctions for violations, and final discharge provisions established: SHB 2834
- Parole, board not to release offender unless the board determines that the offender does not present a serious risk to the community while on parole: SHB 2834
- Powers, duties, and functions transferred to superior courts: HB 2834, SHB 2834
- Reduction in sentence for defendant convicted of murder prior to July 23, 1989, when victim subjected defendant or defendant's children to continuing sexual or physical abuse and the murder was in response to that abuse: HB 2703, SHB 2703
- Sanction grid to be developed in cooperation with the department of corrections for dealing with parole violations with revocation reserved as the last alternative: SHB 2834
- Termination of indeterminate jurisdiction of all inmates and parolees by June 30, 1998, board to recommend a detailed plan to legislature by December 31, 1992: SHB 2834

### INDIANS

- American Indians of the Northwest, curriculum development center established, purposes enumerated: HB 2540, SHB 2540
- Casino-style gambling declared contrary to policy of state: HB 2121

- College admission requirements, Indian language study to meet any requirement for instruction in a language other than English: HB 2541
- Culture, history, and government, required teacher education course in state or Northwest history to include information on: HB 2541
- Education committees to be provided notice of proposed school budget and requires superintendent of public instruction to address committee concerns: HB 2425
- Federal recognition of Chinook, Cowlitz, Duwamish, Samish, Snohomish, Snoqualmie, and Steilacoom tribes urged: HJM 4024
- Federal recognition of unacknowledged tribes in state, legislation urged to assure opportunity to petition department of interior for a clear, unbiased, and timely administrative response: SHJM 4024
- Fishing and hunting rights outside reservation, limiting power of department of wildlife to grant: HB 1168
- Gambling activity, authority of tribes to conduct, conditions: HB 2121
- Gaming compacts, gambling commission through its director authorized to negotiate compacts on behalf of state, negotiation process and procedures established: \*SB 6004, CH 172 (1992)
- Gaming compacts, governor authorized to execute compacts with federally recognized tribes for conduct of class III gambling on Indian lands: \*SB 6004, CH 172 (1992)
- Gaming compacts, joint legislative committee created to review proposed Indian gaming compacts: HB 2080
- Legislature, nonvoting Indian delegates to be selected to serve in house and senate: HB 1988, SHB 1988
- Public schools, Indian language study to fulfill any requirement for instruction in language other than English while state history courses are to include information on Indian culture and history: HB 2542
- Puget Sound chinook salmon, director to increase opportunity for recreational fishers to harvest to correct past errors in catch accounting between treaty Indian fishers and nonIndian fishers: SB 6293
- Scholarships, American Indian endowed scholarship program revisions: SHB 1145
- Substitute care of Indian children, citizen review boards, Indian child welfare advisory committee to act as board: SHB 1940
- Teacher education, required course in state or Northwest history to include information on Indian culture, history, and government: HB 2541
- Tribally controlled colleges included in definitions of higher education institutions: SHB 1726
- Tribes, right of all tribes to petition for acknowledgement under clear, unbiased, and timely procedure supported: HFR 4757

#### **INDIGENTS**

- Child dependency cases, legal representation of indigent parents in: HB 1113, SHB 1113
- Civil representation in superior court by qualified legal aid programs, waiver of filing fees: \*SHB 1378, CH 54 (1992)
- Civil representation of indigent persons by qualified legal aid program, funding from public safety and education account authorized: \*SHB 1378, CH 54 (1992), HB 2997

#### **INDUSTRIAL DEVELOPMENT**

Siting of major industrial developments, process for approval of proposed siting under growth management act: SHB 2785

Siting of major industrial developments, requirements for approval of proposed siting under growth management act: HB 2785

## **INDUSTRIAL INSURANCE (See WORKERS' COMPENSATION)**

### **INDUSTRIAL INSURANCE APPEALS BOARD**

Appeal provisions: HB 1333

Code of ethics for industrial appeals judges: HB 1238

Regional offices in Seattle, Spokane, and Tacoma to be established: HB 1835

Workers' compensation appeals, notice of appeal and copy of record before board of industrial insurance appeals to be served on either the worker or the beneficiary and to any other party: SHB 2496

### **INDUSTRIAL SAFETY AND HEALTH**

Civil penalties for violations increased: HB 1290

Office environment health and safety standards, department of labor and industries to adopt: SHB 2128

### **INFECTIOUS WASTE**

Biomedical waste, state-wide definition adopted preempting local definitions: \*SHB 2391, CH 14 (1992)

Biomedical waste, treatment and handling requirements established: HB 2391

### **INFORMATION SERVICES, DEPARTMENT**

Agency budget requests for information resources, criteria for review and expenditure: HB 2814, \*SHB 2814, CH 20 (1992)

Geographic information task force to study development and use of computer-based geographic information: HB 1659

Information resources, department duties: HB 2814, \*SHB 2814, CH 20 (1992)

Information resources, powers and duties of information services board: HB 2814, \*SHB 2814, CH 20 (1992)

Information services board, membership of the board revised: HB 2814, \*SHB 2814, CH 20 (1992)

Information technology, department to prepare biennial performance report: \*SHB 2814, CH 20 (1992)

Information technology, project funding standards and policies established: \*SHB 2814, CH 20 (1992)

Jury source list, superior courts to use either list merged by the county or furnished by the department according to annual notification: HB 2945, SHB 2945

Planning, acquisition, and management of state information systems and services, department duties: HB 2814, \*SHB 2814, CH 20 (1992)

Strategic information technology plan, agencies to adopt: HB 2814, \*SHB 2814, CH 20 (1992)

Strategic information technology plan, department to prepare: \*SHB 2814, CH 20 (1992)

### **INITIATIVE AND REFERENDUM**

Ballot titles and summaries of referendum bills and constitutional amendments, submission, notice, and appeal provisions: HB 2285

Ballot titles for referenda measures, requirements established: HB 2592

Constitutionality ruling required within forty-five days of certification: HJR 4238

Expenditures for soliciting or procuring signatures on initiative or referendum petition, reporting requirements: HB 2404

Initiatives to the legislature to be voted on before the end of the regular legislative session: HJR 4225

Initiatives, constitutional amendment requiring pro rata share of signatures to be obtained in each congressional district: HJR 4217

Noncharter code cities, revised powers and procedures: HB 1761

Petitions, signatures, pro rata share to be obtained in each congressional district: HB 1661

Public disclosure of petitions prohibited: HB 1595

Referenda measures, requirements established for ballot titles for: HB 2592

Requirements and restrictions, legislature may impose: HJR 4238

Runway construction, decision by port district commission subject to referendum: HB 1506

Signature gatherers, notice to be given that paid signature gatherers are being used to collect signatures, requirements: HB 2923

Signatures on initiative and referendum petitions, collection and verification, revised requirements and penalties for violations: HB 2404

Signatures, paid solicitation restricted, violation a gross misdemeanor: HB 2558

Signatures, pro rata share to be obtained in each congressional district: HB 1661

Washington healthcare plan, referendum by congressional district voters for exclusion from plan, procedures, study authorized: HB 2205

#### **INSANITY, CRIMINAL**

Criminal procedure, clarification of references to responsibilities of departments and corrections officers regarding criminal procedure for the: HB 2265

#### **INSTITUTE FOR PUBLIC POLICY**

Boot camp, shock incarceration programs, and other residential programs for criminal offenders, institute to study: SHB 1433

Public records disclosure exemptions, institute to review: HB 2876

#### **INSTITUTIONS**

Juvenile detention facilities, educational programs contracted with school districts, requirements and funding: HB 2001, SHB 2001

Juvenile detention facilities, educational programs, juvenile corrections education management advisory committee to develop recommendations: SHB 2001

#### **INSURANCE**

Accreditation of insurance commissioner by national association of insurance commissioners as approved insurance regulator, revised financial supervision and solvency oversight provisions to allow for: HB 2480, SHB 2480

Agent's contract with insurer, insurer may not cancel or restrict based solely on agent's loss ratio experience: HB 1606

Agent-brokers permitted to complete transaction on brokerage basis that is not permitted under the agreement appointing the agent: HB 2719, SHB 2719



- Annuity structured settlement of a personal injury or wrongful death claim authorized, procedures established to collect payment when payment is not made in accordance with agreement: HB 2776
- Bond, definition, surety liability limitations: HB 2651, SHB 2651
- Bond, surety liability limitation: \*SSB 6451, CH 115 (1992)
- Chiropractic health care, reviews requested by third-party payors to be conducted only by registered chiropractic physicians, chiropractic disciplinary board to set registration standards: HB 2774
- Companies, revised financial supervision and solvency oversight requirements: HB 2480, SHB 2480
- Construction contracts, restrictions on allowable clauses regarding contractor liability insurance conditions: HB 2087, SB 5566
- Contracts, person acting for unauthorized insurer liable for performance of contract: HB 2822, \*SB 6396, CH 149 (1992)
- Disability, prescription medicine purchase limited to designated pharmacy prohibited: HB 2586
- Disability, stop loss insurance for self-insurers allowed: HB 2503, SHB 2503, \*SSB 6193, CH 226 (1992)
- Domestic insurers, investments, restrictions on investments in medium and lower grade obligations: HB 2443
- Financial supervision and solvency oversight authority of insurance commissioner, revised provisions: HB 2480, SHB 2480
- Fire insurance, development of rate incentives for landowners in wildland/urban interface areas who undertake mitigation measures: HB 2519
- Forfeiture and surrender charges, insurer may provide for when issuing an insurance policy: HB 1972, SHB 1972
- Fraud advisory board created, membership and duties: HB 2886, SHB 2886
- Health care, Washington residents health care reinsurance pool created to provide stop loss coverage on claims made on issuers of small employer group coverage: HB 2903
- Health care, all private carriers to use the HCFA 1500 or UB 82 form, or their successors as uniform health care insurance claim form, after January 1, 1994, with stated exceptions: SB 6037
- Health care, billing forms for services exempt from requirement to use HCFA 1500 or UB 82 form to be developed by January 1, 1993: SB 6037
- Health care, businesses to be allowed to enroll as group in plan without medical underwriting except as specifically provided: HB 2590, SHB 2590, HB 2641, SB 6089
- Health care, cancellation or nonrenewal prohibited solely on the basis that the insured has submitted claims on the policy: HB 1933
- Health care, chiropractic services, policies required to provide and pay for: HB 2718
- Health care, class IV human immunodeficiency virus insurance program continued: HB 1646
- Health care, coverage for small employers, insurance commissioner to conduct study and develop legislation to promote the availability of: SHB 2817
- Health care, high risk persons, new contract forms prohibited that have effect of isolating high risk persons: HB 2694, SHB 2694

- Health care, individuals may not be excluded from employer-sponsored group coverage solely on the basis of individual medical condition or health status: HB 2772, SHB 2772
- Health care, interim insurance reform provisions established pending full implementation of residency-based health services system: SHB 2590
- Health care, marketing and underwriting practices of insurers, health care service contractors, and health maintenance organizations, restrictions and requirements: HB 2590, SHB 2590, HB 2641, SB 6089
- Health care, medical insurance provided retired public employees by employers, study authorized: HB 1834
- Health care, neurodevelopmental therapy coverage for public employees expanded: HB 2578
- Health care, participation by retired or disabled school district employees allowed: HB 1838
- Health care, prescription medicine purchase limited to designated pharmacy prohibited: HB 2586
- Health care, proof of coverage requirements, eligibility for low interest loans to make copayments, deductibles, or other cost-sharing payments: HB 2641
- Health care, renewability of individual policy, except for nonpayment, misrepresentation, fraud, or cause authorized by insurance commissioner, provision required: SHB 2694
- Health care, renewability of individual policy, except for nonpayment, provision required: HB 2694
- Health care, small employer health benefit plan committee, membership and duties: HB 2817, SB 6384
- Health care, small employer health insurance availability act: HB 2817, SB 6384
- Health care, small employer health insurance availability act enacted to assure fair marketing practices and broad availability of health benefit plans: HB 2870
- Health care, small employer health insurance coverage, issuers of health insurance required to provide workers equal access to health care coverage through their employers without regard to the size of the enterprise: HB 2922, SB 6384
- Health care, state agencies that pay for health care to adopt HCFA 1500 or UB 82 form, or their successors, as uniform health care insurance claim form after July 1, 1994: SB 6037
- Health care, stop loss insurance, self-funded employee health benefit plans authorized to acquire: HB 2503, SHB 2503, \*SSB 6193, CH 226 (1992)
- Health care, uniform benefits package to be minimum benefits package offered by any plan: HB 2590, SHB 2590, HB 2641, SB 6089
- Health care, uniform health care insurance claim form system, development and use requirements: SB 6037
- Health insurance, requirements for insurers regarding preexisting conditions, policy renewal, exclusions, and rates: HB 2040
- Health, costs not considered compensation for elected officials of public entities: HB 2451
- Immunity from civil liability for insurers, agents, and brokers in any suit arising from the provision of loss control advice or related services, conditions: HB 2773
- Insurance fraud advisory board created, membership and duties: HB 2886, SHB 2886
- Law enforcement officers and fire fighters, reimbursement of retirees for premiums paid for medicare supplemental insurance authorized: HB 2867, \*SHB 2867, CH 22 (1992)

- Life insurance, certain nonprofit organizations allowed to be named as owner and beneficiary of individual life insurance policy, terms and conditions for joint application for or transfer of policy: \*SSB 6241, CH 51 (1992)
- Life insurance, certain tax-exempt organizations allowed to insure the life of a person: HB 2306
- Life insurance, donor permitted to transfer ownership interest in life insurance policy to certain tax-exempt organizations: SHB 2306
- Life insurance, interest on death benefits, alternative methods of calculating interest set out: HB 2775, SHB 2775
- Life insurance, limitation on liability, death from terrorism may not be included in limitation: HB 1366
- Loss control advice or related services, insurers, agents, and brokers immune from civil liability in any suit arising from provision of, conditions: HB 2773
- Malpractice insurance for retired physicians providing free care to low-income people at community clinics, department of health to purchase insurance for, terms and conditions for participation set out: \*SHB 2337, CH 113 (1992)
- Malpractice insurance purchase for retired physicians providing free services to low-income persons: HB 2337, SHB 2337
- Medicare supplement insurance for retired state employees through individual purchase into state plan: HB 1643
- Medicare supplement insurance plan, interim, for retired and disabled public employees: SHB 1796
- Medicare supplement plan for retired and disabled public employees authorized: HB 1665
- Medicare supplemental insurance, reimbursement of retired law enforcement officers and fire fighters for premiums paid for, authorization: HB 2867, \*SHB 2867, CH 22 (1992)
- Medicare supplemental insurance, revised provisions to conform policy requirements to federal law: HB 2479, \*SHB 2479, CH 138 (1992)
- Minimum standard conditions, benefits, and terminology for policies, commissioner may adopt rules to establish: HB 1574
- Mortgage, cancellation procedure notification required: SHB 1717
- Motor vehicle liability coverage, insurer must renew if insured's accident fault is less than twenty-five percent: HB 1441
- Motor vehicle liability policy must provide personal injury protection coverage unless rejected by insured or spouse: HB 2860, SHB 2860
- Motor vehicle, disclosure of reasons that might lead to cancellation or nonrenewal required when policy first issued: HB 1894
- Motor vehicle, insurance identification card as proof of financial responsibility: HB 1116
- Motor vehicle, liability coverage for state employees who drive personal car for official duties, partial payment by state: HB 1042
- Motor vehicle, liability coverage, insurer must renew if insured not at fault in accident: SHB 1441
- Motor vehicle, liability insurance, failure to disclose availability of preferred risk plan to qualified applicant, unfair practice: HB 1575
- Motor vehicle, liability insurance, refusal to insure in preferred market to qualified applicant, unfair practice: HB 1575
- Motor vehicle, medical examination of claimant to be as close as possible to residence of claimant: HB 1576

- Motor vehicle, medical examination of claimant, reimbursement by insurer for travel costs: SHB 1576
- Motor vehicle, personal injury protection benefits: SHB 1294
- Motor vehicle, proof of current insurance required when licensing or renewing the license on a motor vehicle: HB 2254
- Motor vehicle, proof of liability coverage, insurance identification card or other proof of financial responsibility: HB 1184
- Motor vehicle, underinsured motorist coverage, insured must renew if insured's accident fault is less than twenty-five percent: HB 1441
- Motor vehicle, underinsured motorist coverage, insurer must renew if insured in not at fault in accident: SHB 1441
- Motor vehicles, proof of financial responsibility violations, penalties: HB 1391
- Nonprofit organization may be named as owner and beneficiary of individual life insurance policy, terms and conditions for joint application for or transfer of policy: \*SSB 6241, CH 51 (1992)
- Oil heat tank pollution liability act: HB 1896
- Payroll deductions, plans for public employees approved to receive payment through voluntary deductions: HB 1083
- Personal injury protection insurance, motor vehicle liability policy must provide coverage unless rejected by insured or spouse: HB 2860, SHB 2860
- Premium finance agreements, service charges: HB 2661
- Premium finance companies, service charges: HB 2661
- Premium tax, credits for payments under guaranty association act eliminated: SHB 1832, HB 1833, SHB 1833
- Private long-term care insurance commission established: SHB 1569
- Property and casualty insurance, commercial, unfair practice to refuse consideration of application submitted by unappointed broker: HB 1742
- Property and casualty insurance, insurer may not cancel or restrict agent's contract based solely on agent's loss ratio experience: HB 1606
- Property insurance, "actual cash value" and "cost of replacement" defined: SB 5923
- Property sale or loan documents, provisions relating to preparation by certain persons, repealed: HB 2361
- Property, insurer may not cancel or refuse to renew because of claims due to criminal acts: HB 2157
- Public workers driving official vehicles in emergency situations excluded from abstract of driving record: HB 1318
- Rate-making, consideration of past and prospective investment income only when insurer's solvency is in question: HB 1804
- Retaliatory taxes, companies organized in a reciprocal state exempt from: HB 1832
- Retired physicians providing free care to low-income people at community clinics, department of health to purchase liability insurance for, terms and conditions for participation set out: \*SHB 2337, CH 113 (1992)
- Small employer health insurance availability act enacted to assure fair marketing practices and broad availability of health benefit plans: HB 2870
- Small employer health insurance coverage, issuers of health insurance required to provide workers equal access to health care coverage through their employers without regard to the size of the enterprise: HB 2922, SB 6384

- Stop loss coverage, Washington residents health care reinsurance pool created to provide coverage on claims made on issuers of small employer group coverage: HB 2903
- Stop loss insurance for health care self-insurers allowed, definition: HB 2503, SHB 2503, \*SSB 6193, CH 226 (1992)
- Surety liability limitations: HB 2651, SHB 2651, \*SSB 6451, CH 115 (1992)
- Surrender and forfeiture charges, insurer may provide for when issuing an insurance policy: HB 1972, SHB 1972
- Terrorism, life insurance, limitation on liability, death from terrorism may not be included in limitation: HB 1366
- Third party administrator, certificate of registration required: HB 1544
- Third party administrator, definition: HB 1544
- Third party administrator, regulation study authorized: SHB 1544
- Third party administrator, responsibilities to insurer: HB 1544
- Title insurance, duty of insurer to verify that all necessary building permits have been issued: HB 2494
- Unauthorized insurer, person making contract for liable for performance of contract: HB 2822, \*SB 6396, CH 149 (1992)
- Washington residents health care reinsurance pool created to provide stop loss coverage on claims made on issuers of small employer group coverage: HB 2903

## INSURANCE COMMISSIONER

- Accreditation by national association of insurance commissioners as approved insurance regulator, revised financial supervision and solvency oversight provisions to allow for: HB 2480, SHB 2480
- Financial supervision and solvency oversight authority of commissioner, revised provisions: HB 2480, SHB 2480
- Fraud advisory board created, membership and duties: HB 2886, SHB 2886
- Health care insurance, renewability of individual policy, except for nonpayment, misrepresentation, fraud, or cause authorized by insurance commissioner, provision required: SHB 2694
- Health care insurance, renewability of individual policy, except for nonpayment, provision required: HB 2694
- Health care utilization review of disability insurers, health care service contractors, and health maintenance organizations: HB 1242
- Health care, uniform health care insurance claim form system, development and use requirements: SB 6037
- Health maintenance organizations, charity care requirements, enforcement powers: HB 2135
- Insurance fraud advisory board created, membership and duties: HB 2886, SHB 2886
- Life insurance, certain nonprofit organizations allowed to be named as owner and beneficiary of individual life insurance policy, terms and conditions for joint application for or transfer of policy: \*SSB 6241, CH 51 (1992)
- Longshore and harbor workers, workers' compensation act coverage, commissioner to establish plan available to those unable to purchase through normal insurance market: \*SHB 2720, CH 209 (1992)
- Longshore and harbor workers, workers' compensation act coverage, commissioner to study methods of establishing a reasonable plan to provide: SHB 2720
- Longshore and harbor workers, workers' compensation act coverage, study of ability of private insurers to provide affordable plans authorized: \*SHB 2720, CH 209 (1992)

- Longshore and harbor workers, workers' compensation coverage to be made available, plan required for those unable to purchase through the normal insurance market: SB 6322
- Minimum standard conditions, benefits, and terminology for policies, may adopt rules to establish: HB 1574
- Nonprofit organization may be named as owner and beneficiary of individual life insurance policy, terms and conditions for joint application for or transfer of policy: \*SSB 6241, CH 51 (1992)
- Small employer health insurance availability act enacted to assure fair marketing practices and broad availability of health benefit plans: HB 2870
- Small employer health insurance availability act, duties: HB 2817, SB 6384
- Small employers, health benefit plan committee, membership and duties: HB 2817, SB 6384
- Third party administrator, certificate of registration, duties: HB 1544
- Third party administrator, regulation study authorized: SHB 1544
- Washington residents health care reinsurance pool created to provide stop loss coverage on claims made on issuers of small employer group coverage: HB 2903

#### **INTERAGENCY COMMITTEE FOR WATER RESOURCE FUNDING**

Created, membership and duties: HB 1767

#### **INTEREST RATES**

- Public contracts, "timely payment" defined for determination of interest payable on contract amounts due: \*SHB 1736, CH 223 (1992)
- Public contracts, interest rate of one percent per month payable on contract amounts due when public body fails to make timely payment: \*SHB 1736, CH 223 (1992)
- Retail installment contracts, service charge of one and one-half percent per month may be charged on balances for contracts entered into between July 1, 1992, and July 1, 1994: HB 2944
- Retail installment sales, service charge not to exceed schedule or rate agreed to by contract: \*HB 2944, CH 193 (1992)

#### **INTERGOVERNMENTAL COOPERATION**

- Boating offense compact adopted: \*SB 6199, CH 33 (1992)
- Liaison program for oceanographic information, authority to participate in: HB 1406
- Northwest low-level waste compact, payment of costs for compact meetings held outside Washington state prohibited: SB 6203
- Pacific Ocean resources compact, adoption of: HB 1517
- Pacific ocean resources compact, adoption of: HB 2545
- Wildlife violator compact, department of wildlife authorized to enter into: HB 2534

#### **INTERLOCAL COOPERATION**

- Interlocal agreements, revised provisions relating to filing, approval, scope, and form of agreements: \*SHB 2495, CH 161 (1992)
- Nonprofit corporations incorporated by state authorized to joint interlocal cooperation agreements: HB 2269

Rural public hospital districts authorized to enter into interlocal agreements and contracts with other rural districts to cooperatively purchase equipment and provide services: \*SHB 2495, CH 161 (1992)

Service agreements, constitutional amendment to authorize the creation of local government service agreements: HJR 4202

Service agreements, procedure for creation of local government service agreements: SHB 1015

### **INTERMEDIATE CARE FACILITIES**

Tax imposed on facilities for the mentally retarded for act or privilege of doing business, rate set: \*SHB 2967, CH 80 (1992)

Tax imposed on facilities for the mentally retarded for act or privilege of doing business, rate set, appropriation made for prospective rate increases to cover medicaid share of tax: HB 2967, SHB 2967

### **INTERNATIONAL TRADE**

Center for international trade in forest products at University of Washington, duties of center modified and program and sunset review provisions repealed: SB 6023

Center for international trade in forest products at University of Washington, modification of duties of center and date of sunset termination moved to June 30, 1996: HB 2257, SB 6023

Center for international trade in forest products at the University of Washington, duties of center modified and sunset termination date changed to June 30, 1994: \*SB 6023, CH 121 (1992)

International marketing program for agricultural commodities and trade (IMPACT) continued: \*HB 2316, CH 95 (1992)

Minority and women-owned businesses, department to provide technical assistance to businesses with the capacity to participate in international trade: SHB 1737

Pacific Northwest export assistance project, purposes and duties: HB 1990

### **INTOXICATION**

Minors under influence of alcohol in public guilty of misdemeanor: HB 2296, SHB 2296, SB 6158

### **INVESTMENTS**

Business and occupation tax exemption levels lowered: HB 2668

Business and occupation tax exemptions removed: HB 2668

Capital investment strategy council, governor to appoint members, council duties enumerated: HB 2884, SHB 2884

Insurers, restrictions placed on investments by domestic insurers in medium and lower grade obligations: HB 2443

### **INVOLUNTARY COMMITMENT**

Antipsychotic medications, involuntary administration of, conditions warranting, revised provisions: HB 1892

Chemically dependent persons, involuntary commitment of these persons authorized: HB 2726, SHB 2726

Children, alcohol and drug abuse evaluation, treatment procedures: HB 1478

Electroconvulsant therapy, restrictions on use of: HB 1892

Minors incapacitated by alcohol or drug abuse, commitment and treatment services for: SHB 1158

Minors requiring mental health treatment and care, department of social and health service duty to ensure that counties apply provisions in consistent and uniform manner: \*SHB 2466, CH 205 (1992)

Minors requiring mental health treatment, parental petition to seek review of determination that child does not meet criteria for involuntary commitment authorized and procedures established: HB 2466, SHB 2466

Minors with substance abuse problems or mental disorders, parent may request involuntary treatment of, evaluations: HB 1418

Minors with substance abuse problems, treatment facilities and protocols to be established: HB 1418

Prosecuting attorney, in a judicial proceeding for or challenging involuntary commitment or detention, to represent petitioner for commitment and defend all challenges to commitment or detention: HB 2862

Sexually violent predators, commitment may occur when term of confinement is complete or nearly complete, criteria for release from commitment revised: \*SHB 2262, CH 45 (1992)

#### **IRRIGATION DISTRICTS**

Assessment to maintain guarantee fund, district authorized to assess for fund throughout the entire district or within a local improvement district or districts: SHB 2345

Delinquent assessment procedures revised: HB 2581

Guarantee fund, maximum balance limit increased and authority given district to assess for fund throughout the entire district or within a local improvement district or districts: SHB 2345

Local improvement districts, authority to include in bond issues amount to maintain local improvement guarantee fund: HB 2345, SHB 2345

Public employees' retirement system, association of districts included in definition of "employer" for retirement system purposes: HB 1981

Reorganization as drainage and irrigation improvement district or diking, drainage, and irrigation improvement district authorized: HB 2973

Water conservation, alternative rate-setting formulas for water conservation to be provided to districts: HB 2629, SHB 2629

Water conservation, evaluation of delivery rate structures to encourage: SHB 2629

#### **ISLANDS**

Cable television company offering hook-ups to one or more island residents to offer at reasonable cost to all residents: HB 2230

Electricity, provisions to protect inhabitants from loss of electricity during storms: HB 1650

#### **JAILS**

Community corrections boards, renamed local law and justice councils: SHB 1199

Jail industries, community work industries to provide services to community at reduced cost: HB 2334, SHB 2334

Jail industries, free venture industries to provide goods or services for sale to public and private sectors: HB 2334, SHB 2334



- Jail industries, inmate compensation for work in: HB 2334, SHB 2334
- Jail industries, jail support industries to provide basic work training and experience: HB 2334, SHB 2334
- Jail industries, state-wide board of directors established, membership and duties: HB 2334, SHB 2334
- Jail industries, tax reduction industries to provide goods or services for tax supported agencies or nonprofit organizations: HB 2334, SHB 2334
- Law and justice councils, creation of local council authorized to develop local law and justice plan: SHB 1199
- Property tax, exemption of residences near jails from county levy: HB 1101
- Work programs, jail industries board to develop guidelines and provide technical assistance for implementing: HB 2334, SHB 2334
- Yakima county criminal justice enhancement, appropriation to provide grant for: HB 1360

### **JOB TRAINING (See EMPLOYMENT)**

### **JOINT CENTER FOR HIGHER EDUCATION**

- Public disclosure reporting, "executive state officer" redefined to include board members: SSB 6228

### **JOINT MEMORIALS**

- Alcohol advertising, congress urged to establish fairness doctrine to educate public about alcohol problems and abuse: HJM 4028
- Alcoholic beverage advertising act requiring warnings on all advertisements, passage urged: HJM 4026
- Alcoholic beverage commercials or such commercials using motorized vehicles, asking congress to prohibit: HJM 4001
- Automobile use reduction, congress asked to give preferential tax treatment to employer-provided benefits encouraging: HJM 4013
- Ballast water, coast guard requested to prohibit dumping in United States waters: SJM 8002
- Buses, overweight urban transit buses, congress urged to provide coordination and interpretation of federal requirements for design, safety, and operation that have increased transit weight: HJM 4042
- Cable television, congress requested to enact legislation allowing state and local governments authority to mandate improved cable television service: HJM 4035
- Coastal barriers resources system, congress requested to reject recommendations to include sites in Washington: SJM 8031
- Congressional terms, congress asked to propose a constitutional amendment limiting congressional terms to twelve years: HJM 4014
- Constitution of the United States, Bill of Rights, and the Federalist papers, urging schools to instruct students in meaning and history of: HJM 4030
- Day care facilities, local government zoning regulations and siting of facilities, survey and recommendations urged: HJM 4041
- Disabled veterans, congress urged to allow military retirees to receive full retirement pay and full disability compensation: HJM 4027
- Electric power costs for state-funded hatcheries, United States department of energy and Bonneville Power Administration requested to fund: HJM 4032

- Employment security, congress urged to release tax moneys paid by state employers: SJM 8029
- Energy policy, congress asked to develop a national energy policy: SHJM 4010
- Flag desecration, requesting congress to amend the United States constitution to prevent: HJM 4009
- Flag of the United States, congress asked to propose constitutional amendment to prohibit physical desecration of: SJM 8008
- Floods, presidential disaster declaration urged to include storm of December 26-28, 1990: HJM 4017
- Forest and families protection act, congress urged to enact: HJM 4033, SHJM 4033
- Hatch Act, requests that congress amend the act to permit greater political activity by federal employees: HJM 4039
- Hazardous materials management and emergency response training center, requesting that Congress create at Hanford: HJM 4005
- Health care commission, Washington, house encourages commission to implement its plan for 1992 and to continue to address issues of health care reform: HJM 4040
- Health care reform, requesting congress and president to reach consensus on principles to be incorporated into: HJM 4038
- Indian tribes, federal recognition of Chinook, Cowlitz, Duwamish, Samish, Snohomish, Snoqualmie, and Steilacoom tribes urged: HJM 4024
- Indian tribes, unacknowledged tribes in state, legislation urged to assure opportunity to petition department of interior for federal acknowledgment for a clear, unbiased, and timely response: SHJM 4024
- Iraq, stating support for President's policy, use of force if necessary to expel from Kuwait: HJM 4002
- Lake Roosevelt, National Park Service 1990 special park use management plan restrictions, congress urged to lessen: HJM 4021
- Lincoln Territory formation out of eastern portion of the state urged: HJM 4022
- Medicaid, congress urged to investigate combining medicaid with basic health plan: HJM 4037
- Mitchell act salmon hatchery facilities, funding for operations and capital improvements urged: HJM 4034
- Pension income, taxation only by state of residency, congress urged to support: HJM 4018
- Persian Gulf, president and state congressional delegation urged to rely on diplomatic efforts and economic sanctions to resolve crisis: HJM 4000
- Prescription drugs, review of multitiered pricing of requested: HJM 4003
- Recreational vehicles, requesting that the United States department of transportation conduct a review of the impact of recreational vehicles on highway safety and propose standards for safe operation: HJM 4031
- Reproductive health care, Title X funding urged to provide accurate and unbiased information for low-income women: HJM 4025
- Soviet Union coercion in the Baltic nations, president and congress requested to call for cessation: HJM 4006
- Tax fairness act for families, exemption for dependent children of at least thirty-five hundred dollars urged: HJM 4023
- Taxation of pension income only by state of residency, congress urged to support: HJM 4018
- Timber salvage in national forests, congress urged to authorize sale: HJM 4036, SSJM 8024

- Train emergency braking telemetry system, requesting the United States secretary of transportation to adopt rules requiring rear of train braking system: HJM 4029
- Washington health care commission, house encourages commission to implement its plan for 1992 and to continue to address issues of health care reform: HJM 4040
- Wood products, Washington grown and produced wood products to be used to maximum extent: HJM 4019
- Zoning, local government regulations and siting of day care facilities, survey and recommendations urged: HJM 4041

## JOINT RESOLUTIONS

- Assessments, large increases in property assessments may be phased-in over time: HJR 4207
- Chaplains, authorization for public health care facilities to employ: SHJR 4216
- Child sexual abuse victims, video testimony of victimized children under ten allowed: SJR 8217
- Citizens' review of local government, constitutional amendment to authorize: HJR 4202
- Congressional pay raises to take effect only after following congressional election: HJR 4212
- County charters, constitutional amendment to provide alternative method of framing: HJR 4201
- County commissioner office vacancy, nomination procedures revised: SJR 8231
- Current use valuation of very low-income housing, constitutional amendment to allow: HJR 4235
- Elections repeal of special constitutional procedures regarding the conduct of nonpartisan elections: HJR 4200
- English declared official language of the state of Washington: HJR 4223
- Fire districts, authority to submit a single proposition to impose excess levies for either one or two years: HJR 4209
- First-time homebuyers, public moneys and credit used to assist, constitutional amendment to allow: HJR 4236
- Income tax, constitutional amendment to allow: HJR 4230
- Initiative and referendum, signatures, pro rata share to be obtained in each congressional district: HJR 4217
- Initiatives to the legislature to be voted on before the end of the regular legislative session: HJR 4225
- Initiatives, constitutionality ruling required within forty-five days of certification: HJR 4238
- Initiatives, legislature may impose requirements and restrictions: HJR 4238
- Legislative restructuring, constitutional amendment: HJR 4213
- Legislative vacancies, nomination procedures revised: SJR 8231
- Local government review and modification, constitutional amendment to allow local government service agreements and citizens' review of local government: HJR 4202
- Local government service agreements, constitutional amendment to authorize: HJR 4202
- Low-income property owners, property tax relief on owner-occupied residences: HJR 4208, HJR 4237
- Nonpartisan elections, repeal of special constitutional procedures regarding the conduct of: HJR 4200

- Omnibus appropriations bill, constitutional amendment to limit state spending to the cumulative consumer price index absent an affirmative two-thirds vote in both the house and the senate: HJR 4241
- Pro tempore judges, appointment of, authorizing revised selection procedures: HJR 4219
- Property tax aggregate increase limited to ten percent per year: HJR 4206
- Property tax reduction for owner-occupied residences: HJR 4231
- Property tax, averaging of taxable values over four-year period authorized: HJR 4224
- Property tax, legislature may limit increases in taxation of real estate during period in which no change of ownership occurs: HJR 4229
- Property tax, owner-occupied residences annual increase limits, assessed value not to exceed true and fair value, constitutional amendment: HJR 4203
- Property tax, temporary exemption for first-time homebuyers: HJR 4210, SHJR 4210
- Property used for low-income housing to be taxed at current use value: SHJR 4205
- School construction, property tax levied for up to fifteen years used solely to fund: HJR 4242
- School district levies may continue at last levy level if latest levy fails: HJR 4204
- School funding to take priority over all spending except debt repayment, constitutional amendment: HJR 4214
- School levy measures, number of electors needed to approve: HJR 4234
- State buildings, constitutional amendment to prohibit the issuance of bonds for new construction to house state agencies: HJR 4232
- Supreme court, chief justice to be chosen for four-year term by majority vote of the supreme court judges: HJR 4226
- Tax percentages, tax system to be designed and administered to ensure that individual's taxes commensurate with another individual's taxes: HJR 4233
- Taxable values, constitutional amendment to allow averaging of values over a four-year period, under conditions and restrictions provided by law: HJR 4239
- Taxes, constitutional amendment to require that the total effect of the state and local tax system shall not be regressive: HJR 4223
- Taxes, requiring a favorable vote of three-fifths of the legislature to create a new tax or increase an existing one: HJR 4222
- Vacancies in legislature and county offices, constitutional amendment to revise provisions to fill: HJR 4227
- Video testimony of children under ten who are sexual abuse victims, constitutional amendment to allow: HJR 4240
- Voter qualifications, revision of provisions relating to who is eligible and ineligible to vote: HJR 4215

## JUDGES

- District court, remuneration for unused leave or sick leave when vacating office, limited to thirty days' monetary compensation: \*SB 6276, CH 76 (1992)
- Election procedures: HB 1074
- Primary elections, when not required in judicial elections: SHB 1001
- Pro tempore judges, appointment of retired judge, revised provisions: HB 1784
- Pro tempore judges, appointment of, authorizing revised selection procedures: HJR 4219
- Pro tempore judges, appointment procedures, revised provisions: HB 1783
- Pro tempore judges, authorizing the appointment of retired judges as: HJR 4220
- Retired judges, appointment as judge pro tempore, revised provisions: HB 1784

Retired judges, authorizing their appointment as judges pro tempore: HJR 4220  
Superior court, additional judges authorized in King, Grays Harbor, Skagit, Snohomish, and  
Mason counties: HB 2459, \*SHB 2459, CH 189 (1992)

## JUDGMENTS

Attorneys not to receive as compensation any portion of prejudgment interest: HB 1469  
Execution, exemption of property from out-of-state judgment for failure to pay that state's  
income tax on pension or retirement benefits: HB 1292  
Garnishment, forty times state minimum wage per hour made one measure of wages  
exempt from: HB 2405  
Motor vehicle measure of damages established: SHB 1573  
Partial summary judgment allowed in civil actions for damages: SHB 1638

## JURIES AND JURORS

Challenges to jurors, revision of general causes of challenge to a juror: HB 2394, \*SHB  
2394, CH 93 (1992)  
Excuse from juror service, revised provisions: \*SHB 2394, CH 93 (1992)  
Juror compensation schedule revised and limits placed on time of juror availability and  
service: HB 2394  
Jurors injured in course of official duties not covered by industrial insurance: HB 1332  
Jury source list, merger of list of persons issued a driver's license and list of registered  
voters, plan requirements: HB 1829  
Jury source list, task force created to develop and recommend methodology and standards  
for merging registered voters list with licensed driver and identicard holders list:  
HB 2945, SHB 2945  
Peremptory challenges of jurors, no juror to be stricken in whole or in part on account of  
race: HB 1775  
Term of service, "jury term," definition revised to limit term to one month, revised  
provisions relating to length and number of jury terms and to issuance of summons  
for jury term: \*SHB 2394, CH 93 (1992)

## JUVENILE COURT

Child dependency cases, legal representation of indigent parents in: HB 1113, SHB 1113  
Child support order or decree, reunification efforts to be considered in determining parent's  
income and support obligation: HB 2550  
Dependency proceedings, superior court presiding judge to appoint judges to handle for  
minimum of one year, qualifications: HB 2116  
Disposition standards for juvenile offenders, revised standards: SHB 1690  
Diversion unit authority and responsibilities, revised provisions: \*SHB 2466, CH 205  
(1992)  
Grandparents, custodial preference over other nonparent third parties: HB 1899  
Grandparents, visitation rights: HB 1899  
Institution education programs, interlocal cooperation agreement with department of social  
and health services and superintendent of public instruction: HB 2685, SHB 2685  
Institution education programs, provisions revised: HB 2685, SHB 2685  
Records of persons under twenty-six years of age, courts and counsel allowed to review,  
when allowed: HB 2179

**JUVENILE JUSTICE ACT**

- Crisis residential centers, revised provisions and responsibilities relating to: HB 2466, \*SHB 2466, CH 205 (1992)
- Deadly weapon disposition enhancement: HB 2466, \*SHB 2466, CH 205 (1992)
- Definitions, new and revised definitions of terms used in act: HB 2466, SHB 2466
- Detention intake standards and risk assessment standards, development and implementation duties: HB 2466, \*SHB 2466, CH 205 (1992)
- Diversion unit authority and responsibilities, revised provisions: HB 2466, \*SHB 2466, CH 205 (1992)
- Economic or racial disparity in processing of juvenile offenders, department of social and health services to make annual report: HB 2466, \*SHB 2466, CH 205 (1992)
- Inpatient substance abuse treatment option: HB 2466, SHB 2466
- Institutional facilities for juvenile offenders, department to develop plan to reduce reliance on large facilities: HB 2466, SHB 2466
- Juvenile issues task force to develop statutory community-based planning, allocation, and service system for children and families, duties: HB 2466, SHB 2466
- Juvenile issues task force, revised membership provisions: HB 2466, SHB 2466
- Juvenile issues, joint select committee on, review of Juvenile Justice Act implementation and related issues: \*SHB 2466, CH 205 (1992)
- Juvenile issues, joint select committee on, revised membership provisions: \*SHB 2466, CH 205 (1992)
- Juvenile issues, joint select committee on, to develop statutory community-based planning, allocation, and service system for children and families, duties: \*SHB 2466, CH 205 (1992)
- Offense categories, revised provisions: HB 2466, SHB 2466
- Policies and purposes, simplification and clarification of: HB 2466, SHB 2466
- Procedural requirements, revised provisions: HB 2466, \*SHB 2466, CH 205 (1992)
- Racial disproportionality in juvenile justice system, study authorized: SHB 1901
- Racial disproportionality in the juvenile justice system, submission date of report modified: HB 2466, \*SHB 2466, CH 205 (1992)
- Review task force created: SHB 1901
- Review task force, membership to reflect racial diversity of juveniles served under act: SHB 1901
- School attendance, court ordered punishments and alternatives for failure to comply with order to attend school: HB 2466, \*SHB 2466, CH 205 (1992)
- Sentencing standards and options, revised provisions: HB 2466, SHB 2466
- Youth offender discipline program, counties authorized to provide intensive educational, physical, and rehabilitative program for appropriate children: SHB 2466

**JUVENILE OFFENDERS**

- Crime laboratory analysis fee to be levied on persons adjudicated an offender to pay costs associated with analysis of forensic evidence by state crime laboratory: SSB 6057
- Crime laboratory system, forensic evidence analysis fee to be imposed upon adjudication: HB 2349, SHB 2349
- Detention facilities, educational programs contracted with school districts, requirements and funding: HB 2001, SHB 2001
- Disposition standards, revises standards: SHB 1690

- Diversion unit authority and responsibilities, revised provisions: \*SHB 2466, CH 205 (1992)
- Economic or racial disparity in processing of juvenile offenders, department of social and health services to make annual report: HB 2466, \*SHB 2466, CH 205 (1992)
- Firearms, penalties and restrictions for use of firearm by juvenile in commission of offense increased: HB 2466, \*SHB 2466, CH 205 (1992)
- HIV testing of adult and juvenile offenders in sexual offense, prostitution, and drug offense cases required: SSB 5086
- HIV testing of offenders in sexual offense, prostitution, and drug offense cases required: HB 2491, SHB 2491
- Institution education programs, revised provisions: HB 2685, SHB 2685
- Institution-education programs, school district and department of social and health services to enter into annual interlocal cooperation agreement to provide: HB 2685, SHB 2685
- Institutional facilities for juvenile offenders, department to develop plan to reduce reliance on large facilities: HB 2466, SHB 2466
- Juvenile court records of persons under twenty-six years of age, courts and counsel allowed to review, when allowed: HB 2179
- Offense categories, revised provisions: HB 2466, SHB 2466
- Racial disproportionality in juvenile justice system, department of social and health services' children, youth, and family services division to contract for study: HB 1412, SHB 1412
- Sentencing standards and options, revised provisions: HB 2466, SHB 2466
- Sex offender therapist certification not required when offender has or is planning to move to another state, no certified providers are available near offender's home, and evaluation and treatment plan is approved: \*SHB 2262, CH 45 (1992)
- Sex offenders, disposition standards, revised provisions: HB 2015, SHB 2015

## **JUVENILES (See CHILDREN)**

## **KINDERGARTENS, NURSERY SCHOOLS, AND PRESCHOOLS**

- Child abuse, duty of child protective services to investigate complaints in: HB 1393
- Controlled substances, sale near a preschool prohibited, penalties set: HB 2148
- Day care licensing, inclusion in definition of "agency" for licensing purposes: HB 1394
- Preschools, child care coordinating committee to study whether preschools should be regulated like agencies providing care for children, expectant mothers, and developmentally disabled persons: HB 2905
- Regulation of preschools, child care coordinating committee to study whether preschools should be regulated like agencies providing care for children, expectant mothers, and developmentally disabled persons: HB 2905

## **KING COUNTY**

- Martin Luther King, Jr. memorial park, appropriation: HB 2829
- Superior court, twelve additional judges authorized: HB 2459, \*SHB 2459, CH 189 (1992)

## **LABOR**

- Earned vacation time, payment for time not taken: HB 2377

Organizations, political expenditure and fund raising limits, prohibition on labor organization discrimination for failure to support or contribute to candidate, proposition, or political organization: HI 134

#### **LABOR AND INDUSTRIES, DEPARTMENT**

- Backflow prevention assembly installers and testers, certification requirements: HB 1356
- Child labor laws, enforcement, penalties for violations: HB 1288
- Child labor standards, safety and health provisions, enforcement provisions: HB 1472, SHB 1472
- Child labor standards, wage payment violations, enforcement provisions: HB 1472, SHB 1472
- Closure or relocation of business, to take assignments of claims for severance pay: HB 1278
- Continuing education requirements established for renewal of electrician and electrical training certificates: HB 2984
- Contractor certificate of competency program, advisory committee to assist department in developing and implementing: SHB 2608
- Contractor certificate of competency program, development and implementation of voluntary program for general and specialty contractors, duties: HB 2608
- Contractor registration, informational seminar on laws and practices, may require attendance as condition of: SHB 1207
- Electrical utilities and contractors retained by utilities, journeyman electrician certificate not required for employee registered with or graduated from state-approved lineman apprenticeship course: \*HB 2053, CH 240 (1992)
- Electrician and electrical training certificates, continuing education requirements for renewal of certificate established: HB 2984
- Employee safety, crime prevention training for late night retail establishment employees, requirements: HB 2663
- Foundation for families act, responsibilities: SHB 1471
- Hazardous substances that may harm fetus, health and safety standards adoption duties: SHB 1725
- Health and safety standards for office environment, department duties: SHB 2128
- Homicide victims, counseling for families provided: \*SSB 6174, CH 203 (1992)
- Industrial insurance appeal provisions: HB 1333
- Industrial safety and health violations, civil penalties increased: HB 1290
- Longshore and harbor workers, workers' compensation coverage made available to all, plan required for those unable to purchase through the normal insurance market: HB 2720, SB 6322
- Office environment health and safety standards, department duties: SHB 2128
- Overtime work, employer may petition for variance from hours of work requirements, conditions: SHB 1475
- Paint and coating applicators, education, testing, and licensing requirements established, penalties set for violations: HB 2400, SHB 2400
- Pesticide applicators, recordkeeping requirements: HB 1261, SHB 1261, HB 2357
- Pesticides, potential or actual exposure of agricultural workers, rulemaking authority: HB 1567, SHB 1567
- Pesticides, registration statements disclosure by department of agriculture to departments of labor and industries and health authorized, restrictions: HB 2576



- Public works contracts, authority to act to collect wages and benefits owed to workers, revised provisions: HB 2408
- Self-insurers, employee protest to claim must be transmitted to department within five days: SHB 1463
- State employees at eastern and western state hospitals, to conduct study of causes and solutions to assaults on: HB 2647, SHB 2647
- Victims of crimes, time limitations for childhood crime victim's benefits revised: HB 2562
- Vocational rehabilitation counselors, workers' compensation program, selection criteria: HB 1160
- Wage payment laws, civil penalties for violations of: HB 1289
- Workers' compensation coverage information required as part of application for registration or license including coverage in state of domicile for workers employed in Washington: \*SHB 2686, CH 217 (1992)
- Workers' compensation coverage to be made available to all longshore and harbor workers, plan required for those unable to purchase through the normal insurance market: HB 2720, SB 6322
- Workers' compensation premium rates fixed by statute, revision of departmental authority to set rates: HB 2252
- Workers' compensation, task force created to review system and make recommendations for its improvement, departmental duties: HCR 4411

## **LABOR RELATIONS**

- Agricultural labor relations act adopted: HB 1961
- Agricultural labor relations board created, membership, powers, and duties: HB 1961
- Consultants, registration with secretary of state: HB 1122
- Labor relations consultants act: HB 1122
- Lockouts, eligibility of workers for unemployment compensation: HB 1279
- Metropolitan transportation system, labor union or municipal corporation may demand arbitration if agreement not negotiated within sixty days: HB 1348
- State employees granted right to organize and bargain, conditions and procedures: SHB 1655
- State employees' relations commission, membership and duties: SHB 1655
- Strikes, teachers not permitted to strike: HB 1398
- Teachers and districts, interest arbitration panels authorized to resolve bargaining impasses: HB 1398
- Unemployment compensation, eligibility of workers unemployed due to lockout: HB 1279
- Washington agricultural labor relations act adopted: HB 1961

## **LABOR SURPLUS AREAS (See DISTRESSED AREAS)**

### **LAKE ROOSEVELT**

- National Park Service 1990 special park use management plan restrictions, congress urged to lessen: HJM 4021

### **LAKE WASHINGTON TECHNICAL COLLEGE**

- Capital appropriation: \*HB 2295, CH 2 (1992)

## **LAND DEVELOPMENT**

- Environmental impact statements, threshold determination on completed application to be made within ninety days although applicant may request an additional thirty days for determination: \*SSB 5728, CH 208 (1992)
- Home owner association terms and conditions to be included in land developer's public offering statement with other required contents: \*SHB 1495, CH 191 (1992)
- Impact fees, boundary changes to move new developments into school districts not receiving impact fees, requirements: HB 1751
- Impact fees, deduction from school district's matching fund from the common school construction fund for that year: HB 1751
- Land development act applicable to developments of twenty-six or more lots, additional exemptions from compliance with act established: SHB 1495
- Public facilities, authority of cities and counties to contract with developer for construction or improvement of facilities with partial financing from public funds: HB 2280
- Public offering statement, developer to deliver to purchaser prior to closing of sale, contents requirements and penalties for violations established: \*SHB 1495, CH 191 (1992)
- Public offering statements, preparation and delivery to prospective purchaser, requirements: \*SHB 1495, CH 191 (1992)
- Public offering statements, registration with department of licensing no longer required: \*SHB 1495, CH 191 (1992)
- Technical amendments to land development statutes: SHB 1495

#### LAND USE PLANNING

- Airport runways, when cities may adopt controls over land used by port district for: HB 1524
- Community councils, formation in unincorporated areas authorized: HB 1009
- Inverse condemnation resulting from land use planning, zoning, or other regulatory program, statutory basis for: HB 1162, SHB 1162
- Land use proposals, local government to notify private property owners of proposals, contents of notice and standing to contest action provisions established: HB 2717
- Moratoria or interim zoning, state standards established to minimize impacts and avoid litigation: HB 2051, SSB 5727
- Open space corridors not to include private land unless interest is acquired to prevent development and control resource management: SB 6401
- Open space corridors, identification of corridor not to restrict authorized development of private property in corridor unless city or county acquires sufficient interest to prevent or control development: SB 6401
- Open space corridors, identification of corridor not to restrict use or management of lands in corridor for agricultural or forest purposes unless city or county acquires sufficient interest to prevent control or development: \*SB 6401, CH 227 (1992)
- Schools, portable classrooms and facilities, emergency siting in violation of zoning laws authorized when overcrowding exists: HB 1996
- Transit services, desirable land use patterns to be expressed in six-year transit development and financial program: HB 2940
- Transit services, six-year municipal transit development plan to address land-use patterns and state-wide transit goals and policies: SHB 2940
- Zoning, adoption of moratorium or interim zoning map, ordinance, or official control, requirements concerning public hearings, findings of fact, and effective period: \*SSB 5727, CH 207 (1992)

**LANDLORD AND TENANT**

- Activities that endanger premises, neighboring premises, or persons, tenant's duty not to engage in: \*SSB 5986, CH 38 (1992)
- Cable television systems, access to by multiple dwelling units' tenants: HB 2201
- Confiscated property, violations of controlled substances law, landlord's claims for damage to property: HB 1130, HB 2501, \*SHB 2501, CH 211 (1992)
- Direct landlord pay task force created to study whether housing for public assistance recipients would increase were direct pay available: SHB 2152
- Evictions, landlord may recover costs of moving and storing tenant's property following an eviction: \*SSB 5986, CH 38 (1992)
- Firearm or other deadly weapon, unlawful use in or adjacent to dwelling that threatens physical safety of others is a nuisance and may be abated as such: \*SSB 5986, CH 38 (1992)
- Landlord's claim against confiscated property for damages due to violation of controlled substances law: HB 1130, HB 2501, \*SHB 2501, CH 211 (1992)
- Landlord-tenant act, state-wide application, state preemption of regulatory authority: HB 1683, SSB 5559
- Mobile home landlord-tenant act violations constitute unfair or deceptive practices: HB 1337
- Mobile home landlord-tenant act, new and revised provisions regulating the relationship between landlord and tenant: SHB 1610
- Mobile home parks, park owner prohibited from transferring maintenance responsibility for permanent structures to tenants: HB 2327, SHB 2327
- Mobile home parks, political meetings and candidate forums for tenants allowed in community halls: HB 2335
- Mobile home parks, public officials and candidates may not be prohibited from meeting with or distributing information to tenants: HB 2450, SHB 2450
- Mobile home parks, purchase by tenant organizations, notice and opportunity requirements in event of voluntary sale of park: HB 2169
- Property, landlord authorized by writ of restitution to take possession, sale or disposal notice to tenant: HB 2815, SHB 2815
- Relocation assistance for low-income tenants, property owner's portion may be in form of foregone rent and value of services provided by landlord: HB 2485
- Rental agreement termination by tenant threatened by another tenant: HB 2297, SHB 2297
- Rental agreement, expedited termination allowed when tenant has valid protection order which has been violated, has been threatened by another tenant, or has been threatened with a weapon by the landlord: SHB 2297, \*SSB 5986, CH 38 (1992)
- Rental or leased property, fraudulent means to obtain or use, penalties: HB 2888
- Tenancy termination by tenant threatened by another tenant: HB 2297, SHB 2297, \*SSB 5986, CH 38 (1992)
- Tenant arrested for threatening another tenant with weapon, landlord notification: HB 2297, SHB 2297, \*SSB 5986, CH 38 (1992)
- Tenant duties, tenant not to engage in any activities that endanger premises, neighboring premises, or persons: \*SSB 5986, CH 38 (1992)
- Termination of rental agreement, expedited, allowed when tenant has valid protection order which has been violated, has been threatened by another tenant, or has been threatened with a weapon by the landlord: SHB 2297, \*SSB 5986, CH 38 (1992)

Threatening another tenant with weapon, rental agreement termination by threatened tenant:  
 HB 2297, SHB 2297, \*SSB 5986, CH 38 (1992)  
 Unlawful detainer action against tenant for drug related or threatening activity, landlord  
 immune from civil liability for bringing: SHB 2297, \*SSB 5986, CH 38 (1992)  
 Writ of restitution, landlord authorized by to take possession of tenant property, sale or  
 disposal notice: HB 2815, SHB 2815

#### **LANDSCAPING**

Landscape architects, registration requirements: HB 1203

#### **LARABEE STATE PARK**

Acquisition of abutting lands, appropriation of funds: HB 2826

#### **LAW ENFORCEMENT**

Boating offense compact adopted: \*SB 6199, CH 33 (1992)  
 Border areas account created, department of community development to distribute funds to  
 border areas: HB 2539  
 Crime Stoppers assistance office created in attorney general's office: HB 1367, SHB 1367,  
 SSB 5031  
 Domestic violence incidents, law enforcement agencies to report to Washington association  
 of sheriffs and police chiefs for inclusion in the annual report of crime produced  
 by the association: 2SSB 6347  
 Drug asset forfeiture, recordkeeping requirements of seizing agency: \*SHB 2501, CH 211  
 (1992)  
 Evidence, suppression prohibited if collected in good faith belief of its legality: HB 1719  
 Firearms, agencies allowed to trade forfeited firearms for other police equipment, conditions  
 and procedures: HB 1966  
 Law enforcement medal of honor award created: HB 1766  
 Minority criminal justice education loan program created, eligibility and repayment  
 provisions: HB 1976, SHB 1976  
 Pen registers, use authorized, conditions: HB 1351  
 Public safety-related organizations solicitation of charitable contributions, identification of  
 caller required, penalties: HB 2101  
 Radio dispatch personnel included in definition of "uniformed personnel" for collective  
 bargaining: SHB 1959  
 Sobriety checkpoint programs authorized: HB 2013  
 Trap and trace devices, use authorized, conditions: HB 1351  
 Yakima county criminal justice enhancement, appropriation to provide grant for: HB 1360

#### **LAW ENFORCEMENT OFFICERS**

Collective bargaining extended to uniformed personnel of all cities, towns, and counties:  
 HB 1362  
 Deputy sheriffs may practice law, conditions: \*HB 2368, CH 225 (1992)  
 Duty hours, provisions revised: HB 1475, SHB 1475  
 Impersonation of law enforcement officer, misdemeanor: HB 2506, SHB 2506  
 Impersonation of, criminal impersonation of law enforcement officer defined: SSB 6082  
 Law enforcement medal of honor award created: HB 1766

Medicare supplemental insurance, reimbursement of retirees under police relief and pensions act for premium paid for, authority: \*SHB 2867, CH 22 (1992)  
Occupational diseases, heart disease and cancer presumed to be: HB 1497  
Safety belt law enforcement as pretext for harassment prohibited: SHB 1503  
Veterans credit on city and town civil service examinations for police officers and fire fighters authorized: SHB 1275

**LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT SYSTEM (See also RETIREMENT AND PENSIONS)**

Contribution rates, basic state contribution rates established as of September 1, 1992: HB 2693, SHB 2693, \*SSB 6286, CH 239 (1992)  
Credit for past service under a prior pension system for members who withdrew contributions to that system, procedure established to establish service credit in current system: HB 2911, HB 2985  
Credit for past service under a prior pension system for plan I members who withdrew contributions to that system, procedure established to establish service credit in current system: \*SHB 2985, CH 157 (1992)  
Credit for prior service eligibility: SHB 1269  
Credit for prior service under a prior pension system for plan I members who had not yet become members of the prior system, procedure established to establish service credit in current system: \*SHB 2985, CH 157 (1992)  
Death benefits, death in the line of duty, optional benefits to surviving spouse or children: HB 1499  
Early retirement allowance reduced: HB 1384  
Health care authority benefits plan enrollment authorized for law enforcement officers' and fire fighters' retirement system subject to right to bargain collectively: \*HB 2813, CH 199 (1992)  
Health insurance, transfer to the Washington health care authority: HB 2813  
Medicare supplemental insurance, reimbursement of retired officers and fire fighters for premiums paid for, authorization: HB 2867, \*SHB 2867, CH 22 (1992)  
Merchant marine service credit: HB 1065  
Military service, service credit authorized for members during period in which employment is interrupted by military service, conditions and restrictions: \*SSB 5092, CH 119 (1992)  
Operation Desert Shield service, death benefits allowed for members' beneficiaries: SHB 1269  
Recodification of retirement provisions, technical corrections made to 1991 recodification: \*HB 2260, CH 72 (1992)  
Reimbursement of retired officers and fire fighters for premiums paid for medicare supplemental insurance authorized: HB 2867, \*SHB 2867, CH 22 (1992)  
Service credit authorized for members during period in which employment is interrupted by military service, conditions and restrictions: \*SSB 5092, CH 119 (1992)

**LAWYERS (See ATTORNEYS)**

**LEAD**

Analysis of lead in blood and environmental media, department of health to set rules and certify laboratories performing lead analysis: HB 2705

Lead poisoning, reporting of cases to department of health, requirements to be set by board of health: HB 2705

### LEASES

"Renegotiated" lease defined to include leases providing for rent indexed price adjustment:

HB 2012, SB 5699

Lease-purchase agreement act: HB 2299, \*SHB 2299, CH 134 (1992)

Plat division for purposes of governmental agency leases allowed: HB 2563

Security interests, determination of whether a transaction creates a lease or a security interest, elements to be considered: HB 2969

Uniform commercial code, article on leases: HB 1797, SHB 1797

### LEGISLATIVE BUDGET COMMITTEE

Common schools funding system, performance audit required: HB 2049

Consolidation of state and federal medical and health services and programs, legislative budget committee to determine feasibility and desirability of: SHB 2590

Fisheries, department of, committee to study feasibility of merging with department of wildlife: HB 2366

Health services act, implementation of, legislative budget committee to conduct evaluation of: SHB 2590

Health services commission, legislative budget committee to study of whether administrative and service delivery structure should be continued: SHB 2590

Medicaid eligibility, committee to study asset transfer and estate recovery as they relate to establishing medicaid eligibility, especially for nursing facility residents: HB 2968

Sunset review, responsibilities revisions: HB 1327

Tax preferences to be reviewed by legislative budget committee for possible termination: HB 2219

Transportation system management and governance, two-phase study to evaluate system and compare it with alternative systems, duties: HB 2165

Washington healthcare plan, committee to study feasibility of program, service, and funding consolidation: HB 2205

Washington healthcare service, committee to study continuance of administrative structure: HB 2205

Wildlife, department of, committee to study feasibility of merging with department of fisheries: HB 2366

### LEGISLATURE

Adjournment sine die, 1992 regular session of the Fifty-second Legislature: HCR 4440, HFR 4775

Adjournment sine die, 1992 regular session of the Fifty-second Legislature, governor notified: SCR 8431

Anadromous fish, committee on harvest management of, membership and duties: SSB 6151

Ballot titles and summaries of referendum bills and constitutional amendments, submission, notice, and appeal provisions: HB 2285

Child labor, joint select committee on nonagricultural child labor established: SSB 6442

Consumer credit, joint select committee on consumer credit created, membership and duties: HB 2944

- Credit transactions, joint select committee on consumer credit transactions created, membership and duties: HB 2944
- Critical areas, joint select committee on critical areas established, membership and duties: HFR 4776
- Cutoff dates for consideration of legislation during 1992 regular session: HCR 4426
- Cutoff dates for consideration of legislation during 1992 regular session amended: HCR 4441
- Cutoff dates for consideration of legislation during 1992 regular session, Engrossed House Concurrent Resolution 4426 amended: SCR 8428
- Cutoff dates for consideration of legislation during 1992 session, amendment: HCR 4438
- Domestic violence issues, standing committees to be appointed to study and report on: HB 1741
- Education 2000 task force, membership and duties: HB 1100
- Elective official salaries continued at rate in effect on September 3, 1990: HB 2475
- Ethics teaching in public schools, annual legislative award to two teachers, criteria: HB 2010
- Franking privilege, restriction on use by legislator during campaign: HB 2986, SHB 2986
- Franking privileges of state legislator limited during year preceding end of legislator's term: HI 134
- Funding, publications describing delivery of public services to include information about source of funding for services: HB 2999
- Goals, objectives, and desired outcomes to be included in appropriations bills before such bills may be considered by either house: HB 2462, SHB 2462
- Government accountability task force created to advise legislature on establishing integrated accountability system: SHB 2462
- Government storm water pollution and liability, special committee created, membership and duties: HB 2946
- Governor notified that legislature prepared to conduct business: SCR 8420
- Growth management joint select committee, membership and duties: SHB 1668
- Honoraria, prohibition on accepting certain honoraria: SHB 2986
- House Bill 2891 exempted from cut-off dates established in Engrossed House Concurrent Resolution No. 4426: HCR 4430
- Indian delegates, nonvoting Indian delegates to be selected to serve in house and senate: HB 1988, SHB 1988
- Indian gaming compacts, gambling commission through its director authorized to negotiate compacts on behalf of state, negotiation process and procedures established: \*SB 6004, CH 172 (1992)
- Indian gaming compacts, joint legislative committee created to review proposed compacts: HB 2080
- Indian gaming compacts, joint legislative committee created to review, duties: SB 6004
- Initiatives to the legislature to be voted on before the end of the regular legislative session: HJR 4225
- Joint administrative rules review committee may review any rule to determine if it meets the regulatory fairness requirements of chapter 19.85 RCW: \*SHB 2498, CH 197 (1992)
- Joint administrative rules review committee, conduct of hearings and reviews on small business economic impact statements: \*SHB 2498, CH 197 (1992)

- Joint rules, amends joint rule, 16 to allow amendments to redistricting plans by concurrent resolution: HCR 4427
- Legislative ethics in education award created: HB 2010
- Liquor control, joint committee on, transfer of liquor sales and marketing from liquor control board to private sector, duties: HB 1942
- Lobbying by former state legislator not permitted for two years following end of service in legislature: HB 2461
- Long-term care, development and financing of community-based long-term care and support services system to be studied for later inclusion in health services act: SHB 2590
- Measures returned to house of origin before adjournment sine-die of 1992 regular session of the Fifty-second Legislature: SCR 8432
- Motor vehicles fuels marketing, joint select committee on, creation, membership, and duties: SHB 1924
- National competitive retail credit market task force created, membership and duties: SSB 6305
- Nutritional needs, study by house human services committee: HB 1167, SHB 1167
- Open government, joint select committee on, to examine consistent treatment of information under present law, treatment of investigatory records, and groups to include under the open meeting laws: SHB 2876
- Open government, joint select committee on, to investigate special meetings and notice procedures, executive sessions, meeting agenda publication, and penalties for open meeting violations: \*SHB 2876, CH 139 (1992)
- Operating budget, modified zero base budget review required for future budgets: HB 2704
- Organized and ready to conduct business, committee appointed to notify governor: SCR 8420
- Personal services contracts between state agencies and legislators, approval procedures: SHB 1133
- Personal services contracts, review and performance audit, legislative evaluation and accountability program committee to perform: SHB 1133
- Postretirement issues, task force on created to study supplementary benefits for retired teachers and public employees: HCR 4431
- Privacy and informational technology, joint select committee on, creation, membership, and duties: HB 1774
- Public employees, task force on postretirement issues created to study supplementary benefits for: HCR 4431
- Public services, publications describing delivery of services to include information about source of funding for: HB 2999
- Redistricting commission plan, amendments to: SCR 8421
- Redistricting plans, amends joint rule 16 to allow amendments to redistricting plans by concurrent resolution: HCR 4427
- Reintroduction of bills, resolutions, and memorials from 1991 regular and special sessions for consideration in 1992 session: HCR 4424
- Restructuring, constitutional amendment: HJR 4213
- Review of all existing programs for need and relevancy with intent to terminate or modify them as required, session to be held in 1993 and at least once a century thereafter for that purpose: HB 2906



- Review of existing laws and administrative rules with intent to repeal all obsolete, irrelevant, conflicting, or confusing sections, session to be held in 1993 and at least once a century thereafter for that purpose: HB 2906
- Salary, member may elect to refuse increase or request reduction: HB 2339
- Second Substitute Senate Bill 6255, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4436
- Senate Bill 6201, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4434
- Sessions, regular session held in odd-numbered year to commence on the second Monday in February but legislature to meet on second Monday in January for specified purposes: HB 2289, SHB 2289
- Small business economic impact statements, hearings and reviews by joint administrative rules review committee: \*SHB 2498, CH 197 (1992)
- Solicitation of contributions during legislative session, limits on, penalties for violations: HB 2986, SHB 2986
- State of the state message, joint session on January 13, 1992, to receive message from governor: HCR 4425
- State personnel issues, joint legislative task force on established: HCR 4417
- Surplus funds, transfer of, transfer may be made only to a political party organization or to a caucus of the state legislature: HB 2986, SHB 2986
- Taxes, requiring a favorable vote of three-fifths of the legislature to create a new tax or increase an existing one: HJR 4222
- Teachers, task force on postretirement issues created to study supplementary benefits for: HCR 4431
- Terms of members to commence on the second Monday of January following their election: HB 2289, SHB 2289
- Traffic safety commission, legislative transportation committee recommendations to be implemented regarding: HB 2032
- Twelve-year limit on legislative membership: HB 1210
- Vacancies in offices, constitutional amendment to revise provisions to fill: HJR 4227
- Vacancies, nomination procedures revised: SJR 8231
- Water quality, joint select committee on, to oversee and review study of regulation of paper mill waste: HB 2029
- Water system connection rates, study by joint select committee on water resource policy required: HCR 4414
- Wildlife, department of, joint select committee on established, duties: HCR 4413
- Workers' compensation, task force created to review system and make recommendations for its improvement: HCR 4411
- Zero base budget review, modified review required for future operating budgets: HB 2704

#### LEMON LAW

- Self-propelled agricultural equipment included in coverage: HB 1526

#### LIABILITY, IMMUNITY FROM (See IMMUNITY)

#### LIBRARIES

- Fines and penalties, public library may not contract with third party for collection without giving thirty days notice to persons assessed: HB 2456

Law libraries, appointment and removal of trustees, revised provisions: HB 2483  
 Law libraries, filing fee amount deposited in library fund for each superior court or district court filing increased: \*SHB 1378, CH 54 (1992), HB 2997  
 Law libraries, governance and maintenance of county law libraries, revised provisions relating to: HB 2284, \*SHB 2284, CH 62 (1992), HB 2997  
 Learn-in-libraries program, grants for year-around programs for children, use of older adult and community volunteer resources encouraged: HB 1663  
 Library districts, board of trustees, membership: HB 2342  
 Library for blind and physically handicapped, capital appropriation for acquiring and renovating: HB 2569  
 Reimbursement of libraries at state colleges and universities for use by private college students: HB 1235  
 Tax levies for library improvements, limited waiver of one hundred six percent limitation: HB 2215

### **LIBRARY DISTRICTS**

Library board of trustees, membership: HB 2342  
 Nonresident library cards, issuance to residents of city or town in district, conditions and fees for nonresident card: HB 2483, HB 2767  
 Reciprocal service agreements with city or town providing library services to its residents, requirements: HB 2483  
 Reciprocal service agreements, rural districts and city or town located in same county, agreements required, conditions: HB 1950  
 Trustees, appointment and election of, revised provisions: HB 2483

### **LICENSE PLATES**

Boarding homes, department of licensing authorized to issue special disabled parking permits and license plates to: \*HB 2417, CH 148 (1992)  
 Collector vehicles, use of single plate: HB 1484  
 County licensing fee, county may exempt senior, low-income, and disabled persons from: HB 2619  
 Dealer plates, limits on number of plates that may be issued to dealers selling sixty or fewer vehicles annually: HB 2889  
 Dealer plates, waiver of issuance requirements, conditions: HB 2660, \*SHB 2660, CH 222 (1992), SB 6333  
 Military, active duty military personnel entitled to special plate and exempted from other license fees and the motor vehicle excise tax: HB 2698  
 Personalized license plates, fees increased: SHB 1250  
 Registration year, new registration year commences when an expired vehicle license is renewed with a different registered owner: \*SHB 2660, CH 222 (1992)  
 Renewal, satisfaction of outstanding traffic infractions required prior to renewal, revised provisions: HB 2890  
 Rental car businesses, registration required, required business practices and rental car license plate provisions established: HB 2964, \*SHB 2964, CH 194 (1992)  
 Replacement required if plates are more than six years old: HB 1485  
 Traffic infractions, satisfaction of outstanding traffic infractions required prior to renewal, revised provisions: HB 2890

**LICENSING, DEPARTMENT**

- Adult entertainment, licensing requirements, ownership or operation of adult entertainment business: HB 1978, SSB 5644
- Agents and subagents, appointment of, disclosure of costs and revenues, standard contracts: HB 2023
- Agents and subagents, director to provide standard contracts containing minimum provisions to appointee as agent or subagent: HB 2643, \*SHB 2643, CH 216 (1992)
- Athlete agents, licensing requirements: HB 1121
- Athlete agents, registration requirements, revised provisions: HB 2270
- Board of registration for geologists created, membership, organization, powers, and duties: HB 2877, SHB 2877
- Boarding homes, department authorized to issue special disabled parking permits and license plates to: \*HB 2417, CH 148 (1992)
- Cemetery license and regulatory fees, director to set, with cemetery board consent, and department to collect all fees: HB 2468
- Concealed weapons permit, revocation of license of person convicted of certain crimes, department notification: HB 2373, \*SHB 2373, CH 168 (1992)
- Concealed weapons permit, revocation upon issuance of an order to forfeit a firearm: SHB 1016
- Court reporting schools, graduates of community and technical college court reporting schools and of schools approved by the national court reporters association entitled to certification upon graduation: HB 2793
- Crops, security interest in, central filing system: SHB 2086
- Dental hygienists, licensing extended to those licensed in another state, conditions: SSB 6234
- Deputies and assistants appointed by director as needed: HB 1446
- Driver's license or identicard, applicant identification requirements: HB 2875, 2SSB 6364
- Drivers' license suspension, investigation of driving ability required before reissuance: HB 1415
- Drivers' license, high-performance super cycles classified as category four for special motorcycle endorsement: HB 2567
- Drivers' license, new residents informed of vehicle registration obligation when applying for: SB 6130
- Driving privileges, suspension, revocation, or denial in drunk driving cases, revised suspension and appeal procedures: HB 2606
- Engineers, registration requirements: HB 1117
- Federal tax and other liens to be filed with department: \*HB 1185, CH 133 (1992)
- For hire vehicles, revised provisions: \*SSB 6460, CH 114 (1992)
- Fraudulent documents, identification procedures training for agency screening personnel: HB 2875, 2SSB 6364
- Fraudulent documents, procedures when suspected: HB 2875, 2SSB 6364
- Geologists, registration of, requirements and departmental duties: HB 2877, SHB 2877
- High occupancy vehicle lanes, improper use of vehicle lane or ramp, reporting form: HB 1468
- Identicard or driver's license, applicant identification requirements: HB 2875, 2SSB 6364
- Land development, public offering statement of developer, preparation and delivery to prospective purchaser, duties: \*SHB 1495, CH 191 (1992)

- Land development, public offering statements, registration with department no longer required: \*SHB 1495, CH 191 (1992)
- Landscape architects, registration requirements: HB 1203
- Licensing activities, counties that do not cover expenses of conducting may submit request to department of licensing for cost-coverage moneys with payment to be made from licensing services account: \*SHB 2643, CH 216 (1992)
- Licensing activities, department of licensing to define and standardize allowable costs that counties may charge to: \*SHB 2643, CH 216 (1992)
- Master license system, application, handling, renewal, and delinquent renewal fees set for new and renewal master applications processed by the department of licensing to make program self-funding: HB 2618, SHB 2618, \*SSB 6461, CH 107 (1992)
- Medical disciplinary board, authority to obtain driving record to assist in identifying impairment due to alcohol abuse: HB 1895
- Motor vehicle dealer license plates, waiver of issuance requirements, conditions: HB 2660, \*SHB 2660, CH 222 (1992), SB 6333
- Motor vehicle licenses and permits, fees collected by county auditor subagents adjusted: HB 2160
- Motor vehicle licensing activities, to develop procedures to standardize and prescribe allowable costs for auditors and subagents: HB 2643
- Motor vehicle licensing fees, revision of amounts to be collected by agents and subagents and of remittance procedures: HB 2643, \*SHB 2643, CH 216 (1992)
- Motor vehicle registration and title, cancellation notice requirements: HB 2660, \*SHB 2660, CH 222 (1992), SB 6333
- Motor vehicle seizure, forfeiture of driver whose license suspended or revoked: HB 1260
- Out-of-state cosmetologists, barbers and manicurists, licensing requirements: HB 1321
- Paralegals, certification requirements: HB 1975
- Private security guards, armed, licensing requirements: SHB 1180
- Private security guards, licensing requirements: SHB 1180
- Public offering statements, registration with department no longer required: \*SHB 1495, CH 191 (1992)
- Real estate appraisers, licensing and certification requirements, enforcement authority of director: HB 2430, SHB 2430
- Real estate brokers and salespersons, real estate education program, revised provisions: HB 2691
- Recreational vehicle drivers' training, minimum curriculum for commercial driver training schools and traffic safety organizations to be established: HB 2453, SHB 2453
- Recreational vehicle drivers, need for special licensing study, duties: HB 1799
- Registration year, new registration year commences when an expired vehicle license is renewed with a different registered owner: \*SHB 2660, CH 222 (1992)
- Rental car businesses, registration required, required business practices and rental car license plate provisions established: HB 2964, \*SHB 2964, CH 194 (1992)
- Salon/shop managers, revised licensing requirements: HB 2286
- School attendance, revocation of license or instructional permit when licensee withdraws from school: HB 1768
- Securities firms, actions against supervisor to "supervise reasonably," exceptions: SB 6390
- Securities firms, director may censure, fine, or restrict registrant's business function or activity: SB 6390
- Security interest in, central filing system: SHB 2086

Seizure, forfeiture of motor vehicle of driver whose license suspended or revoked: HB 1260  
 Subagents, county auditor may request the director of licensing to appoint subagents in the county, procedure established for soliciting vendors to be submitted for appointment: \*SHB 2643, CH 216 (1992)  
 Taxicabs, revised provisions relating to: \*SSB 6460, CH 114 (1992)  
 Title and registration advisory committee created in department; membership and duties: HB 2643, \*SHB 2643, CH 216 (1992)  
 Towing and storage charges, drivers' license not issued to person owing, administrative costs paid by tow truck operators: SHB 1324  
 Trucks, axle and gross weight, revised provisions: HB 2650  
 Trucks, combined vehicle licensing fees, distribution: HB 2650  
 Vehicle and vessel licensing and registration requirements, revised provisions: SHB 1703  
 Vehicle registration, new residents informed of obligation when applying for license: SB 6130  
 Vessel dealers, registration requirements and procedures: HB 2760

### LICENSURE

Master license system, application, handling, renewal, and delinquent renewal fees set for new and renewal master applications processed by the department of licensing to make program self-funding: HB 2618, SHB 2618, \*SSB 6461, CH 107 (1992)

### LIENS

Agricultural liens, handler's lien extended to all crops delivered to handler by the lien debtor or another handler: SSB 6416  
 Agricultural liens, producer lien created: HB 2871, SSB 6416  
 Construction liens for improvements on single-family home, limits on sum of liens and enforcement against property affected: SHB 1241  
 Construction liens, technical amendments to revised act: \*SB 6441, CH 126 (1992)  
 Federal tax and other liens to be filed with the department of licensing: \*HB 1185, CH 133 (1992)  
 Federal tax liens on real property, county auditor's recording duties, auditor to bill internal revenue service or other federal agency monthly for document filing fees: \*HB 1185, CH 133 (1992)  
 Handler's lien extended to all crops delivered to handler by the lien debtor or another handler: SSB 6416  
 Public improvement contracts, moneys held in trust for payment of claims or taxes arising from contract: \*SHB 1736, CH 223 (1992)  
 Tow truck operator lien, limitation on amount of deficiency claim for towing and storage does not apply to law enforcement impounds: \*HB 2844, CH 200 (1992)

### LIMITATIONS OF ACTIONS

Child sexual abuse, statute of limitations extended for bringing criminal charges of: HB 2530  
 Elections, challenges to elections concerning bonds or levies must commence within one hundred eighty days of election: SHB 1827  
 Paternity actions, limits set for commencement of action by mother or department of social and health services: HB 1781

Prisoners, statute of limitations on action by prisoner not tolled during term of imprisonment: HB 1689

### LINCOLN TERRITORY

Eastern Washington from crest of Cascade mountains designated territory of Lincoln, congressional approval urged: HJM 4022

### LIQUOR CONTROL BOARD

Alcohol awareness program directed toward minors, funding: HB 2356

Alcohol awareness program for youth under legal drinking age, liquor control board to appoint advisory committee to provide guidance, membership requirements: SHB 2356

Alcohol server class 12 permit required, proof of completion of alcohol server training program required for permit: HB 2742, SSB 6338

Deliveries to stores and agencies, first consideration to be given to freight carriers within federal timber impact area: HB 1746

Director of liquor control agency, office created, powers and duties: SHB 1036

Director of, office created, powers and duties: HB 1036

Director, appointment by liquor control board, powers and duties of director: HB 1942

Golf and country clubs discriminating on basis of gender not entitled to class H license: HB 2340

Licenses, class H, golf and country clubs discriminating on basis or gender not entitled to: HB 2340

Liquor advertising, format restrictions: HB 2383

Liquor control agency established, liquor control board powers, duties, and functions transferred to, exceptions: SHB 1036

Liquor sale to minor, penalties: HB 2381, HB 2382

Private sector wholesale and retail sales of liquor, to submit regulatory proposal to legislature in bill form: HB 2508

Washington state liquor control board, organizational changes, revised powers and duties: HB 1942

Wine retailer's license class F, board may issue restricted license in any county if it finds that the sale of fortified wine would be against the public interest: HB 2797, \*SB 6339, CH 42 (1992)

Wine sales, regulation of, class Q and R wine retail licenses established: HB 1682

### LITTER AND LITTERING

Beverage container deposit and recycling program: HB 1656

Civil infraction, littering made class 1 or 4 civil infraction depending on volume of litter and made subject to monetary penalties: SHB 1153

Penalties for littering, fines imposed: SHB 1153

Penalties for littering, reclassification as civil infraction: HB 2331, SHB 2331

Waste reduction, recycling, and litter control account created as successor to the litter control account, expenditures from account authorized for specified programs: \*SHB 2635, CH 175 (1992)

Waste reduction, recycling, and model litter control act, model litter control and recycling act renamed and purposes and tax provisions revised: HB 2635, \*SHB 2635, CH 175 (1992)

**LIVING WILL (See NATURAL DEATH ACT)****LOBBYISTS**

Legislators, lobbying by former state legislator not permitted for two years following end of service in legislature: HB 2461

**LOCAL GOVERNMENT**

Alcohol and drug misuse during and immediately after pregnancy, local prevention and treatment pilot programs, duties: HB 1410, SHB 1410

Alteration of local governments through citizen review, constitutional amendment to authorize: HJR 4202

Alteration of local governments through citizen review, process established: HB 1017

Campaign contribution and spending limits apply to candidates for local office beginning July 1, 1995, exceptions: HB 2986, SHB 2986

Citizens' review of local government and development of proposals to alter governments, constitutional amendment to authorize: HJR 4202

Citizens' review of local government and development of proposals to alter governments, process established: HB 1017

Claims against local governmental entities, requirements: HB 2499, SHB 2499

Elected officials, campaign finances disclosure report required: HB 2805

Elected officials, revised election procedures: HB 2476, SHB 2476

Flood control maintenance and enhancement funds authorized for municipal corporations subject to floods, uses of moneys in fund: HB 1772

Growth management, local government role: HB 2144

Local improvement districts, creation and financing by local governments, optional procedure: HB 1014

Moderate-risk wastes, local governments to encourage use of privately owned facilities: \*HB 2633, CH 17 (1992)

Officials, reimbursement provisions revised: HB 2809, SHB 2809

Patients and clients of public emergency medical service, confidentiality of personal information: SHB 1275

Protected rivers, local government management plan, requirements: SHB 1836

Public disclosure, elected officials' campaign finances report required: HB 2805

Public works, Washington grown and produced wood products to be used to maximum extent: HB 1871, SHB 1871, HJM 4019

Revenue bonds, second phase reform of procedures by which governments issue and sell bonds, repeal of conflicting separate procedures: HB 2288

Runway construction of one thousand feet or more or runway expansion by any political subdivision or municipal corporation prohibited until air transportation commission submits final report: SHB 2609

Runway construction or expansion by any large political subdivision or municipal corporation in western Washington prohibited until air transportation commission presents its final report: \*SHB 2609, CH 190 (1992)

Second Substitute Senate Bill 6255, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4436

Self-insurance programs, health and welfare benefits provisions, regulations: HB 2127

Service agreements, constitutional amendment to authorize the creation of: HJR 4202

- Service agreements, procedure for creation of local government service agreements: SHB 1015
- Shoreline master programs, local zoning to be considered in implementing: HB 2696
- Small works rosters, uniform process for municipalities to award contracts under: SHB 1681
- Timber impact areas, public works loans authorized to local governments in: HB 1647
- Vacancies in elective positions in local government, appointment provisions made more uniform: HB 2476, SHB 2476
- Wetlands, local jurisdictions to use criteria in United States army corps of engineers delineation manual to designate and regulate: SB 6254
- Whistleblowers, governing body to adopt policy and procedures for reporting improper governmental action: \*SSB 6321, CH 44 (1992)
- Whistleblowers, retaliatory action against employee who provides information in good faith prohibited, adjudicative hearing procedures: \*SSB 6321, CH 44 (1992)

#### **LOCAL IMPROVEMENT DISTRICTS**

- Creation and financing of districts by local governments, optional procedure: HB 1014
- Creation of, assessments by, and bond issues of district, optional procedure for: HB 2395
- Forest land, special benefit assessments exemption, provisions: HB 1823, HB 2330, \*SHB 2330, CH 52 (1992)
- Irrigation district assessment to maintain guarantee fund, district authorized to assess for fund throughout the entire district or within a local improvement district or districts: SHB 2345
- Irrigation district guarantee fund, maximum balance limit increased and authority given district to assess for fund throughout the entire district or within a local improvement district or districts: SHB 2345
- Irrigation districts authorized to include in bond issues amount to maintain local improvement guarantee fund: HB 2345, SHB 2345
- Lake management districts, wildlife department land assessment subject to same rates imposed on privately owned lake front property: SHB 1368
- Local governments, creation and financing of districts by, optional procedure: HB 1014

#### **LOCKOUTS (See LABOR RELATIONS)**

#### **LODGING TAX (See TAXES - LODGING TAX)**

#### **LONG-TERM CARE**

- Community-based services expansions authorized: HB 1845

#### **LONGSHORE AND HARBOR WORKERS**

- Workers' compensation act coverage, insurance commissioner to study methods of establishing a reasonable plan to provide: SHB 2720
- Workers' compensation coverage to be made available to all longshore and harbor workers, plan required for those unable to purchase through the normal insurance market: HB 2720, SB 6322
- Workers' compensation coverage, insurance commissioner to establish plan available to those unable to purchase through normal insurance market: \*SHB 2720, CH 209 (1992)



Workers' compensation coverage, study of ability of private insurers to provide affordable plans authorized: \*SHB 2720, CH 209 (1992)

Workers' compensation coverage, unauthorized insurer prohibited from soliciting or providing: SHB 2720

Workers' compensation, study authorized of feasibility of private and public insurance plans: SB 6322

## LOTTERY

Education support account, all lottery receipts to be deposited in: HB 2213

Educational support account, lottery revenues deposited in: HB 2232

Lottery account moneys deposited in educational support account: HB 2232

Mechanical lottery devices, legislative approval required before such device may be placed in state: HB 1763

Moneys deposited into general fund for support of common schools: HB 2224, HB 2229

Receipts to be used solely for funding common schools: HB 2218

School construction funds, lottery revenues dedicated to: HB 2497

## LOW-INCOME PERSONS

Affordable housing developments, physical improvements to, exemption from taxation for three years subsequent to completion, qualifications: HB 2963

Current use valuation of mobile home parks and housing for very low-income persons authorized: HB 2484

Current use valuation of very low-income housing, constitutional amendment to allow: HJR 4235

Farmworker housing, projects to provide centers and housing for very low-income farmworkers: HB 2362, SHB 2362

Health care, development of a coordinated system of health care for low-income people declared a priority: HB 2590, SB 6089

Housing replacement fee, imposition on development activity that involves demolition of low-income housing authorized: HB 2962

Low-income housing lost to state or local agency demolition for a public works project, contribution to local housing replacement fund to provide equal amount of new housing required: HB 2962

Low-income housing, city, town, and county assistance in development or preservation of, revised provisions: HB 2962

Low-income housing, imposition of housing replacement fee on development activity that involves demolition of low-income housing authorized: HB 2962

Motor vehicle licensing fees, county may exempt senior, low-income, and disabled persons from county licensing fee: HB 2619

Property tax exemption for three years for physical improvements to affordable housing developments, qualifications: HB 2963

Property tax exemption to be made available based on low-income person's ability to pay property taxes, claim procedures established: HB 2484

Relocation assistance for low-income tenants, property owner's portion may be in form of foregone rent and value of services provided by landlord: HB 2485

Retired physicians providing free care to low-income people at community clinics, department of health to purchase liability insurance for, terms and conditions for participation set out: \*SHB 2337, CH 113 (1992)

**MAILBOXES**

Rural, damage or destruction of, malicious mischief in the second degree: SB 5935

**MALPRACTICE**

Certificate of merit to be filed within thirty days in professional negligence actions, requirements: SSB 5386

Professional negligence actions, certificate of merit to be filed within thirty days, requirements: SSB 5386

**MANICURISTS (See COSMETOLOGY)****MANUFACTURED HOUSING**

Assessments levied on manufacturers, dealers, and installers of manufactured homes for deposit in manufactured housing transaction recovery fund: HB 2949, SHB 2949

Consumer remedies, warranties, escrow provisions, and recovery fund created with respect to sales of manufactured homes: HB 2949, SHB 2949

Double amendments, correction of double amendments to RCW 46.04.302 and 46.12.290: HB 2492

Installation by certified manufactured home installer required after July 1, 1993, certification requirements and procedures established, penalties set for violations: SHB 2674, HB 2764

Manufactured housing transaction recovery fund created, recovery actions against fund to be filed with department of community development: HB 2949, SHB 2949

Task force reporting date extended to December 1, 1993, with task force to terminate December 31, 1993: HB 2487

Titles, fees levied on transfer or elimination of title to manufactured home for deposit in manufactured housing transaction recovery fund: HB 2949

Warranties from sellers and installers of manufactured housing, requirements: HB 2949, SHB 2949

**MARINE SAFETY**

Office of, appointment of administrator and exempt staff, revised provisions: \*SHB 2389, CH 73 (1992)

Oil spill prevention and clean-up, revised provisions and definitions: HB 2389, \*SHB 2389, CH 73 (1992)

**MARITIME BICENTENNIAL**

Programs and services relating to observance, state historical society duties: HB 1103, SHB 1103

**MARITIME COMMISSION**

Assessments, proposed increases, revised filing requirements, administrator may reject unjustified increase prior to adoption as final rule: \*SHB 2389, CH 73 (1992)

**MARRIAGE AND MARRIED PERSONS**

Contract to allow dissolution only on a showing of fault by one party permitted, requirements: HB 1403

- Dissolution of marriage, income calculation for child support schedule: HB 2188, SHB 2188
- Dissolution of marriage, revised provisions: HB 2188, SHB 2188
- Legal separation, revised provisions: HB 2188, SHB 2188
- Service of process against marital community, separate service required if spouses do not reside together: SSB 6187
- Spouse dying intestate, surviving spouse to receive none of decedent's share of estate if decedent has filed for dissolution or separation: HB 2657
- Surname, either party to a marriage may take the surname of the other: HB 1939

#### MASON COUNTY

- Superior court, one additional judge authorized: HB 2459, \*SHB 2459, CH 189 (1992)

#### MATTRESSES

- Fire retardant requirements: HB 2318, SHB 2318

#### MEAT

- Adulteration or misbranding of meat products, provisions revised: HB 2819, SHB 2819

#### MEDIATION

- Consumer and business dispute resolution act: HB 2126
- Consumer dispute resolution centers, attorney general's duties: HB 2126

#### MEDICAID

- Intermediate care facilities for the mentally retarded, tax imposed on each facility for act or privilege: \*SHB 2967, CH 80 (1992)
- Intermediate care facilities for the mentally retarded, tax imposed on facility for act or privilege of doing business, rate set, appropriation made for prospective rate increases to cover medicaid share of tax: HB 2967, SHB 2967
- Medicaid eligibility, committee to study asset transfer and estate recovery as they relate to establishing medicaid eligibility, especially for nursing facility residents: HB 2968
- Regionally managed mental health care, department of social and health services to report on options and recommendations for using medicaid funds to support: SB 6319
- School districts providing health and mental health services, development of a marketing and technical assistance plan to increase the provision of medicaid assistance to: HB 2547, SHB 2547
- Tax imposed on nursing homes for the privilege of doing business, rate set, appropriation made for prospective rate increases to cover medicaid share of tax: HB 2968

#### MEDICAL ASSISTANCE

- Basic health plan, maternity coverage excluded for pregnancies diagnosed after June 30, 1992, one month exception to provide continuity of care: HB 2994, SHB 2994
- Chiropractic services to be offered as part of medical assistance programs: HB 2605, SHB 2605
- Foot care, podiatric physician authorized to provide foot care under state-funded medical assistance or other medical care programs: HB 2753
- Hospice program extended: HB 2036
- Limited casualty program, maximum deductible increased: HB 1889

- Medical assistance billing agent contract review committee, social and health services department and superintendent of public instruction to establish to review proposed contracts between districts and billing services: SHB 2547
- Medical services, department of social and health services authorized to purchase services by contract or at rates set by department: \*HB 2314, CH 8 (1992)
- Prenatal and postnatal services provided under medical assistance program, basic health plan coverage excluded for pregnancies diagnosed after June 30, 1992: HB 2994, SHB 2994
- Psychology services included in program: HB 1678
- Rural hospitals providing essential health care services to medical assistance clients, payment: HB 1795
- School districts providing health and mental health services, development of a marketing and technical assistance plan to increase the provision of medicaid assistance to: HB 2547, SHB 2547
- School provided health-related services, revised provisions to generate federal medical assistance matching funds for medical assistance reimbursement for: SHB 2547
- Vendor rates, additional rate increases authorized in 1992 and 1993: \*SB 5961, CH 238 (1992)

#### **MEDICAL DISCIPLINARY BOARD**

- Alcohol abuse, board authority to obtain driving record to assist in identifying impairment due to: HB 1895
- Physician assistant, nonvoting physician assistant member to be added to board: HB 2033
- Unconventional practices, not to take adverse action against physician without finding of harm to patient: HB 1397

#### **MEDICAL EXAMINERS, BOARD**

- Inactive license status, rulemaking authority and administrative duties: HB 1849
- Intermittent or provisional practice by physicians sixty-five years old or older, reduced license fee to be established: HB 2048
- Physician assistants, board may authorize the use of alternative supervisors for assistants: \*SB 6070, CH 28 (1992)
- Quorum requirements for transacting business by panel of the board: HB 1849

#### **MEDICAL TEST SITES**

- Repeal of provisions relating to: HB 1070
- Repeal of provisions relating to physicians' medical test sites: SHB 1070

#### **MEDICARE**

- Law enforcement officers and fire fighters, reimbursement of retirees for premiums paid for medicare supplemental insurance authorized: HB 2867, \*SHB 2867, CH 22 (1992)
- Nursing home medicare certification, exemption to requirement that facilities obtain and maintain, department may grant to facilities making good faith effort to obtain certification: HB 2931, HB 2968, \*SSB 6354, CH 215 (1992)
- Residency-based health services system established to provide uniform benefits package to all state residents by July 1996: SHB 2590
- Supplemental insurance policies, revised provisions to conform policy requirements to federal law: HB 2479, \*SHB 2479, CH 138 (1992)

Supplemental insurance, reimbursement of retired law enforcement officers and fire fighters for premiums paid for, authorization: HB 2867, \*SHB 2867, CH 22 (1992)

## MEDICINE AND MEDICAL DEVICES

"Dispensing drug outlet" defined, board of pharmacy regulatory authority regarding: HB 2893

Durable equipment used by persons sixty-five years of age and older, sales and use tax exemption: HB 2879

Legend drugs, identification and labeling system for, board of pharmacy to establish by rule: HB 2017

Over-the-counter medications and vitamins exempted from sales and use taxes: HB 2253

Prescription drugs, sale of all prescription drugs, including those for family planning purposes, exempted from sales tax: HB 2632

Sales and use tax exemption for durable medical equipment used by persons sixty-five years of age or older: HB 2879

Uniform controlled substances act, comprehensive revision and update, penalties increased for violations: HB 2028, SHB 2028

## MENTAL HEALTH

Children in care of department of social and health services, department to conduct assessment to determine appropriate level of residential and treatment services for these children: HB 2466, SHB 2466

Children's mental health delivery systems, development and implementation of: SHB 1609

Children, services under public assistance programs and regional support networks increased: SHB 1609

Community mental health practitioners, to achieve salary parity with state workers by 1995: HB 1914

Consolidation of state and federal medical and health services and programs, legislative budget committee to determine feasibility and desirability of: SHB 2590

Fair start program established to assist in providing prevention and intervention programs for elementary students: HB 2695, SHB 2695

Inappropriate placement of those with head injury, AIDS, the developmentally disabled, and substance abusers in state mental hospitals, secretary of social and health services to develop system to discourage: \*SB 6319, CH 230 (1992)

Incentives to discourage inappropriate placement of persons without primary diagnosis of mental disorder in state hospitals: SB 6319

Information system, operation dates for state and regional support network system components established: HB 2313

Involuntary commitment and treatment of minors requiring mental health care, parental petition to seek review of determination that child does not meet criteria authorized and procedures established: HB 2466, SHB 2466

Medicaid funding support for regionally managed mental health care, department of social and health services to report on options and recommendations for maximizing: SB 6319

Minors requiring mental health care and treatment to receive continuum of culturally relevant care and treatment: HB 2466, \*SHB 2466, CH 205 (1992)

Minors, voluntary admission and release of minors for treatment: HB 1005

- Practitioners' conditional scholarship program for those working in mental health shortage areas: HB 1230, SHB 1230
- Practitioners' loan repayment program for those working in mental health shortage areas: HB 1229, SHB 1229
- Regional support networks, children's mental health delivery systems, development and implementation of, duties: SHB 1609
- Regional support networks, community mental health practitioners to achieve salary parity with state workers by 1995: HB 1914
- Regional support networks, financial reward authorized for reducing use of hospital or evaluation and treatment facility bed days and added responsibility imposed for care of state hospital patients returning to community: \*SB 6319, CH 230 (1992)
- Regional support networks, funding provided for programs that provide periods of stable community living: SB 6318
- Regional support networks, implementation, planning, and funding requirements, revised provisions: SHB 1609
- Regional support networks, operation dates for state and regional components of mental health information system established: HB 2313
- Regional support networks, savings from reduction in use of state-reimbursed hospitals to be retained by network: SB 6318
- Regional support networks, services to children by networks increased: SHB 1609
- Support services for local mental health programs, department of social and health services and state hospitals to provide: SB 6318
- Voluntary admission and release of minors for treatment: HB 1005

#### MENTALLY ILL PERSONS

- Antipsychotic medications, involuntary administration of, conditions warranting, revised provisions: HB 1892
- Assault on staff at state hospitals for the mentally ill, class C felony: HB 1345
- Criminal background checks required on sole independent contractors hired by physically disabled, mentally ill, or impaired persons and paid by state: HB 2622, SHB 2622
- Criminal offenders with mental disorders, community supervision alternative for, conditions and procedures set: HB 2847
- Criminal offenders, sentencing guidelines commission to identify and suggest appropriate sentencing options for, required elements: SHB 2847
- Criminally insane, clarification of references to responsibilities of departments and corrections officers regarding criminal procedure for the: HB 2265
- Eastern and Western State Hospitals to become clinical centers for handling the most complicated long-term care needs of patients with primary diagnosis of mental illness: \*SB 6319, CH 230 (1992)
- Eastern and western state hospitals, department of labor and industries to conduct study of causes and solutions to assaults on state employees at: HB 2647, SHB 2647
- Electroconvulsant therapy, restrictions on use with involuntarily committed persons: HB 1892
- Employment, regional disabilities employment function to provide school to employment transition services for high school students: 2SSB 5780
- Firearms, person committed under criminal insanity or involuntary treatment statutes prohibited from possessing a firearm, process to be established for person to regain right to possess firearm: \*SHB 2373, CH 168 (1992)

Medicaid funding support for regionally managed mental health care, department of social and health services to report on options and recommendations for maximizing: SB 6319

Minors with mental disorders, involuntary treatment of, procedures: HB 1418

Patient records, release in event of death authorized, restrictions: SB 6121

Persons with primary diagnosis of mental illness, mental health program and state hospital funds to be used for: SB 6319

Protection and advocacy of rights of mentally ill persons, governor to appoint agency to implement program of: HB 2591

Regional support networks, financial reward authorized for reducing use of hospital or evaluation and treatment facility bed days and added responsibility imposed for care of state hospital patients returning to community: SB 6319

### **MERCHANTS (See BUSINESSES)**

### **METROPOLITAN MUNICIPAL CORPORATIONS**

Collective bargaining issues may be submitted to arbitrator if transit employees' union or corporation fails to negotiate agreement within sixty days: HB 1348

County assumption of corporation functions, revised provisions: SHB 1927, HB 2830

Governance, technical revisions: HB 2321

Public transportation function, organization of corporation to perform, appointment of members to metropolitan council: HB 2958

Reduction in size of metropolitan councils and election of three at large council members authorized: HB 2634

Regional transit authorities, formation to create high capacity transit system in urbanized areas, cooperation with local transit operators and planning consistency required: HB 2958

Regional transit authority, consolidation of component corporation with authority, procedure: HB 2958

### **METROPOLITAN MUNICIPAL COUNCILS**

Public transportation function, appointment of members to council in metropolitan municipal corporation performing: HB 2958

### **METROPOLITAN PARK DISTRICTS**

Creation of district and annexation of territory to district, revised provisions: HB 2927

Executive director of district, appointment by board of park commissioners, powers and duties of executive director including authority over personnel matters: HB 2957

### **MIDWIVES**

Clinical privileges and staff membership to be extended to nonphysician practitioners within the scope of their practice: SHB 2084

Heirloom birth certificate program, use of receipts for midwife scholarship and loan program: SHB 2084

### **MILITARY**

Consolidation of state and federal medical and health services and programs, legislative budget committee to determine feasibility and desirability of: SHB 2590

- Defense force, name of state guard changed to Washington state defense force: HB 1707, SHB 1707
- Desert Shield, health and retirement coverage continued for employees called to active service: HB 1359, SSB 5092
- Desert Storm veterans made eligible for veterans' benefits: SSB 6011
- Korean war memorial, appropriation to fund, matching requirements: HB 2688
- Land acquisition, obsolete code sections regarding military land acquisition repealed: \*SB 6351, CH 90 (1992)
- License plates, active duty military personnel entitled to special plate and exempted from other license fees and the motor vehicle excise tax: HB 2698
- Military personnel and veterans' affairs, joint select committee on created: HCR 4416
- Militia, technical corrections to provisions relating to the: HB 1706
- National guard, tuition waivers for members at state colleges and universities: HB 1097, SHB 1097
- Obsolete provisions regarding military land acquisition repealed: HB 2460
- Operation Desert Shield service, death benefits allowed for state employees' retirement systems members: SHB 1269
- Purple heart recipient recognition day, August 7, established, not a legal holiday: HB 2221
- Retirement service credit authorized for members of state retirement systems during period in which employment is interrupted by military service, conditions and restrictions: \*SSB 5092, CH 119 (1992)
- Service credit authorized for members of state retirement systems during period in which employment is interrupted by military service, conditions and restrictions: \*SSB 5092, CH 119 (1992)
- State guard, name changed to Washington state defense force: HB 1707, SHB 1707
- Tuition exemption at state colleges for children of personnel killed or disabled on active service: HB 1108, SHB 1108

**MINIMARTS**

- Defined: HB 2818
- Toilet facilities required in new or remodeled stores: HB 2818

**MINIMUM WAGE (See also WAGES AND HOURS)**

- Periodic adjustments: HB 1473, SHB 1473
- Tipped employee, credit for tips to be computed into determination of wage for: HB 1584

**MINORITIES (See also AFRICAN-AMERICANS, ASIAN AMERICANS, INDIANS)**

- Accounting students, fifteen percent surcharge to be made on accountant license fee to be used for financial assistance for economically disadvantaged students in accounting programs: SHB 2293
- Minority criminal justice education loan program created, eligibility and repayment provisions: HB 1976, SHB 1976
- Racial and ethnic minorities, consideration as consumers and producers in education and human services programs: HB 2085

**MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

- Bonding assistance program, department of trade and economic development: HB 1737, SHB 1737



- Business assistance center, education and technical assistance: HB 1737, SHB 1737  
Business assistance center, public works and construction, public facilities concessions: HB 1737, SHB 1737  
International trade, department of trade and economic development to provide technical assistance to businesses with capacity to participate in: SHB 1737  
Public works, office of minority and women's business enterprises to work with state agencies to develop a plan for direct contracting with certified businesses for public works and construction: SHB 1737  
Utilities procurement contracts, guidelines for: HB 1738

## **MINORS (See CHILDREN)**

## **MOBILE HOME PARKS**

- Current use valuation for property tax purposes: HB 2484  
Current use valuation of property devoted primarily to low-income housing: HB 1225  
Health and sanitation in parks, department of health to develop minimum procedures for responding to complaints about: SHB 2904  
Health and sanitation licensing required to assure that parks meet minimum standards: HB 2173  
Health inspection requirements, issuance of certificate of compliance: HB 2904  
Landlord-tenant act violations constitute unfair or deceptive practices: HB 1337  
Landlord-tenant act, new and revised provisions regulating the relationship between landlord and tenant: SHB 1610  
Low-income housing, classification and valuation of property devoted primarily to: HB 1225  
Low-income housing, current use valuation of property primarily devoted to: HB 1225  
Maintenance responsibility for permanent structures, park owner prohibited from transferring to tenants: HB 2327, SHB 2327  
Owner to pay five dollar fee for each occupied lot, exceptions: SHB 1841  
Permanent structures, park owner prohibited from transferring maintenance responsibility to tenants: HB 2327, SHB 2327  
Political meetings and candidate forums, tenants permitted to hold in community halls: HB 2335  
Public officials and candidates may not be prohibited from meeting with or distributing information to tenants: HB 2450, SHB 2450  
Purchase by tenant organizations, notice and opportunity requirements in event of voluntary sale of park: HB 2169  
Recreational vehicles used as residences, relocation assistance extended to: HB 2894  
Relocation assistance extended to recreational vehicles used as residences: HB 2894  
Relocation assistance for displaced low-income tenants, owner responsibilities: SHB 1841  
Relocation assistance for displaced tenants, park owner responsibilities: SHB 1841  
Relocation assistance for recreational vehicle owners, park owner responsibilities: SHB 1841

## **MOBILE HOMES**

- Code compliance for relocated mobile home not required: SHB 1841  
Double amendments, correction of double amendments to RCW 46.04.302 and 46.12.290: HB 2492

**MORTGAGES**

Escrow accounts, financial institutions to pay interest on accounts with the interest used to assist in providing affordable housing: HB 2484

Insurance, cancellation procedure notification required: SHB 1717

Lenders to allow customers to choose how residential mortgage impound accounts interest be spent: HB 1874

**MOSES LAKE**

Airport, assistance and support for application as international port of entry: HB 2754

**MOTOR FREIGHT CARRIERS**

Permit applications, carriers to submit copies of contracts with: HB 1273

**MOTOR VEHICLE FUEL TAX (See TAXES - MOTOR VEHICLE FUEL TAX)****MOTOR VEHICLES**

"Clean fuel vehicle" defined, exempted from motor vehicle excise tax: HB 1754

Alternative fuel and solar powered vehicles, research and development by Western Washington University: HB 1754

Animal waste falling from vehicles carrying live farm animals while crossing a ferry capable of transporting fewer than twenty-five vehicles, exemption from load containment requirements: SHB 2457

Antifreeze, public health safety standards for sale, violation a misdemeanor: HB 2570

Automobile salespersons, exemption from overtime compensation requirements for work weeks in excess of forty hours: HB 2845

Automobile salespersons, overtime compensation requirements met by paying the greater of one and one-half the hourly rate for work in excess of forty hours a week or commission, salaries, or salaries plus commission: \*SHB 2845, CH 94 (1992)

Automobile use reduction, congress asked to give preferential tax treatment to employer-provided benefits encouraging: HJM 4013

Automotive repair, deceptive acts and practices prohibited and requirements established concerning estimates, parts return, charges, warranties, and recordkeeping: HB 2536, SHB 2536

Clean-fuel vehicles, excise tax waived: HB 1902

Clean-fuel vehicles, state purchasing requirements: HB 1902

Collector vehicles, use of single license plate: HB 1484

Commute trip reduction task force, membership and duties: HB 1754

Commuting, reduction of single occupant vehicle commuting, duty of state, local governments, and employers to plan and implement: HB 1754

Dealer license plates, limits on number of plates that may be issued to dealers selling sixty or fewer vehicles annually: HB 2889

Dealer license plates, waiver of issuance requirements, conditions: HB 2660, \*SHB 2660, CH 222 (1992), SB 6333

Dealers, licensing provisions revised: HB 1618

Dealers, licensing requirements, revised provisions: SHB 1703

Driving under the influence of alcohol or drugs, blood and urine testing authorized, procedures: HB 1724

- Driving under the influence of alcohol or drugs; imprisonment of at least seventy-two hours required: HB 2355
- Driving under the influence of alcohol or drugs, penalties may include attending victims' panel: \*SB 6295, CH 64 (1992)
- Driving under the influence of alcohol or drugs, penalties may include attending victims' panel, assessment for costs: HB 2675
- Driving under the influence of intoxicants victims' panel, violator may be required to attend: HB 2675, SHB 2675, \*SB 6295, CH 64 (1992)
- Driving while intoxicated, punitive damages for personal injuries or wrongful death resulting from: SHB 1676
- Driving while suspended or revoked but eligible to reinstate license, violation in the third degree: \*SSB 6330, CH 130 (1992)
- Driving while suspended or revoked in the first degree, habitual traffic offenders, penalties: HB 1182
- Emergency vehicles included in definition of "new motor vehicle" for warranty coverage: HB 2677
- Ethanol, motor fuels sold by Washington distributors to contain specified percentages of ethanol beginning in 1993, penalties set for failure to comply: HB 2721
- Excise tax on motor vehicle rental or lease, county may impose tax to finance all or part of cost of maintaining and operating a public sports stadium facility: HB 2982
- Excise tax, "clean fuel vehicle" defined, exempted from tax: HB 1754
- Excise tax, additional taxes based on emissions and fuel economy: HB 1754
- Excise tax, clean-fuel vehicles, tax waived: HB 1902
- Fifty-five mile per hour, state-wide maximum speed limit: HB 1451
- Financial responsibility, insurance identification card as proof of: HB 1116
- First-degree negligent driving, defined and penalties established: SHB 1183
- For hire vehicles, bonding requirements, minimum amount increased: HB 1953, HB 2107
- For hire vehicles, revised provisions: \*SSB 6460, CH 114 (1992)
- Forfeiture of vehicles used in the sale and purchase of illegal drugs; vehicles subject to forfeiture: HB 1615
- Fruit bins, overheight loads of empty bins, permit for continuous operation, permit periods and fees established: HB 2981
- Fuel limitations by company to be imposed uniformly on stations and dealers: SHB 1924
- Fuel pricing by company, discriminatory wholesale pricing prohibited, civil penalties: SHB 1924
- Fuels marketing, joint select committee on motor vehicles fuels marketing, creation, membership, and duties: SHB 1924
- Gasoline price and supply fairness: SHB 1924
- Headlights to be on when windshield wipers in use: HB 1790
- High occupancy vehicle lanes, improper use of vehicle lane or ramp, charging and reporting procedures: HB 1468
- High occupancy vehicles, violations, presumption that registered owner was operator when violation occurred: HB 1128
- High-occupancy vehicle lane violations, charging and reporting procedures relating to: HB 2272, SHB 2272
- Hulk haulers and scrap processors, licensing and regulation to discourage market in stolen vehicles and vehicle components: HB 1456, SHB 1456
- Inattentive driving, defined and made a traffic infraction: SHB 1183

- Instruction permits, nonresident who is at least fifteen and who hold a valid instruction permit may drive in Washington: SB 6073
- Insurance, disclosure of reasons that might lead to cancellation or nonrenewal required when policy first issued: HB 1894
- Insurance, identification card as proof of financial responsibility: HB 1116
- Insurance, liability coverage for state employees who drive personal car for official duties, partial payment by state: HB 1042
- Insurance, liability coverage, insurer must renew if insured not at fault in accident: SHB 1441
- Insurance, liability coverage, insurer must renew if insured's accident fault is less than twenty-five percent: HB 1441
- Insurance, liability insurance, failure to disclose availability of preferred risk plan to qualified applicant, unfair practice: HB 1575
- Insurance, medical examination of claimant to be as close as possible to claimant's residence: HB 1576
- Insurance, medical examination of claimant, reimbursement by insurer for travel costs: SHB 1576
- Insurance, personal injury protection coverage, liability policy must provide coverage unless rejected by insured or spouse: HB 2860, SHB 2860
- Insurance, personal injury protection, requirements: SHB 1294
- Insurance, proof of current insurance required when licensing or renewing the license on a motor vehicle: HB 2254
- Insurance, proof of financial responsibility violations, penalties: HB 1391
- Insurance, proof of liability coverage, insurance identification card or other proof of financial responsibility: HB 1184
- Insurance, underinsured motorist coverage, renewal required when insured is not at fault in accident: SHB 1441
- Insurance, underinsured motorist coverage, renewal required when insured's fault is less than twenty-five percent: HB 1441
- Intoxication, changing blood and breath standards: SSB 5069
- Intoxication, standard for measuring intoxication: SB 5067
- Junk vehicle, definition modified: SHB 1806
- Lease or rental of motor vehicle licensed for hire, tax of two dollars per day imposed to support traffic safety education programs: HB 2449
- Lemon law, self-propelled agricultural equipment included in coverage: HB 1526
- Liability insurance policy must provide personal injury protection coverage unless rejected by insured or spouse: HB 2860, SHB 2860
- License fees, county fee exemption for persons qualifying for senior citizen property tax exemption: SHB 2660
- License fees, disabled state employees exempted from: HB 1078
- License, social security number on application required: HB 1803
- Licenses and permits, fees collected by county auditor subagents adjusted: HB 2160
- Licenses, proof of current insurance required when licensing or renewing license on a motor vehicle: HB 2254
- Licenses, renewal of driver and vehicle licenses, satisfaction of outstanding traffic citations, required prior to renewal, revised provisions: HB 2890

- Licensing activities, counties that do not cover expenses of conducting may submit request to department of licensing for cost-coverage moneys with payment to be made from licensing services account: \*SHB 2643, CH 216 (1992)
- Licensing activities, department of licensing to define and standardize allowable costs that counties may charge to: \*SHB 2643, CH 216 (1992)
- Licensing activities, department to develop procedures to standardize and prescribe allowable costs for auditors and subagents: HB 2643
- Licensing and registration requirements, revised provisions: SHB 1703
- Licensing department agents and subagents, appointment of, disclosure of costs and revenues, standard contracts: HB 2023
- Licensing department agents and subagents, director to provide standard contracts containing minimum provisions to appointee as agent or subagent: HB 2643, \*SHB 2643, CH 216 (1992)
- Licensing fees, county may exempt senior, low-income, and disabled persons from county licensing fee: HB 2619
- Licensing fees, revision of amounts to be collected by agents and subagents and of remittance procedures: HB 2643, \*SHB 2643, CH 216 (1992)
- Licensing subagents, county auditor may request the director of licensing to appoint subagents in the county, procedure established for soliciting vendors to be submitted for appointment: \*SHB 2643, CH 216 (1992)
- Load containment requirements, exemption for animal waste falling from vehicles carrying live farm animals while crossing a ferry capable of transporting fewer than twenty-five vehicles: SHB 2457
- Manufacturers and distributors, excise tax to be paid to scrap metal recycling account: HB 2091
- Measure of damages established: SHB 1573
- Military, active duty military personnel entitled to special plate and exempted from other license fees and the motor vehicle excise tax: HB 2698
- Model traffic ordinance, provisions updated: HB 2572
- Motorcycles, consolidation and updating of laws relating to motorcycles: HB 2863
- Negligent driving, penalty increased: SHB 1183
- New motor vehicle, definition to include emergency vehicle for warranty coverage: HB 2677
- Nonresident who is at least fifteen and who holds a valid instruction permit may drive in Washington: SB 6073
- Overheight loads of empty fruit bins, permit for continuous operation, permit periods and fees established: HB 2981
- Pedestrians, vehicle operator's obligation to stop to allow pedestrian in crosswalk to cross intersection: SHB 1934
- Pedestrians, vehicle operators required to stop for pedestrians lawfully within intersection control area: HB 2442, SHB 2442
- Personal injury protection insurance, motor vehicle liability policy must provide coverage unless rejected by insured or spouse: HB 2860, SHB 2860
- Power take-off units, calculation of fuel usage for motor vehicle fuel tax exemption: HB 2583, SB 6172
- Recreational vehicle drivers' training, minimum curriculum for commercial driver training schools and traffic safety organizations to be established: HB 2453, SHB 2453

- Registration and title fees, reimbursement of county for operational losses in collecting fees: HB 2024, SHB 2024
- Registration and title, cancellation notice requirements: HB 2660, \*SHB 2660, CH 222 (1992), SB 6333
- Registration year, new registration year commences when an expired vehicle license is renewed with a different registered owner: \*SHB 2660, CH 222 (1992)
- Registration, new residents informed of obligation when applying for driver's license: SB 6130
- Rental car businesses, registration required, required business practices and rental car license plate provisions established: HB 2964, \*SHB 2964, CH 194 (1992)
- Rental cars exempted from motor vehicle excise taxes and additional sales and use taxes imposed in lieu of: \*SHB 2964, CH 194 (1992)
- Rental cars exempted from motor vehicle excise taxes and additional sales and use taxes imposed in lieu of, additional tax imposed to fund traffic safety education programs: HB 2964, SHB 2964
- Rental of fleet vehicles, additional sales tax imposed: HB 1820
- Rental or lease vehicles, county may impose tax for financing all or part of cost of maintaining and operating a public sports stadium facility: HB 2982
- Rental vehicles, vehicle rental tax imposed, establishment of rates and collection procedures: HB 2282
- Repair, deceptive acts and practices prohibited and requirements established concerning estimates, parts return, charges, warranties, and recordkeeping: HB 2536, SHB 2536
- Repossession of collateral upon default, duty of secured party to return property of debtor not covered by security interest within forty-eight hours: SSB 6083
- Repossession of, secured party's duty to protect and return personal property in repossessed vehicle: SSB 6083
- Retail installment contracts, service charge of one and one-half percent per month may be charged on balances for contracts entered into between July 1, 1992, and July 1, 1994: HB 2944
- Retail installment sales, service charge not to exceed schedule or rate agreed to by contract: \*HB 2944, CH 193 (1992)
- Right hand lane use by motor vehicles with gross weight of ten thousand pounds or more required, exceptions: SSB 5237
- Safety belts, enforcement of safety belt law by law enforcement officers as pretext for harassment prohibited: SHB 1503
- Safety belts, requirement that law enforcement officer may enforce only as a secondary action deleted: SHB 1503
- Sales and use tax, county may impose tax to acquire or operate public sports stadium facility or youth sport activities: \*SHB 2964, CH 194 (1992)
- Salespersons, exemption from overtime compensation requirements for work weeks in excess of forty hours: HB 2845
- Salespersons, overtime compensation requirements met by paying the greater of one and one-half the hourly rate for work in excess of forty hours a week or commission, salaries, or salaries plus commission: \*SHB 2845, CH 94 (1992)
- Seizure, forfeiture of motor vehicle of driver whose license suspended or revoked: HB 1260
- Size and weight load limit violations, moneys received for violations to be deposited in state patrol highway account: HB 1989

- Size, weight, or load violations, response by written submission sent to court may substitute for personal appearance: HB 2712
- Sobriety checkpoint programs authorized: HB 2013
- Social security number on license application required: HB 1803
- Sports stadium facilities, county may impose tax on motor vehicle rental or lease to finance all or part of cost of maintaining and operating a public facility: HB 2982
- Sports stadium facilities, county may impose tax on motor vehicle rental to acquire or operate stadium facility or youth sport activities: \*SHB 2964, CH 194 (1992)
- State employees, disabled, exempted from automobile license fees: HB 1078
- Taillights, blue dot taillights permitted on vehicles over forty years old: \*SSB 5425, CH 46 (1992)
- Taxicabs, bonding requirements, minimum amount increased: HB 1953, HB 2107
- Taxicabs, revised provisions relating to: \*SSB 6460, CH 114 (1992)
- Tire load limits on vehicles over ten thousand pounds established: HB 2762, SHB 2762
- Tires, studded tire use prohibited: HB 1154
- Tires, studded tires, period for which use is authorized reduced: SHB 1154
- Title and registration fees, reimbursement of county for operational losses in collecting fees: HB 2024, SHB 2024
- Tow truck operator lien, limitation on amount of deficiency claim for towing and storage does not apply to law enforcement impounds: \*HB 2844, CH 200 (1992)
- Traffic fatalities, duty of traffic safety commission to collect and publish description of each fatality, requirements for information to be included: HB 2863
- Traffic safety education program, tax of two dollars per day imposed on lease or rental of motor vehicle license for hire to support: HB 2449
- Traffic safety education programs, appropriation to fund: HB 2247
- Trauma registry, health department to collect information on traumatic head injuries suffered by bicyclists, motorcyclists, and motor vehicle operators: HB 2863
- Truck weight study to assess amount of payment damage due to containerized cargo into and out of Washington ports: HB 2168
- Vehicular assault, definition and defenses: HB 1134
- Vehicular homicide, definition and defenses: HB 1134
- Victims of drunk or intoxicated drivers, offender may be required to attend educational program focusing on the emotional, financial, and physical suffering of victims: \*SB 6295, CH 64 (1992)
- Violations, failure to comply with promise to appear is gross misdemeanor: \*SB 6140, CH 32 (1992)
- Violations, high occupancy vehicles, presumption that registered owner was operator when violation occurred: HB 1128

## MOTORCYCLES

- Consolidation and updating of laws relating to motorcycles: HB 2863
- Endorsements and instruction permits, revised provisions relating to: HB 2863
- Helmets, nonprofit organization members temporarily exempt from requirement when participating in special community activity: HB 1512
- High-performance super cycles, classification as category four for special motorcycle endorsement of driver's license: HB 2567
- Operating and equipment provisions, revised requirements: HB 2863
- Pawnbrokers authorized to make personal loans on: HB 2863

Trauma registry, health department to collect information on traumatic head injuries suffered by bicyclists, motorcyclists, and motor vehicle operators: HB 2863

#### **MUNICIPAL COURT**

Court commissioners, appointment and qualifications: HB 2500

Deferral of determination that a traffic infraction was committed, limitations and standards: SHB 1552

#### **MUNICIPAL RESEARCH COUNCIL**

County research services account created to fund government research and services: HB 2338, SHB 2338

County research services, council duties expanded to include contracting for county research services: HB 2338, SHB 2338

Membership, revised provisions: SHB 2338

Regulatory and other ordinances, city and town clerks required to provide to council upon its request after adoption: SHB 1275

#### **MUSEUMS**

Museum of Flight, appropriation to museum for development, artifact restoration, and construction of "builders" exhibit: HB 2410

Thomas Burke Memorial Museum, matching fund appropriation to develop and install permanent exhibits: HB 2579

#### **MUSHROOMS**

Wild mushrooms, specialized forest products permit required to harvest, possess, and transport wild mushrooms, limit set on amount that may be harvested: \*SHB 2865, CH 184 (1992)

Wild mushrooms, specialized forest products permit required to harvest, possess, or transport more than a specified amount: HB 2865, SHB 2865

#### **NAMES**

Change of name orders, district court to collect fee for filing and to transmit fee and order to county auditor for filing and recording: \*SSB 6135, CH 30 (1992)

Change of name orders, permanent retention required: \*SSB 6135, CH 30 (1992)

#### **NATIONAL GUARD**

Tuition waivers for guard members at state colleges and universities: HB 1097, SHB 1097

#### **NATURAL DEATH ACT**

Amended provisions: HB 1481

Durable power of attorney or authorized health care decision-maker may be utilized to control health care decisions: \*SHB 1481, CH 98 (1992)

Emergency medical personnel, department of health to adopt guidelines for personnel in regard to patients who do not wish to receive futile treatment: \*SHB 1481, CH 98 (1992)

Nutrition and hydration, defined as life-sustaining procedures that declarant may have withheld or withdrawn: SHB 1481



Nutrition and hydration, defined as life-sustaining treatment that declarant may have withheld or withdrawn: \*SHB 1481, CH 98 (1992)

Pain medication for terminal patients should not be withheld where intent of providing medication is to increase patient comfort: \*SHB 1481, CH 98 (1992)

Permanent unconscious condition, defined as incurable and irreversible condition from which patient has no reasonable probability of recovery from irreversible coma or persistent vegetative state: \*SHB 1481, CH 98 (1992)

## **NATURAL GAS**

Energy conservation tariff, companies to file: SHB 1335

Motor vehicle fuel, refueling stations development: HB 1902

Weatherization for low-income residences, companies to submit plan by December 31, 1991: SHB 1335

## **NATURAL RESOURCE ENFORCEMENT, OFFICE**

Creation: HB 1010

## **NATURAL RESOURCES**

Local government to develop regulations to protect natural resource lands: SHB 1673

Resources of state-wide significance, committee to identify and develop recommendations for their protection: SHB 1670

Seaweed harvesting, regulation on state-owned aquatic lands: SHB 1455

Seaweed, maximum daily wet weight harvest or possession limit set at ten pounds per person for seaweed taken from private and state tidelands and state bedlands for personal use, violation is a misdemeanor: SHB 1455

Senior environmental corps created, goals: HB 2560, \*SHB 2560, CH 63 (1992)

Timber, processing of timber within timbershed of origin required for restricted timber from sales from department lands: HB 2000

## **NATURAL RESOURCES CONSERVATION AREAS**

Revised definitions and provisions relating to conservation areas: SHB 1204

## **NATURAL RESOURCES, BOARD**

Diamond Point trust parcel, sale to parks and recreation commission, authority to vary boundaries and acreage of parcel transferred: \*SHB 2990, CH 185 (1992)

Trust land, board and parks and recreation commission to negotiate a sale of withdrawn trust lands to the commission for inclusion in specified state parks, terms and conditions of sale: HB 2990, \*SHB 2990, CH 185 (1992)

## **NATURAL RESOURCES, DEPARTMENT**

Aquatic lands, rental rates for, authority to phase in large rate adjustments annually until appropriate lease level is reached: HB 2878

Community and urban forestry program, departmental duties: SHB 1111

Cooperative resource management programs, grant program established: HB 1823

Fire risk in wildland/urban interface areas, development of rating system to evaluate risks, development of insurance rate incentives for landowners undertaking mitigation measures: HB 2519

- Fire risk in wildland/urban interface or intermix, development of rating system to evaluate levels of wildfire risk: SHB 2519
- Forest fires, departmental investigative duties: SHB 1205
- Forest practices act, revisions: HB 1823
- Forest practices, application and notification to conduct, procedures: HB 2330, \*SHB 2330, CH 52 (1992)
- Habitat management practices, to study methods of application as standards to agricultural and grazing lands owned or managed by agency: SHB 2628
- Marine aquatic plant research, department and department of fisheries to explore possibility of private funding for: SHB 1455
- Natural resources real property replacement account created: HB 2533; SHB 2533, \*SB 6161, CH 167 (1992)
- Pulp wood and timber, highway rights of way plantings to provide potential source, duties: HB 2003
- Purchase or exchange of tax-paying parcel of land, requirement that county receive property of equal or greater tax value: HB 1967
- Real property disposition allowed without public auction under specified conditions: \*SB 6161, CH 167 (1992)
- Real property replacement funded from consideration for property transfer or disposition: HB 2533, SHB 2533, \*SB 6161, CH 167 (1992)
- Real property transfer or disposition allowed, conditions: HB 2533, SHB 2533, \*SB 6161, CH 167 (1992)
- Real property transfer or disposition nonpermanent when funds used to acquire replacement property: HB 2533, SHB 2533, SB 6161
- Record of survey not required when it is a retracement or resurvey and no discrepancy is found when compared to recorded information or other public survey map records, authority to pass rules limiting exemption: SSB 5557
- Resurvey may not impair the bona fide rights of a landowner who may be affected by the resurvey, resurveys limited to dependent surveys only: HB 2738
- Resurvey, landowner right to challenge a resurvey and to receive compensation when bona fide rights were impaired: HB 2736
- Storm water, special committee on government storm water pollution and liability created, membership and duties: HB 2946
- Sustainable forestry act adopted: HB 1823
- Timber management and harvesting, only those rules in effect when a stand of timber is planted are applicable to: HB 2428
- Timber workers, employment of dislocated workers under the counter-cyclical program: HB 1600

#### **NATUROPATHY**

- Termination provisions for naturopathy statutes repealed: HB 2854

#### **NEGOTIABLE INSTRUMENTS**

- Uniform commercial code articles 1, 3, and 4, revision and update of provisions relating to negotiable instruments and checks: HB 1964

#### **NEWS MEDIA**

- Agriculture industry, attorney general authorized to assist in recovering damages for dissemination of misleading information regarding: HB 1935
- Apple industry, class action suit against program "60 Minutes" for statements regarding, appropriation to assist: HB 1935
- Child sexual abuse victims, dissemination of identifying information by authorities or press prohibited: HB 2348; SHB 2348
- Child sexual abuse victims, information revealing identity of child victims of sexual assault confidential and not subject to public disclosure, courts authorized to seal information identifying child victim: \*SHB 2348, CH 188 (1992)
- Liquor advertising, health warnings required, penalties for noncompliance: HB 2380

**NEWSPAPERS (See also NEWS MEDIA)**

- Carriers under the age of eighteen with gross income below two thousand dollars per month exempted from tax registration requirements: HB 2895
- Child sexual abuse victims, dissemination of identifying information by authorities or press prohibited: HB 2348, SHB 2348
- Child sexual abuse victims, information revealing identity of child victims of sexual assault confidential and not subject to public disclosure, courts authorized to seal information identifying child victim: \*SHB 2348, CH 188 (1992)
- Sales tax exemption, "newspaper" defined for purpose of exemption on distribution and newsstand sales: HB 2019

**NOISE**

- Noise pollution responsibilities of department of ecology transferred to department of health: HB 2283, SHB 2283

**NONPROFIT CORPORATIONS**

- Business activities, property use to promote allowed for three days in any month: HB 2346
- Nonprofit facility, redefinition to allow additional facilities to be eligible for financing by housing finance commission: HB 2486, SHB 2486
- Property use for gain or to promote business activities allowed for three days in any month: HB 2346

**NONPROFIT ORGANIZATIONS**

- Before-and-after school child care programs, appropriation to fund: HB 2623
- Before-and-after-school child care facility grant program established, promotion of programs in or near public schools established as state policy: SHB 2528
- Before-and-after-school child care programs, funding provided to encourage programs in or near public elementary schools: HB 2528
- Business and occupation tax exemption for payments and contributions by public entities to promote conventions, tourism, and economic development: HB 1898, SB 5661
- Charitable fund-raising organizations, exempts real and personal property from property tax when organization meets specified conditions: HB 2892
- Charitable gaming events allowed when conducted by gaming management company in accordance with this law and the rules of the gambling commission: HB 2987
- Fund raising events, reference to fund raising events removed from list of gambling games authorized for these groups to conduct: HB 1763

- Life insurance, certain nonprofit organizations allowed to be named as owner and beneficiary of individual life insurance policy, terms and conditions for joint application for or transfer of policy: \*SSB 6241, CH 51 (1992)
- Life insurance, certain tax-exempt organizations allowed to insure the life of a person: HB 2306
- Life insurance, donor permitted to transfer ownership interest in life insurance policy to certain tax-exempt organizations: SHB 2306
- Liquor in bottle offered as raffle prize allowed: HB 2123
- Nonprofit corporations incorporated by state authorized to joint interlocal cooperation agreements: HB 2269
- Property tax exemption for charitable fund-raising organizations, real and personal property exempt when organization meets specified conditions: HB 2892
- Property tax exemption for nonprofit homes for the aging, revised income and eligibility provisions and study requirements: HB 2639, \*SHB 2639, CH 213 (1992)
- Public assembly halls or meeting places, property tax exemption not lost for inadvertent use to promote business gain unless part of a pattern of inconsistent use: SHB 2346
- Public assembly halls or meeting places, property tax exemption unaffected by use for casual and isolated sales activities exempt from state sales tax: SHB 2346
- Raffle prizes, bottled liquor may be offered as: HB 2123
- Sales tax and business and occupation tax exemptions for organizations serving meals for fundraising purposes: HB 1067
- Sales, use, and business and occupation tax exemptions for organizations serving meals for fundraising purposes: SSB 5929
- Video card games, authority to operate, conditions and taxation: HB 1652, SHB 1652
- Violation of agency law, rule, or order, nonprofit organization given reasonable opportunity to correct in lieu of penalty, exceptions: HB 2234

#### **NORTHERN IRELAND**

- Investment of state funds in corporations adopting the MacBride principles: SHB 1407

#### **NUCLEAR POWER**

- Northwest low-level waste compact, payment of costs for compact meetings held outside Washington state prohibited: SB 6203

#### **NUCLEAR-RELATED INDUSTRY**

- Promotion of lease between state and federal government at Hanford, department of trade and economic development to cooperate with associate development organizations located in or near the Tri-Cities area: \*SSB 6494, CH 228 (1992)

#### **NUISANCES**

- Agricultural activity in conformity with federal, state, and local laws and rules is not a nuisance and may not be restricted as to the hours of operation in which it may be conducted: \*SHB 2457, CH 151 (1992)
- Agricultural nuisances, restrictions on activities that may be restrained, revised provisions: HB 2457
- Agricultural practices conforming to all laws and rules may not be restricted as to time of day or day of the week: SB 6223

- Firearm or other deadly weapon, unlawful use in or adjacent to dwelling that threatens physical safety of others is a nuisance and may be abated as such: \*SSB 5986, CH 38 (1992)
- Forest activities consistent with good forest practices do not constitute a nuisance: HB 2330, \*SHB 2330, CH 52 (1992)
- Moral nuisances, upper limit on civil fine for maintaining moral nuisance increased: HB 1978, SSB 5644

#### **NURSERIES (See HORTICULTURE)**

#### **NURSERY SCHOOLS (See KINDERGARTENS, NURSERY SCHOOLS, AND PRESCHOOLS)**

#### **NURSES**

- Clinical privileges and staff membership to be extended to nonphysician practitioners within the scope of their practice: SHB 2084
- Nurse practitioners, authority of advanced practitioners to prescribe drugs: HB 1138
- Nursing assistants, licensing requirements, revised provisions: HB 1908
- Practical nurses, licensing requirements revised for licensed practical nurses: HB 1257
- Practical nursing, board of, revised provisions: HB 1257
- School nurses, initial and continuing certification, rules: HB 1658
- School nurses, nurse/student ratios: HB 1658
- Surgical care, delegation of preoperative and postoperative care, limitations on: HB 1968

#### **NURSING HOMES**

- AIDS pilot facility, nursing supplies cost exempt from percentile reimbursement limit: \*HB 2811, CH 182 (1992)
- Administrators, board of nursing home administrators, membership, duties, and authority: \*SHB 1258, CH 53 (1992)
- Administrators, licensing and practice requirements revised: \*SHB 1258, CH 53 (1992)
- Administrators, licensing and practice requirements, administrative authority of department of health: \*SHB 1258, CH 53 (1992)
- Advisory council continued: HB 2810
- Aging and adult services, advisory council on, membership and duties: HB 1124
- Auditing and cost reimbursement, compliance with requirements relating to land, depreciable assets, and resident finances: SHB 1123
- Auditing and cost reimbursement, cost reporting and calculation of reimbursement rates, revised provisions: HB 2741
- Cost index lid, prospective rates for nursing services cost center for fiscal years 1992 and 1993 not subject to: HB 1253
- Facility construction, renovation, and replacement, department of social and health services to review current funding methods: HB 2968
- Hospitalization of medicaid recipient, provider to hold bed open for at least five days following discharge, medicaid reimbursement rate: SHB 1226
- Hospitalization of medicaid recipient, provider to hold bed open for at least three days following discharge, medicaid reimbursement rate: SHB 1226
- Interdepartmental advisory council for persons with functional disabilities to replace nursing home advisory council: HB 1921

- Medicaid eligibility, committee to study asset transfer and estate recovery as they relate to establishing medicaid eligibility, especially for nursing facility residents: HB 2968
- Medicaid recipients, provider to hold bed of hospitalized recipient open for at least five days following discharge, reimbursement rate: SHB 1226
- Medicaid recipients, provider to hold bed of hospitalized recipient open for at least three days following discharge, reimbursement rate: SHB 1226
- Medicare certification, exemption to requirement that facilities obtain and maintain, department may grant to facilities making good faith effort to obtain certification: HB 2931, HB 2968, \*SSB 6354, CH 215 (1992)
- Nursing facilities, terms "nursing home," "skilled nursing facility," and "intermediate care facilities" removed: HB 1126
- Nursing pools providing temporary nursing services, regulation of rates charged by: HB 1249
- Prospective cost-related reimbursement system, requirements for participation, exemption: \*SSB 6354, CH 215 (1992)
- Rate setting procedures, revised provisions: HB 2968
- Refund of deposits or minimum stay fees required when resident's stay, at the daily rate, does not exhaust the deposit or fee: HB 2916
- Rural health care facilities and hospitals, revised certificate of need requirements: HB 2420, SHB 2420, \*SSB 6076, CH 27 (1992)
- Sale of nursing facilities, elimination of gain on sale provisions: HB 2968
- Tax imposed on nursing homes for the privilege of doing business, rate set, appropriation made for prospective rate increases to cover medicaid share of tax: HB 2968
- Utilization review by department of social and health services: HB 1126

### OCEAN RESOURCES

- At risk coastal resources, Olympic natural resources center to study: SHB 2047
- Coastal resources program created at the University of Washington and Grays Harbor College, program goals and requirements: HB 2047
- Liaison program for oceanographic information, authority to participate in: HB 1406
- Pacific Ocean resources compact, adoption of: HB 1517
- Pacific ocean resources compact, adoption of: HB 2545

### OCULARISTS

- "Ocularist" defined: HB 1863
- Advisory committee created to advise on administration of chapter regulating practice of ocularists: HB 1863
- Licensing and practice requirements, revised provisions: HB 1863

### OIL AND GAS

- Acquisitions and mergers in the petroleum industry, notice to and review by the attorney general: HB 1611
- Aquifers, proposed pipeline must demonstrate that it will meet federal regulations designed to protect sole source aquifer areas: HB 2701
- Archaeological resources included among those resources to be protected by oil and hazardous substances spill prevention and response program: HB 2389, \*SHB 2389, CH 73 (1992), SB 6013
- Energy policy, congress asked to develop a national energy policy: SHJM 4010

- Gasohol, all gasoline sold after January 1, 1993, to be gasohol: HB 1580
- Gasoline, local option sales and use tax authorized on gasoline to fund public transit and transportation systems: HB 2070
- Maritime commission assessments, proposed increases, revised filing requirements, administrator may reject unjustified increase prior to adoption as final rule: \*SHB 2389, CH 73 (1992)
- Motor fuel limitations by company to be imposed uniformly on stations and dealers: SHB 1924
- Motor vehicle fuels marketing, joint select committee on, creation, membership, and duties: SHB 1924
- Natural gas, use of compressed natural gas as school bus fuel, report to analyze potential for: HB 1179
- Oil and hazardous substances spill prevention and response, archaeological resources included among those resources to be protected by program: HB 2389, \*SHB 2389, CH 73 (1992), SB 6013
- Oil heat advisory committee created, membership and duties: HB 1896
- Oil heat commission created, membership, powers, and duties: HB 1720
- Oil heat tank pollution liability act: HB 1896
- Oil spill prevention and clean-up, revised provisions and definitions: HB 2389, \*SHB 2389, CH 73 (1992)
- Oil transmission lines to conform to local zoning and environmental codes: HB 1251, SHB 1251
- Oil transmission lines, applicant to pay city and county costs of site application process, procedure: HB 2654
- Oil transmission lines, applicants to pay all costs incurred by city or county for activities related to site application process, city or county to submit quarterly statement of expenses: HB 2970
- Oil transmission lines, applicants to pay fees to cities and counties for activities related to energy facility site evaluation process in specified situations, amount of fees set: SHB 2970
- Oil transmission lines, siting and regulation to comply with local government planning and control: HB 2653
- Petroleum marketing practices, regulation of unfair practices: HB 1611
- Pipelines, proposed pipeline must demonstrate that it will meet federal regulations designed to protect sole source aquifer areas: HB 2701
- Pipelines, strict liability imposed on persons responsible for discharges of petroleum or petroleum products from transmission facilities: HB 2701
- Recycling of used oil, public education requirements: SHB 1459
- Strict liability imposed on persons responsible for discharges of petroleum or petroleum products from transmission facilities: HB 2701
- Tank vessels, owner or operator may be required to prove membership in international protection and indemnity mutual organization providing oil pollution risk coverage: \*SHB 2389, CH 73 (1992)
- Underground storage tanks, cleanup financial assistance to owners and operators authorized conditions: SHB 2114
- Used oil, transporter and processor requirements: SHB 1459

**OPEN PUBLIC MEETINGS**

- Civil penalty for member of a governing body who attends a meeting and who knows that action has been taken in violation of the open meeting laws increased: HB 2876, SHB 2876
- Executive sessions, consideration of provisions regarding matters to be considered in closed executive sessions: \*SHB 2876, CH 139 (1992)
- Executive sessions, revised provisions regarding matters to be considered and procedures for moving into: SHB 2876
- Null and void actions, action taken at meeting in violation of the open meeting laws is null and void with specified exceptions: SHB 2876
- Open government, joint select committee on open government to investigate special meetings and notice procedures, executive sessions, meeting agenda publication, and penalties for violations of open public meetings act: \*SHB 2876, CH 139 (1992)
- Open government, joint select committee on, to examine consistent treatment of information under present law, treatment of investigatory records, and groups to include under the open meeting laws: SHB 2876
- Open public meetings act, revised provisions: HB 2876, SHB 2876
- Public agency, governing body, and meeting, redefinitions and executive session, definition: HB 2876, SHB 2876
- Records of proceedings, availability to public: HB 2876, SHB 2876
- Regular meeting requirements, revised provisions relating to scheduling, agendas, and minutes: HB 2876, SHB 2876
- Special meetings called by third class cities and towns required to conform to the special meetings provisions of the open public meetings act: SHB 1275

#### OPEN SPACES

- "Open space land" redefined to include preservation of visual quality or scenic vistas: HB 1887
- Classification and current use valuation of open space lands, revised definitions and procedures: HB 2928, \*SHB 2928, CH 69 (1992)
- Classification as, revised terminology and procedures: SSB 5481
- Classification, advisory committee to assist department of revenue in rulemaking to implement chapter: HB 1513, SSB 5481
- Corridors not to include private land unless interest is acquired to prevent development and control resource management: SB 6401
- Corridors, identification of open space corridor not to restrict authorized development of private property in corridor unless city or county acquires sufficient interest to prevent or control development: SB 6401
- Farm and agriculture conservation land category created and eligibility requirements established: HB 2928, \*SHB 2928, CH 69 (1992)
- Forest land classification withdrawal or removal, notice requirements: HB 2330, \*SHB 2330, CH 52 (1992)
- Forest land, local improvement district special benefit assessments, exemption for: HB 2330, \*SHB 2330, CH 52 (1992)
- Open space corridors, identification of corridor not to restrict use or management of lands in corridor for agricultural or forest purposes unless city or county acquires sufficient interest to prevent control or development: \*SB 6401, CH 227 (1992)



- Preservation of open space and purchase of recreational and wildlife lands, reservation of portion of revenues from increased debt capacity for: SHB 1034
- Private land, designation as wetland, open space, or other public benefit property, full compensation to be paid when designation prohibits or restricts use of property: HB 2739
- Taxation, advisory committee created to assist department in recommending changes in rules regarding: SHB 2928
- Wildlife department lands held for wildlife habitat and recreation considered open space: HB 1370

**OPTICIANS**

- Vision care consumer assistance act enacted to encourage competition in the optical industry: HB 2625

**OPTOMETRISTS, HB 2625****OREGON**

- Fishing guide license fees for Oregon residents, reciprocity provisions and conditions: HB 2792

**ORGAN DONATIONS (See also ANATOMIC GIFTS)****ORGANIC FOOD**

- Certification program, extension to handlers: HB 2502
- Certification, program for producers, processors, and vendors: \*SHB 2502, CH 71 (1992)
- Labeling requirements: HB 2502, \*SHB 2502, CH 71 (1992)
- Processors or vendors, certification requirements: \*SHB 2502, CH 71 (1992)
- Producers, confidentiality of valuable trade information protected: HB 2502, \*SHB 2502, CH 71 (1992)
- Substances approved in production, processing, and handling, department of agriculture to establish list: HB 2502, \*SHB 2502, CH 71 (1992)
- Tolerance level of prohibited material established: \*SHB 2502, CH 71 (1992)

**OSTEOPATHIC MEDICINE AND SURGERY**

- Physician assistants, board may authorize the use of alternative supervisors for assistants: \*SB 6070, CH 28 (1992)

**OSTEOPATHIC PHYSICIAN ASSISTANTS**

- Alternative supervisors for assistants, board of osteopathic medicine and surgery may authorize use of: \*SB 6070, CH 28 (1992)
- Osteopathic physicians, practice under supervision and control of osteopathic physician authorized: HB 2915

**OSTEOPATHIC PHYSICIANS**

- Abortion, persons authorized to perform abortions limited to osteopathic physicians and physicians in accredited hospital or approved medical facility, reporting requirements established: HB 2859

Physician assistants and osteopathic physician assistants, practice under supervision and control of osteopathic physician authorized: HB 2915

### **OUTDOOR RECREATION**

Clear Creek dam rebuilding project, funding for: HB 1361

Diamond Point trust parcel, sale to parks and recreation commission by board of natural resources, authority to vary boundaries and acreage of parcel transferred: \*SHB 2990, CH 185 (1992)

License or permit is not fee for purposes of limiting liability of owner permitting recreational use of land: HB 1369

Senior environmental corps created, goals: HB 2560, \*SHB 2560, CH 63 (1992)

State wildlife and recreation lands management act adopted: HB 2594, \*SHB 2594, CH 153 (1992)

Trust lands, board of natural resources and parks and recreation commission to negotiate a sale of withdrawn trust lands to the commission for inclusions in specified state parks, terms and conditions of sale: HB 2990, \*SHB 2990, CH 185 (1992)

Wildlife and recreation lands management, task force to develop and report recommendations on funding sources for: HB 2594, \*SHB 2594, CH 153 (1992)

### **OUTFITTERS (See PACKERS AND GUIDES)**

### **OZONE DEPLETION**

Biospheric task force created to focus and coordinate state activities in regard to the Greenhouse Effect and ozone layer depletion, membership and duties: HCR 4405

### **PACIFIC SCIENCE CENTER**

Capital improvements, appropriation made to fund a variety of improvements to center's facilities: HB 2725

### **PACIFIC STATES MARINE FISHERIES COMMISSION**

Crab fishing in coastal waters, participation in coast-wide study of Dungeness crab fishery conducted by the commission: \*HB 2294, CH 9 (1992), SB 6052

### **PACKAGE DELIVERY SERVICES**

Permit process for small package delivery services: HB 1529

### **PACKERS AND GUIDES**

Fishing guide license fees for Oregon residents, reciprocity provisions and conditions: HB 2792

### **PAINTS**

Paint and coating applicators, education, testing, and licensing requirements established, penalties set for violations: HB 2400, SHB 2400

### **PAPER**

Paper mill waste, department of ecology to study impacts of regulating: HB 2029

Pulp and paper mills discharging chlorinated organics, department of ecology may require that each submit an engineering report on cost of installing technology to reduce

discharges, restrictions on establishing limits on discharges: \*2SSB 5724, CH 201 (1992)

Pulp mills, issuance of permits for discharge of chlorinated organic compounds prohibited until federal government issues final guidelines: 2SSB 5724

Recycled content of products, manufacturers' requirements: HB 2678

## PARALEGALS

Certification requirements: HB 1975

## PARENTS AND PARENTING

Abortion, parental consent required for unemancipated minor child to obtain abortion, exceptions: HB 1700

Child support schedule adopted: HB 2143

Confidentiality requirements not applicable to postdecree mediation required pursuant to a parenting plan: HB 1089

Educational records of child, each parent to have full and equal access, revised provisions: SHB 2154

Family court and family court services expanded, revised provisions: SHB 2155

Income withholding actions or alternative arrangements for child support, revised provisions: SHB 2153

Mediation, confidentiality requirements not applicable to postdecree mediation required pursuant to parenting plan: HB 1089

Minors with substance abuse problems or mental disorders, involuntary commitment of, parental request for: HB 1418

Modification of a parenting plan or custody decree, revised provisions: HB 2784, \*SHB 2784, CH 229 (1992)

Modification of child support actions, filing, service, and response requirements, revised provisions: SHB 2154

Modification of parenting plan, grounds for minor changes: HB 1087, HB 2188, SHB 2188

Parent as first teacher pilot program: HB 1749, SHB 1749

Parenting plan, confidentiality requirements not applicable to postdecree mediation required pursuant to: HB 1089

Parenting plans, conditioning performance of one part of plan upon performance of another to be considered bad faith act: HB 2188, SHB 2188

Payroll deductions for child support, when office of support enforcement authorized to issue, court may authorize alternative payment plan: SHB 2153

Residential time and visitation rights of parents who sexually abuse their children, third party supervision required: HB 2529, SHB 2529, HB 2778

Wage assignment orders for child support, revised provisions: SHB 2153

## PARKING

Boarding homes, department of licensing authorized to issue special disabled parking permits and license plates to: \*HB 2417, CH 148 (1992)

Disabled persons, fines imposed for improper parking in spaces for disabled to be used by local jurisdiction for law enforcement: SHB 1634

Disabled persons, fines increased for improper parking in spaces for the disabled: SHB 1634

Special parking privileges, revised provisions: SHB 1703

State agencies and facilities, development and implementation of comprehensive transportation and parking program: SHB 1564

State agencies and facilities, parking and transportation management advisory committee, duties: SHB 1564

### **PARKS**

Controlled substances crimes in protected areas, penalties increased: HB 2311

Diamond Point trust parcel, sale to parks and recreation commission by board of natural resources, authority to vary boundaries and acreage of parcel transferred: \*SHB 2990, CH 185 (1992)

Martin Luther King, Jr. memorial park, appropriation: HB 2829

Pesticide warning signs, posting required when pesticides are applied to grounds by certified applicator, information to be supplied to owner of property: HB 2705

State park lands, parks and recreation commission authorized to sell closed park lands to city or county, reversionary interest to be reserved in conveyance: HB 2978

Trust lands, board of natural resources and parks and recreation commission to negotiate a sale of withdrawn trust lands to the commission for inclusions in specified state parks, terms and conditions of sale: HB 2990, \*SHB 2990, CH 185 (1992)

### **PARKS AND RECREATION COMMISSION**

Boat pumpout facilities, commission to consider funding for: HB 2363, SHB 2363, \*SSB 6132, CH 100 (1992)

Boating programs, allocation of fund to, revised provisions: HB 1648

Diamond Point trust parcel, sale to commission, authority to vary boundaries and acreage of parcel transferred: \*SHB 2990, CH 185 (1992)

Fees charged to park users, commission to review: SHB 1916

Model river program created: SHB 1836

Park user fees, commission to conduct review of fees charged: HB 1916

Protected river designation, commission to prepare eligibility list: SHB 1836

Protected rivers, local government management plan, requirements: SHB 1836

Protected rivers, state management plan, requirements: SHB 1836

River assistance team, duties: SHB 1836

River management program, duties: SHB 1836

Sale of closed park lands to city or county for one dollar, reversionary interest to be reserved in conveyance: HB 2978

Senior environmental corps created, powers and duties: HB 2560, \*SHB 2560, CH 63 (1992)

Trust lands, board of natural resources and commission to negotiate a sale of withdrawn trust lands to the commission for inclusion in specified state parks, terms and conditions of sale: HB 2990, \*SHB 2990, CH 185 (1992)

### **PAROLE (See PROBATION AND PAROLE)**

### **PATERNITY**

Actions, limits set for commencement of action by mother or department of social and health services: HB 1781

### **PAWNBROKERS AND SECOND-HAND DEALERS**

Commercial paper excluded from definition of personal property: HB 1488  
Motorcycles, pawnbrokers authorized to make personal loans on: HB 2863  
Regulation revisions: HB 1815, SHB 1815

### **PEDESTRIANS**

Intersection control area, vehicle operators required to stop for pedestrians lawfully within:  
HB 2442, SHB 2442  
Safety education program, traffic safety commission is to develop and execute a state-wide  
program: SHB 2442  
Safety instruction required in grades kindergarten through six: HB 1171  
Safety program, traffic safety commission to perform an evaluation of state's overall  
pedestrian safety program: SHB 2442  
School pathway and bus stop improvement program and council established, council  
membership and duties set out: HB 2780  
State bicycle transportation and pedestrian walkways plan, state-interest component of  
state-wide transportation plan to include, required elements set out: SHB 1816  
Vehicle operator's obligation to stop to allow pedestrian in crosswalk to cross intersection:  
SHB 1934

### **PENINSULA COMMUNITY COLLEGE**

Higher education opportunities program for dislocated timber workers, allocation increased:  
SHB 1870

### **PENSIONS AND RETIREMENT (See RETIREMENT AND PENSIONS)**

Teachers' retirement system, service credit authorized for periods of unpaid leave as elected  
official of a Washington education association: HB 2418, \*SSB 6186, CH 3 (1992)

### **PERSIAN GULF**

Desert Shield, health and retirement coverage continued for employees called to active  
service: HB 1359, SSB 5092  
Desert Storm veterans made eligible for veterans' benefits: SSB 6011  
Middle East veterans affairs office, advisory council, created: SHB 1530, HB 2164  
Operation Desert Shield service, death benefits allowed for state employees' retirement  
systems members: SHB 1269  
President and state congressional delegation urged to rely on diplomatic efforts and  
economic sanctions to resolve crisis: HJM 4000  
Retirement service credit authorized for members of state retirement systems during period  
in which employment is interrupted by military service, conditions and restrictions:  
\*SSB 5092, CH 119 (1992)  
Service credit authorized for members of state retirement systems during period in which  
employment is interrupted by military service, conditions and restrictions: \*SSB  
5092, CH 119 (1992)

### **PERSONAL PROPERTY TAX (See TAXES - PERSONAL PROPERTY TAX)**

### **PERSONNEL AND HUMAN RESOURCES, DEPARTMENT**

Director of, office created, powers and duties: HB 1035

Name change from department of personnel and powers and duties of department revised:  
HB 1035

### **PERSONNEL APPEALS BOARD**

Abolished, transfer of duties to state personnel board: SHB 1655

### **PERSONNEL BOARD**

Assumption of duties of personnel appeals board and higher education personnel board:  
SHB 1655

Preference for hiring Washington residents if legislature or the governor has initiated a  
reduction in force, duty to establish by rule: HB 2855

Volunteer members of emergency services, paid leave granted when in training or on call,  
duties: SHB 1047

### **PERSONNEL, DEPARTMENT**

Child care coordinating committee, representative from department added to membership  
of: HB 2308, SHB 2308

Child care for children of state employees, program and policy development duties: HB  
2308, SHB 2308

Combined benefits communication project, retirement planning and potential consequences  
of early retirement, department to prepare information regarding: \*SHB 2947, CH  
234 (1992)

Personnel and human resources, department of, name change and revision of powers and  
duties of department: HB 1035

Retirement planning and potential consequences of early retirement, department to prepare  
information regarding: \*SHB 2947, CH 234 (1992)

State employee child care liaison established, duties: SHB 1471

### **PESTICIDES**

Agricultural employer to prearrange emergency medical for potential or actual exposure of  
workers: SHB 1567

Agricultural employer to provide protective clothing or device, prearranged emergency  
medical care: HB 1567

Application notification requirements: HB 2244

Applicators, recordkeeping and posting requirements modified: HB 2317

Applicators, recordkeeping requirements: HB 1261, SHB 1261, HB 2357

Emergency medical care for agricultural workers, employer to prearrange: HB 1567, SHB  
1567

Health hazards to workers and public, identification and reduction in use of pesticides that  
pose: HB 1765

Integrated pest management practices, low toxicity control agents and registered pesticides  
that have minimal effect on ecosystem's natural controls: SHB 1486

Landscape applications, notice requirements: HB 2872, \*SB 6093, CH 176 (1992)

Licensing laws, revised provisions: \*HB 2448, CH 170 (1992)

List of highly toxic pesticides to be published annually by department of agriculture: HB  
2244

Local regulation of pesticides prohibited except as expressly authorized by legislature: SB  
6273

- Minor uses advisory committee created in department of agriculture, membership and duties: HB 1688
- Notice requirements for landscape and right of way applications of pesticides: HB 2872, \*SB 6093, CH 176 (1992)
- Pesticide-sensitive people to be given notice of landscape and right of way applications: HB 2872, \*SB 6093, CH 176 (1992)
- Pesticide-sensitive people, compilation and distribution of list to applicators: HB 2872, \*SB 6093, CH 176 (1992)
- Posting and recordkeeping provisions, revised requirements: HB 2715, HB 2831, \*SHB 2831, CH 173 (1992)
- Posting and recordkeeping required: HB 2209, HB 2210
- Posting requirements: HB 2209
- Posting requirements prior to application, revised provisions: HB 1687
- Protective clothing or device for agricultural workers, employer to provide: HB 1567
- Protective clothing or device, employer to provide if recommended by pesticide's safety data sheet: SHB 1567
- Recordkeeping and posting provisions, revised requirements: HB 2715, HB 2831, \*SHB 2831, CH 173 (1992)
- Recordkeeping and posting required: HB 2209, HB 2210
- Recordkeeping and posting requirements modified: HB 1728, HB 2228, HB 2317
- Recordkeeping and posting requirements revised: HB 2357
- Recordkeeping and reporting by electronic means, director of agriculture may establish pilot project: HB 2777
- Recordkeeping and reporting by electronic means, rulemaking authority or director of agriculture: HB 2777
- Registration and reregistration, department of agriculture to develop assistance and information program: HB 1688
- Registration statements, disclosure to departments of labor and industries and health authorized, restrictions: HB 2576
- Regulation, local regulation of pesticides prohibited except as expressly authorized by legislature: SB 6273
- Regulatory authority given to department of agriculture and local regulation prohibited: HB 2531, SB 6273
- Retail sales outlets, annual dealer license required as well as compliance with home and garden pesticides public notice requirements and mixing and diluting prohibitions: HB 2705
- Right of way applications, notice requirements: HB 2872, \*SB 6093, CH 176 (1992)
- Warning signs, posting of signs required when pesticides are applied to school grounds, day care centers, parks, or residential property by certified applicator, information to be supplied to owner of property: HB 2705

## PHARMACIES AND PHARMACISTS

- Dispensing drug outlet, definition, board of pharmacy regulatory authority regarding: HB 2893
- Dispensing of prescription product is service not creating any implied warranty under the uniform commercial code: SHB 1556
- Insurance, prescription medicine purchase limited to designated pharmacy prohibited in policies: HB 2586

- Liability of pharmacist in dispensing prescriptions products, immunities and recordkeeping requirements: SHB 1556
- Licensing provisions: HB 1918, SHB 1918
- Nonresident pharmacies using mail to conduct business in state must be licensed by department of health: HB 1917
- Pharmacy assistants, lapsed or nonrenewed certificate, reissuance fee and penalty: HB 1918, SHB 1918
- Pharmacy assistants, ratio to pharmacists for supervisory purposes: HB 1555, \*SSB 5465, CH 40 (1992)
- Prescription drugs, insurance policies prohibited from limiting where prescriptions may be purchased: HB 1069, SHB 1069
- Prescription drugs, pharmacist's and practitioner's duty to supply information to assure proper utilization: SHB 1003
- Prescription drugs, review of multitiered pricing of requested: HJM 4003
- Prescription medicine purchase limited to designated pharmacy prohibited in health care insurance policies: HB 2586
- Prescriptions, filling of a prescription written by a nonstate-licensed authorized prescriber after six months permitted: HB 1110

#### **PHARMACY, BOARD**

- Controlled substances, analogs of controlled substances to be treated as schedule I substances: HB 2587, SHB 2587, SSB 6191
- Controlled substances, authority to control, revised provisions: HB 2587, SHB 2587, SSB 6191
- Controlled substances, reporting procedures for Schedule II controlled substances, rulemaking authority: HB 1163, SHB 1163
- Controlled substances, revision of schedules of drugs under control of the board: HB 2587, SHB 2587, SSB 6191
- Dispensing drug outlet, definition, board authority regarding: HB 2893
- Drug regulation, revised definitions terms used in the regulation of drugs by the board: HB 2588, SHB 2588, SSB 6192
- Legend drugs, identification and labeling system for, board to establish by rule: HB 2017
- Uniform controlled substances act, comprehensive revision and update, penalties increased for violations: HB 2028, SHB 2028

#### **PHYSICAL THERAPIST ASSISTANTS**

- Licensing requirements established: HB 2988

#### **PHYSICAL THERAPISTS**

- Physical therapy assistants, certification requirements, physical therapy board to administer examination: HB 2732
- Physical therapy board membership expanded by addition of one physical therapist and one physical therapy assistant member: HB 2732

#### **PHYSICIAN ASSISTANTS**

- Alternative supervisors for assistants, board of medical examiners may authorize the use of: \*SB 6070, CH 28 (1992)



Osteopathic physicians, practice under supervision and control of osteopathic physician authorized: HB 2915

Podiatric care, physician assistants allowed to provide: HB 1862

Surgical care, delegation of preoperative and postoperative care, limitations on: HB 1968

## **PHYSICIANS**

Abortion, persons authorized to perform abortions limited to osteopathic physicians and physicians in accredited hospital or approved medical facility, reporting requirements established: HB 2859

Alcohol abuse, disciplinary board authority to obtain driving record to assist in identifying impairment due to: HB 1895

Hospital charges, state hospital association and others invited to develop a protocol to establish a standardized system for disclosure of charges for hospital-based services: SHB 2341

Hospital in-house services ordered for patients, hospital disclosure to health care providers of charges for: HB 2341, SHB 2341

Inactive license status, rulemaking authority and administrative duties of board of medical examiners: HB 1849

Intermittent or provisional practice by physicians sixty-five years old or older; reduced license fee to be established: HB 2048

Malpractice insurance for retired physicians providing free care to low-income people at community clinics, department of health to purchase insurance for, terms and conditions for participation set out: \*SHB 2337, CH 113 (1992)

Malpractice insurance purchased for retired physicians providing free services to low-income persons: HB 2337, SHB 2337

Medical test site provisions repealed: SHB 1070

Retired physicians providing free care to low-income people at community clinics, department of health to purchase liability insurance for, terms and conditions for participation set out: \*SHB 2337, CH 113 (1992)

Retired physicians, provision of free services to low-income persons, immunity from civil liability: SB 5371

Retired physicians, provision of free services to low-income persons, malpractice insurance provided: HB 2337, SHB 2337

Surgical care, delegation of preoperative and postoperative care, limitations on: HB 1968

Unconventional practices, medical disciplinary board not to take adverse action without finding of harm to patient: HB 1397

## **PIERCE COUNTY**

District court judges, two additional positions authorized: HB 1114

## **PILOTAGE COMMISSIONERS, BOARD**

Pilot examinations, conduct by board, requirements: HB 1423

## **PILOTS, MARITIME**

Examinations, conduct by board of pilotage commissioners, requirements: HB 1423

## **PLASTIC**

Bottles or rigid containers, code labeling requirements, penalties for violations: SHB 1459

Connecting rings for beverage or other containers, sale prohibited, exceptions: HB 2840, SHB 2840

Litter assessment, packaging materials, department of revenue duties: SHB 1459

Packaging materials, maximum recycling and recycled content levels adopted: SHB 1459

#### **PLATS**

Dedications, restrictions on alterations that diminish or change use of dedication: HB 2276

Division for purpose of lease by governmental agencies allowed: HB 2563

Record of survey not required when it is a retracement or resurvey and no discrepancy is found when compared to recorded information or other public survey map records:  
\*SSB 5557, CH 106 (1992)

Record of survey not required when no material variance found in boundary retracement:  
HB 2022

Testamentary provisions, divisions of land by, prohibited: HB 2679

Utilities, designation of availability on recorded plats: SSB 5062

Wildland/urban interface areas, fire protection requirements for plat approval in high or extreme risk level area: HB 2519

#### **PLUMBING AND PLUMBERS**

"Plumbing" defined for certification purposes: HB 1356

Backflow prevention assembly installers and testers, certification requirements: HB 1356

Irrigation systems installer defined: HB 1356

Water conservation performance standards, fixtures to meet standards, testing and identification requirements: HB 2109, SHB 2109

#### **PODIATRY AND PODIATRISTS**

Medical assistance or other state-funded medical care programs, podiatric physician authorized to provide foot care under: HB 2753

Physician assistants allowed to provide limited podiatric care: HB 1862

#### **POISONING PREVENTION**

Poison information center, department of health to report on funding, efficiencies, and fees associated with establishing a single center and to recommend funding levels and how center should be funded: SHB 2016

Poison information center, revised provisions relating to organization, administration, authority, and duties of: SB 6031

Poison information center, service delivery, revised provisions: HB 2016, SHB 2016

Poison information center, service to be centralized in a single center by June 30, 1993: HB 2016, SHB 2016

Poison information specialist, certification by secretary of health required to perform the duties of: SHB 2016

Reproductive hazards, poison control network centers to provide information on substances: SHB 1725

#### **POLICE**

Firearms, agencies allowed to trade forfeited firearms for other police equipment, conditions and procedures: HB 1966

Harassment, notification of the victim and law enforcement of release from prison or mental hospital of person who was charged or convicted of felony harassment required: \*SHB 2702, CH 186 (1992)

Sexual offenders, notice to be given police chief prior to release when future residence unknown, requirements: \*SHB 2262, CH 45 (1992)

Warrant officer position to be maintained by the city within the police department, revised nomenclature, powers, and duties: \*HB 1732, CH 99 (1992)

Warrant servers, authority to maintain within department: HB 1732

Weapons on school premises, arrest for probable cause authorized: SB 6122

### **POLITICAL PARTIES**

County central committee chair and vice-chair need not be of opposite sexes: HB 2658

State committee chair and vice-chair need not be of opposite sexes: HB 2658

### **POLLUTION**

Ballast water, department of ecology to adopt rules to regulate discharge: HB 2365

Heating oil tank leaks, oil heat commission created, membership, powers, and duties: HB 1720

Oil heat tank pollution liability act: HB 1896

Shellfish tidelands, plans and programs to protect: HB 2363, SHB 2363, \*SSB 6132, CH 100 (1992)

Waste entering state waters, parks and recreation commission to consider funding for portable boat pumpout facilities: HB 2363, SHB 2363, \*SSB 6132, CH 100 (1992)

Watershed financial assistance program created in department of ecology to assist counties to form and implement watershed protection districts: HB 2363, SHB 2363

Watershed protection districts and programs to protect shellfish in counties with saltwater tidelands: HB 2363, SSB 6132

### **POLLUTION CONTROL BOARD**

Biosolid use and disposal permits, local health department may appeal department decision to pollution control hearings board: \*SHB 2640, CH 174 (1992)

Sludge, local health department may appeal a department of ecology permit decision to the board: \*SHB 2640, CH 174 (1992)

### **POLLUTION LIABILITY INSURANCE AGENCY**

Oil heat commission created, membership, powers, and duties: HB 1720

Oil heat tank pollution liability act, duties: HB 1896

Underground storage tank community financial assistance program, duties: SHB 2114

### **PORNOGRAPHY**

Erotic sound recordings, "adults only" labeling required: \*HB 2554, CH 5 (1992)

Minors, erotic sound recordings' ready accessibility to minors prohibited: \*HB 2554, CH 5 (1992)

### **PORT DISTRICTS**

Aircraft noise abatement, programs of soundproofing structures executed if owner waives damages and conveys easement: HB 2375

- Airport expansion to be consistent with air transportation policy plan, duties: HB 2609, SHB 2609
- Airport runways, moratorium placed on Seattle-Tacoma expansion: HB 2754
- Airport runways, when city may place land use controls on land used by port district: HB 1524
- Airports, Moses Lake supported in application as international port of entry: HB 2754
- Annexation of adjacent territory located in another less than county-wide port district, procedure: HB 2488
- Bidding practices revised: HB 2505, SHB 2505
- Bonuses for employees or officials prohibited in districts with population of one hundred thousand or more: SHB 1546
- Commissioners, commissioner districts, division of port district into: HB 1150, \*SHB 1150, CH 146 (1992)
- Commissioners, compensation per diem and additional, revised provisions: \*SHB 1150, CH 146 (1992)
- Commissioners, compensation, salary and per diem: HB 2175
- Commissioners, district boundary change not to affect term of incumbent: HB 2245
- Commissioners, election procedures revised: HB 1150, \*SHB 1150, CH 146 (1992)
- Commissioners, increase in number of commissioners to five, procedures established: \*SHB 1150, CH 146 (1992)
- Commissioners, term of office reduced to four years: HB 1150, \*SHB 1150, CH 146 (1992)
- Competition for business between class A or AA port districts located within a forty-mile radius prohibited: HB 1502
- Creation of less than county-wide district authorized in county bordering on saltwater which already has such a district, procedures established: \*HB 2287, CH 147 (1992)
- Fees based on gross receipts of business involved in port-related activity, restrictions on port's authority to charge: HB 1928
- Indebtedness, limit on amount district may contract for: HB 1119
- Nonvoter-approved tax, districts with population of more than one hundred thousand, study and public hearing required before levy imposed: SHB 1546
- Property tax, districts with population of less than one hundred thousand, levy authority: SHB 1546
- Property tax, receipts by districts treated as nonoperating income: SHB 1546
- Recycling obligations: HB 1021
- Runway construction of one thousand feet or more or runway expansion by any political subdivision or municipal corporation prohibited until air transportation commission submits final report: \*SHB 2609, CH 190 (1992)
- Runway construction or expansion by any large political subdivision or municipal corporation in western Washington prohibited until air transportation commission presents its final report: \*SHB 2609, CH 190 (1992)
- Runway construction, decision by commission subject to referendum: HB 1506
- Small works rosters, process for districts to award contracts on works estimated to cost less than one hundred thousand dollars: HB 2505, SHB 2505
- Unclaimed property, disposition of property held by district: HB 2018
- Washington public ports association required to publish annual summary of port district finances: SHB 1546

**PORTS, PUBLIC**

Truck weight study to assess amount of pavement damage due to containerized cargo into and out of Washington ports: HB 2168

**PREGNANCY**

Alcohol and drug abuse, family planning services training for substance abuse counselors: HB 2364, SHB 2364

Alcohol and drug education and counseling, program to develop and promote state-wide secondary prevention strategies, four pilot pretreatment projects for pregnant women to be established: HB 2913

Alcohol and drug misuse during and immediately after, local prevention and treatment programs: HB 1410, SHB 1410

Alcohol and drug use, preparation and distribution of educational materials on effects of: HB 1965, SHB 1965

Basic health plan, maternity coverage excluded for pregnancies diagnosed after June 30, 1992, one month exception to provide continuity of care: HB 2994, SHB 2994

Chemically dependent pregnant women, mothers, and infants, interagency coordination of service delivery required: SB 6051

Children of substance abusers, task force on, membership and duties: SHB 1109

Infant drug exposure assessment and monitoring program established: SB 6051

Norplant implants, procedure to require involuntary insertion of implant in woman giving birth to baby with fetal alcohol syndrome or addicted to drugs: HB 2909

Prenatal and postnatal services provided under medical assistance program, basic health plan coverage excluded for pregnancies diagnosed after June 30, 1992: HB 2994, SHB 2994

Prenatal drug or alcohol exposure, planning for learning project created to prepare strategies for teaching children with: SSB 6366

Reproductive health care, Title X funding urged to provide accurate and unbiased information for low-income women: HJM 4025

Reproductive status in workplace where hazardous substances may harm reproductive function, discrimination prohibited: SHB 1725

Substance abuse by pregnant women, training and education of health professionals regarding effects of: SB 6051

Workplace exposure to hazardous substances that may cause birth defects or harm reproductive system, prospective employees must be informed of: SHB 1725

Workplace exposure to hazardous substances that may harm reproductive function, temporary job modification provisions: SHB 1725

**PRENATAL CARE**

Prenatal drug or alcohol exposure, planning for learning project created to prepare strategies for teaching children with: SSB 6366

**PRESCHOOLS (See KINDERGARTENS, NURSERY SCHOOLS, AND PRESCHOOLS)****PREVAILING WAGE (See WAGES AND HOURS)****PRINTERS AND PRINTING**

State printing, documents to show total cost of run and cost of individual document on cover or first page: HB 1644

State printing, union labels required on, exceptions: HB 1639

### PRISONS AND PRISONERS

Alternatives to total confinement, inmate work responsibility program to reduce prison costs, repay cost of confinement, and provide job skills: HB 2834, SHB 2834

Community placement, inmate to report residence location and living arrangements to department of corrections during period of: HB 2267, SHB 2267

Correctional facilities, correction of references to state correctional facilities: HB 2263, \*SHB 2263, CH 7 (1992)

Costs of incarceration, obligation of inmate to pay, assessment and collection procedures: HB 1685

Crimes committed in state correctional institutions, consecutive sentences for offenders committing serious violent crimes while incarcerated: SHB 2834

Early release time, completion of high school required before early release time can be taken, conditions and exceptions: HB 1962

Electronic monitoring, day reporting, and telephone reporting, offender to pay cost of services rendered when able to do so: HB 2266

Indeterminate jurisdiction of all inmates and parolees to be terminated by June 30, 1998, indeterminate sentence review board to recommend a detailed plan to legislature by December 31, 1992: SHB 2834

Inmate transition training program established: HB 2203

Inmate work and responsibility board of directors, membership and duties: HB 2834, SHB 2834

Inmate work programs, leasehold tax exemption for interests used for operation of correctional industries: HB 2268, \*SHB 2268, CH 123 (1992)

Inmate work programs, operation and management of employer model and customer model free venture industries, revised provisions: HB 2268, \*SHB 2268, CH 123 (1992)

Inmate work programs, participants in free venture industries may deduct gross inmate wages from measure of business and occupation tax amounts: HB 2268, \*SHB 2268, CH 123 (1992)

Inmate work programs, wage standards for inmates working in tax reduction industries and community work industries, revised provisions: HB 2268, \*SHB 2268, CH 123 (1992)

Inmate work responsibility program, development of comprehensive strategy for reducing prison costs through an: SHB 2834

Jail industries, comprehensive work programs for inmates: HB 2334, SHB 2334

Jail industries, inmate compensation for work in: HB 2334, SHB 2334

Limitations on actions by prisoners, statute not tolled during term of imprisonment: HB 1689

Parole periods established for sex and violent offenders and for all other offenders, terms, conditions, sanctions for violations, and final discharge provisions established: SHB 2834

Parole, indeterminate sentence review board not to release offender unless the board determines that the offender does not present a serious risk to the community while on parole: SHB 2834

- Prison industries, twenty-five percent participation in class I and II industries to be achieved by December 30, 1996, and fifty percent participation by December 30, 1998, application of inmate wages to incarceration costs: SHB 2834
- Punishment units, definition, use in sentencing process: HB 2834, SHB 2834
- Residence location and living arrangements, inmate required to report to department of corrections while in period of community placement: HB 2267, SHB 2267
- Sentence reduction for defendant convicted of murder prior to July 23, 1989, when victim subjected defendant or defendant's children to continuing sexual or physical abuse and the murder was in response to that abuse: HB 2703, SHB 2703
- Sentencing alternatives, sentencing guidelines commission to continue development of alternatives to confinement for nonviolent offenders: SCR 8429
- Special services for offenders, offender to pay for services when financially able to do so: HB 2266
- Subsistence account to be used for expenses upon release, portion of prison earnings to be deposited in: SSB 6125
- Transition training program for inmates established: HB 2203
- Violent offenders, additional community placement authorized: HB 2354, SHB 2354
- Wages, twenty percent of wages of inmate convicted of criminal act resulting in injury to another to go to victim's compensation fund: HB 1982
- Whereabouts of inmate during period of community placement to be reported to department of corrections: HB 2267, SHB 2267

## PRIVACY

- Address disclosure of actual or threatened victim of domestic violence prohibited, certificate authorizing protected record status: HB 2156
- Administrative search warrants prohibited for searches of private residences, informed consent of occupant required: HB 1692
- Discrimination, employer discrimination against employee for consumption of lawful products off premises during nonworking hours prohibited: SHB 2274
- Employer discrimination against employee for consumption of lawful products off premises during nonworking hours prohibited: SHB 2274
- Health care records, authorization for information disclosure by provider to expire ninety days after issuance: HB 2568, SHB 2568
- Health care records, information disclosure by provider, fee: HB 2568, SHB 2568
- Health care records, third-party payor allowed access to beneficiary's health information for payment purposes: SHB 2568
- Health care records, unauthorized disclosure of name, residence, and sex allowed for purposes of identification, further disclosures allowed in cases of public record: SHB 2568
- Infant mortality review by local health department authorized, confidentiality of records: HB 2571, SHB 2571, \*SB 6296, CH 179 (1992)
- Mentally ill, release of patient records in event of death authorized, restrictions: SB 6121
- Organic food producers, confidentiality of valuable trade information protected: HB 2502, \*SHB 2502, CH 71 (1992)
- Personally identifying information, written consent required prior to sale, marketing, transmission, release, or dissemination of: HB 2730
- Privacy and informational technology, joint select committee on, creation, membership, and duties: HB 1774

Reproductive rights, initiative 120: \*HI 120, CH 1 (1992)

**PRIVATE SCHOOLS (See SCHOOLS AND SCHOOL DISTRICTS)**

**PRIVATE SECURITY FIRMS (See SECURITY GUARDS AND FIRMS)**

**PROBATE**

Costs of administration deductible from decedent's estate: SHB 1061

Funeral expenses deductible from decedent's estate: SHB 1061

Holders of financial assets, duties of, repeal of RCW 11.92.095: \*SB 6008, CH 224 (1992)

Intestate, surviving spouse to receive none of decedent's share of estate if decedent has filed for dissolution or separation: HB 2657

RCW 11.92.095 repealed: HB 2243, \*SB 6008, CH 224 (1992)

Simultaneous death, 1991 uniform simultaneous death act enacted: HB 2752

Slayers denied state retirement system beneficiary benefits, considered to have predeceased decedent for purposes of distribution: HB 2246, SHB 2246

**PROBATION AND PAROLE**

Electronic monitoring authorized as a condition for release or probation, defendant may be required to bear monitoring costs: \*SB 6103, CH 86 (1992)

Final discharge, grant of final order of discharge and issuance of certificate of discharge to parolee, revised conditions: SHB 2834

Parole periods established for sex and violent offenders and for all other offenders, terms, conditions, sanctions for violations, and final discharge provisions established: SHB 2834

Parole, indeterminate sentence review board not to release offender unless the board determines that the offender does not present a serious risk to the community while on parole: SHB 2834

Sanction grid to be developed in cooperation with the department of corrections for dealing with parole violations with revocation reserved as the last alternative: SHB 2834

Sexually violent predators, reincarceration of predator released into community on parole when that person refuses to undergo treatment authorized: HB 2959

Violent offenders, additional community placement authorized: HB 2354, SHB 2354

**PROCESS SERVERS**

Registration fee: HB 2370, \*SHB 2370, CH 125 (1992)

Registration required, procedures and exceptions: HB 2370, \*SHB 2370, CH 125 (1992)

**PROPERTY**

Crimes, market value of stolen property or service redefined: HB 2323, SHB 2323

Document preparation for property sales or loans, repeal of obsolete RCW sections: \*SB 6329, CH 91 (1992)

Documents for property sales or loans, preparation by certain persons, provisions repealed: HB 2361

Donated or worthless property exempted from the uniform unclaimed property act: \*HB 2841, CH 122 (1992)



- Forfeited property, seizing agency to make reports to and remit portion of proceeds to state treasurer for deposit in drug enforcement and education account: \*2SSB 5318, CH 210 (1992)
- Fraudulent means to obtain or use rental or leased property, penalties: HB 2888
- Intangible personal property, taxation of income from: HB 2197
- Intangible property, when presumed abandoned and subject to state custody: \*HB 2682, CH 48 (1992)
- Lease-purchase agreement act: HB 2299, \*SHB 2299, CH 134 (1992)
- Property rights protection act: HB 1134
- Rental or leased property, fraudulent means to obtain or use, penalties: HB 2888
- Repossession of collateral upon default, duty of secured party to return property of debtor not covered by security interest within forty-eight hours: SSB 6083
- Repossession of motor vehicle, secured party's duty to protect and return personal property in repossessed vehicle: SSB 6083
- Subdivision, testamentary means prohibited if otherwise unlawful: HB 1449
- Taking of private property, establishes a process to determine when a taking has occurred: HB 1334
- Taking of private real property, establishes a process to determine when a taking has occurred: SHB 1334
- Transfer, tax on greater of federal credit or ten percent of net estate imposed: HB 2196

## **PROPERTY TAX (See TAXES - PROPERTY TAX)**

### **PROSECUTING ATTORNEYS**

- Fire protection sprinkler system contractors, authority to bring civil proceedings to enforce chapter: \*HB 2290, CH 116 (1992)
- HIV testing of juvenile offenders in sexual offense, prostitution, and drug offense cases required: HB 2491, SHB 2491
- Involuntary commitment or detention, prosecutor to represent petitioner for commitment and defend all challenges to commitment or detention in judicial proceedings for or challenging involuntary commitment or detention: HB 2862
- Salary increases, state to reimburse county for additional costs incurred: HB 1848
- Sexually violent predator, to be notified of anticipated release of, requirements: HB 2262, \*SHB 2262, CH 45 (1992)

### **PROSTITUTION**

- HIV testing of adult and juvenile offenders in sexual offense, prostitution, and drug offense cases required: SSB 5086
- HIV testing of juvenile offenders in sexual offense, prostitution, and drug offense cases required: HB 2491, SHB 2491

### **PSYCHOLOGISTS**

- Medical assistance program, psychology services included in: HB 1678
- Psychologist disciplinary committee, revised provisions relating to quorums and appointment of members pro tempore: \*HB 2358, CH 12 (1992)

### **PUBLIC ADVOCATE, OFFICE**

- Created, duties: HB 1585

**PUBLIC ASSISTANCE**

- Administrative costs not to exceed twenty-five percent of total cost of program: HB 2827
- Aid to families with dependent children and dependent child, revised definitions: \*HB 2350, CH 136 (1992), SB 6060
- Aid to families with dependent children recipients, drug test or treatment may be ordered: HB 2096
- Aid to families with dependent children, eligibility and assistance limitations: HB 2827
- Aid to families with dependent children, medical services copayments provided: HB 2827
- Aid to families with dependent children, recipient participation in community enhancement activities: HB 2827
- Aid to families with dependent children, recipient responsibilities: HB 2827
- Aid to families with dependent children, resource exemption to include savings account up to one thousand five hundred dollars, limitations: HB 2827.
- Aid to families with dependent children, temporary child care and transportation for work-related activities when need demonstrated: HB 2827
- Aid to families with dependent children, transitional benefits: HB 2827
- Aid to families with dependent children-employable, mandatory participation in JOBS program required for non-exempt parents under age twenty-four and at least one parent in two-parent households: HB 2983, \*SHB 2983, CH 165 (1992)
- Children's mental health, services under public assistance programs increased: SHB 1609
- Chiropractic services to be offered as part of medical assistance programs: HB 2605, SHB 2605
- Community work experience program to be implemented for general assistance recipients not expected to be eligible for supplemental security income and capable of doing public service work: HB 2983, \*SHB 2983, CH 165 (1992)
- Direct landlord pay task force created to study whether housing for recipients would increase were direct pay available: SHB 2152
- Drug tests or treatment may be ordered for aid to families with dependent children recipients: HB 2096
- Earned income, recipients allowed to retain half and dependent children all of their earned income, department to seek waiver to permit: HB 2527
- Earned income, recipients allowed to retain half of their earned income, department to seek waiver to permit: SHB 2527
- Economic empowerment act, provisions and implementation: HB 2827
- Eligibility for ongoing assistance, compliance with compulsory school attendance provisions required: HB 2584
- Eligibility for students over eighteen and demonstrating progress towards secondary school completion, pilot program established: HB 2644
- Families with school-age children, compliance with compulsory school attendance provisions required for ongoing assistance eligibility: HB 2584
- Family independence program, recipient income from related internship or work-study employment allowed: HB 2827
- Food stamps, child support income exempted by federal law not to be considered in determining need or eligibility: HB 1152, HB 1167, SHB 1167
- Food stamps, expedited issuance within twenty-four hours of application to eligible recipients: HB 1167, SHB 1167
- Foot care, podiatric physician authorized to provide foot care under state-funded medical assistance or other medical care programs: HB 2753

- Fraud, investigation of complaints: HB 2827
- Funeral expenses of eligible persons, department responsibility for transportation, preparation, and interment: HB 2556, HB 2874
- Funeral expenses of recipients, responsibility of department of social and health services and surviving children for transportation and funeral services: \*SHB 2874, CH 108 (1992)
- General assistance eligibility for students over eighteen and demonstrating progress towards secondary school completion, pilot program established: HB 2644
- General assistance, community work experience program to be implemented for recipients not expected to be eligible for supplemental security income and capable of doing public service work: HB 2983, \*SHB 2983, CH 165 (1992)
- General assistance, coordination of program with other assistance programs, revised provisions: \*HB 2350, CH 136 (1992), SB 6060
- General assistance, eligibility of persons who have been domiciled in Washington for less than six months and determination of grant amount, revised provisions: HB 2708
- General assistance, technical revisions to delete obsolete language, clarify vague or confusing language, and abbreviate convoluted provisions: HB 2427
- Health services, state employees' benefits board to develop a comprehensive state-purchased uniform benefit package and uniform administrative procedures, board membership modified: HB 2641
- Income assistance programs, grant standards as percentage of standard of need: HB 1436
- Internship earnings, department of social and health services to seek waiver to allow recipients to retain internship income: HB 1941
- JOBS program, mandatory participation in program required for non-exempt parents under age twenty-four and at least one parent in two-parent households as eligibility condition for aid to dependent children-employable: HB 2983, \*SHB 2983, CH 165 (1992)
- Job opportunities and basic skills program, to seek waiver to allow recipients to retain internship income: HB 1941
- Jobs opportunities and basic skills program, recipient income from related internship or work-study employment allowed: HB 2827
- Limited casualty program, maximum deductible increased: HB 1889
- Medicaid, hospitalization of recipient, nursing home to hold bed open for at least five days following discharge, reimbursement rate: SHB 1226
- Medicaid, hospitalization of recipient, nursing home to hold bed open for at least three days following discharge, reimbursement rate: SHB 1226
- Medical assistance, psychology services included in program: HB 1678
- Medical services, department of social and health services authorized to purchase services by contract or at rates set by department: \*HB 2314, CH 8 (1992)
- Medication benefits for former recipients of general assistance, eligibility: HB 1291
- Nursing homes to hold bed of hospitalized medicaid recipient open for at least five days following discharge, reimbursement rate: SHB 1226
- Nursing homes to hold bed of hospitalized medicaid recipient open for at least three days following discharge, reimbursement rate: SHB 1226
- Nursing homes, requirements for participation in prospective cost-related reimbursement system, exemption: \*SSB 6354, CH 215 (1992)
- Paternity actions, limits set for commencement of action by mother or department of social and health services: HB 1781

- Personal property items, department of social and health services prohibited from providing recipients: HB 2827
- Rural hospitals providing essential health care services to medical assistance clients, payment: HB 1795
- Students, general assistance eligibility for students over eighteen and demonstrating progress towards secondary school completion, pilot program established: HB 2644
- Vendor rates, additional rate increases authorized in 1992 and 1993: \*SB 5961, CH 238 (1992)
- Women, infants, and children supplemental food program, number of eligible participants increased: HB 1167, SHB 1167
- Work opportunities program created to foster recipient job training and encourage independence from public assistance: HB 2515

### **PUBLIC BUILDINGS**

- Fire protection fees to be assessed on public entities owning buildings in fire protection district or receiving services from district, procedure set for determination of assessment rate: HB 2788
- Inventory of publicly owned land and buildings suitable for affordable housing: HB 1696, SHB 1696

### **PUBLIC DISCLOSURE**

- Advertising, political, public disclosure of average expenditures by office, notice required on advertising by candidate spending more than the average for that position in the previous election: HB 2880
- Agency employees, information revealing identity of agency employee seeking advice regarding a possible unfair practice under the discrimination laws and requesting that information not be disclosed exempt from disclosure: \*SHB 2876, CH 139 (1992)
- Attorney general review of agency determination that a record is exempt from disclosure, requestor may ask for: \*SHB 2876, CH 139 (1992)
- Business, financial, and commercial information related to the community economic revitalization board's program services, exemption from disclosure: HB 2595
- Campaign contributions, amount and time frame limitations: HB 1445
- Child sexual abuse victims, dissemination of identifying information about victim prohibited without consent of victim or victim's legal guardian other than as specifically allowed: SHB 2348
- Child sexual abuse victims, information revealing identity of child victims of sexual assault confidential and not subject to public disclosure, courts authorized to seal information identifying child victim: \*SHB 2348, CH 188 (1992)
- Contribution and expenditure reporting for candidates for state elective office, penalties for violations: HB 2986, SHB 2986
- Domestic violence victims disclosure of address prohibited, certificate authorizing protected record status, procedure: HB 2156
- Executive state officer, assistant treasurer, deputy treasurer, legal counsel, and investment officer included within definition of: HB 2885
- Executive state officer, redefinition to include certain higher education board officers for reporting responsibilities: SSB 6228

- Health care records, information disclosure by provider, authorization to expire ninety days after issuance absent agreement as to expiration date: SHB 2568
- Health care records, information disclosure by provider, limit on fees for copying records: SHB 2568
- Health care records, third-party payor allowed access to beneficiary's health information for payment purposes: SHB 2568
- Health care records, unauthorized disclosure of name, residence, and sex allowed for purposes of identification, further disclosures allowed in cases of public record: SHB 2568
- Immunity from liability for damages resulting from release of public record when public agency, official, employee, or custodian was acting in good faith when the information was released: \*SHB 2876, CH 139 (1992)
- Independent expenditures, reporting to public disclosure commission, local elections officer, and candidates, requirements: HB 2986, SHB 2986
- Infant mortality review by local health department authorized, confidentiality of records: HB 2571, SHB 2571
- Infant mortality review, local health departments authorized to conduct, confidentiality of records provided by families, department officials and employees, and health care professionals participating in reviews established: \*SB 6296, CH 179 (1992)
- Initiative, referendum, and recall petitions, public disclosure prohibited: HB 1595
- Liberal construction of public records subdivision of chapter and narrow construction of its exemptions required to support a well informed public: \*SHB 2876, CH 139 (1992)
- Local government elected officials, campaign finances disclosure report required: HB 2805
- Local office candidates, campaign contribution and spending limits apply to candidates for local office beginning July 1, 1995, exceptions: HB 2986, SHB 2986
- Medical disciplinary board, authority to obtain driving record to assist in identifying impairment due to alcohol abuse: HB 1895
- Mentally ill, release of patient records in event of death authorized, restrictions: SB 6121
- Multicandidate political committees, annual report filing requirements, required contents: HB 2986, SHB 2986
- Open public meetings act, joint select committee on open government to investigate special meetings and notice procedures, executive sessions, meeting agenda publication, and penalties for open meeting violations: \*SHB 2876, CH 139 (1992)
- Open public meetings act, revised provisions: HB 2876, SHB 2876
- Patients and clients of public emergency medical service, confidentiality of personal information: SHB 1275
- Personally identifying information, written consent required prior to sale, marketing, transmission, release, or dissemination of: HB 2730
- Personnel files of state civil service employees, exemption: HB 2646
- Political advertising, accompanying statement of responsibility required: HB 2376, SHB 2376
- Public disclosure commission, campaign financing limits for candidates for state elective office, authority to revise dollar amounts and to conduct audits and investigations: HB 2986, SHB 2986
- Public meetings, records of proceedings available to public: HB 2876, SHB 2876
- Spending limits, candidate for state office limited in total expenditures that may be made during two or four year election cycle for the office sought, reporting requirements: HB 2986, SHB 2986

State agencies, list of records disclosure exemptions required: HB 2876, \*SHB 2876, CH 139 (1992)

Superintendent of public instruction investigative files, exemption from public disclosure: HB 1984

Witnesses to and victims of crimes, information revealing the identity of witnesses and victims exempt from disclosure: \*SHB 2876, CH 139 (1992)

Writing, redefinition: HB 2876, \*SHB 2876, CH 139 (1992)

#### **PUBLIC DISCLOSURE COMMISSION**

Advertising, political, public disclosure of average expenditures by office, notice required on advertising by candidate spending more than the average for that position in the previous election, commission duties: HB 2880

Audits and field investigations for compliance with campaign practices laws, authority and duty to conduct: HI 134

Campaign financing limits for candidates for state elective office, authority to revise dollar amounts and to conduct audits and investigations: HB 2986, SHB 2986

Independent expenditures, reporting to public disclosure commission, local elections officer, and candidates, requirements: HB 2986, SHB 2986

Multicandidate political committees, annual report filing requirements, required contents: HB 2986, SHB 2986

#### **PUBLIC EMPLOYEES (See PUBLIC OFFICERS AND EMPLOYEES)**

#### **PUBLIC EMPLOYEES' RETIREMENT SYSTEM (See also RETIREMENT AND PENSIONS)**

"Veteran" redefined for purposes of military service credit: HB 1396

City managers, withdrawal from system, retroactive refund to cities authorized: HB 2098

Community corrections officers, early retirement provisions: HB 1080

Contribution rate for legislators and state officials: SHB 1269

Contribution rates, basic state contribution rates established as of September 1, 1992: HB 2693, SHB 2693, \*SSB 6286, CH 239 (1992)

Cost-of-living increases in benefits for plan I retirees, revised provisions: HB 2956

Cost-of-living increases, calculation of target benefit modified: HB 1603

Cost-of-living increases, changes in terminology: HB 1603

Early retirement allowance reduced: HB 1384

Early retirement authorized for plan I employees meeting specified criteria, prohibition on rehiring as temporary or project employees or through personal services contracts: \*SHB 2947, CH 234 (1992)

Early retirement authorized for plan I employees meeting specified criteria, state agencies prohibited from hiring persons retiring under this act through personal services contracts: HB 2947

Early retirement, eligible employees, qualifying conditions: HB 1077

Funds established for use by system, simplification of designation of: \*HB 2259, CH 212 (1992)

Higher education employees employed incidentally to their education may obtain service credit by paying cumulative contributions plus interest on past waived credit: HB 2711

- Irrigation districts, association of districts included in definition of "employer" for retirement system purposes: HB 1981
- Medicare part B premium, allowance increase to equal: HB 1493
- Merchant marine service credit: HB 1065
- Military service credit, inclusion of plan II members: HB 2078
- Military service, service credit authorized for members during period in which employment is interrupted by military service, conditions and restrictions: \*SSB 5092, CH 119 (1992)
- Operation Desert Shield service, death benefits allowed for members' beneficiaries: SHB 1269
- Overpayments based on miscalculation of the "age sixty-five allowance," recovery prohibited: \*HB 2259, CH 212 (1992)
- Overpayments for certain cost of living adjustments, recovery prohibited: HB 2645
- Recodification of retirement provisions, technical corrections made to 1991 recodification: \*HB 2260, CH 72 (1992)
- Reentry into system, restoration of service credits allowed between April 4, 1992, and June 30, 1993, requirements and conditions set: HB 2723
- Retirement allowance, calculation of initial allowance: SSB 5380
- Retirement planning and potential consequences of early retirement, department of personnel to prepare information regarding: \*SHB 2947, CH 234 (1992)
- Seattle police relief and pension fund system, members who withdrew contributions to that system, procedure established to establish service credit in public employees' retirement system: \*SHB 2985, CH 157 (1992)
- Service credit authorized for members during period in which employment is interrupted by military service, conditions and restrictions: \*SSB 5092, CH 119 (1992)
- Spouses of students, service credit for employment at college or community college, conditions: HB 1248
- Withdrawn contributions, reentering members allowed to restore in annual installments: \*SB 5510, CH 195 (1992)

## **PUBLIC FACILITIES**

- System improvements to public facilities, credits to be provided when impact fees are imposed or mitigation measures are required under state environmental policy act: SHB 2842
- System improvements to public facilities, duplication of mitigation and impact fees on the same system improvements prohibited: HB 2842, \*SHB 2842, CH 219 (1992)

## **PUBLIC FUNDS AND ACCOUNTS**

- Academic contests account created, uses of funds in: HB 1149
- Accountancy financial assistance account created to provide assistance to economically disadvantaged students in accountancy programs in their last thirty semester hours of college: SHB 2293
- Agricultural local fund, nursery dealer license surcharge to be deposited in: HB 2315, SHB 2315, \*SB 6027, CH 23 (1992)
- Aid to families with dependent children drug test and treatment fund established: HB 2096
- Air pollution control account created: HB 1754
- Alcohol counteradvertising account created: HB 2378

- Art acquisition program, higher education capital construction funds set aside for program to remain with institution: SB 6227
- Art acquisition program, higher education institution participation optional and on a project-by-project basis: SB 6227
- Asian American endowed scholarship trust fund created: HB 2020
- Asian American scholarship endowment fund created: HB 2020
- Basic education account created: HB 2208
- Basic health plan employer tax account created: HB 2076, HB 2590, SB 6089
- Basic health plan subscription account created: HB 2076, HB 2590, SHB 2590, HB 2641, SSB 6035, SB 6089
- Basic health plan trust account, expenditure of funds, provisions revised: HB 2994, SHB 2994
- Border areas account created, department of community development to distribute funds to border areas: HB 2539
- Budget stabilization account, legislature required to appropriate an amount no less than one-half percent of revenue received from previous biennium to account, limits on transfers from account: HB 2974
- Budget stabilization account, transfer of funds into emergency reserve fund: SB 6470
- Budget stabilization account, transfer of one hundred sixty million dollars to general fund: \*SB 6284, CH 236 (1992).
- Budget stabilization account, transfer of two hundred sixty million dollars to general fund: HB 2744, SB 6284
- Bus research and design account created: HB 2806
- Certified public accountants account, all fees collected by the board of accountancy to be deposited in account beginning with the 1993-1995 biennium: \*SHB 2293, CH 103 (1992)
- Child care facility fund, applications by employee organizations for loans, loan guarantees, or grants: SHB 1808
- Child care facility revolving fund created: SHB 1808
- Children's investment trust account created: HB 2471, SHB 2471
- Clean Washington account established: SHB 1459
- Common school building account established: HB 1589
- Common school construction fund, transfers to fund from geothermal account from funds received until June 30, 2001, limited: HB 2399
- Compulsive gambling fund created: HB 2411, SHB 2411
- County research services account created: HB 2338, SHB 2338
- County sales and use tax equalization account, additional distribution in place of department of wildlife in-lieu tax distribution: HB 2520, SHB 2520
- Dairy products commission facility account created: \*SHB 2950, CH 235 (1992)
- Data processing building construction account created: \*SHB 2950, CH 235 (1992)
- Department of licensing services account created: HB 2643, \*SHB 2643, CH 216 (1992)
- Disaster assistance fund created, authorized uses of moneys in fund: HB 1773
- Drug enforcement and education account, fines, penalties, and forfeiture proceeds from drug violations to be deposited in: HB 2353
- Drug enforcement and education account, seizing agency to make reports to and remit portion of proceeds from property forfeitures to state treasurer for deposit in: \*2SSB 5318, CH 210 (1992)



- Economic development account created within the public facilities construction loan revolving fund, authorized uses: HB 1645
- Economic development finance authority, funds use for individual transactions or programs: HB 2836
- Education construction account created, emergency reserve fund earnings to be transferred to: SB 6470
- Education construction fund created, appropriations to account for use of public schools and named colleges and universities: HB 1178
- Education support account created, all lottery receipts to be deposited into account: HB 2213
- Education technology fund established: HB 2684
- Educational support account created: HB 2232
- Emergency reserve fund created, transfer of earnings to education construction account: SB 6470
- Employment security overpayment interest account created for deposit of interest assessed against unemployment compensation claimants to fund overpayment and collection activities: HB 2914
- Employment security reserve fund created, receipts from reserve tax to be deposited into fund for payment of unemployment benefits: HB 2603, SHB 2603
- Energy efficiency construction account created, appropriation uses: SHB 1022
- Energy efficiency services account, uses: SHB 1022
- Farmworkers housing assistance trust fund created: HB 2362, SHB 2362
- Fingerprint identification account created for deposit of fees from school district fingerprint checks and expenditures authorized only for the cost of background checks: \*SHB 2518, CH 159 (1992)
- Fire mobilization account created, expenditures to be made only for expenses of mobilizing fire fighting resources: HB 2624, SSB 6272
- Fire services trust fund created: HB 1679, SHB 1679
- Firemen's pension fund, investment policies revised: \*SB 6226, CH 89 (1992)
- Fish and wildlife education account created: HB 2630
- Flood control assistance account may receive moneys appropriated by legislature and other moneys received by the state for providing flood control financial assistance: HB 2972
- Flood control assistance account, transfers of funds to keep account between four and ten million dollars authorized: HB 2512
- Flood control assistance revolving funds account established, name changed from flood control assistance account: HB 1772
- Food processing inspection account created: \*SSB 6393, CH 160 (1992)
- Funding, publications describing delivery of public services to include information about source of funding for services: HB 2999
- Funeral directors and embalmers account created: HB 2468, SSB 5759
- General fund, transfer of one hundred sixty million dollars from budget stabilization account to: \*SB 6284, CH 236 (1992)
- General fund, transfer of two hundred sixty million dollars from budget stabilization account to: HB 2744, SB 6284
- Geothermal account, transfers from account to common school construction fund from funds received until June 30, 2001, limited: HB 2399
- Hanford sublease rent account created: \*SSB 6494, CH 228 (1992)

- Health care revenue account created: HB 2641
- Health services trust fund created: HB 2590, SHB 2590, SB 6089
- Higher education financial aid account created: HB 2729, SHB 2729
- Higher education financial aid, institutions to match state funds with grant funds from private sources: SHB 2729
- Higher education operating fee account created for each institution: SHB 2729
- Higher education operating fee fund created: HB 2729
- Higher education operating fees account to be established for each four-year institution and one to be established for the community colleges as a whole: \*SB 6285, CH 231 (1992)
- Higher education quality enhancement fund established: HB 2743
- Highway heritage account created: HB 1888
- Highway safety fund, all drivers' license fees to be deposited in: HB 1801
- Home and garden pesticide education account created and expenditures authorized: HB 2705
- Housing trust fund, affordable housing project sale eligible for fund assistance: HB 1421, SHB 1421
- Housing trust fund, appropriation for capitalization of fund: HB 1623, SHB 1623
- Housing trust fund, contributions from lottery account eliminated: HB 2411, SHB 2411
- Housing trust fund, deposit of revenue from exemption on tax on interest received on loans except that from first-time homebuyers: HB 1622
- Housing trust fund, housing assistance program loans from revenues in: HB 1624
- Job training partnership account created: HB 2006, SHB 2006
- Job training trust fund created, funds to be used to train and retrain adults who need vocational skills to be employed: HB 2603, SHB 2603
- Land use compensation fund under control of director of department of ecology created: HB 1693
- Library resources account established: HB 1235
- Litter control account renamed waste reduction, recycling, and litter control account, expenditures from account authorized for specified programs: \*SHB 2635, CH 175 (1992)
- Local government administrative hearings account created: HB 2976, \*SSB 6321, CH 44 (1992)
- Local highway heritage account created, receipts from vehicle rental tax to be deposited in account and expenditures authorized: HB 2282
- Lost fishing net recovery fund created: SHB 1012
- Manufactured housing transaction recovery fund created, recovery actions against fund to be filed with department of community development: HB 2949, SHB 2949
- Marine fish enhancement research fund created: HB 1011
- Master license fund created: HB 2618, SHB 2618, \*SSB 6461, CH 107 (1992)
- Minority and women-owned businesses loan fund established: HB 1737, SHB 1737
- Motor vehicle fund, transfers to ferry bond retirement fund for vessel and terminal acquisition, construction, and improvement to be reimbursed from the Puget Sound capital construction account: HB 2989
- Municipal criminal justice account, revised distribution procedures: \*HB 2655, CH 55 (1992), SB 6270
- Natural resources conservation areas stewardship account, revised provisions: SHB 1204

- Natural resources real property replacement account created: HB 2533, SHB 2533, \*SB 6161, CH 167 (1992)
- Northern Ireland, investment of state funds in corporations adopting the MacBride principles: SHB 1407
- Oil heat commission remedial action account established: HB 1720
- Oil heat pollution liability fund created, expenditures authorized for remedial actions, third-party claims, and administrative costs: HB 1896
- Paint and coating applicators account created: HB 2400, SHB 2400
- Predisposal account, packaging materials manufacturers fees deposited in: HB 1826
- Private vocational school account created and expenditures authorized: HB 2423, SHB 2423
- Public facilities construction loan revolving fund, economic development account created within fund, authorized uses: HB 1645
- Public safety and education account, funding of qualified legal aid program civil representation for indigent persons from account authorized: \*SHB 1378, CH 54 (1992), HB 2997
- Public safety and education account, percentage of superior court filing fees deposited in account increased: \*SHB 1378, CH 54 (1992), HB 2997
- Public safety and education account, safety education officer program and commercial vehicle enforcement program to be funded from: HB 1802
- Public services, publications describing delivery of services to include information about source of funding for: HB 2999
- Public transportation systems account, use of funds for public transit planning and capital projects development: HB 2941
- Public works assistance account, project loans recommended by public works board: HB 2302, \*SHB 2302, CH 135 (1992), SSB 6146
- Puget Sound public transportation systems account, use of funds for public transit planning and capital project development: HB 2941
- Radioactive waste disposal host area economic development account created: SHB 2031
- Real estate education account created: SB 6184
- Real estate education account created and expenditures from account authorized: HB 2691
- Remedial or precollege classes at four-year higher education institutions, state funds use prohibited, exception: HB 2670
- Rural arterial trust account, governor may withhold revenues from county or city not in compliance with growth management planning requirements: SHB 1669
- Rural health access account created: HB 2993, \*SHB 2993, CH 120 (1992)
- Sales and use tax equalization account, county, additional distribution in place of wildlife in-lieu tax distribution: HB 2520, SHB 2520
- Scrap metal recycling account created: HB 2091
- Secured benefit fund established: SHB 1569
- Sludge monitoring account created: SHB 1963
- Small business export finance assistance center fund created, expenditures authorized: HB 1990
- Special educational services demonstration projects, unnecessary labeling of children discouraged while funding necessary services for children with identifiable needs: \*SHB 2551, CH 180 (1992)
- Specialized transportation services fund established, authorized uses: HB 1507
- State agency housing account created, all new construction to be paid for only with funds from account: HB 2473

- State agency transportation and parking management account created: SHB 1564  
 State lands management fund created: SHB 1563  
 State lands stewardship account created, revenue sources: HB 1916, SHB 1916  
 State patrol highway account, moneys received from size and weight load limit violations to be deposited in: HB 1989  
 Students with disabilities endowed scholarship trust fund established: HB 2189  
 Students with disabilities scholarship endowment fund established: HB 2189  
 Tort claims revolving fund created, payment of tort claims from fund, conditions: HB 1561  
 Toxics control reserve account, hazardous substances incineration facility permit application review fees deposited in: HB 2665  
 Transportation improvement account in motor vehicle fund created: HB 1816  
 Transportation improvement account, governor may withhold revenues from county or city not in compliance with growth management planning requirements: SHB 1669  
 Treasurer-managed funds and accounts, changes to fee system: HB 1233  
 Treasurer-managed funds and accounts, treatment of earning from investment of balances: HB 1233  
 Treasury accounts, crediting of earnings on the balances of certain accounts, revised provisions: HB 2689  
 Tutor account created and authorized use of funds specified: HB 2422  
 Unemployment compensation administrative contingency fund, use as compliance resource when audit and compliance issues are raised requiring expenditure of state resources: HB 2914, SHB 2914  
 Unemployment compensation, correction of statutory reference relating to purposes for which moneys in account to provide financing for special programs may be expended: HB 2278  
 Urban arterial trust account, governor may withhold revenues from county or city not in compliance with growth management planning requirements: SHB 1669  
 Veteran's assistance fund, allowable tax levy rate increased: HB 1107  
 Volunteer fire fighters relief and pension fund, inclusion of volunteer emergency service workers in benefits provided by fund: 2SSB 5335  
 Volunteer fire fighters' relief and pension administrative fund created: \*HB 2398, CH 97 (1992)  
 Volunteer fire fighters' relief and pension fund, revised provisions: \*HB 2398, CH 97 (1992)  
 Washington healthcare service trust fund and accounts created: HB 2205  
 Waste reduction, recycling, and litter control account created: HB 2635  
 Waste reduction, recycling, and litter control account created as successor to the litter control account, expenditures from account authorized for specified programs: \*SHB 2635, CH 175 (1992)  
 Water pollution control revolving fund, expenditures subject to legislative appropriation: HB 2992  
 Water quality account, interest to be included in aggregate revenues for determining account transfers: HB 2038  
 Water quality account, transfer of funds, provisions revised: HB 2992  
 Wildlife and recreation lands management account created, allocation and distribution of moneys in account specified: HB 2594, \*SHB 2594, CH 153 (1992)

## PUBLIC HEALTH

- Antifreeze, safety standards for sale, violation a misdemeanor: HB 2570
- Bone marrow donor recruitment and education program created: HB 2710, \*SSB 6069, CH 109 (1992)
- Community-based long-term care and support services system for functionally disabled, establishment and administration: SHB 1569
- Explosives, classification of unlawful uses and destruction of seized explosives: SSB 6153
- HIV diseases, testing of persons charged with criminal offenses: SSB 5086
- Infant mortality review by local health department authorized, confidentiality of records: HB 2571, SHB 2571, \*SB 6296, CH 179 (1992)
- Infectious waste, definition and restrictions on disposal of: HB 2079
- Mobile home parks, health and sanitation licensing required to assure that parks meet minimum standards: HB 2173
- Pesticides, identification and reduction in use of pesticides that pose health hazards to workers and public: HB 1765
- Social and health services policy act, impact statement requirements: HB 1684
- Tobacco, prevention of tobacco-caused disease, programs to reduce use by youth and to promote tobacco use reduction: HB 1753, SHB 1753

#### **PUBLIC HEALTH DEPARTMENTS**

- Biosolid use and disposal permits, department of ecology authorized to delegate authority to issue and enforce to local health departments: \*SHB 2640, CH 174 (1992)
- Biosolid use and disposal permits, local health department may appeal department of ecology decision to pollution control hearings board: \*SHB 2640, CH 174 (1992)
- HIV diseases, testing of persons charged with criminal offenses: SSB 5086
- Infant mortality review by local health department authorized, confidentiality of records: HB 2571, SHB 2571
- Infant mortality review, local departments authorized to conduct, confidentiality of records provided by families, department officials and employees, and health care professionals participating in reviews established: \*SB 6296, CH 179 (1992)
- Mobile home park health inspections, duties of local health officer, issuance of certificate of compliance: HB 2904
- Moratorium affecting water-or sewer hookups or septic systems, public hearings, findings of fact, and effective period requirements for adoption of: \*SSB 5727, CH 207 (1992)
- On-site sewerage system permit may not be refused for failure to meet gross area requirement when surrounded by sites approved before June 30, 1984: SB 5135
- Sludge, department may prohibit, on a permit-by-permit basis, the use of municipal sewage sludge: HB 2640
- Sludge, department of ecology may delegate authority to issue and enforce permits to use or dispose of municipal sludge to local health departments, department may review permits issued: \*SHB-2640, CH 174 (1992)
- Sludge, local health department may appeal a department of ecology permit decision to the board: \*SHB 2640, CH 174 (1992)
- Water well construction enforcement authority, delegation to local government agencies authorized: HB 2796, \*SHB 2796, CH 67 (1992)

#### **PUBLIC HOSPITAL DISTRICTS**

- Chaplains employment: SHB 1651

- Chaplains, employment by public health care facilities, constitutional amendment to allow:  
SHJR 4216
- Commissioner election procedures: HB 1897
- Commissioners, restriction on the number of commissioners who may hold hospital privileges at or be employed by the district: HB 2521
- Cooperative agreements and contracts between public hospital districts allowed: SHB 2495
- Election procedures: HB 1794
- Rural public hospital district agreements and contracts with other rural districts authorized:  
HB 2495, SHB 2495
- Rural public hospital districts authorized to enter into interlocal agreements and contracts with other rural districts to cooperatively purchase equipment and provide services:  
\*SHB 2495, CH 161 (1992)

### **PUBLIC INSTRUCTION, SUPERINTENDENT**

- Academic and vocational integration development program established to fund and coordinate three pilot projects: HB 1764
- Academic and vocational integration development program, pilot projects: HB 2359, \*SHB 2359, CH 137 (1992)
- Academic and vocational integration task force, membership and duties: HB 2359, \*SHB 2359, CH 137 (1992)
- Academic and vocational integration, task force on, task force duties: HB 1764
- Apportionment from state general fund, district may receive in equal or proportional installments, rulemaking authority: HB 1220
- At-risk youth, self-supporting motivation or retention programs funding authorized: HB 1374
- Audit, performance audit of common school funding system required: HB 2049
- Basic education requirements, interim waivers allowed to qualifying districts and schools:  
HB 2240
- Certificate of advanced mastery with college preparatory and academic professional technical endorsements, programs to qualify students for: HB 2325
- Certificate of initial mastery, assessment system to be implemented: HB 2325
- Certificate or permit revocation or suspension, authority of superintendent to conduct investigation without complaint from school district or education service district superintendent or private school administrator: \*SHB 2518, CH 159 (1992)
- Children of substance abusers, task force on, support duties: SHB 1109
- College transcripts, random sample to determine eligible credits earned but not recognized in state allocation model: HB 1632, SHB 1632
- Commission on student learning established, membership and duties, coordination of activities with superintendent required: \*SSB 5953, CH 141 (1992)
- Community service as alternative to suspension program, duties: HB 2298
- Community service, superintendent to prepare guidelines for student volunteer programs:  
SHB 2611
- Competency testing of grade twelve students, superintendent of public instruction and districts to conduct annual assessment to determine student competency in specified areas: SSB 5953
- Complex needs grant program created, administrative duties: HB 2200
- Computer-based learning centers for at-risk children, duties: HB 1098

- Cost-of-living differences by county or area, superintendent to review and recommend compensation formula for allocation to school districts: HB 2207
- Criminal record check through state patrol and federal bureau of investigation required for potential school employees, powers and duties: HB 2518, \*SHB 2518, CH 159 (1992)
- Directory of volunteer programs and business or civic club partnerships in schools to be compiled, duties: HB 1417
- Dispute resolution and creative problem solving, to develop and distribute model instructional materials regarding: HB 2600
- Distressed areas, school district funding assistance to districts in with two thousand students or less, conditions: HB 1788
- Distribution formulas, to evaluate and report to the legislature on: SHB 1023
- Drivers' licenses, revocation of license or permit when licensee withdraws from school: HB 1768
- Drop-in to catch-up program, duties: HB 1098
- Dropouts, retrieval outreach efforts funding authorized: HB 1374
- Earthquake preparedness policy in schools, duties: HB 1266
- Education centers, name changed from educational clinics: HB 2320
- Education technology advisory committee, membership and duties: HB 2684
- Education technology fund established: HB 2684
- Education technology section authorized, duties: HB 2684
- Educational clinics, name changed to education centers: HB 2320
- Educational progress oversight panel created to report annually on progress of education reform, panel membership and report content requirements established: SSB 5953
- Educational support account created, dedicated revenues deposited in: HB 2232
- Election procedures: HB 1074
- Election, when primary not required: SHB 1001
- Enhancement funds for local education programs, duties: HB 2240
- Essential core competencies, development and implementation with state board of education: HB 1545
- Excellence in education award program, classified employees included: HB 2794, \*SSB 6327, CH 50 (1992)
- Excellence in education award program, reimbursement and stipend limits established: \*SSB 6326, CH 83 (1992)
- Fair start program established to assist in providing prevention and intervention programs for elementary students: HB 2695, SHB 2695
- Fair start program established to provide early intervention and prevention services for elementary school children, duties: HB 1311, SHB 1311, HB 2240, \*SSB 6180, CH 196 (1992)
- Family policy council created to solicit proposals to facilitate greater flexibility and responsiveness of service to families at the community level, duties, requirements for consideration of proposals: HB 2846, SHB 2846, \*SSB 6428, CH 198 (1992)
- Funding formula advisory committee established to study school funding approaches, department duties: SHB 1657
- Funding nonemployee-related costs, "food products" redefined to provide additional revenue for: HB 2202
- Funding of nonemployee-related costs of education programs, lottery receipts to be expended for: HB 2213

- Health and mental health services, duty to develop a marketing and technical assistance plan to increase the provision of medicaid assistance to local school districts providing: HB 2547, SHB 2547
- Health care benefits for retired and disabled school district employees and their dependents, provision of continued benefits: HB 2857, \*SHB 2857, CH 152 (1992)
- Health care benefits, reporting of benefits offered to health care authority, summary data requirements revised, rulemaking duties: SHB 2077
- High school students' educational progress, annual report from school districts required: SHB 1811
- Holocaust instruction, high schools encouraged to include in their curriculum, course may also use other examples from ancient and modern history: \*SHB 2212, CH 24 (1992)
- Holocaust instructional materials, superintendent may prepare and distribute to districts for use in high school classes: \*SHB 2212, CH 24 (1992)
- Holocaust study, all elementary and secondary schools to include in curriculum: HB 2212
- Holocaust study, superintendent may prepare and make available instructional materials to be used as guidelines: HB 2212
- Impact fees, boundary changes to move new developments into districts not receiving impact fees, approval duties: HB 1751
- Indian education committees, duty to address budget concerns of: HB 2425
- Institution education program advisory council established, purposes: HB 2685, SHB 2685
- Institution education programs, interlocal cooperation agreement with juvenile court administrators and department of social and health services: HB 2685, SHB 2685
- Institution education programs, provisions revised: HB 2685, SHB 2685
- Investigations concerning eligibility and certification of common school personnel, authority to conduct: HB 1984
- Investigative files compiled by superintendent, exemption from public disclosure: HB 1984
- Investigative powers of superintendent when conducting investigation of violation of certification statutes: \*SHB 2518, CH 159 (1992)
- Juvenile detention facilities, educational programs in, responsibilities: HB 2001, SHB 2001
- Learning problems and academic delays, pilot program for students with, extension, duties: HB 1141
- Local control of education act, technical assistance duties: HB 1912
- Local education program enhancement funds, eligibility and funding provisions: SSB 6180
- Lottery receipts to be expended for nonemployee-related costs of education programs: HB 2213
- Magnet school program, administrative duties: HB 1461
- Medical assistance billing agent contract review committee, social and health services department and superintendent to establish to review proposed contracts between school districts and billing services: SHB 2547
- Medical assistance reimbursement for health-related services provided in schools, revised provisions to generate federal medical assistance matching funds for: SHB 2547
- Migrant student record transfer system, superintendent authorized to establish and operate a national system with federal funds: HB 2933
- Nonemployee-related costs, "food products" redefined to provide funding for: HB 2202
- Nutrition programs authorized by U.S. department of agriculture, state support for participation in: HB 1167, SHB 1167
- Oral testing, to assess use of oral tests and to develop instructional materials on: HB 1236



- Pedestrian, bicycle, and school bus safety instruction, duties regarding: HB 1171
- Performance-based education, superintendent to provide technical assistance to schools and school districts: HB 2546, SHB 2546
- Performing arts, summer performing arts grant program for high school students, duties: HB 1254
- Public assistance eligibility for students over eighteen and demonstrating progress towards secondary school completion, pilot program reporting requirements: HB 2644
- Racial and ethnic minorities, consideration as consumers and providers in education and human services programs: HB 2085
- Reach for excellence program, duties: HB 2240
- Remedial higher education classes, process established to charge school districts for part of the cost of classes for recent high school graduates: HB 2422
- Remedial higher education classes, report from colleges and universities on students enrolled in precollege level classes: SHB 2422
- Retired and disabled school district employees and their dependents, provision of continued health care benefits for: HB 2857, \*SHB 2857, CH 152 (1992)
- School buses, additional equipment to enhance student transportation safety, duty to purchase and distribute: HB 1173
- School buses, failure to stop for, pilot program to use video cameras to identify violators: \*SSB 5116, CH 39 (1992)
- School buses, replacement of, revised provisions relating to allocation of funds and letting of bids for: SHB 1880
- School buses, use of aides on special education buses, review of current procedures: SHB 1174
- School buses, use of compressed natural gas as fuel, report to analyze potential for: HB 1179
- School buses, video camera use to reduce discipline problem, pilot program, duties: HB 1173
- School district governance or management problems, intervention allowed, duties: HB 2112
- School nurses, nurse/student ratios, nurse certification rules, responsibilities: HB 1658
- School-business education partnerships, to conduct symposium on: HB 1256, SHB 1256
- Schools and family program created, planning grants, eligibility for continued funding, and family support block grants: HB 1879
- Schools and family program, state coordinating committee established, membership and duties: HB 1879
- Security monitors, appropriation to fund monitors in schools: HB 1197
- Self-image and personal responsibility curriculum development grant program, duties: HB 1435
- Special education buses, review of use of aides on: HB 1173
- State vocational education center to be established, duties: HB 1937
- Student diversity training program, responsibility for establishment, operation, and content of: HB 2517
- Student learning alternative program, administrative duties: HB 1521
- Student learning, establishment of commission on student learning, membership and duties, coordination of activities with superintendent required: \*SSB 5953, CH 141 (1992)
- Student teacher assistance program, duties: HB 1505
- Student transportation safety enhancement: HB 1173

- Suspension of students, superintendent to encourage school districts to utilize community service as alternative to suspension, minimum requirements set: \*SSB 5305, CH 155 (1992)
- Suspension, community service as alternative to, program duties: HB 2298
- Teacher in-service training funding: HB 2226
- Technical colleges, funds for high school students enrolled in technical colleges to be allocated to the serving technical college rather than the school district: HB 2602, SHB 2602
- Traffic safety education programs, additional sales and use tax imposed on rental cars to fund: HB 2964, SHB 2964
- Traffic safety education programs, appropriation to fund: HB 2247
- Transition schools for highly capable students at state four-year colleges, duties: HB 1018
- Twelfth grade assessment, superintendent of public instruction and districts to conduct annual assessment to determine student competency in specified areas: SSB 5953
- Violence-prevention materials for schools, duty to develop: HB 2599
- Vocational agriculture education institute to provide in-service training for vocational agriculture instructors, duties: HB 1303
- Vocational and academic integration development program, pilot projects: HB 2359, \*SHB 2359, CH 137 (1992)
- Vocational education cooperatives encouraged as demonstration projects, grant award program created: HB 1937
- Vocational education task force to develop the process and review and select a state vocational education center: HB 1937
- Vocational education, staff to student ratio, duties: SSB 6180
- Volunteer programs, business or civic club partnerships in schools, directory to be compiled, duties: HB 1417
- Voter registration of high school students, duties: HB 1073
- Weather closure, school days made up by allowing staff development programs on educational reform, 1990-91 school year, duties: SHB 1532
- Weighted student formula, development of at least two options for implementation in 1992-93 school year, duties: HB 1657
- Weighted student formula, funding formula advisory committee established to study funding approaches, department duties: SHB 1657
- Work stoppages, implementation of rules regarding, duties: HB 2207
- Work stoppages, superintendent to withhold from school districts pro rata share of state allocation for certificated staff salaries: HB 2207

#### **PUBLIC LANDS**

- Inventory of lands and buildings that might be sold, leased, or exchanged for the development of affordable housing: HB 2484
- Inventory of publicly owned land and buildings suitable for affordable housing: HB 1696, SHB 1696
- State wildlife and recreation lands management act adopted: HB 2594, \*SHB 2594, CH 153 (1992)
- Wildlife and recreation lands management, task force to develop and report recommendations on funding sources for: HB 2594, \*SHB 2594, CH 153 (1992)

#### **PUBLIC LANDS, COMMISSIONER**

Riparian-associated wildlife and salmonid habitat, commissioner to manage agricultural and grazing lands in a way that does not damage: HB 2628

## **PUBLIC OFFICERS AND EMPLOYEES**

Abstract of driving record exclusion for public workers driving official vehicles in emergency situations: HB 1318

Administrative law judge, former employee of agency not to act in any controversy involving agency for two years: SHB 1847

City and county correctional employees and radio dispatch personnel, included in definition of "uniformed personnel" for collective bargaining: SHB 1959

Civil service employees, personnel files exempt from public records disclosure provisions: HB 2646

Collective bargaining, school unit to include all nonsupervisory classified employees, fragmentation of existing unit prohibited: HB 1839

Desert Shield, health and retirement coverage continued for employees called to active service: HB 1359

Elected officials, candidate to be registered voter of district or political subdivision and may not adopt residency requirement in excess of that: SSB 6067

Elected officials, health insurance costs not considered compensation for officials of public entities: HB 2451

Elected state officials, terms of office to commence on the second Monday of January following their election: HB 2289, SHB 2289

Elective officers, twelve-year limit on service in elective office: HB 1210

Executive state officer, assistant treasurer, deputy treasurer, legal counsel, and investment officer included within definition of: HB 2885

Federal civilian and postal workers, requests that congress amend Hatch Act to permit greater political activity by: HJM 4039

Gifts, reporting requirements for public officials: HI 134

Hatch Act, requests that congress amend the act to permit greater political activity by federal employees: HJM 4039

Health insurance costs not considered compensation for elected officials of public entities: HB 2451

Health insurance, neurodevelopmental therapy coverage expanded: HB 2578

Health services, state employees' benefits board to develop a comprehensive state-purchased uniform benefit package and uniform administrative procedures: HB 2641

Identity of agency employee seeking advice regarding a possible unfair practice under the discrimination laws and requesting that information not be disclosed exempt from public disclosure: \*SHB 2876, CH 139 (1992)

Immunity from liability for damages resulting from release of public record when public agency, official, employee, or custodian was acting in good faith when the information was released: \*SHB 2876, CH 139 (1992)

Increment salary increases, governor's budget to show: HB 2241

Leave sharing program, contribution of sick leave benefits: HB 1044

Local government elective officials, appointment procedures for filling vacancies made more uniform: HB 2476, SHB 2476

Local government employees, whistleblower protection, revised provisions: SSB 5121

- Management service, Washington management service created, purposes and duties: HB 1035
- Personnel issues, joint legislative task force on established: HCR 4417
- Retired and disabled public employee health care benefits study commission established, duties: SHB 1796
- Retired and disabled, interim medicare supplement insurance plan: SHB 1796
- Retired and disabled, medicare supplement health insurance plan authorized: HB 1665
- Retired, health care insurance provided by employers, study authorized: HB 1834
- Retired, task force on postretirement issues created to study supplementary benefits for: HCR 4431
- Secretary of transportation, appointment by governor: HB 1868
- Sick leave, contribution to leave sharing program: HB 1044
- State employee child care advisory subcommittee to child care coordinating committee established, duties set out: SHB 2308
- State employee child care liaison established in department of personnel: SHB 1471
- State employee child care program and policy development, requirements and conditions: HB 2308, SHB 2308
- State employees' benefits board to develop a comprehensive state-purchased uniform benefit package and uniform administrative procedures: HB 2641
- State, "Whistleblower" defined: \*SSB 5121, CH 118 (1992)
- State, Desert Shield, health and retirement coverage continued for employees called to active service: HB 1359
- State, Washington management service created, purposes and duties: HB 1035
- State, accumulated service credit, notice to employees of, schedule for provision of: HB 1601
- State, agency officials' salaries, committee on, membership and duties: HB 1035
- State, auto liability insurance for state employees who drive personal car for official duties, part payment be state authorized: HB 1042
- State, cap on number of employees for 1991-93 biennium at eighty-one thousand five hundred and thirty full time equivalents: HB 2185
- State, civil service rules to support state policy of valuing and managing diversity in the workplace: HB 2052
- State, collective bargaining, state employees granted right to organize and bargain, conditions and procedures: SHB 1655
- State, college career entry program created: HB 1035
- State, commuter ride sharing, employee use of department of transportation-owned vehicles authorized as demonstration of effectiveness of ride sharing as a commute trip reduction measure: SHB 2763
- State, commuter ride sharing, employee use of state-owned vehicles authorized as demonstration of effectiveness of ride sharing as a commute trip reduction measure: HB 2763
- State, disabled employees exempted from automobile license fees: HB 1078
- State, eastern and western state hospitals, department of labor and industries to conduct study of causes and solutions to assaults on state employees at: HB 2647, SHB 2647
- State, elective official salaries continued at rate in effect on September 3, 1990: HB 2475
- State, employee working in foreign country may waive health care coverage if comparable coverage is provided by another source: HB 2755

- State, exempt employees, inclusion in tuition and fee waivers at state colleges and universities: HB 1633
- State, full-time equivalent employees funded in each year of biennium, adopted omnibus appropriations act to contain estimate of: HB 2474
- State, governor's budget to link salary increase with department of social and health services' vendor rate and grant standards increase: HB 2838
- State, growth of state government employment limited to no more than the annual rate of growth of the state's population: SB 6075
- State, hard-to-fill positions, procedures to fill: HB 1035
- State, immunity from civil liability when acting within scope of duties: HB 2918
- State, insurance plans approved to receive payment through voluntary payroll deductions: HB 1083
- State, leave sharing program, contribution of sick leave benefits: HB 1044, SHB 1044
- State, leave, paid leave granted to volunteer members of emergency services when training or on call: HB 1047
- State, misrepresentation of daily operations to inspectors prohibited: HB 1380
- State, nonprofit employee organizations to contract for the provision of child care services authorized: HB 2308, SHB 2308
- State, organizational culture created to be more responsive to gender, race, ethnicity, age, and disability diversity: HB 2052
- State, payroll deductions, deposit into bank or savings bank authorized, requirements: HB 2025, \*SHB 2025, CH 192 (1992)
- State, payroll political check-off provision eliminated: HI 134
- State, preference for hiring Washington residents established if legislature or governor has initiated a reduction in force: HB 2855
- State, shared leave program, limitations on participation by community college, school district, and educational service district employees removed: HB 2199
- State, sick leave, contribution to leave sharing program: HB 1044, SHB 1044
- State, staff of hospitals for the mentally ill, assault on, class C felony: HB 1345
- State, travel entitlements earned as a result of official travel accrue to the state, personal use of benefits prohibited: HB 2596
- State, tuition and fee waivers at state colleges and universities, exempt employees included: HB 1633
- State, vacation time, elimination of limits on accrual of: HB 1046
- State, volunteer members of emergency services, paid leave granted when in training or on call: HB 1047
- State, whistleblower protection, revised provisions: \*SSB 5121, CH 118 (1992)
- State, workers' compensation, temporary total disability, dates for which compensation will be received: HB 1043
- State, workplace diversity programs: HB 1035
- Vacancies in elective positions in local government, appointment provisions made more uniform: HB 2476, SHB 2476
- Whistleblower protection, revised provisions for state and local public employees: SSB 5121

## PUBLIC RECORDS

- Address disclosure of actual or threatened victim of domestic violence prohibited, conditions: HB 2156

- Attorney general review of agency determination that a record is exempt from disclosure, requestor may ask for: \*SHB 2876, CH 139 (1992)
- Attorney general to publish pamphlet explaining provisions relating to public records: \*SHB 2876, CH 139 (1992)
- Court review of agency decision to deny access to record, revised provisions: HB 2876, \*SHB 2876, CH 139 (1992)
- Disclosure exemptions list required from state agencies: HB 2876, \*SHB 2876, CH 139 (1992)
- Disclosure exemptions, institute for public policy to review: HB 2876
- Electronic data and records, legislature urges consideration of policies and procedures for access to: HB 2876, SHB 2876
- Geographic information systems, authority for cities and counties to recover costs of building and maintaining systems: SHB 1752
- Geographic information systems, joint development and use contracts authorized: SHB 1752
- Immunity from liability for damages resulting from release of public record when public agency, official, employee, or custodian was acting in good faith when the information was released: \*SHB 2876, CH 139 (1992)
- Liberal construction of public records subdivision of chapter and narrow construction of its exemptions required to support a well informed public: \*SHB 2876, CH 139 (1992)
- Name change orders, district court to collect fee for filing and transmit fee and order to county auditor for filing and recording: \*SSB 6135, CH 30 (1992)
- Open government, joint select committee on, to examine consistent treatment of information under present law, treatment of investigatory records, and groups to include under the open meeting laws: \*SHB 2876, CH 139 (1992)
- Personnel files of state civil service employees, exemption from disclosure provisions: HB 2646
- Requests for records, denial of requests, procedure: HB 2876, \*SHB 2876, CH 139 (1992)
- Requests for records, notification of person named in record: HB 2876, \*SHB 2876, CH 139 (1992)
- Requests for records, response within five business days required: HB 2876, \*SHB 2876, CH 139 (1992)
- Requests for records, retention required until request is resolved: HB 2876, \*SHB 2876, CH 139 (1992)
- Writing, redefinition: HB 2876, \*SHB 2876, CH 139 (1992)

## **PUBLIC TRANSIT**

- Annexation of city transit system into public transportation benefit area in counties of over one hundred fifty thousand planning under growth management act: HB 2938
- Automobile use reduction, congress asked to give preferential tax treatment to employer-provided benefits encouraging: HJM 4013
- Collective bargaining issues may be submitted to arbitrator if employees' union or municipal corporation fails to negotiate agreement within sixty days: HB 1348
- Competitive proposals, obligation of public transit operator to seek and make agreements with private providers: HB 1404
- Controlled substances crimes in protected areas, penalties increased: HB 2311
- Fare revenue, use as match for motor vehicle excise tax funds authorized: HB 2942

- Gasoline, local option sales and use tax authorized on gasoline to fund public transit and transportation systems: HB 2070
- Land use patterns, desirable patterns to be expressed in six-year transit development and financial program: HB 2940
- Land-use patterns and state-wide transit goals and policies, six-year municipal transit development plan to address: SHB 2940
- Local flexibility for state-wide linkages between communities: SHB 1568
- Optical strobe light devices to control traffic signals, authority to mount and use such devices on transit vehicles: HB 2291, SHB 2291
- Overweight buses, congress urged to provide coordination and interpretation of federal requirements for design, safety, and operation that have increased transit weight: HJM 4042
- Privatization of public transit, decision as to who should provide service to be based on economic considerations: HB 1404
- Public transportation benefit area, city annexation areas included in, when: HB 2649
- Public transportation benefit areas, city annexation of territory within benefit area boundaries, inclusion of that territory in benefit area: HB 2649
- Public transportation consumer protection act: HB 1404
- Public transportation policy plan to be developed by transportation commission as party of the state transportation policy plan, required elements: HB 2939, SHB 2939
- Public transportation systems account, use of funds for planning and capital projects' development: HB 2941
- Puget Sound public transportation account, use of funds for planning and capital projects' development: HB 2941
- Puget Sound regional transportation council created, membership, funding, powers, and duties including development of regional transportation plan: HB 2610
- Puget Sound regional transportation council, certification, membership, funding, powers, and duties including development of regional transportation plan: SHB 2610
- Regional transit authorities, formation to create high capacity transit system in urbanized areas, cooperation with local transit operators and planning consistency required: HB 2958
- Regional transit authority, authority of certain counties to establish, governance, financing, powers, and duties of authority: \*SHB 2610, CH 101 (1992)
- Regional transit authority, consolidation of component metropolitan municipal corporation with authority, procedure: HB 2958
- Regional transportation authorities, authority to establish, governance, financing, powers, and duties of authority: HB 2610, \*SHB 2610, CH 101 (1992)
- Rental cars, agencies imposing local motor vehicle excise tax authorized to impose a sales and use tax at a rate equal to the motor vehicle excise tax with revenues distributed in the same way: HB 2964, \*SHB 2964, CH 194 (1992)
- Security personnel given full police powers, training requirements: HB 2577
- State public transit plan, state-interest component of state-wide transportation plan to include, required elements set out: SHB 1816
- Transit authority entitled to share of penalties collected from violators cited by security personnel: HB 2577
- Weight restrictions, study to determine feasibility of lighter transit buses: HB 2806
- Withdrawal of city operating transit system from participation in public transportation benefit area, approval of county legislative authority required: HB 2938

**PUBLIC TRANSPORTATION BENEFIT AREAS**

Regional transit authorities, formation to create high capacity transit system in urbanized areas, cooperation with local transit operators and planning consistency required: HB 2958

**PUBLIC UTILITIES**

Cable television company offering hook-ups to one or more island residents to offer at reasonable cost to all residents: HB 2230

Energy conservation projects, participation in state projects, procedure: SHB 1022

Telecommunications companies, tariff reduction to promote service authorized for not more than sixty days: SSB 6144

**PUBLIC UTILITY DISTRICTS**

Credit lines or other prearranged agreements to borrow, district authorized to establish or make: HB 2041

Domestic water uses, district authorized to charge for the availability of water used for domestic purposes: HB 2801

Election procedures, revised provisions: HB 2513

Elections, candidate name order to be rotated on ballots in each precinct: HB 2233

Fluoridation of water supply, commissioners may submit proposition to district voters who must approve proposition to become effective: HB 2750, SHB 2750

Fluoride, procedures to obtain voter approval for adding fluoride to water supply: HB 2045

Managers, full description of compensation package to be included in resolution fixing compensation: SSB 6244

Water conservation, evaluation of delivery rate structures to encourage: SHB 2629

**PUBLIC UTILITY TAX (See TAXES - PUBLIC UTILITY TAX)****PUBLIC WATER SUPPLY SYSTEMS**

Interties allowed, department of health approval required: HB 1443

Satellite system management agency, criteria established for designation, department of health approval and review: HB 1444, SHB 1444

Water conservation, alternative rate-setting formulas for water conservation to be provided to public water purveyors: HB 2629, SHB 2629

**PUBLIC WORKS**

Attorney fees, award to prevailing party in action arising from public works construction contract to which a public body is a party, procedural requirements established: \*SB 6407, CH 171 (1992)

Award of contract for public work, criteria for making award, revised provisions: HB 2409, SHB 2409

Basic health plan, timber impact areas, designation of additional socially and economically integrated communities as timber impact areas by economic recovery board authorized: \*HB 2821, CH 21 (1992)

Bid on construction contract to include costs for industrial insurance, unemployment compensation, and workers' compensation, treble damages allowed for failure to pay required coverages: HB 2414



- Bid on construction contract to include costs of industrial insurance, unemployment compensation, and workers' compensation, action for damage by second lowest bidder authorized: SHB 2414
- Bidding practices for municipalities revised: HB 2505, SHB 2505
- Bids to be taken on college and university projects of greater than one hundred thousand dollars: HB 1048
- College and university projects, public bids to be taken on projects of greater than one hundred thousand dollars: HB 1048
- Construction contracts, award to prevailing party of attorneys' fees: \*SB 6407, CH 171 (1992)
- Contract specifications to include wage and benefit information: HB 2408
- Contractor's duty to pay subcontractors within ten days of receiving payment, interest penalties for failure to do so authorized: SB 6404
- Contracts or purchases, interest rate of one percent per month payable on amounts due when public body fails to make timely payment: \*SHB 1736, CH 223 (1992)
- Contracts or purchases, procedures for certain cities: HB 2807
- Contracts or purchases, withheld payments for unsatisfactory performance or failure to meet contract requirements: \*SHB 1736, CH 223 (1992)
- Contracts, timely payment of subcontractor by contractor: \*SHB 1736, CH 223 (1992)
- First class cities, solicitation and employment of women and minority businesses by contractors with, revised requirements: HB 2481, SHB 2481
- Interest rate of one percent per month payable on contract amounts due when public body fails to make timely payment: \*SHB 1736, CH 223 (1992)
- Low-income housing lost to state or local agency demolition for a public works project, contribution to local housing replacement fund to provide equal amount of new housing required: HB 2962
- Lowest responsible bidder, additional criteria for determination of: SHB 2409
- Minority and women's business enterprises office to work with state agencies to develop a plan for direct contracting with certified businesses for public works and construction: SHB 1737
- Prevailing wage law compliance on projects when more than fifty percent of facility leased or purchased by agency: SHB 1245
- Prevailing wage law compliance on remodeling projects in part of facility occupied by agency: SHB 1245
- Prevailing wage law compliance required on projects performed through a public contract: HB 1245
- Prevailing wage law, failure to comply with, liability of state or local agency: HB 1246
- Prevailing wage, certification of payment required: HB 1383
- Project loans recommended by public works board, appropriation: HB 2302, \*SHB 2302, CH 135 (1992), SSB 6146
- Prompt payment requirements for public owners and for contractors established and remedies set for violations: SB 6404
- Public improvement contracts, moneys held in trust for payment of claims or taxes arising from contract: \*SHB 1736, CH 223 (1992)
- Public improvement contracts, retainage held in trust for claims arising under contract: HB 2659, SHB 2659
- Retainage held in trust for claims arising under public improvement contract: HB 2659, SHB 2659

- Retainage requirements revised in regard to amount, release, and placement of funds in interest bearing account or securities at contractor's request: SB 6404
- Small works rosters, process for municipalities to award contracts on works estimated to cost less than one hundred thousand dollars: HB 2505, SHB 2505
- Small works rosters, uniform process for municipalities to award contracts under: SHB 1681
- State, negotiation of bid price adjustments, criteria: SHB 2409
- Women and minority businesses, requirements for the solicitation and employment of by contractors with first class cities: HB 2481, SHB 2481
- Wood products, Washington grown and produced wood products to be used to maximum extent: HB 1871, SHB 1871, HJM 4019
- Work of improvement, retainage of moneys in trust until completion: SB 6404

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- Project loans recommended by board, appropriation: HB 2302, \*SHB 2302, CH 135 (1992), SSB 6146
- Timber impact areas, public works loans authorized to local governments in: HB 1647

#### **PUGET SOUND WATER QUALITY AUTHORITY**

- Senior environmental corps created, powers and duties: HB 2560, \*SHB 2560, CH 63 (1992)
- Storm water, special committee on government storm water pollution and liability created, membership and duties: HB 2946

#### **RADIATION**

- Low-level radioactive waste haulers, demonstration of financial assurance required: HB 2873, \*SHB 2873, CH 61 (1992)
- Northwest low-level waste compact, payment of costs for compact meeting held outside Washington state prohibited: SB 6203
- Radioactive waste advisory council terminated: HB 2756
- Radioactive waste, inspections to be conducted at newly designated ports of entry and public safety tariff to be collected from each highway transporter to defray inspection facility and operating costs: HB 2779
- Radioactive waste, public safety tariff imposed on each highway transporter of: HB 2779
- Radioactive waste, state to intervene and request that NEPA environmental impact statement be prepared if actions pursuant to federal law are likely to result in waste entering state at other than approved port of entry: HB 2779

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- Amateur radio antennas, city and county ordinances must conform to limited federal preemption contained in federal communications commission guidelines: HB 2781

#### **RADIOLOGIC TECHNOLOGISTS**

- Chiropractic radiology technicians, training and examination requirements: HB 2046

#### **RADON**

Defense in civil action for damages for injury caused by indoor air pollution that builder or designer complied with radon resistive construction requirements under RCW 19.27.190 authorized: \*SSB 6386, CH 132 (1992)

Residences, radon testing requirements for new single and multifamily residences at time of final inspection: HB 2690, SHB 2690, \*SSB 6386, CH 132 (1992)

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Passenger train crews, no law or regulatory order to prevent staffing in accordance with collective bargaining agreements or settlements on train crew size: HB 2281, \*SHB 2281, CH 102 (1992)

Passenger train operating with less than two crew members, utilities and transportation commission authorized to conduct safety review in absence of collective bargaining agreement and to order two member crews: \*SHB 2281, CH 102 (1992)

Regulatory authority, certain provision repealed: HB 1577

Stampede Pass rail line, purchase by department of transportation: HB 2102

State intercity passenger rail plan, state-interest component of state-wide transportation plan to include, required elements set out: SHB 1816

Train crew size requirements, exceptions to requirements narrowed: HB 2620

Train crews, unlawful to prevent any employee engaged in the movement of a train from reaching his or her destination within twelve consecutive hours absent unavoidable delay: HB 2431

Train emergency braking telemetry system, requesting the United States secretary of transportation to adopt rules requiring rear of train braking system: HJM 4029

Utilities and transportation commission, repeal of authority to regulate under chapter 81.34 RCW: HB 1577

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High-speed ground transportation system steering committee, moratorium on Seattle-Tacoma airport expansion until studies completed and approved by legislature: HB 2754

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- Affordable housing developments, physical improvements to, exemption from taxation for three years subsequent to completion, qualifications: HB 2963
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- Assessed value, averaging of large property valuation increases over four year period, revised procedures: HB 2067
- Assessed value, averaging of large property valuation increases, revised assessment procedures: SHB 1300, HB 2182
- Assessment of new construction or remodelled owner-occupied homes: HB 2166, HB 2178
- Assessment of property exclusive of structures, calculation to average sales within the four-year evaluation cycle: HB 2699
- Assessments to be at lesser of true value or most recent assessment plus six percent annually: HB 2166, HB 2178
- Assessments, large increases in property assessments may be phased-in over time: HJR 4207
- Averaging of large property valuation increases over four year period, revised assessment procedures: HB 2067
- Averaging of large property valuation increases, revised assessment procedures: SHB 1300, HB 2182
- Averaging of taxable values over four-year period authorized: HJR 4224
- Brokers and salespersons, continuing education requirements and curricula: \*SB 6184, CH 92 (1992)
- Brokers and salespersons, real estate education program, revised provisions: HB 2691
- Brokers managing condominium association funds must comply with licensing requirements: HB 1540
- Building codes, residential buildings moved into or within city or county not required to meet all building code requirements if occupancy classification of building is not changed: HB 2673, \*SHB 2673, CH 79 (1992)
- Capital projects funded from real estate excise tax to be identified in city or county budget where it is to be indicated that tax is intended to be in addition to other available funds: \*SB 6408, CH 221 (1992)
- Capital projects, limitations on use of revenues from real estate excise tax to finance capital projects revised: \*SB 6408, CH 221 (1992)
- Certificate of occupancy issued on completion of construction or alteration work on residential building, copy to be transmitted to auditor in county where property is located: HB 2494
- Compensation for land value loss resulting from environmental protection measures: HB 1695
- Conservation futures, county may make additional levy for maintenance and operation of lands acquired as conservation futures: HB 2934
- Construction liens for improvements on single-family home, limits on sum of liens and enforcement against property affected: SHB 1241
- Controlled business arrangements prohibited unless disclosed at or prior to the time referral is made to real estate settlement service: SHB 2248

- Conveyances, excise tax imposed on, definitions, rates, exemptions, and collection procedures, revised provisions: HB 2447, SHB 2447, HB 2484
- Current use valuation of very low-income housing, constitutional amendment to allow: HJR 4235
- Disclosure of ownership interest in real estate settlement service providers extended to all real estate transactions except those now governed by federal law: SHB 2248
- Document preparation for property sales or loans, repeal of obsolete RCW sections: \*SB 6329, CH 91 (1992)
- Educational support account, ad valorem tax levies deposited in: HB 2232
- Enters or remains unlawfully, definition revised in regard to entries for hunting, fishing, or recreation on posted, fenced, or agricultural property: HB 2416
- Environmental impact statements, threshold determination on completed application to be made within ninety days although applicant may request an additional thirty days for determination: \*SSB 5728, CH 208 (1992)
- Environmental impact statements, threshold determination to be completed in fifteen to sixty days: SSB 5728
- Environmental impact statements, threshold determination to be completed in fifteen to thirty days: HB 2063, SSB 5728
- Equalization, county board of, appeals to county board of equalization, revised provisions: HB 2925, SHB 2925
- Equalization, state board of, appeal may be taken directly to state board without hearing before county board of equalization: HB 2925, SHB 2925
- Escrow companies, any party to a real estate transaction required to disclose financial or ownership interest in the escrow company being utilized: HB 2249
- Excise tax, additional growth management related tax, rates, authorization, and use, revised provisions: HB 2144
- Excise tax, additional tax imposed, revenues to be deposited in state lands stewardship account: HB 1916, SHB 1916
- Excise tax, cities and counties authorized to impose additional tax to finance capital facilities only if growth management plan and regulation enacted: SB 6408
- Excise tax, city or county budget to identify capital projects funded from tax and to indicate that tax is intended to be in addition to other available funds: \*SB 6408, CH 221 (1992)
- Excise tax, imposed on conveyance of real estate, definitions, rates, exemptions, and collection procedures, revised provisions: HB 2447, SHB 2447, HB 2484
- Excise tax, limitations on use of revenues from tax for financing capital projects revised: \*SB 6408, CH 221 (1992)
- Fair pay act: SHB 1736
- Federal tax liens on real property, county auditor's recording duties, auditor to bill internal revenue service or other federal agency monthly for document filing fees: \*HB 1185, CH 133 (1992)
- First-time homebuyers, authority of local government to provide financial assistance to moderate-income first-time homebuyers: HB 2484
- First-time homebuyers, city or county may provide loans and financial assistance, conditions: HB 2115
- First-time homebuyers, exemption from business and occupation tax of interest on loans to: HB 1622

- First-time homebuyers, property tax exemption for qualified buyers, eligibility conditions and procedures to obtain exemption: SHB 1414
- First-time homebuyers, public moneys and credit used to assist, constitutional amendment to allow: HJR 4236
- First-time homebuyers, three-year property tax exemption for qualified buyers: HB 1414
- Flood plain location, conveyances must include statement, remedies: HB 2122
- Growth management act, counties and cities encouraged to balance the goals of protecting the environment and protecting private property rights when designating critical areas: HFR 4742
- Hazardous substances release, reporting and notice requirements: SSB 5055
- Hazardous waste clean-up, notice of remedial action taken, issuance by department of ecology: SSB 5055
- Historic places, designation of, designating agency or official must obtain written consent of the property owner to designation or, for existing designations, to continue designation: HB 2849
- Home owner association terms and conditions to be included in land developer's public offering statement with other required contents: \*SHB 1495, CH 191 (1992)
- Impact fees, remodeling or replacement of existing residence exempt from: HB 2557
- Improvements to low-income multifamily rental housing, three year property tax exemption on improvement: HB 1619, SHB 1619
- Improvements, moneys to be held in trust for benefit of those making payment and those providing materials or labor: SHB 1736
- Insurance, "actual cash value" and "cost of replacement" defined: SB 5923
- Insurance, insurer may not cancel or refuse to renew because of claims due to criminal acts: HB 2157
- Inverse condemnation resulting from land use planning, zoning, or other regulatory program, statutory basis for: HB 1162, SHB 1162
- Joint tenancy, each tenant has unilateral right to sever tenancy: HB 2538
- Land development act applicable to developments of twenty-six or more lots, additional exemptions from compliance with act established: SHB 1495
- Land development, delivery of public offering statement to purchaser prior to closing of sale, contents requirements and penalties for violations established: \*SHB 1495, CH 191 (1992)
- Land use proposals, local government to notify private property owners of proposals, contents of notice and standing to contest action provisions established: HB 2717
- Low-income homeowners, state assistance eligibility: HB 1297
- Low-income homeowners, tax exemption provisions: HB 1298
- Low-income property owners, property tax relief on owner-occupied residences: HJR 4208, HJR 4237
- Natural resources department property, disposition without public auction allowed under specified conditions: \*SB 6161, CH 167 (1992)
- Natural resources department property, replacement funded from consideration for property transfer or disposition: HB 2533, SHB 2533, \*SB 6161, CH 167 (1992)
- Natural resources department property, transfer or disposition allowed, conditions: HB 2533, SHB 2533, \*SB 6161, CH 167 (1992)
- Natural resources department property, transfer or disposition nonpermanent when funds used to acquire replacement property: HB 2533, SHB 2533, SB 6161

- Natural resources department resurvey may not impair the bona fide rights of a landowner who may be affected by the survey, resurveys limited to dependent surveys only: HB 2738
- Natural resources department resurvey, landowner right to challenge a resurvey and to receive compensation when bona fide rights were impaired: HB 2736
- Nonresident property owners, authorization to vote in local nonpartisan elections when owning property within that government's boundaries: HB 2952
- Omitted assessments on property, interest and penalties to be paid if property was omitted because taxpayer failed to get building permit or knowingly failed to inform assessor of omission: SHB 2324
- Open space corridors, identification of corridor not to restrict authorized development of private property in corridor unless city or county acquires sufficient interest to prevent or control development: SB 6401
- Open space corridors, identification of corridor not to restrict use or management of lands in corridor for agricultural or forest purposes unless city or county acquires sufficient interest to prevent control or development: \*SB 6401, CH 227 (1992)
- Open space lands, classification and current use valuation of, revised definitions and procedures: HB 2928, \*SHB 2928, CH 69 (1992)
- Open space lands, farm and agriculture conservation land category created and eligibility requirements established: HB 2928, \*SHB 2928, CH 69 (1992)
- Owner-occupied residential real estate with selling price of five hundred thousand dollars or less, sales tax exemption: HB 2223
- Private land, designation as wetland, open space, or other public benefit property, full compensation to be paid when designation prohibits or restricts use of property: HB 2739
- Private property owners' rights protection division established in attorney general's office and duties set out: HB 2464
- Private property protection act adopted: SB 6201
- Property tax exemption for improvements to low-income multifamily rental housing, three year exemption on improvement: HB 1619, SHB 1619
- Property tax exemption for three years for physical improvements to affordable housing developments, qualifications: HB 2963
- Property tax, assessment in 1991 exceeding one hundred-fifty percent of 1990 assessment, delinquency deferred to April 30, 1992: SSB 5812
- Property tax, conservation futures, county may make additional levy for maintenance and operation of lands acquired as: HB 2934
- Property tax, first-time homebuyers exemption, eligibility conditions and procedures to obtain exemption: SHB 1414
- Property tax, if 1993 taxes exceed one hundred fifty percent of 1992 taxes, interest and penalties on excess may not be assessed through April 30, 1994: SSB 5812
- Property tax, legislature may limit increases in taxation of real estate during period in which no change of ownership occurs: HJR 4229
- Property tax, sales at public auction may be used to determine true and fair value: HB 2687
- Property tax, temporary exemption for first-time homebuyers: HJR 4210, SHJR 4210
- Property tax, waiver of delinquent tax interest and penalties when mortgage lien removed but county has not notified owner of taxes owed: HB 2326, SHB 2326
- Public benefit, wetland, or open space property, full compensation to be paid private landowner when designation prohibits or restricts use of property: HB 2739

- Public offering statement, developer to deliver to purchaser prior to closing of sale, contents requirements and penalties for violations established: \*SHB 1495, CH 191 (1992)
- Public offering statements, registration with department of licensing no longer required: \*SHB 1495, CH 191 (1992)
- Purchase or exchange of tax-paying parcel of land, requirement that county receive property of equal or greater tax value: HB 1967
- Radon resistive construction requirements under RCW 19.27.190, compliance constitutes defense in civil action for damages for injury caused by indoor air pollution against builder or designer: \*SSB 6386, CH 132 (1992)
- Radon testing requirements for new single and multifamily residences at time of final inspection: \*SSB 6386, CH 132 (1992)
- Real estate education account created: SB 6184
- Real estate settlement service, controlled business arrangement prohibited unless disclosed at or prior to the time referral is made to: SHB 2248
- Receivers to manage real property, civil action to appoint, when city may authorize action by private individual: SSB 5180
- Reduction in property values or highest and best use as the result of government action to be considered by county assessor in computing value for property tax purposes: HB 2312
- Regulatory takings of private property, owner or user right to compensation established, exceptions and alternatives set out: SB 6201
- Residence with selling price of more than one million dollars, business and occupation tax imposed on gains realized from sale: HB 2667
- Residential buildings moved into or within city or county not required to comply with all building code requirements if occupancy classification of building not changed: HB 2673, \*SHB 2673, CH 79 (1992)
- Revaluation of real property to be conducted annually beginning no later than January 1, 1999: HB 2924
- Sale definition not to include transfer of property for debt relief or if new loan in same amount required: HB 1539
- Sale of residence with selling price of more than one million dollars, business and occupation tax imposed on gains realized from sale: HB 2667
- Sales at public auction may be used to determine true and fair value for taxation purposes: HB 2687
- Section eight assisted housing development, sale or transfer, conditions: SHB 1734
- Senate Bill 6201, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4434
- Senior citizen property tax relief qualifications to include nonrecognized gain on sale of principal residence: HB 1313
- Settlement services, disclosure of ownership interest in real estate settlement service providers extended to all transactions except those now governed by federal law: SHB 2248
- Shoreline local master programs to contain standards for the protection of single family residences and appurtenant structures from damage or loss due to shoreline erosion, required provisions specified: \*SB 6128, CH 105 (1992)
- Shoreline residences and appurtenant structures, erosion protection prioritized: \*SB 6128, CH 105 (1992)
- Shoreline residences and associated uplands, erosion protection prioritized: SB 6128



- Taking of private property, establishes a process to determine when a taking has occurred:  
HB 1334, SHB 1334
- Tax appeals board, appeal of action by county board of equalization deemed to be timely filed if postmarked on or before thirtieth day after the mailing of the decision of the board of equalization: SHB 2925
- Tax foreclosed property, sale by county legislative authority through private negotiation, when authorized: HB 2271, SHB 2271
- Taxable values, constitutional amendment to allow averaging of values over a four-year period, under conditions and restrictions provided by law: HJR 4239
- Testamentary provisions, divisions of land by, prohibited: HB 2679
- Title companies, any party to real estate transaction required to disclose financial or ownership interest in title company being utilized: HB 2248
- Towns authorized to dispose of property by lease, sublease, or conveyance: SHB 1275
- Transfers of ownership of estate or real property interest subject to excise tax, exceptions: HB 2223
- Valuation of large property tax increase averaged over four years: SHB 1300
- Valuation of owner-occupied residential property on change of ownership: HB 1026, SHB 1026
- Wetlands, inventory map of land to be prepared before adopting development regulations, notice requirements: 2SSB 6255

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- Erotic sound recordings, ready accessibility to minors prohibited: \*HB 2554, CH 5 (1992)
- Failure to disclose origin of recording, offense defined, penalties: SHB 1064
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- Business, financial, and commercial information related to the community economic revitalization board's program services, exemption from public disclosure: HB 2595
- Health care records, information disclosure by provider, authorization to expire ninety days after issuance: HB 2568, SHB 2568
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- Health care records, unauthorized disclosure of name, residence, and sex allowed for purposes of identification, further disclosures allowed in cases of public record: SHB 2568
- Infant mortality review by local health department authorized, confidentiality of records: HB 2571, SHB 2571, \*SB 6296, CH 179 (1992)
- Mentally ill, release of patient records in event of death authorized, restrictions: SB 6121

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Highway safety impact and standards for safe operation, requesting that the United States department of transportation conduct a review of impact on highway safety and propose standards for safe operation: HJM 4031

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Environmental excellence award grant program created: HB 2149

Hulk haulers and scrap processors, licensing and regulation to discourage market in stolen vehicles and vehicle components: HB 1456, SHB 1456

Incentive rates, citizens transporting to recycling facility to receive identical incentives with collection customers: SHB 1947

Oil, recycling and public education requirements: SHB 1459

Packaging and packaging components, waste reduction and recycling policies: HB 2678

Packaging materials, certificate of compliance with recycling requirements required: SHB 1459

Packaging materials, inks, dyes, pigments, adhesives, stabilizers, and metal content limits established: SHB 1459

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Recycling funding, task force established: SHB 1459

Scrap metal, hazardous waste components, identification and management practices: HB 2091

Solid waste and recycling laws, technical corrections: \*SB 6357, CH 131 (1992)

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- Firemen's pension fund, investment policies revised: \*SB 6226, CH 89 (1992)
- Funds established for use by teachers' and public employees' retirement systems, simplification of designation of: \*HB 2259, CH 212 (1992)
- Higher education employees employed incidentally to their education may obtain service credit by paying cumulative contributions plus interest on past waived credit: HB 2711
- Higher education faculty and other designated members, mandatory retirement eliminated after July 1, 1992: SHB 1409
- Law enforcement officers and fire fighters, credit for past service under a prior pension system for members who withdrew contributions to that system, procedure to establish credit in current system: HB 2911, HB 2985
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- Medicare supplement insurance for retired state employees through individual purchase into the state insurance plan: HB 1643
- Medicare supplement insurance plan, interim, for retired and disabled public employees: SHB 1796
- Medicare supplement plan for retired and disabled public employees authorized: HB 1665
- Merchant marine service credit in state retirement systems: HB 1065
- Military service, retirement service credit authorized for members of state retirement systems during period in which employment is interrupted by military service, conditions and restrictions: \*SSB 5092, CH 119 (1992)
- Pension income, taxation only by state of residency, congress urged to support: HJM 4018
- Public employees retirement system, cost-of-living increases, calculation of target benefit: HB 1603
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- Recodification of retirement provisions, technical corrections made to 1991 recodification: \*HB 2260, CH 72 (1992)
- Reentry into teachers and public employees' retirement systems, restoration of service credits allowed between April 4, 1992, and June 30, 1993, requirements and condition set: HB 2723
- Retirement planning and potential consequences of early retirement, department of personnel to prepare information regarding: \*SHB 2947, CH 234 (1992)
- School district employees, provision of continued health care benefits for retired or disabled employees and their dependents: HB 2857, \*SHB 2857, CH 152 (1992)
- School employees meeting Plan I early retirement criteria, eligibility for accrued sick leave remuneration under district's attendance incentive program: \*SHB 2947, CH 234 (1992)
- Seattle police relief and pension fund system, members who withdrew contributions to that system, procedure established to establish service credit in public employees' retirement system: \*SHB 2985, CH 157 (1992)

- Service credit authorized for members of state retirement systems during period in which employment is interrupted by military service, conditions and restrictions: \*SSB 5092, CH 119 (1992)
- Slayers denied retirement system beneficiary benefits, considered to have predeceased decedent for purposes of distribution: HB 2246, SHB 2246
- State employees, accumulated service credit, notice of, schedule for provision of: HB 1601
- State employees, task force on postretirement issues created to study supplementary benefits for: HCR 4431
- State patrol retirement system, portability provisions, transfer or restoration of credits, revised time limits: HB 2273
- State retirement systems, basic state contribution rates established as of September 1, 1992: HB 2693, SHB 2693, \*SSB 6286, CH 239 (1992)
- Taxation of pension income only by state of residency, congress urged to support: HJM 4018
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- Teachers' retirement system, disability retirement for persons with half-time contracts, retroactive application and choice of survivor option provisions: HB 2419
- Teachers' retirement system, service credit authorized for periods of unpaid leave as elected official of a Washington education association: HB 2418, SHB 2418, \*SSB 6186, CH 3 (1992)
- Teachers, task force on postretirement issues created to study supplementary benefits for: HCR 4431
- Termination of employee within one year of vesting for pension or qualifying to receive benefits under any pension provision prohibited except for good cause, remedies and exceptions: HB 2787
- Volunteer fire fighters' relief and pension fund, revised provisions: \*HB 2398, CH 97 (1992)
- Waiver of overpayment allowed, conditions: HB 1718

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- Retirement planning and potential consequences of early retirement, department to distribute information to eligible members regarding: \*SHB 2947, CH 234 (1992)

#### **REVENUE, DEPARTMENT**

- Aircraft excise tax, authority to collect back taxes, penalties, and interest from persons who register in another state or country to avoid tax: \*HB 2727, CH 154 (1992)
- Averaging of large property valuation increases over four year period, revised assessment procedures: HB 2067
- Averaging of large property valuation increases, revised assessment procedures: SHB 1300, HB 2182
- Business and occupation tax credits for businesses contributing to affordable housing projects: HB 1620, SHB 1620
- Cellular communications, taxation and assessment of property and services, department to study: HB 2672, \*SHB 2672, CH 218 (1992)
- Child care tax credit for employer providing child care assistance to employees, rulemaking authority: HB 1538
- Cigarette sales enforcement fund expenditure authorization: HB 1323
- Commercial ships and vessels, property tax listing requirements and tax payment procedures: HB 2110, SHB 2110
- Contractor tax reporting requirements, applicants for contractor license required to attend department of revenue seminar emphasizing: HB 2965
- Contractor tax reporting requirements, applicants for contractor license to receive information package on, signed statement acknowledging receipt required: SHB 2965
- Contractors, department to study excise tax laws compliance within construction industry: SHB 2965
- Contractors, educational seminar presented by department of revenue, attendance required for applicants for contractor license: HB 2965
- Contractors, educational seminar presented by department, attendance required for contractor against whom tax warrant has been filed: SHB 2965
- Corporations, publicly held, to file annual information return with department disclosing excise taxes due and taxes paid: HB 2222
- Excise tax on aircraft, watercraft, and travel trailers and campers, authority to collect back taxes, penalties, and interest from persons who register in another state or country to avoid tax: \*HB 2727, CH 154 (1992)
- Forest land classification withdrawal or removal, notice requirements: HB 2330, \*SHB 2330, CH 52 (1992)
- Forest land, special benefit assessments, exemption, provisions: HB 2330, \*SHB 2330, CH 52 (1992)
- Income tax established: HB 2195, HB 2208
- Litter assessment, plastic packaging materials: SHB 1459
- Low-income housing, business and occupation tax credit for businesses contributing to affordable housing projects: HB 1620, SHB 1620
- Open space taxation, advisory committee created to assist department in recommending changes in rules regarding: SHB 2928
- Open spaces classification, rulemaking authority and requirements: HB 1513, SSB 5481
- Property tax exemption for nonprofit homes for the aging, to conduct study on: HB 2639, \*SHB 2639, CH 213 (1992)
- Property tax, assessment and collection by county, revised provisions: HB 1994
- Property tax, commercial ships and vessels, listing requirements and tax payment procedures: HB 2110, SHB 2110

- Property tax, department to study alternative plans for separate assessment levels for residential and nonresidential properties: HB 2238
- Property tax, sales at public auction may be used to determine true and fair value: HB 2687
- Publicly held corporations to file annual information return with department disclosing excise taxes due and taxes paid: HB 2222
- Recycling assessment, rate adjustment formula, duties: SHB 1459
- Refund or credit for overpaid taxes discovered after taxpayer signs waiver of four-year limitation, taxpayer waiver will automatically provide for: \*HB 2681, CH 169 (1992)
- Revaluation of real property annually, duties in development of implementation plan for: HB 2924
- Sale studies, property sales at public auction may be used to determine true and fair value for taxation purposes: HB 2687
- Tax percentages, tax system to be designed and administered to ensure that individual's taxes commensurate with another individual's taxes: HJR 4233
- Travel trailer and camper excise tax, authority to collect back taxes, penalties, and interest from persons who register in another state or country to avoid tax: \*HB 2727, CH 154 (1992)
- Vehicle rental tax imposed, establishment of rates and collection procedures, departmental duties: HB 2282
- Waiver of four-year limitation on assessments, taxpayer waiver will automatically provide for refund or credit for overpaid taxes discovered after taxpayer signs waiver: \*HB 2681, CH 169 (1992)
- Watercraft excise tax, authority to collect back taxes, penalties, and interest from persons who register in another state or country to avoid tax: \*HB 2727, CH 154 (1992)
- Wetland lands classification for current use assessment, created, defined: HB 1817

#### REVISED CODE OF WASHINGTON

- Community and technical colleges, correction of obsolete nomenclature regarding the community and technical college system: HB 2279, SHB 2279
- Document preparation for property sales or loans, repeal of obsolete sections: \*SB 6329, CH 91 (1992)
- Handicapped, statutory references to handicapped changed to disabled: HB 2008
- Holders of financial assets, duties of, repeal of RCW 11.92.095: \*SB 6008, CH 224 (1992)
- Manufactured housing and mobile homes, correction of double amendments to RCW 46.04.302 and 46.12.290: HB 2492
- Military land acquisition, obsolete sections repealed: \*SB 6351, CH 90 (1992)
- Obsolete provisions regarding military land acquisition repealed: HB 2460
- Public records and public disclosure law to be given liberal construction: \*SHB 2876, CH 139 (1992)
- RCW 11.92.095 repealed: HB 2243, \*SB 6008, CH 224 (1992)
- Recreational boating code recodified: \*HB 2543, CH 15 (1992)
- Retirement provisions, recodification and technical corrections: \*HB 2260, CH 72 (1992)
- Review of existing laws and administrative rules with intent to repeal all obsolete, irrelevant, conflicting, or confusing sections, session to be held in 1993 and at least once a century thereafter for that purpose: HB 2906

#### RIVERS

- Conservation of water, programs to increase instream flows in areas where wild salmonids are in decline: HB 2629, SHB 2629
- Conservation programs, economic incentives offered to water users to conserve: HB 2629, SHB 2629
- Degraded rivers, biennial report identifying degraded or endangered rivers: SHB 1836
- Green river added to the scenic river system: HB 2601
- Minimum water flow levels for salmonid recovery, department of ecology to implement minimum flow levels on some rivers and recommend minimum levels on others: HB 2629
- Minimum water flow levels for salmonid recovery, department of ecology to prioritize evaluation and implementation of minimum flow levels in basins with declining salmonid stock: SHB 2629
- Model river program created: SHB 1836
- Protected river designation, parks and recreation commission to prepare eligibility list: SHB 1836
- Protected rivers, local government management plan, requirements: SHB 1836
- Protected rivers, state management plan: SHB 1836
- River assistance team, duties: SHB 1836
- River management program created: SHB 1836

#### **ROAD IMPROVEMENT DISTRICTS**

- Creation of, assessments by, and bond issues of district, optional procedure for: HB 2395

#### **ROADS AND HIGHWAYS**

- Basalt formation in I-90 median near Spokane, alternatives to be considered before removing formation: HB 1846
- Bicycle and pedestrian facilities on route 520 corridor studied: SSB 6372
- City/state street responsibilities, population requirements for dividing responsibilities modified: HB 1135
- City/state street responsibilities, task force to study population threshold for dividing responsibilities: SHB 1135
- Commute trip reduction task force, membership and duties: HB 1754
- Commuting, reduction of single occupant vehicle commuting, duty of state, local governments, and employers to plan and implement: HB 1754
- County roads, owners of property near road authorized to petition for its vacation: HB 1578
- Fifty-five mile per hour, state-wide maximum speed limit: HB 1451
- High-occupancy vehicle lane violations, charging and reporting procedures relating to: HB 2272, SHB 2272
- Highway heritage program established to preserve scenic, cultural, and historic features: HB 1888
- Highway system plan, improvement and preservation to ensure acceptable operating conditions: HB 1816, SHB 1816
- Lane use requirements, trucks over twenty-six thousand pounds: HB 1155, SSB 5237
- Pedestrian and bicycle facilities on route 520 corridor studied: SSB 6372
- Pedestrians, vehicle operator's obligation to stop to allow pedestrian in crosswalk to cross intersection: SHB 1934
- Pedestrians, vehicle operators required to stop for pedestrians lawfully within intersection control area: HB 2442, SHB 2442



- Recreational and scenic highway system, route revisions: HB 2589, SHB 2589
- Recycling requirements established for machines located on passenger ferry or in highway rest area: SHB 2390
- Right hand lane use by motor vehicles with gross weight of ten thousand pounds or more required, exceptions: SSB 5237
- Rights of way plantings to provide potential source of pulp wood and timber: HB 2003
- Scenic and recreational highway system, route revisions: HB 2589, SHB 2589
- Scenic beauty preservation in highway project areas, alternatives to removing basalt formation in I-90 median required: HB 1846
- School pathway and bus stop improvement program and council established, council membership and duties set out: HB 2780
- State route 901, removal from state scenic highway system: HB 2392, \*SB 6078, CH 26 (1992)
- Traffic fatalities, duty of traffic safety commission to collect and publish description of each fatality, requirements for information to be included: HB 2863
- Traffic signals, use of optical strobe light devices to control signals by public transit and department of transportation vehicles authorized: HB 2291, SHB 2291
- Vacation of county roads, owners of property near road authorized to petition for: HB 1578
- Vending machines located on passenger ferry or in highway rest area, requirements for the recycling of bottles and cans established: SHB 2390

#### **RURAL DEVELOPMENT**

- Circuit rider assistance program created to provide technical and funding assistance to small communities: HB 2072
- Diamond Point trust parcel, sale to parks and recreation commission by board of natural resources, authority to vary boundaries and acreage of parcel transferred: \*SHB 2990, CH 185 (1992)
- Urban/rural economic partnerships project created to encourage transfer of excessive Puget Sound business growth to rural areas: HB 2525
- Washington rural development council created, membership, organization, and duties: HB 2526
- Washington rural development council recognized by legislature and state entities encouraged to participate in council activities, council to be located in branch or agency of state or federal government: SHB 2526

#### **RURAL HEALTH**

- Basic health plan, timber impact area residents, including those without a history of direct timber employment, eligible to enroll in plan: SHB 2994
- Certificate of need requirements revised for rural hospitals and rural health care facilities: HB 2420, SHB 2420, \*SSB 6076, CH 27 (1992)
- Hospitals, essential health care services to medical assistance clients, payment provisions: HB 1795
- Hospitals, underground storage tank cleanup financial assistance, application procedures: SHB 2114
- Rural health access account created: HB 2993, \*SHB 2993, CH 120 (1992)
- Rural health care plan, authority of department of health to monitor for continued compliance with plan: HB 2420, SHB 2420, \*SSB 6076, CH 27 (1992)

Rural public hospital district agreements and contracts with other rural districts allowed:  
HB 2495, SHB 2495

Rural public hospital districts authorized to enter into interlocal agreements and contracts with other rural districts to cooperatively purchase equipment and provide services:  
\*SHB 2495, CH 161 (1992)

### **SALARIES**

Legislature, member may elect to refuse increase or request reduction: HB 2339

Public employees, governor's budget to show increment salary increases: HB 2241

State employees, governor's budget to link salary increase with department of social and health services' vendor rate and grant standards increase: HB 2838

Teachers, governor's budget to link salary increase with department of social and health services' vendor rate and grant standards increase: HB 2838

### **SALES**

Bulk sales (Article 6, Uniform Commercial Code) provisions repealed: HB 2413

Bulk sales, adoption of revised uniform commercial code article on: HB 1188

Retail installment contracts, service charge of one and one-half percent per month may be charged on balances for contracts entered into between July 1, 1992, and July 1, 1994: HB 2944

Retail installment sales, service charge not to exceed schedule or rate agreed to by contract:  
\*HB 2944, CH 193 (1992)

Sales representatives and principals, regulation of contractual relationship between representatives and principals including payment of wages and commissions: \*SSB 6120, CH 177 (1992)

Sales representatives, principal's obligations for commission payment: SSB 6120

### **SALES TAX (See TAXES - SALES TAX)**

### **SALMON (See also FISHERIES, DEPARTMENT, FISHING, COMMERCIAL, FISHING, RECREATIONAL)**

Agricultural and grazing practices, development of practices to protect riparian-associated fish and wildlife habitat: HB 2628, SHB 2628

Catch accounting system, fisheries and wildlife departments to develop plan to accurately record salmon and steelhead catches: SB 6150

Catch reporting, incentives and penalties to improve accuracy to be examined: SB 6150

Commercial fishery gear reduction task force, plan and recommendations to legislature by January 1993: SSB 6047

Commercial licenses, Columbia River/Willapa Bay and Columbia River/Grays Harbor licenses buy back program: HB 2786

Commercial licenses, implementation of temporary commercial salmon fishing license leasing program: HB 2626, SHB 2626

Commodity commission, authority for Washington commercial salmon producers to elect to form commission: HB 2275, SHB 2275

Conservation of water, programs to increase instream flows in areas where wild salmonids are in decline: HB 2629, SHB 2629

- Diversions from salmon and steelhead bearing portions of Columbia and Snake rivers to be equipped with devices to measure instantaneous and seasonal water flows: HB 2627
- Electric power costs for state-funded hatcheries, United States department of energy and Bonneville Power Administration requested to fund: HJM 4032
- Fisheries department, salmon production designated as primary mission of department: SB 5302
- Guide vessel operators, license required for person to operate vessel for salmon guide: SB 6126
- Harvest management of anadromous fish, committee on, created to study ways to increase returns of weak salmon and steelhead stocks: SSB 6151
- Hood Canal, management of commercial fishery: HB 1350
- Labeling, identification by source and common name requirements: HB 2369, SHB 2369
- Licenses, commercial license fees and previous year salmon catch requirements, revised provisions: HB 2869
- Licenses, reduction in number of commercial salmon fishing licenses to target number in year 2000, plan development responsibilities: HB 2869
- Minimum water flow levels for salmonid recovery, department of ecology to implement minimum flow levels on some rivers and recommend minimum levels on others: HB 2629
- Minimum water flow levels for salmonid recovery, department of ecology to prioritize evaluation and implementation of minimum flow levels in basins with declining salmonid stock: SHB 2629
- Mitchell act salmon hatchery facilities, funding for operations and capital improvements urged: HJM 4034
- Protection from nonendangered marine mammals, departments of fisheries and wildlife to pursue authority to lethally remove: SSB 5666
- Puget Sound chinook salmon, director to increase opportunity for recreational fishers to harvest to correct past errors in catch accounting between treaty Indian fishers and nonIndian fishers: SB 6293
- Recreational fisher payback plan, director to develop and implement plan to correct overestimation of salmon catch by recreational fishers: HB 1987
- Salmon and salmon egg sales proceeds, allocations to include regional fisheries enhancement groups: HB 1438
- Salmon and steelhead recovery, committee to study populations status: HCR 4410, SHCR 4410
- Skagit river salmon recovery plan, director of fisheries to prepare: \*SB 5675, CH 88 (1992)
- Wild salmonid review and inventory team, departments of fisheries and wildlife to establish, membership and duties: SHB 2626
- Wild salmonid review and recovery team, departments of fisheries and wildlife to establish, membership and duties: HB 2626

#### SAVINGS AND LOAN ASSOCIATIONS

- Community credit needs, revised provisions relating to lending policies to encourage investment to resolve community housing needs: HB 2484
- Mortgage escrow accounts, financial institutions to pay interest on accounts with the interest used to assist in providing affordable housing: HB 2484

Payroll deductions, state employees, deposit into savings and loan association authorized, requirements: \*SHB 2025, CH 192 (1992)

### **SCATTER CREEK**

Wildlife area, recreational use maintenance and enhancement, department of wildlife to plan: HB 2131, SHB 2131

Wildlife area, recreational use maintenance and enhancement, user groups to assist department of wildlife in planning: SHB 2131

### **SCENIC RIVER SYSTEM**

Green river, portion below city of Tacoma diversion dam to crossing of highway 18 bridge designated as part of system: HB 2103

Little Spokane river added to system, boundaries described: HB 2183

### **SCHOOLS AND SCHOOL DISTRICTS**

"Educator" defined: HB 2217

Academic and vocational integration development program established to fund and coordinate three pilot projects: HB 1764

Academic and vocational integration development program, pilot projects: HB 2359, \*SHB 2359, CH 137 (1992)

Academic and vocational integration, task force on, task force duties: HB 1764

Academic contests account created, uses of funds in: HB 1149

Accountability and assessment program, basic education act and program requirements amended with effective date of September 1, 1998, unless law is enacted stating that no such program is in place: \*SSB 5953, CH 141 (1992)

Accountability report, district to publish annually, content requirements established: SSB 5953

Administrative staff, contracts for a term not to exceed three years: HB 1557

Alcohol and cigarette tax revenues, use for common school construction: HB 1589

Alternatives to classroom instructional time, board may define for students in grades nine through twelve: HB 2240

American Indians of the Northwest, curriculum development center established, purposes of center regarding students in K-12 system: HB 2540, SHB 2540

American sign language course satisfies public school foreign language requirement: \*HB 1664, CH 60 (1992)

Apportionment from state general fund, district may receive in equal or proportional installments: HB 1220

Assessment of student educational progress, information system to monitor: HB 2325

At-risk students, family support worker program in schools established: SHB 1543

At-risk youth, self-supporting motivation or retention programs funding: HB 1374

Attendance, notification of students and parents of compulsory attendance requirements: \*SHB 2466, CH 205 (1992)

Attendance, public assistance ongoing eligibility based on compliance with compulsory attendance provisions: HB 2584

Audit, performance audit of common schools funding system required: HB 2049

Background check of school bus drivers required: HB 2351

- Basic education act and program requirements amended with effective date of September 1, 1998, unless law is enacted stating that no school accountability and assessment program is in place: \*SSB 5953, CH 141 (1992)
- Basic education program provided by state, revised provisions: HB 1912
- Basic education program requirements, essential learnings for elementary and secondary students: HB 2240
- Basic education requirements, interim waivers allowed to qualifying districts and schools: HB 2240
- Basic education requirements, interim waivers to assist development of performance-based education system: HB 2546, SHB 2546
- Basic education requirements, restructuring to achieve student performance enhancement: SHB 1026
- Basic education requirements, revised provisions to reflect development of performance-based education system: HB 2546, SHB 2546
- Before-and-after school child care programs, appropriation to fund: HB 2623
- Before-and-after-school child care facility grant program established, promotion of programs in or near public schools established as state policy: SHB 2528
- Before-and-after-school child care programs, funding provided to encourage programs in or near public elementary schools: HB 2528
- Bids, competitive bids required on building or improvement contracts costing in excess of fifty thousand dollars: SHB 1212
- Bids, competitive bids required on purchases or improvements costing in excess of fifteen thousand dollars: HB 1212, SHB 1212
- Board of directors, policy making authority of school boards expanded to promote educational quality and school district management and operation: \*SSB 5953, CH 141 (1992)
- Board of directors, powers and duties: HB 2240
- Boards of directors, power to determine and adopt policies for the development and implementation of programs, activities, services, and practices promoting education, procedural requirements: HB 2546, SHB 2546
- Boundary changes, procedural requirements for regional committee to reach decision, appeal by petitioners to state board of education: HB 1951
- Braille instruction to be provided blind students: HB 1945
- Bus drivers and maintenance personnel, drug and alcohol testing authorized as condition of employment, procedures and penalties established: HB 2706
- Bus stops, school pathway and bus stop improvement program and council established, council membership and duties set out: HB 2780
- Business and occupation tax credits for donations to public schools, conditions: HB 2612
- Candy sales tax, revenues dedicated to school construction: HB 1178
- Certificate of advanced mastery with college preparatory and academic professional technical endorsements, programs to qualify students for: HB 2325
- Certificate of initial mastery, additional educational services to assist students to achieve: HB 2325
- Certificate of initial mastery, requirements for students: HB 2325
- Certificate of initial mastery, school district curriculum to meet requirements for students to obtain: HB 2325
- Certificated administrative employees, optional three-year contracts allowed: HB 2125

- Certificated employees, contract nonrenewal period extended to three years with exception of employees with three years of previous experience in Washington schools: SSB 5953
- Certificated employees, contracts nonrenewal period extended to two years except that experienced employees are subject to one year probationary period when transferring to another district: \*SSB 5953, CH 141 (1992)
- Certificated employees, employment contract with district officer's spouse, conditions: HB 2559
- Certificated employees, nonrenewal of contracts, reconsideration request procedures: HB 2125
- Certificated employees, optional three-year contracts allowed: HB 2125
- Certificated staff, cost-of-living salary increase allowed only by separate contract: HB 2580
- Certification of teachers and administrators, board of education to study current requirements in conjunction with council on education reform and funding and present options for improving certification system: \*SSB 5953, CH 141 (1992)
- Classified employees, district may not purchase services by contract when the effect of that contract would be to terminate classified employees: HB 2758
- Classified employees, inclusion in excellence in education award program: HB 2794, \*SSB 6327, CH 50 (1992)
- Collective bargaining unit to include all nonsupervisory classified employees, fragmentation of existing unit prohibited: HB 1839
- College and university courses taken for high school credit, eleventh and twelfth grade students allowed to take: HB 1762, SHB 1762
- Commission on student learning created, membership and duties: SHB 1023, HB 2240
- Commission on student learning created, membership, organization, and duties: HB 2546, SHB 2546
- Commission on student learning established, membership and duties: \*SSB 5953, CH 141 (1992)
- Common school construction fund, lottery revenues dedicated to: HB 2497
- Common school construction fund, transfers to fund from geothermal account from funds received until June 30, 2001, limited: HB 2399
- Common schools, lottery receipts to be used solely for funding: HB 2218
- Community service as alternative to suspension program: HB 2298
- Community service, each high school encouraged to offer opportunity for students to volunteer for community organizations: SHB 2611
- Community service, each high school to offer at least one elective course in which students may volunteer for: HB 2611
- Community service, superintendent of public instruction to prepare guidelines for student volunteer programs: SHB 2611
- Compensation plan for educational employees placing Washington in top ten percent among states: HB 1223
- Competency testing of grade twelve students, superintendent of public instruction and districts to conduct annual assessment to determine student competency in specified areas: SSB 5953
- Complex needs grant program created: HB 2200
- Computer-based learning centers for at-risk children: HB 1098
- Constitution of the United States, Bill of Rights, and the Federalist papers, urging schools to instruct students in meaning and history of: HJM 4030

- Construction and modernization of common schools, funding from taxes on alcohol and cigarettes: HB 1589
- Construction and repair of common schools, reservation of portion of revenues from increased debt capacity for: SHB 1034
- Construction funds, lottery revenues dedicated to: HB 2497
- Construction funds, property tax levied for up to fifteen years used solely to provide: HJR 4242
- Continuing education for teachers, funding: HB 2226
- Contract for services, district may not purchase services by contract when the effect of that contract would be to terminate classified employees: HB 2758
- Contracts, administrators, three-year contracts with annual renewals authorized: HB 2125
- Contracts, certificated employees, three-year contracts with annual renewals authorized: HB 2125
- Contracts, interest rate of one percent per month payable on amounts due when public body fails to make timely payment: \*SHB 1736, CH 223 (1992)
- Controlled substances crimes in protected areas, penalties increased: HB 2311
- Corporal punishment prohibited: HB 1159, HB 1528
- Cost-of-living differences by county or area, superintendent of public instruction to review and recommend compensation formula for allocation to districts: HB 2207
- Council on education reform and funding, goals and mission endorsed: SCR 8422
- Counseling, suspension of student reduced for participation in, district not obligated to pay for the counseling: \*SSB 5305, CH 155 (1992)
- Criminal record check through state patrol and federal bureau of investigation required for potential school employees: HB 2518, \*SHB 2518, CH 159 (1992)
- Desert Shield, health and retirement coverage continued for employees called to active service: HB 1359, SSB 5092
- Developmentally disabled high school graduates, regional disabilities employment function to provide services for: 2SSB 5780
- Developmentally disabled high school students, regional disabilities employment function to provide school to employment transition services for: 2SSB 5780
- Directors, contracts with administrative staff not to exceed a term of three years: HB 1557
- Directors, election of, when primary not required: SHB 1001
- Directors, election procedures: HB 2004
- Directors, executive sessions allowed for personal relationship and communication training for board members: HB 2111
- Directors, first class districts with city of four hundred thousand people to nine directors, election procedures: HB 2113, SHB 2113
- Directors, governance or management problems, state intervention procedure and board duties: HB 2112
- Directors, policy making authority of school boards expanded to promote educational quality and school district management and operation: \*SSB 5953, CH 141 (1992)
- Directors, powers of the board of directors of each school district expanded to promote local control of education: HB 1912
- Directors, reimbursement provisions revised: HB 2809, SHB 2809
- Directory of volunteer programs and business or civic club partnerships in schools to be compiled: HB 1417
- Dispute resolution and creative problem solving, superintendent of public instruction to develop and distribute model instructional materials regarding: HB 2600

- Distressed areas, funding assistance to districts in with two thousand students or less, conditions: HB 1788
- District directors, election procedures: HB 1074
- District officers, contract with officer's spouse for certificated or classified employment, conditions: HB 2559
- Driver's licenses, revocation of license or permit when licensee withdraws from school: HB 1768
- Drop-in to catch-up program: HB 1098
- Dropouts, retrieval outreach efforts funding authorized: HB 1374
- Drug and alcohol abuse prevention and intervention programs, parent and community involvement encouraged: HB 1912
- Drug and alcohol testing of bus drivers and maintenance personnel authorized as condition of employment, procedures and penalties established: HB 2706
- Early childhood education, preschool education and assistance program, eligibility: HB 2240
- Early intervention projects, school-based mental health projects: HB 1550, SHB 1550
- Earthquake preparedness policy, requirements: HB 1266
- Education 2000 task force, membership and duties: HB 1100
- Education centers, name changed from educational clinics: HB 2320
- Education construction account created, emergency reserve fund earnings to be transferred to: SB 6470
- Education construction fund created, appropriations to account for use of public schools and named colleges and universities: HB 1178
- Education reform and funding, endorsement of charge and plan of work of council on education reform and funding: HCR 4429
- Education reform and funding, goals and mission of council on education reform and funding endorsed: SCR 8422
- Education service districts, service providers unemployment compensation benefit exclusions: HB 1875
- Education technology support centers, purposes: HB 2684
- Educational clinics, name changed to education centers: HB 2320
- Educational opportunity grant pilot programs to be implemented in Seattle, Tacoma, and Spokane school districts, requirements: HB 1876
- Educational progress oversight panel created to report annually on progress of education reform, panel membership and report content requirements established: SSB 5953
- Educational service district professional development centers, responsibility for student diversity training programs: HB 2517
- Educational service districts, leave sharing program, contribution of sick leave benefits: SHB 1044
- Educational support account created, dedicated revenues deposited in: HB 2232
- Educator academy advisory board created, membership and duties: HB 2217, SHB 2217
- Educator academy created at Tacoma branch campus of University of Washington: HB 2217
- Educator academy staff development and professional enrichment programs, pilot project established: HB 2217
- Educator academy, University of Washington to develop plan for: SHB 2217
- Educator disciplinary board created, membership, powers, and duties: HB 2217
- Educator disciplinary board, pilot project established: HB 2217



- Educator preparation and certification, revised provisions: HB 2240
- Educators, conduct constituting unprofessional conduct: HB 2217
- Employee health care benefits, supplemental basic benefits and employer contributions: HB 1842
- Employees meeting Plan I early retirement criteria, eligibility for accrued sick leave remuneration under district's attendance incentive program: \*SHB 2947, CH 234 (1992)
- Employees with unsupervised access to children, fingerprint check required before hiring: HB 2332
- Employees, compensation plan for educational employees to place them among top ten percent among states: HB 1223
- Employees, criminal record check through state patrol and federal bureau of investigation required for potential employees: HB 2518, \*SHB 2518, CH 159 (1992)
- Employees, district may not purchase services by contract when the effect of that contract would be to terminate classified employees: HB 2758
- Employees, district to withhold pro rata portion of salary of employees participating in work stoppages: HB 2207
- Employment, contract with district officer's spouse for certificated or classified employment, conditions: HB 2559
- Employment, contract with district officer's spouse for substitute teacher employment, conditions: HB 2559
- Employment, school service leave from employment authorized: SHB 1653
- Energy budgets, savings from underexpenditure of budget, apportionment between district and individual schools: HB 1999
- Energy use reduction and energy efficiency projects: SHB 1022
- Enhancement funds for local education programs, qualifications: HB 2240
- Enrollment limited to thirty thousand full-time students, procedures for dividing larger districts: HB 2828
- Essential core competencies, diploma as certificate of mastery of essential basic skills and core competency learnings: HB 1545
- Essential learnings for elementary and secondary students: HB 2240
- Ethnic and cultural diversity, in-service training to teach children to understand and appreciate diversity encouraged: HB 2085
- Excellence in education award program, classified employees included: HB 2794, \*SSB 6327, CH 50 (1992)
- Excellence in education award program, reimbursement and stipend limits established: \*SSB 6326, CH 83 (1992)
- Excellent school building program established to award buildings that achieve substantial educational improvements: HB 1223
- Excess levies, levy base increased to cover lag in revenue availability for expenditures that occur at the beginning of the school year but are funded from levies collected in the second half of the year: \*SHB 1932, CH 49 (1992)
- Excess levies, maximum dollar amount calculation: HB 2240
- Fair start program established to assist in providing prevention and intervention programs for elementary students: HB 2695, SHB 2695
- Fair start program established to provide early intervention and prevention services for elementary school children: HB 1311, SHB 1311

- Fair start program, prevention and intervention services for elementary grade students: HB 1311, SHB 1311, HB 2240, \*SSB 6180, CH 196 (1992)
- Fingerprint check of employees with unsupervised access to children required before hiring: HB 2332
- Fingerprint identification account created for deposit of fees from school district fingerprint checks and expenditures authorized only for the cost of background checks: \*SHB 2518, CH 159 (1992)
- Fingerprinting of educational employees, state patrol and federal bureau of investigation to accept fingerprints only if they can assure that no record will be kept after background check is completed: \*SHB 2518, CH 159 (1992)
- Fire protection fees to be assessed on school districts owning buildings in fire protection district or receiving services from district, procedure set for determination of assessment rate: HB 2788
- Fire-extinguishing system, automatic, required in newly constructed schools: HB 1276, SHB 1276
- Firearms sales prohibited near schools and residential areas: HB 2882
- Fish and wildlife education council to raise and distribute funds for environmental education programs that emphasize species conservation and projects in fish and wildlife preservation and management: SHB 2630
- Fish and wildlife education, funding provisions and duties of department of fisheries: HB 2630
- Fish and wildlife education, state commission on funding for, creation, membership, organization, and duties: HB 2630
- Freedom of speech and of the press granted to public school student, conditions and limitations: HB 2064
- Funding formula advisory committee established to study funding approaches: SHB 1657
- Funding to take priority over all spending except debt repayment, constitutional amendment: HJR 4214
- Funding, dedicated revenues deposited in educational support account: HB 2232
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- Funding, lottery receipts to be used for nonemployee-related costs of education programs: HB 2213
- Funding, lottery receipts to be used solely for funding common schools: HB 2218
- Geothermal account, transfers from account to common school construction fund from funds received until June 30, 2001, limited: HB 2399
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- Health and mental health services, development of a marketing and technical assistance plan to increase the provision of medicaid assistance to local districts providing: HB 2547, SHB 2547
- Health care benefits for retired and disabled school district employees and their dependents, provision of continued benefits: HB 2857, \*SHB 2857, CH 152 (1992)
- Health care benefits for school employees, supplemental basic benefits and employer contributions: HB 1842
- Health care benefits, reporting of benefits offered to health care authority, summary data requirements revised: SHB 2077
- Health care, group insurance coverage for retired and disabled school district employees, health care authority to study: HB 2857, \*SHB 2857, CH 152 (1992)

- High school credit for courses taken before attending high school, revised requirements for receiving credit: \*SSB 5953, CH 141 (1992)
- High school credit for courses taken by student before entering high school, academic level of course must exceed seventh or eighth grade class requirements: SHB 2546
- High school credit, eleventh and twelfth grade students allowed to take college and university courses for: HB 1762, SHB 1762
- High school graduation requirements: HB 2240
- High school graduation requirements, authority of state board of education to set: HB 1912
- High school graduation requirements, board of education to establish requirements and equivalents: \*SSB 5953, CH 141 (1992)
- High school graduation requirements, state board of education to establish, revised provisions: HB 2546
- High school students' educational progress, annual report from school districts required: SHB 1811
- High-technology education, study committee to identify issues related to leadership in: HCR 4432, HCR 4437, SCR 8427
- Holocaust instruction, high schools encouraged to include in their curriculum, course may also use other examples from ancient and modern history: \*SHB 2212, CH 24 (1992)
- Holocaust study, all elementary and secondary schools to include in curriculum: HB 2212
- Impact fees, boundary changes to move new developments into districts not receiving impact fees, requirements: HB 1750
- Impact fees, deduction from district's matching fund from the common school construction fund for that year: HB 1751
- Improper governmental action, local government employee's right to report acts of, reporting procedures policy to be adopted, retaliatory actions prohibited, adjudicative proceedings may be sought for relief from: HB 2976
- Indian education committees to be provided notice of proposed budget and requires superintendent of public instruction to address committee concerns: HB 2425
- Indian language study to fulfill any requirement for instruction in language other than English while state history courses are to include information on Indian culture and history: HB 2542
- Institution education programs, provisions revised: HB 2685, SHB 2685
- Institution education programs, school district and department of social and health services to enter into annual interlocal cooperation agreement to provide: HB 2685, SHB 2685
- Inventory of lands and buildings that might be sold, leased, or exchanged for the development of affordable housing: HB 2484
- Juvenile detention facilities, educational programs, juvenile corrections education management advisory committee to develop recommendations: SHB 2001
- Learn-in-libraries program, cooperation with local libraries to develop: HB 1663
- Learning problems, pilot program for students with, extension: HB 1141
- Levies may continue at last levy level if latest levy fails, constitutional amendment to allow: HJR 4204
- Levy base increased to cover lag in revenue availability for expenditures that occur at the beginning of the school year but are funded from levies collected in the second half of the year: \*SHB 1932, CH 49 (1992)
- Levy measures, number of electors needed to approve: HJR 4234

- Local control of education act: HB 1912
- Local education program enhancement funds, eligibility and funding provisions: SSB 6180
- Local effort assistance funds, distribution: HB 2194
- Lottery moneys deposited into general fund for support of common schools: HB 2224, HB 2229
- Lottery receipts to be used for nonemployee-related costs of education programs: HB 2213
- Lottery receipts to be used solely for funding common schools: HB 2218
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- Magnet school program, eligibility for financial assistance to eliminate minority group isolation in public schools: HB 1461
- Master's degree requirement for certification deadline extended to August 31, 1995: HB 2190
- Master's degree requirement for educators, state and educator to each pay one-half of tuition cost: HB 2217
- Medical assistance billing agent contract review committee, social and health services department and superintendent of public instruction to establish to review proposed contracts between districts and billing services: SHB 2547
- Medical assistance reimbursement for health-related services provided in schools, revised provisions to generate federal medical assistance matching funds for: SHB 2547
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- Migrant student record transfer system, superintendent of public instruction authorized to establish and operate a national system with federal funds: HB 2933
- Modernization and construction of school facilities, allocation of funds to be based on priorities set by state board of education: HB 2631, SHB 2631
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- Nonresident students registered under RCW 28A.225.220 and 28A.225.225, districts prohibited from charging transfer fees for: HB 2549
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- Nurses, initial and continuing certification, rules: HB 1658
- Nurses, nurse/student ratios: HB 1658
- Nutrition programs authorized by U.S. department of agriculture, state support for participation in: HB 1167, SHB 1167
- Occupational therapists, physical therapists, and nurses, determination of "years of service" for salary allocation purposes: HB 2548, SHB 2548
- Oral testing, superintendent of public instruction to assess use of oral tests and to develop instructional materials on: HB 1236
- Outdoor advertising of tobacco and alcohol products within one mile radius of school prohibited: SHB 2011
- Partners in education program, school service leave from employment authorized: SHB 1653
- Pathway and bus stop improvement program and council established, council membership and duties set out: HB 2780
- Pedestrian, bicycle and school bus safety instruction required: HB 1171
- Pedestrians in school crosswalk, vehicle operator's obligation to stop to allow to cross entire intersection: SHB 1934

- Performance-based education, technical assistance to be provided by superintendent of public instruction: HB 2546, SHB 2546
- Performance-based school accountability system development required: HB 2546, SHB 2546
- Performing arts, summer performing arts grant program for high school students: HB 1254
- Pesticide warning signs, posting required when pesticides are applied to school grounds by certified applicator, information to be supplied to owner of property: HB 2705
- Planning for learning project created to prepare strategies for teaching children with prenatal drug or alcohol exposure: SSB 6366
- Policy making authority of school boards expanded to promote educational quality and school district management and operation: \*SSB 5953, CH 141 (1992)
- Portable classrooms and facilities, emergency siting in violation of zoning laws authorized when overcrowding exists: HB 1996
- Prenatal drug or alcohol exposure, planning for learning project created to prepare strategies for teaching children with: SSB 6366
- Property tax levy base increased to cover lag in revenue availability for expenditures that occur at the beginning of the school year but are funded from levies collected in the second half of the year: \*SHB 1932, CH 49 (1992)
- Property tax, exemption from excess levy limits for specified nonbasic education program activities: HB 2150
- Property tax, levy equalization rate raised from ten to twenty percent for eligible districts: HB 1657, SHB 1657
- Property tax, levy lids increased from twenty percent to thirty percent: SHB 1657
- Property tax, school excess levy limits raised, revised provisions: \*SHB 1932, CH 49 (1992)
- Property tax, state-wide average ten percent levy rate raised to twenty percent: HB 2150
- Provisional employment period for certificated employees changed to three years: HB 2124
- Provisional employment period, certificated employees who have completed three years in another district subject to nonrenewal in first year with new district: HB 2124
- Public works, retainage of moneys in trust until completion of work of improvement: SB 6404
- Racial and ethnic minorities, consideration as consumers and providers in education and human services programs: HB 2085
- Ratio between certificated and classified staff and students set: HB 1363
- Reach for excellence program implemented: HB 2240
- Regional disabilities employment function to provide school to employment transition services for developmentally disabled and mentally ill high school students: 2SSB 5780
- Regional disabilities employment function to provide services for developmentally disabled high school graduates established: 2SSB 5780
- Remedial higher education classes, process established to charge districts for part of the cost of classes for recent high school graduates: HB 2422
- Remedial higher education classes, report by colleges and universities on students enrolled in precollege level classes: SHB 2422
- Restructuring plan, waiver of statutory requirements regarding school building self-study, classroom teacher contact hours, and basic education program hours authorized as part of: \*SSB 5953, CH 141 (1992)

- Retired and disabled school district employees and their dependents, provision of continued health care benefits for: HB 2857, \*SHB 2857, CH 152 (1992)
- Retired and disabled school district employees, health care authority to study group health insurance coverage for: HB 2857, \*SHB 2857, CH 152 (1992)
- Retired or disabled employees, participation in health insurance plans of school district allowed: HB 1838
- Salaries for certificated staff, cost-of-living increase allowed only by separate contract: HB 2580
- Salaries for certificated staff, expenditures from local funds solely the financial responsibility of school district: HB 1504
- Salary allocation, "years of service" determination for occupational and physical therapists and nurses: HB 2548, SHB 2548
- Schedule of days for students to attend school, establishment and publication of schedule, requirements, schedule not subject to collective bargaining: SSB 5953
- School bus drivers, fingerprint and background checks required: HB 2351
- School buses, additional equipment to enhance student transportation safety, requirements: HB 1173
- School buses, bus drivers may report drivers who fail to stop as required: SHB 1174, \*SSB 5116, CH 39 (1992)
- School buses, driver drug and alcohol testing and retesting allowed, conditions: HB 2176
- School buses, failure to stop for, pilot program to use video cameras to identify violators: \*SSB 5116, CH 39 (1992)
- School buses, hazard strobe lamp may be mounted and used on bus, conditions and restrictions: SSB 5116
- School buses, replacement of, revised provisions relating to allocation of funds and letting of bids for: SHB 1880
- School buses, safety instruction required in grades kindergarten through six: HB 1171
- School buses, use of aides on special education buses, review of current procedures: SHB 1174
- School buses, use of compressed natural gas as fuel, report to analyze potential for: HB 1179
- School buses, video camera use to reduce discipline problems, pilot program: HB 1173
- School construction, all appropriations in the 1991-1993 capital budget, except those specified, to lapse with at least one-half of lapsed funds to be appropriated for: HB 2975
- School directors' association, compensation of association directors authorized: HB 1221
- School premises, prohibition on possession on school premises extended to all persons, exemption and penalty provisions established: HB 2537, SHB 2537
- School year, four-quarter educational programs authorized, funding provisions: HB 1165
- School year, mandatory student attendance to end June 21st of each year: HB 2211
- School year, schools to offer education program for one hundred eighty days, student attendance voluntary after June 21st: HB 2211
- Schools and family program created, planning grants, eligibility for continued funding, and family support block grants: HB 1879
- Schools and family program, state coordinating committee established, membership and duties: HB 1879
- Schools for the twenty-first century program, final report to legislature and governor, information to be included: \*SB 6220, CH 112 (1992)

- Schools for the twenty-first century program, supplemental contracts for participating employees: \*SB 6220, CH 112 (1992)
- Second class districts with fewer than 200 students, authority to hire spouse of district officer as certificated or classified employee, conditions: HB 2559
- Second class districts, authority to hire spouse of district officer as substitute teacher when board has found there to be a shortage of substitute teachers in district: HB 2559
- Security monitors, appropriation to fund monitors in schools: HB 1197
- Self-image and personal responsibility curriculum development grant program: HB 1435
- Self-insurance programs, health and welfare benefits provisions, regulations: HB 2127
- Shared leave program, limitations on participation by community college, school district, and educational service district employees removed: HB 2199
- Sign language, American sign language course to satisfy state or local public school foreign language requirement: \*HB 1664, CH 60 (1992)
- Special education buses, review of use of aides on: HB 1173
- Special education students, board of education to develop alternatives for special education students to receive a high school diploma: SSB 5953
- Special educational services demonstration projects: HB 1328, SHB 1328
- Special educational services demonstration projects, unnecessary labeling of children discouraged while funding necessary services for children with identifiable needs: HB 2551, \*SHB 2551, CH 180 (1992)
- State vocational education center to be established by superintendent of public instruction: HB 1937
- Student assessment and testing, district required to adjust curriculum in areas where scores indicate that students need additional help, parental notification of scores required: \*SSB 5953, CH 141 (1992)
- Student diversity training programs, duties of educational service district professional development centers: HB 2517
- Student learning alternative program, district participation requirements: HB 1521
- Student learning goals established: HB 2325
- Student learning, commission on, creation, membership, organization, and duties: HB 2546, SHB 2546
- Student learning, establishment of commission on student learning, membership and duties: \*SSB 5953, CH 141 (1992)
- Student mandatory school attendance to end June 21st of each year: HB 2211
- Student performance enhancement, restructuring of basic education requirements to achieve: SHB 1023, SHB 1026
- Student records, availability to law enforcement and court officials required when directed by court order, parent notification: \*SHB 2466, CH 205 (1992)
- Student transportation safety enhancement: HB 1173
- Student transportation safety, state assistance for school plant facility construction related to improvement of: HB 1175
- Student transportation, "student" defined for allocation purposes: HB 2683
- Student, definition for student transportation allocation purposes: HB 2683
- Students, district enrollment limited to thirty thousand full-time students, procedures for dividing larger districts: HB 2828
- Summer school tuition, assistance for low-income students: HB 1531
- Supplies, schools to supply free of charge to low-income students: HB 1531

- Suspension of student reduced for participation in counseling, district not obligated to pay for the counseling: \*SSB 5305, CH 155 (1992)
- Suspension of students, superintendent of public instruction to encourage school districts to utilize community service as alternative to suspension, minimum requirements set: \*SSB 5305, CH 155 (1992)
- Suspension, community service as alternative to: HB 2298
- Tax levies, schools may levy tax equal to previous year's levy without resubmission to voters following failed tax levy proposition: HB 1215
- Teacher in-service training funding: HB 2226
- Teachers, provisional status: HB 2240
- Technical colleges, funds for high school students enrolled in technical colleges to be allocated to the serving technical college rather than the school district: HB 2602, SHB 2602
- Traffic safety education programs, appropriation to fund: HB 2247
- Traffic safety education programs, tax of two dollars per day imposed on lease or rental of motor vehicle license for hire to support: HB 2449
- Transfer fees for nonresident students registered under RCW 28A.225.220 and 28A.225.225 prohibited: HB 2549
- Transfer or tuition fees for nonresident students registered under RCW 28A.225.220 and 28A.225.225 prohibited: HB 2549
- Transportation safety for students, state assistance for school plant facility construction related to improvement of: HB 1175
- Truancy, school's duties and obligations regarding, revised provisions: HB 2466, \*SHB 2466, CH 205 (1992)
- Tuition or transfer fees for nonresident students registered under RCW 28A.225.220 and 28A.225.225 prohibited: HB 2549
- Twelfth grade assessment, superintendent of public instruction and districts to conduct annual assessment to determine student competency in specified areas: SSB 5953
- Unexcused absences by student, school's duties and obligations regarding, revised provisions: HB 2466, \*SHB 2466, CH 205 (1992)
- Violence-prevention materials, superintendent of public instruction to develop and provide to schools: HB 2599
- Vision: Education 2001 statement endorsed: SCR 8400
- Vocational agriculture education program: HB 1303
- Vocational and academic integration development program, pilot projects: HB 2359, \*SHB 2359, CH 137 (1992)
- Vocational education cooperatives encouraged as demonstration projects, grant award program created: HB 1937
- Vocational education task force to develop the process and review and select a state vocational education center: HB 1937
- Vocational education, staff to student ratio established: HB 1937, SSB 6180
- Volunteer programs, business or civic club partnerships in schools, directory to be compiled: HB 1417
- Voter registration of high school students: HB 1073
- Waivers of statutory requirements regarding school building self-study, classroom teacher contact hours, and basic education program hours authorized as part of restructuring plan containing required elements: \*SSB 5953, CH 141 (1992)



- Walking conditions, expansion of definition of "hazardous walking conditions" to include social hazards: HB 1173
- Waste reduction and recycling in schools, awards program: SHB 1459
- Weapons on school premises, arrest for probable cause authorized: SB 6122
- Weapons, prohibition on possession of dangerous weapons on school premises extended to all persons, exemption and penalty provisions established: HB 2537, SHB 2537
- Weather closure, days made up by allowing staff development programs on educational reform, 1990-91 school year: SHB 1532
- Weighted student formula, development of at least two options for implementation of 1992-93 school year: HB 1657
- Weighted student formula, funding formula advisory committee established to study funding approaches: SHB 1657
- Whistleblowers, right of city employee to report improper governmental conduct, reporting procedures policy to be adopted, retaliatory actions prohibited, adjudicative proceeding may be sought for relief from: HB 2976
- Work stoppages, district to reduce pro rata required affected hours or credits for courses or teacher-contact: HB 2207
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- Work stoppages, district to report each day of school closure to superintendent of public instruction: HB 2207
- Work stoppages, district to withhold pro rata portion of salary of each employee participating in: HB 2207
- Work stoppages, last day of students' mandatory school attendance to be June 21st of each year: HB 2211
- Work stoppages, schools to offer education program for one hundred eighty days, student attendance voluntary after June 21st: HB 2211
- Work stoppages, students may attend voluntary education program after end of mandatory school attendance on June 21st: HB 2211
- Years of service, definition for salary allocation purposes, determination for occupational and physical therapists and nurses: HB 2548, SHB 2548

#### SEARCH AND SEIZURE

- Administrative search warrants prohibited for searches of private residences, informed consent of occupant required: HB 1692
- Criminal street gang activities, offenses defined, penalties set: HB 1756
- Felonies, seizure and forfeiture of property involved in commission of a felony: SHB 1616
- Forfeiture of vehicles used in the sale and purchase of illegal drugs, vehicles subject to forfeiture: HB 1615
- Liquor, disposal of seized liquor by agency seizing the liquor: HB 1049

#### SEAT BELTS

- Enforcement of safety belt law by law enforcement officers as pretext for harassment prohibited: SHB 1503
- Requirement that law enforcement officer may enforce only as a secondary action deleted: SHB 1503

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Educational opportunity grant pilot program to be implemented in Seattle school district:  
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Police relief and pension fund system, members who withdrew contributions to that system,  
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system: \*SHB 2985, CH 157 (1992)

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Harvesting on state-owned aquatic lands, regulation by department of natural resources:  
SHB 1455

Harvesting within state and its offshore waters, regulation by department of fisheries: HB  
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Marine aquatic plant research, department of natural resources and department of fisheries  
to explore possibility of private funding for: SHB 1455

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seaweed taken from private and state tidelands and state bedlands for personal use,  
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Actual or threatened victim of domestic violence may use address of secretary of state's  
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Candidate residency requirement, duties: HB 1516

Candidates' pamphlet to indicate which candidates signed and abided by spending limits  
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Certificate authorizing protected record status for actual or threatened victim of domestic  
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Charitable organizations and commercial fund raisers required to register with: SSB 6246

Charitable organizations and commercial fund raisers, registration, regulatory, and fee  
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Division of elections created, duties: HB 1711

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Election administration and certification board, membership and duties: HB 2319, \*SHB  
2319, CH 163 (1992)

Election assistance and clearinghouse program established: HB 2319, \*SHB 2319, CH 163  
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Election assistance and clearinghouse program established, duties: HB 1711

Election audit section in elections division established, duties: HB 1711

Election costs, determination of proportionate basis for allocation of election costs, revision  
of formula for establishing share: HB 2469

Election review section established in division of elections, responsibilities: HB 2319,  
\*SHB 2319, CH 163 (1992)

Elections administration officials and personnel, training and certification programs: HB  
2319, \*SHB 2319, CH 163 (1992)

Elections appeals, procedure: HB 2319, \*SHB 2319, CH 163 (1992)

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- Motor vehicle licensing fees, county may exempt senior, low-income, and disabled persons from county licensing fee: HB 2619
- Nonprofit homes for aging, increase of residents' maximum income limits for property tax exemption purposes: HB 2227
- Property tax exemption for nonprofit homes for the aging, revised income and eligibility provisions and study requirements: HB 2639, \*SHB 2639, CH 213 (1992)
- Property tax exemption, "disposable income" redefined: SB 6169
- Property tax exemption, calculation of disposable income for claimant whose spouse has recently died: \*HB 2514, CH 187 (1992)
- Property tax exemption, change in qualifying age for: SHB 1313
- Property tax exemption, cotenant's disposable income excluded from combined income threshold computation: HB 1840
- Property tax exemption, increase of nonprofit homes for aging residents' maximum income limits: HB 2227
- Property tax exemption, ownership and occupancy dates to qualify changed from January 1 to December 31 of year in which exemption or deferral is claimed: HB 2748
- Property tax exemptions, renewal application for exemption required at least every four years to be accompanied by documented verification of income: HB 2926
- Property tax relief program, increase in qualifying disposable income amounts, home health care expenses excluded from calculation: HB 1026, SHB 1026
- Property tax relief qualifications to include nonrecognized gain on sale of principal residence: HB 1313
- Property tax, exemption from and deferral of: HB 1240, HB 2178
- Retired senior citizen volunteer programs, funds distribution: \*HB 2374, CH 65 (1992), SB 6181
- Sales and use tax exemption for durable medical equipment used by persons sixty-five years of age or older: HB 2879
- Second-family residential units on existing single-family lots, variance to allow, conditions: SSB 5810
- Senior environmental corps created, goals: HB 2560, \*SHB 2560, CH 63 (1992)
- Specialized transportation services for, provision of: HB 1507

## SENTENCING

- Adult criminal offenders, task force on sentencing of created, membership and duties: HB 2170
- Alcoholic beverage violations, penalties increased: SB 6137
- Alternatives to confinement, sentencing guidelines commission to continue development of alternatives for nonviolent offenders: SCR 8429
- Alternatives to total confinement, inmate work responsibility program to reduce prison costs, repay cost of confinement, and provide job skills: HB 2834, SHB 2834
- Arson, penalties increased: HB 2883
- Assault against a child in the first, second, and third degree, seriousness level, sentencing grid table, and offender score positions assigned to various levels of assault: HB 2532, SHB 2532, \*SSB 6104, CH 145 (1992)
- Child, crimes of assault against child in the first, second, and third degree, seriousness level, sentencing grid table, and offender score positions assigned to various levels of assault: HB 2532, SHB 2532, \*SSB 6104, CH 145 (1992)
- Controlled substances crimes in protected areas, penalties increased: HB 2311

- Crime laboratory analysis fee to be levied on persons found guilty to pay costs associated with analysis of forensic evidence by state crime laboratory: SSB 6057
- Crimes committed in state correctional institutions, consecutive sentences for offenders committing serious violent crimes while incarcerated: SHB 2834
- Criminal street gang activities, behavior defined, imposition of exceptional sentences: HB 2344, SHB 2344
- Criminal street gang activities, offenses defined, penalties set: HB 1756
- Death penalty sentencing proceedings, victims and survivors of victims entitled to make victim impact statements at: HB 2638
- Drive by shooting in which a person is killed, trial for aggravated first degree murder subject to death penalty authorized: HB 2979
- Driving under the influence of alcohol or drugs, imprisonment of at least seventy-two hours required: HB 2355
- Drug offenders, special evaluation to determine appropriateness of drug offender treatment option, minimum requirements of report and for consideration of imposition of treatment option: HB 2642
- Electronic monitoring authorized as a condition for release or probation, defendant may be required to bear monitoring costs: \*SB 6103, CH 86 (1992)
- Firearms, sentences increased for offenders who commit felonies and specified gross misdemeanors while armed with a firearm: HB 2524
- Gang activities, criminal street gang behavior defined and imposition of exceptional sentences authorized: HB 2344, SHB 2344
- Juvenile sentencing standards and options, revised provisions: HB 2466, SHB 2466
- Marihuana growing and selling, penalties increased: HB 1698
- Mental disorders, community supervision alternative for offenders with, conditions and procedures established: HB 2847
- Mentally disordered offenders, sentencing guidelines commission to identify and suggest appropriate sentencing options for, required elements: SHB 2847
- Mentally retarded person may not be sentenced to death: SHB 1234
- Nonviolent offenders, community-based punishment alternatives for, imposition in form of up to one hundred twenty punishment units: HB 2642
- Punishment units, definition, use in sentencing process: HB 2834, SHB 2834
- Rape of child in the first degree when victim under twelve, no less than ninety-nine year sentence to be imposed: HB 1758
- Reduction of sentence for defendant convicted of murder prior to July 23, 1989, when victim subjected defendant or defendant's children to continuing sexual or physical abuse and the murder was in response to that abuse: HB 2703, SHB 2703
- Vehicular homicide or assault, alcohol and drug evaluation and treatment as condition of community placement for persons convicted of: HB 2388, SHB 2388
- Vehicular homicide or assault, offenders subject to conditional community placement and must undergo alcohol and drug evaluation and treatment as condition of placement: HB 2388, SHB 2388
- Vehicular homicide under influence of intoxicating liquor or any drug, penalties increased: HB 2883
- Victims of drunk or intoxicated drivers, offender may be required to attend educational program focusing on the emotional, financial, and physical suffering of victims: \*SB 6295, CH 64 (1992)
- Violent offenders, additional community placement authorized: HB 2354, SHB 2354

**SENTENCING GUIDELINES COMMISSION**

Mentally disordered offenders, sentencing guidelines commission to identify and suggest appropriate sentencing options for, required elements: SHB 2847

Sentencing alternatives, commission to continue development of alternatives to confinement for nonviolent offenders: SCR 8429

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Motor fuel limitations by company to be imposed uniformly on stations and dealers: SHB 1924

Motor vehicles fuels marketing, joint select committee on, creation, membership, and duties: SHB 1924

**SEWAGE**

On-site systems, sale or use of additives prohibited: HB 1457

Shellfish protection districts and programs, authority to create for protection of shellfish growing areas from animal waste and failing on-site sewage system pollution: \*SSB 6132, CH 100 (1992)

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Bidding practices revised: HB 2505, SHB 2505

Connection without permission from sewer district prohibited, penalties: HB 1379

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Public works, award of contract for, criteria for making award, revised provisions: HB 2409, SHB 2409

Public works, lowest responsible bidder, additional criteria for determination of: SHB 2409

Small works rosters, process for districts to award contracts on works estimated to cost less than fifty thousand dollars: HB 2505, SHB 2505

**SEWERS**

Agriculture department, government entities to notify department of sludge applications from municipal sewage treatment facilities: HB 1963, SHB 1963

Boundary review boards, county may waive review of water and sewer extensions by: HB 2507, \*SSB 6085, CH 162 (1992)

Cities and towns, authority to compel county residents, with county approval, to hook up to city systems: HB 1654, SHB 1654

On-site sewage disposal systems, design and installation, board of health authority to require certification of persons other than engineers: HB 2074

On-site sewage system permit may not be refused for failure to meet gross area requirement when surrounded by sites approved before June 30, 1984: SB 5135

On-site systems, sale or use of additives prohibited, exceptions: SHB 1457

Strict liability imposed on public sewer systems for damage to individual residences, exceptions: HB 1759

Waiver by county legislative authority of review of water and sewer extensions by boundary review board: HB 2507, \*SSB 6085, CH 162 (1992)

**SEX DISCRIMINATION**

Athletics, gender equity in, community colleges may grant tuition and fee waivers to achieve, conditions and restrictions: HB 2853

Community colleges may grant tuition and fee waivers to achieve gender equity in athletics, conditions and restrictions: HB 2853

Gender equity in athletics, community colleges may grant tuition and fee waivers to achieve, conditions and restrictions: HB 2853

### SEX OFFENDER THERAPISTS

Certification fees to be reduced commensurate with appropriations made for the purpose of reducing certification costs: HB 2172

Certification not required when offender has or is planning to move to another state, no certified providers are available near offender's home, and evaluation and treatment plan is approved: \*SHB 2262, CH 45 (1992)

Reporting requirements, revised provisions: HB 2015, SHB 2015

### SEX OFFENSES AND OFFENDERS

"Sexually violent offense" defined: HB 2119

Child sexual abuse victims, dissemination of identifying information about victim prohibited without consent of victim or victim's legal guardian other than as specifically allowed: SHB 2348

Child sexual abuse victims, information revealing identity of child victims of sexual assault confidential and not subject to public disclosure, courts authorized to seal information identifying child victim: \*SHB 2348, CH 188 (1992)

Child sexual abuse victims, video testimony of victimized children under ten allowed: SJR 8217

Child sexual abuse, statute of limitations extended for bringing criminal charges of: HB 2530

Children, definition of "corroborative evidence" for admission of child's hearsay statement regarding acts of sexual contact: HB 2749

Children, matter harmful to minors, gross misdemeanor to display, sell, or present any matter, including live performance, that is harmful to minors: SSB 6262

Children, sexual exploitation of, defenses to prosecutions for, revised provisions: \*SB 6261, CH 178 (1992)

Civil commitment of sexually violent predators, commitment may occur when term of confinement is complete or nearly complete, criteria for release from commitment revised: \*SHB 2262, CH 45 (1992)

Communication with a minor for immoral purposes: SSB 5346

Community placement, sex and violent offenders required to obtain department approval of living arrangements and residence location during period of: \*SHB 2490, CH 75 (1992)

Community protection act amendments: HB 2015, SHB 2015

Family violence counselors, certification requirements: HB 1882, SHB 1882

Family violence pilot programs authorized: HB 1882, SHB 1882

HIV testing of accused sex offenders after first court appearance: HB 1343, SHB 1343, SSB 5086

HIV testing of accused sex offenders, crime victims may request and obtain test results: SHB 1343

- HIV testing of adult and juvenile offenders in sexual offense, prostitution, and drug offense cases required: SSB 5086
- HIV testing of juvenile offenders in sexual offense, prostitution, and drug offense cases required: HB 2491, SHB 2491
- Minors, communication with a minor for immoral purposes: SSB 5346
- Notice and registration requirements, revised provisions: HB 2015, SHB 2015
- Notice to sheriff and state patrol prior to release when future residence unknown, requirements: HB 2262, \*SHB 2262, CH 45 (1992)
- Parole periods established for sex and violent offenders and for all other offenders, terms, conditions, sanctions for violations, and final discharge provisions established: SHB 2834
- Rape of a child in the first degree when victim under twelve, no less than ninety-nine year sentence to be imposed: HB 1758
- Sex and violent offenders required to obtain department approval of living arrangements and residence location during period of community placement: \*SHB 2490, CH 75 (1992)
- Sex offender therapist certification not required when offender has or is planning to move to another state, no certified providers are available near offender's home, and evaluation and treatment plan is approved: \*SHB 2262, CH 45 (1992)
- Sexual exploitation of children, defenses to prosecutions for, revised provisions: \*SB 6261, CH 178 (1992)
- Sexually violent offenses, sentencing provisions: HB 2119
- Sexually violent predator, notice to prosecuting attorney of anticipated release of, requirements: HB 2262, \*SHB 2262, CH 45 (1992)
- Sexually violent predators, authorization to petition court for release, revised provisions: SB 6405
- Sexually violent predators, reincarceration of predator released into community on parole when that person refuses to undergo treatment authorized: HB 2959
- Sexually violent predators, revised provisions: HB 2015, SHB 2015
- Treatment requirements, revised provisions and effective date: HB 2015, SHB 2015
- Victims of sexual assault and domestic violence, provision of chemical dependency services to: HB 2477, SHB 2477
- Victims, prevention programs for persons at-risk of becoming victims of sex offenders, grant application requirements: HB 2734, SHB 2734
- Video testimony of children under ten who are sexual abuse victims, constitutional amendment to allow: HJR 4240

## **SHELLFISH**

- Animal waste pollution, conservation districts encouraged to contract with shellfish protection districts to control: \*SSB 6132, CH 100 (1992)
- Counties with saltwater tidelands, watershed protection districts and programs to protect shellfish authorized: HB 2363, SHB 2363, SSB 6132
- Grower-raised shellfish exempt from excise tax: HB 1349
- Growth management act, shellfish growing areas, land use element of comprehensive plan expanded to include protection of marine water quality in: SHB 2363
- Growth management act, shellfish industry maintenance and protection added to natural resources based industries goals: SHB 2363



- Informational materials concerning food fish and shellfish, sale by department of fisheries authorized: \*HB 2360, CH 13 (1992)
- Protection programs, county watershed protection districts to receive priority water quality financial assistance: SSB 6132
- Shellfish protection districts and programs, authority to create for protection of shellfish growing areas from animal waste and failing on-site sewage system pollution: \*SSB 6132, CH 100 (1992)
- Shellfish protection districts, creation and operation of district, revised procedures and deadlines, powers of county legislative authority revised: \*SSB 6132, CH 100 (1992)
- Shellfish protection districts, fees, charges, and rates, authority of county legislative authority to fix, alter, and control, confined animal feeding operations and other facilities exempted from: \*SSB 6132, CH 100 (1992)
- Tidelands, plans and programs to protect: HB 2363, SHB 2363, \*SSB 6132, CH 100 (1992)
- Watershed financial assistance program created in department of ecology to assist counties to form and implement watershed protection districts: HB 2363, SHB 2363
- Watershed protection districts, creation, abolition, powers, and funding provisions and procedures established: HB 2363, SHB 2363

## **SHERIFFS**

- Civil service commission, counties authorized to compensate members of: HB 1140
- Deputy sheriffs may practice law, conditions: \*HB 2368, CH 225 (1992)
- Fees for official services increased and new fees imposed: HB 2766, \*SHB 2766, CH 164 (1992)
- Firearms, agencies allowed to trade forfeited firearms for other police equipment, conditions and procedures: HB 1966
- Harassment, notification of the victim and law enforcement of release from prison or mental hospital of person who was charged or convicted of felony harassment required: \*SHB 2702, CH 186 (1992)
- Office to be nonpartisan except in counties where home rule charter declares it to be partisan: SHB 1715
- Sexual offenders, notice to be given to sheriff and state patrol prior to release when future residence unknown, requirements: HB 2262, \*SHB 2262, CH 45 (1992)
- Wild mushrooms, specialized forest products permit required to harvest, possess, and transport wild mushrooms, validation by county sheriff required: \*SHB 2865, CH 184 (1992)

## **SHERIFFS AND POLICE CHIEFS, WASHINGTON ASSOCIATION OF**

- Bigotry and bias crimes, central repository to be established for collection of data regarding, reporting requirements set: HB 2458
- Domestic violence incidents, law enforcement agencies to report to association for inclusion in the annual report of crime produced by the association: 2SSB 6347

## **SHORELINE HEARINGS BOARD**

- Fin fish rearing facilities permit appeal process: HB 1387

## **SHORELINES AND SHORELINE MANAGEMENT**

- Bulkheads, substantial development permit application, procedures: \*SB 6128, CH 105 (1992)
- Coastal barriers resources system, congress requested to reject recommendations to include sites in Washington: SJM 8031
- Compensation of landowners adversely affected by regulations adopted under the shoreline management act: HB 1693
- Judicial review of review proceedings before the shorelines hearing board to be based on record developed by the local government along with written and oral arguments before the board: SSB 6113
- Local government zoning to be considered in implementing shoreline master programs: HB 2696
- Local master programs to contain standards for the protection of single family residences and appurtenant structures from damage or loss due to shoreline erosion, required provisions specified: \*SB 6128, CH 105 (1992)
- Notice and compensation to landowners when property classified as natural or conservancy environment: HB 1694
- Residences and appurtenant structures, erosion protection prioritized: \*SB 6128, CH 105 (1992)
- Residences and associated uplands, erosion protection prioritized: SB 6128
- Review of final orders by shorelines hearings board to be based on record and supplemental evidence and limited to specified issues regarding local government's actions in regard to permit application: SSB 6113
- Review of final orders to be exclusively on the record and limited to specified issues regarding local government's actions in regard to permit application: HB 2455, SSB 6113

#### **SHORELINES HEARINGS BOARD**

- Judicial review of review proceedings before the shorelines hearing board to be based on record developed by the local government along with written and oral arguments before the board: SSB 6113
- Review of final orders to be based on record and supplemental evidence and limited to specified issues regarding local government's actions in regard to permit application: SSB 6113
- Review of final orders to be exclusively on the record and limited to specified issues regarding local government's actions in regard to permit application: HB 2455, SSB 6113

#### **SIGN LANGUAGE**

- American sign language course satisfies college foreign language admission requirement: \*HB 1664, CH 60 (1992)
- American sign language course satisfies public school foreign language requirement: \*HB 1664, CH 60 (1992)
- American sign language instructors' qualifications, state board of education to consult with various groups concerning standards for evaluation and certification of instructors: \*HB 1664, CH 60 (1992)

#### **SKAGIT COUNTY**

- Natural resource worker project for dislocated timber industry workers: SHB 1314

Superior court, one additional judge authorized: HB 2459, \*SHB 2459, CH 189 (1992)  
Training pilot project for dislocated timber industry workers in Skagit county: SHB 1315

### **SKAGIT RIVER**

Salmon recovery plan, director of fisheries to prepare: \*SB 5675, CH 88 (1992)

### **SKAGIT VALLEY COMMUNITY COLLEGE**

Training pilot project for dislocated timber industry workers in Skagit county, duties: SHB 1315

### **SLUDGE**

Agriculture department, government entities to notify department of sludge applications from municipal sewage treatment facilities: HB 1963, SHB 1963

Beneficial uses for sewage sludge, department of ecology to report on the establishment of beneficial uses by agencies and private entities: HB 2640

Biosolid management program, department of ecology to establish a program that will conform with recent and proposed federal regulations on municipal sewage sludge, civil and criminal penalties for violations: \*SHB 2640, CH 174 (1992)

Biosolid use and disposal permits, department of ecology authorized to delegate authority to issue and enforce to local health departments: \*SHB 2640, CH 174 (1992)

Biosolid use and disposal permits, local health department may appeal department of ecology decision to pollution control hearings board: \*SHB 2640, CH 174 (1992)

Biosolids, department of ecology authorized to promote beneficial uses of biosolids: \*SHB 2640, CH 174 (1992).

Comprehensive sludge management program, department of ecology to establish: HB 2640, \*SHB 2640, CH 174 (1992)

Local governments may prohibit, on a permit-by-permit basis, the use of municipal sewage sludge: HB 2640

Permit issuance and enforcement, department of ecology may delegate authority to issue and enforce permits to local health departments, department may review permits issued: \*SHB 2640, CH 174 (1992)

Pollution control hearings board, local health department may appeal a department of ecology permit decision to board: \*SHB 2640, CH 174 (1992)

### **SMALL BUSINESS EXPORT FINANCIAL ASSISTANCE CENTER**

Pacific Northwest export assistance project, purposes and duties: HB 1990

### **SMALL BUSINESSES (See BUSINESSES)**

### **SMALL WORKS ROSTERS (See PUBLIC WORKS)**

### **SMOKING**

Lighted material thrown away in forest, range, brush, or grain areas, gross misdemeanor: HB 1769

Tobacco, prevention of tobacco-caused disease, programs to reduce use by youth and to promote tobacco use reduction: HB 1753, SHB 1753

### **SNAKE RIVER**

Diversions from salmon and steelhead bearing portions of Columbia and Snake rivers to be equipped with devices to measure instantaneous and seasonal water flows: HB 2627

Minimum water flow levels for declining salmonid stock, department of ecology to determine if water withdrawals or diversions are potentially hazardous: SHB 2629

#### **SNOHOMISH COUNTY**

Superior court, two additional judges authorized: HB 2459, \*SHB 2459, CH 189 (1992)

#### **SNOWMOBILES**

Helmet for operator and riders required: HB 1514

#### **SOCIAL AND HEALTH SERVICES, DEPARTMENT**

Adult family home, license fees established by department rule: HB 2664

African-American at-risk youth, three-step transitional treatment program, duties: HB 1413

Aging and adult services, advisory council on, membership and duties: HB 1124

Aid to families with dependent children recipients, drug tests or treatment may be ordered: HB 2096

Aid to families with dependent children-employable, mandatory participation in JOBS program required for non-exempt parents under age twenty-four and at least one parent in two-parent households: HB 2983, \*SHB 2983, CH 165 (1992)

Antipsychotic medications, involuntary administration of, conditions warranting, revised provisions: HB 1892

At-risk youth, continuum of services pilot project, program requirements: HB 1418

At-risk youth, family reconciliation act, definition amended: HB 1923

At-risk youth, family support worker program in schools, duties: SHB 1543

At-risk youth, interdivisional at-risk youth committee to plan and coordinate agency services, duties: HB 1418

At-risk youth, services to, expansion and evaluation of services offered, departmental duties: HB 1418

Before-and-after school child care programs, appropriation to fund: HB 2623

Before-and-after-school child care facility grant program established, promotion of programs in or near public schools established as state policy: SHB 2528

Budget, needs assessment of populations served by the department to be included in budget document: HB 2907

Budget, social and health services vendor rates and grant standards to be linked to any adjustment for inflation for purchased goods and services in governor's budget: HB 2908

Chemically dependent pregnant women, mothers, and infants, interagency coordination of service delivery requirements: SB 6051

Child abuse, duty of child protective services to investigate complaints in preschools, nursery schools, and private kindergartens: HB 1393

Child care coordinating committee appropriation: HB 1382

Child care resources coordinator, revised duties: HB 1166

Child care tax credit for employer providing child care assistance to employees, rulemaking authority: HB 1538

Child care wage enhancement grant program, duties: HB 1566

- Child support enforcement, orders, procedures, collection, payment, limitation on actions: HB 1859, SHB 1859
- Children in care, to conduct assessment to determine appropriate level of residential and treatment services for these children: HB 2466, SHB 2466
- Children's mental health delivery systems, development and implementation of, duties: SHB 1609
- Chiropractic services to be offered as part of medical assistance programs: HB 2605, SHB 2605
- Community mobilization program for teens, funding and coordination of six projects to meet the needs of teens: SHB 1390
- Community work experience program to be implemented for general assistance recipients not expected to be eligible for supplemental security income and capable of doing public service work: HB 2983, \*SHB 2983, CH 165 (1992)
- Community-based long-term care services expansions authorized: HB 1845
- Continuum of services pilot project for youth, duties: HB 1418
- Criminal background checks required on sole independent contractors hired by physically disabled, mentally ill, or impaired persons and paid by state: HB 2622, SHB 2622
- Criminally insane, clarification of references to responsibilities of departments and corrections officers regarding criminal procedure for the: HB 2265
- Crisis residential centers, data collection and placement tracking duties: HB 1418
- Crisis residential centers, revised provisions and duties relating to: HB 2466, \*SHB 2466, CH 205 (1992)
- Day care centers, uniform business identifier number required for licensing: HB 1508
- Deaf persons, telecommunications devices for the deaf advisory committee, progress reports: SSB 6377
- Deaf persons, telecommunications devices for the deaf, contract award procedures revised: SSB 6377
- Deaf services, regional service centers established, duties: SHB 1523
- Developmentally disabled high school graduates, regional disabilities employment function to provide services for: 2SSB 5780
- Developmentally disabled high school students, regional disabilities employment function to provide school to employment transition services for: 2SSB 5780
- Developmentally disabled, community residential programs, department to provide residents with services required to successfully transfer to and maintain in programs: SHB 2802
- Developmentally disabled, community residential programs, reimbursement rate increase: HB 1541
- Developmentally disabled, private community programs for adults expanded to serve persons on waiting lists for services: HB 1542, SHB 1542
- Direct landlord pay task force created to study whether housing for recipients would increase were direct pay available: SHB 2152
- Domestic violence education available to professions dealing with domestic violence, to review and report on current level of, content requirements established: \*2SSB 6347, CH 111 (1992)
- Domestic violence, community technical assistance grant program to assist communities in developing responses to: HB 1741
- Drug tests or treatment may be ordered for aid to families with dependent children recipients: HB 2096

- Early intervention projects, school-based mental health projects: HB 1550, SHB 1550
- Educational opportunity grant pilot programs to be implemented in Seattle, Tacoma, and Spokane school districts, requirements: HB 1876
- Family planning services, training for substance abuse counselors: HB 2364, SHB 2364
- Family policy council created to solicit proposals to facilitate greater flexibility and responsiveness of service to families at the community level, duties, requirements for consideration of proposals: HB 2846, SHB 2846, \*SSB 6428, CH 198 (1992)
- Family preservation services program established to reduce or avoid the need for foster care placement of children: HB 2472, SHB 2472, \*SSB 6111, CH 214 (1992)
- Family preservation services, department to conduct study in at least one region of state: HB 2472, SHB 2472, \*SSB 6111, CH 214 (1992)
- Family reconciliation services, expansion of services and evaluation by department: HB 1418
- Family support centers, department to provide grants for the operation of community-based centers: HB 2083
- Family violence pilot programs, department duties: SHB 1882
- Firearms, person committed under criminal insanity or involuntary treatment statutes prohibited from possessing a firearm, process to be established for person to regain right to possess firearm: \*SHB 2373, CH 168 (1992)
- Food stamps, expedited issuance within twenty-four hours of application to eligible recipients: HB 1167, SHB 1167
- Foster care, placement with relative may not be denied for relative's belief or disbelief in criminal acts or convictions of child's parent: SSB 6345
- Foster care, visitation with relative may not be denied for relative's belief or disbelief in criminal acts or convictions of child's parent: SSB 6345
- Fraudulent documents, identification procedures training requirements for agency screening personnel, immunity for actions taken by personnel regarding identification of fraudulent documents: 2SSB 6364
- Funeral expenses of eligible persons, department responsibility for transportation, preparation, and interment: HB 2556, HB 2874
- Funeral expenses of recipients, responsibility of department of social and health services and surviving children for transportation and funeral services: \*SHB 2874, CH 108 (1992)
- Galactosemia, screening of newborn infants for, duties: HB 1906
- General assistance, community work experience program to be implemented for recipients not expected to be eligible for supplemental security income and capable of doing public service work: HB 2983, \*SHB 2983, CH 165 (1992)
- General assistance, coordination of program with other assistance programs, revised conditions: \*HB 2350, CH 136 (1992), SB 6060
- Guardian appointment petition, duties: HB 1510
- HIV/AIDS state-wide effort for integration, smooth operation, responsibilities: HB 1482
- Harassment, department required to notify the victim and law enforcement of release from prison or mental hospital of person who was charged or convicted of felony harassment: \*SHB 2702, CH 186 (1992)
- Hearing-impaired demographical study team created, duties: HB 1793
- Homeless children, specialized child care and respite care authorized for children of homeless parents: HB 1614, SHB 1614
- Hospice program extended: HB 2036

- Income assistance programs, grant standards as percentage of standard of need: HB 1436
- Institution education programs, interlocal cooperation agreement with juvenile court administrators and superintendent of public instruction: HB 2685, SHB 2685
- Institution education programs, provisions revised: HB 2685, SHB 2685
- Institution education programs, school district and department of social and health services to enter into annual interlocal cooperation agreement to provide: HB 2685, SHB 2685
- Interdepartmental advisory council for persons with functional disabilities established, duties: HB 1921
- Internship earnings, department to seek waiver to allow recipients to retain internship income: HB 1941
- Interviews with child in abuse and neglect cases to be recorded by audio or video tape or written transcript when a law enforcement officer is not present: HB 2948
- Involuntary commitment and treatment of minors requiring mental health care, duty to ensure that counties apply provisions in consistent and uniform manner: HB 2466, \*SHB 2466, CH 205 (1992)
- JOBS program, mandatory participation in program required for non-exempt parents under age twenty-four and at least one parent in two-parent households as eligibility condition for aid to dependent children-employable: HB 2983, \*SHB 2983, CH 165 (1992)
- Juvenile detention facilities, educational programs, department responsibilities: SHB 2001
- Juvenile offenders, department to develop plan to reduce reliance on large institutional facilities for: HB 2466, SHB 2466
- Juvenile offenders, economic or racial disparity in processing of juvenile offenders, department to make annual report: HB 2466
- Limited casualty program, maximum deductible increased: HB 1889
- Managed health care systems, contracts with nonphysician health care practitioners, departmental duties: SHB 2084
- Medicaid funding support for regionally managed mental health care, department to report on options and recommendations for maximizing: SB 6319
- Medical assistance billing agent contract review committee, department and superintendent of public instruction to establish to review proposed contracts between school districts and billing services: SHB 2547
- Medical services, department authorized to purchase services by contract or at rates set by department: \*HB 2314, CH 8 (1992)
- Mental health information system, operation dates for state and regional support network system components established: HB 2313
- Mental health regional support networks, department and state hospitals to provide support services for: SB 6318
- Mental health regional support networks, funding for programs that provide periods of stable community living: SB 6318
- Mental illness, person committed under criminal insanity or involuntary treatment statutes prohibited from possessing a firearm, process to be established for person to regain right to possess firearm: \*SHB 2373, CH 168 (1992)
- Mental illness, secretary of social and health services to develop system to discourage inappropriate placement of those with head injury, AIDS, the developmentally disabled, and substance abusers in state mental hospitals: \*SB 6319, CH 230 (1992)

- Mentally disordered offenders, sentencing guidelines commission to identify and suggest appropriate sentencing options for, departmental cooperation in study: SHB 2847
- Mentally ill high school students, regional disabilities employment function to provide school to employment transition services for: 2SSB 5780
- Mentally ill persons, incentives to discourage inappropriate placement of persons without primary diagnosis of mental disorder in state hospitals: SB 6319
- Minority organizations, contracts with community-based, nonprofit organizations encouraged: HB 2085
- Minors requiring mental health care and treatment to receive continuum of culturally relevant care and treatment: HB 2466, \*SHB 2466, CH 205 (1992)
- Nursing facility construction, renovation, and replacement, department to review current funding methods: HB 2968
- Nursing facility services program, consolidation into Washington healthcare plan, feasibility study: HB 2205
- Nursing home advisory council continued: HB 2810
- Nursing home auditing and cost reimbursement, cost reporting and calculation of reimbursement rates, revised provisions: HB 2741
- Nursing home medicare certification, exemption to requirement that facilities obtain and maintain, department may grant to facilities making good faith effort to obtain certification: HB 2931, HB 2968, \*SSB 6354, CH 215 (1992)
- Nursing homes, auditing and cost reimbursement, compliance with requirements relating to land, depreciable assets, and resident finances: SHB 1123
- Nursing pools providing temporary nursing services in nursing homes, regulation of rates charged by: HB 1249
- Paternity actions, limits set for commencement of action by mother or department of social and health services: HB 1781
- Pregnant women, alcohol and drug abuse program to develop and promote state-wide secondary prevention strategies, four pilot pretreatment projects for pregnant women to be established: HB 2913
- Public assistance eligibility for students over eighteen and demonstrating progress towards secondary school completion, pilot program and reporting requirements established: HB 2644
- Public assistance recipients allowed to retain half and dependent children all of their earned income, department to seek waiver to permit: HB 2527
- Public assistance recipients allowed to retain half of their earned income, department to seek waiver to permit: SHB 2527
- Racial and ethnic minorities, consideration as consumers and providers in education and human services programs: HB 2085
- Racial disproportionality in juvenile justice system, study authorized: SHB 1901
- Racial disproportionality in the juvenile justice system, submission date of report modified: HB 2466, \*SHB 2466, CH 205 (1992)
- Regional disabilities employment advisory councils, membership and duties: 2SSB 5780
- Regional disabilities employment function to provide school to employment transition services for developmentally disabled and mentally ill high school students: 2SSB 5780
- Regional disabilities employment function to provide services for developmentally disabled high school graduates established: 2SSB 5780
- Residential habilitation center reduction task force created, duties: HB 1735



- Residential treatment facilities for chemically dependent youth, departmental duties: HB 1418
- Retirement, early retirement for eligible employees: HB 1077
- Rural hospitals, essential health care services to medical assistance clients, payment provisions: HB 1795
- Safe houses for runaway and street youth, establishment and operation of: HB 1604
- Sexual offenders, notice to be given police chief prior to release when future residence unknown, requirements: \*SHB 2262, CH 45 (1992)
- Sexually violent predator, notice to prosecuting attorney of anticipated release of, requirements: HB 2262, \*SHB 2262, CH 45 (1992)
- Sexually violent predators, authorization to petition court for release, revised provisions: SB 6405
- Shelter provided minor, person to notify department within eight hours: HB 2007
- Social and health services policy act, departmental duties: HB 1684
- Social work, development and implementation of programs to recruit and train professional and paraprofessional workers: HB 2085
- Specialized care programs for persons with developmental disabilities, AIDS, or substance abuse, secretary authorized to establish: \*SB 6319, CH 230 (1992)
- State employee child liaison established, duties: SHB 1471
- Students, general assistance eligibility for students over eighteen and demonstrating progress towards secondary school completion, pilot program and reporting requirements established: HB 2644
- Supplemental security income program, state supplement combined with federal benefit to equal poverty guideline: HB 2009
- Teens, community mobilization program for, funding and coordination of six projects to meet the needs of teens: SHB 1390
- Telecommunications relay service excise tax, utilities and transportation commission to determine amount of tax necessary to fund program based on information provided by the office of deaf services: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system advisory committee to make progress reports at least four times a year to administrators and operators of system, required elements of report established: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system and text telephone, department to maintain program for the hearing and speech impaired, revised requirements: HB 2769, SHB 2769, \*SSB 6377, CH 144 (1992)
- Telecommunications relay system, department of social and health services to apply to federal communications commission for certification of the state-wide relay service: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system, department to apply to federal communications commission to have a state-controlled program by October 1, 1992: SHB 2769
- Telecommunications relay system, operation and maintenance of system, requirements for award of contract for provision of service commencing July 26, 1993: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system, operation of system to be bid out to a qualified contractor: HB 2769, SHB 2769
- Telephone excise tax ceiling raised to fourteen cents per month per telephone line to fund telephone relay system program: SHB 2769

- Timber impact areas, designation of additional socially and economically integrated communities as timber impact areas by economic recovery board authorized: \*HB 2821, CH 21 (1992)
- Utilization review of nursing facilities: HB 1126
- Vendor rates and grant standards to be linked to any adjustment for inflation for purchased goods and services in governor's budget: HB 2908
- Vendor rates, additional rate increases authorized in 1992 and 1993: \*SB 5961, CH 238 (1992)
- Victims of sexual assault and domestic violence, provision of chemical dependency services to, departmental duties: HB 2477, SHB 2477
- Volunteer service credit program established to exchange targeted services for service credit, duties: HB 2851
- Work opportunities program created to foster recipient job training and encourage independence from public assistance: HB 2515
- Youth in crisis, tracking system for youth in crisis residential centers, duties: HB 1418

### **SOCIAL SECURITY**

- Attorneys' fees, reimbursement by state for establishing claim: SHB 1466
- Driver's license applicants required to list social security number on application: HB 1803
- State supplement combined with federal security income benefit, to equal poverty guideline: HB 2009
- Unemployment compensation weekly benefits, no deduction made for those receiving social security: HB 1338

### **SOLID FUEL BURNING DEVICES (See WOOD BURNING STOVES)**

### **SOLID WASTE**

- Animal waste falling from vehicles carrying live farm animals while crossing a ferry capable of transporting fewer than twenty-five vehicles, exemption from load containment requirements: SHB 2457
- Biomedical waste, state-wide definition adopted preempting local definitions: \*SHB 2391, CH 14 (1992)
- Biomedical waste, treatment and handling requirements established: HB 2391
- Counties, solid waste disposal compliance, funding: HB 1553
- County collection and regulation authorized, rate regulation may be delegated to utilities and transportation commission: HB 2099
- County legislative authority authorized to impose a fee on solid waste imported into the county: HB 2960
- Environmental excellence award grant program created: HB 2149
- Imported waste, county legislative authority authorized to impose fee on solid waste imported into the county: HB 2960
- Load containment requirements, exemption for animal waste falling from vehicles carrying live farm animals while crossing a ferry capable of transporting fewer than twenty-five vehicles: SHB 2457
- Out-of-state waste, fee payment required if the generating state charges a fee for waste generated in Washington: HB 2636, SHB 2636
- Out-of-state waste, report required sixty days prior to receiving waste generated outside the state: HB 2636, SHB 2636

- Packaging and packaging components, waste reduction and recycling policies: HB 2678
- Packaging materials, target recycling rate achievement, strategies: HB 1826
- Plastic connecting rings for beverage and other containers, sale prohibited, exceptions: HB 2840, SHB 2840
- Recycling and solid waste laws, technical corrections: \*SB 6357, CH 131 (1992)
- Solid waste and recycling laws, technical corrections: \*SB 6357, CH 131 (1992)
- Space allocation standards for the collection of solid waste and recyclable materials, building code council duties, requirements: HB 2039
- Transportation of waste without a cover, minimum fees imposed on load without cover: HB 2397, SHB 2397
- Waste reduction, recycling, and litter control account created as successor to the litter control account, expenditures from account authorized for specified programs: \*SHB 2635, CH 175 (1992)
- Waste reduction, recycling, and model litter control act, model litter control and recycling act renamed and purposes and tax provisions revised: HB 2635, \*SHB 2635, CH 175 (1992)

**SPAS, HOT TUBS, AND SWIMMING POOLS**

- Electrical equipment, certification requirements: HB 1102

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Community college benefit districts, formation, powers, duties, and organization provisions, authority to impose excise tax on employers: HB 2790

Comprehensive flood control management plan, special districts must participate in county plan: SHB 1490

Election of officers of district is void if proposal to create district is defeated: HB 2476, SHB 2476

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Improper governmental action, local government employee's right to report acts of, reporting procedures policy to be adopted, retaliatory actions prohibited, adjudicative proceedings may be sought for relief from: HB 2976

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Nonresident property owners, authorization to vote in local nonpartisan elections when owning property within that government's boundaries: HB 2952

Pesticide regulation, local regulation of pesticides prohibited except as expressly authorized by legislature: SB 6273

Terms of office for elected commissioners reduced from six to four years in those districts with six-year terms of office: HB 2476, SHB 2476

Water-related districts, cooperation with county to establish watershed protection districts and implement programs: SSB 6132

Whistleblowers, right of city employee to report improper governmental conduct, reporting procedures policy to be adopted, retaliatory actions prohibited, adjudicative proceeding may be sought for relief from: HB 2976

Withdrawal of candidate for elective district office allowed any time before primary unless absentee ballots have been issued or primary ballots printed: HB 2463

Withdrawal of territory in or adjacent to city or town from district, necessary conditions for withdrawal: HB 2973

### **SPEECH IMPAIRED PERSONS**

Telecommunications devices for the deaf, contract award procedures revised: SSB 6377

Telecommunications relay service excise tax, utilities and transportation commission to determine amount of tax necessary to fund program based on information provided by the office of deaf services: \*SSB 6377, CH 144 (1992)

Telecommunications relay system advisory committee to make progress reports at least four times a year to administrators and operators of system, required elements of report established: \*SSB 6377, CH 144 (1992)

Telecommunications relay system and text telephone, department to maintain program for the hearing and speech impaired, revised requirements: HB 2769, SHB 2769, \*SSB 6377, CH 144 (1992)

Telecommunications relay system, department of social and health services to apply to federal communications commission to have a state-controlled program by October 1, 1992: SHB 2769

Telecommunications relay system, department of social and health services to apply to federal communications commission for certification of the state-wide relay service: \*SSB 6377, CH 144 (1992)

Telecommunications relay system, discounted long distance rates for service in conjunction with system required: \*SSB 6377, CH 144 (1992)

Telecommunications relay system, operation and maintenance of system, requirements for award of contract for provision of service commencing July 26, 1993: \*SSB 6377, CH 144 (1992)

Telecommunications relay system, operation of system to be bid out to a qualified contractor: HB 2769, SHB 2769

Telephone excise tax ceiling raised to fourteen cents per month per telephone line to fund telephone relay system program: SHB 2769

### **SPEED LIMITS**

Maximum speed limit set at fifty-five: HB 1451

### **SPOKANE**

Educational opportunity grant pilot program to be implemented in Spokane school district: HB 1876

### **SPORTS**

Athlete agents, licensing requirements: HB 1121

Athlete agents, registration requirements, revised provisions: HB 2270

Excise tax on motor vehicle rental or lease, county may impose tax to finance all or part of cost of maintaining and operating a public sports stadium facility: HB 2982

Franchise relationships, discrimination prohibited in, civil action for specific performance of the franchise agreement and to recover damages and costs authorized: HB 2954, SHB 2954

- Motor vehicle rental or lease, county may impose tax for financing all or part of cost of maintaining and operating a public sports stadium facility: HB 2982
- Motor vehicle rental, county may impose tax to acquire or operate public sports stadium facility or youth sport activities: \*SHB 2964, CH 194 (1992)
- Professional sports franchises, cities, code cities, and counties authorized to own an interest in: HB 2722, SHB 2722
- Professional sports franchises, the state and its political subdivisions given cause of action for economic damages caused by wrongful removal of a sports franchise from state: HB 2977
- Soccer facility construction for 1994 World Cup soccer games: HB 1302, SHB 1302
- Soccer facility construction for 1994 World Cup soccer games, grant awards, conditions: SHB 1302
- Stadium facilities, county may impose tax on motor vehicle rental or lease to finance all or part of cost of maintaining and operating a public facility: HB 2982
- Women in athletic leadership positions, state board for community and technical colleges to establish information clearinghouse for recruiting women as coaches, athletic directors, and athletic administrators: HB 2852

#### **STAMPEDE PASS**

- Rail line, purchase by department of transportation: HB 2102

#### **STATE ACTUARY**

- Early retirement of plan I public employees' retirement system and teachers' retirement system members, state actuary to conduct study on utilization of: HB 2947, \*SHB 2947, CH 234 (1992)

#### **STATE AGENCIES AND DEPARTMENTS**

- Accountability, government accountability consortium established, responsibilities: HB 1873
- Administrative law judge, former employee of agency not to act in any controversy involving agency for two years: SHB 1847
- Administrative procedure act, regulatory agency efficiency and equity practices: HB 2136
- Attorneys' fees, award when state is not prevailing party in civil action to which it is party: HB 1837
- Attorneys' fees, costs, and expenses, award to prevailing private party in action against state, including judicial review of agency action: HB 2510
- Birth-to-six interagency coordinating council created to ensure coordination of and collaboration in delivery of early intervention services to infants and toddlers with disabilities: \*SSB 6428, CH 198 (1992)
- Budget officers to be appointed for each agency: HB 1750
- Cap on number of employees for 1991-93 biennium at eighty-one thousand five hundred and thirty full time equivalents: HB 2185
- Capital investment strategy council, governor to appoint members, council duties enumerated: HB 2884, SHB 2884
- Collection agencies, assignment of public debts for collection: HB 2652
- Commuting, reduction of single occupant vehicle commuting, duty of state to plan and implement: HB 1754
- Construction to house state agencies, constitutional amendment to prohibit the issuance of bonds for: HJR 4232

- Credit cards to be accepted for payments in the course of state business: HB 1093
- Employment, growth of state government employment limited to no more than the annual rate of growth of the state's population: SB 6075
- Energy cogeneration projects in state facilities, feasibility studies and sale of energy: SHB 1022
- Energy use reduction and energy efficiency projects: SHB 1022
- Environmental impact statements, threshold determination on completed application to be made within ninety days although applicant may request an additional thirty days for determination: \*SSB 5728, CH 208 (1992)
- Environmental impact statements, threshold determination to be completed in fifteen to sixty days: SSB 5728
- Environmental impact statements, threshold determination to be completed in fifteen to thirty days: HB 2063, SSB 5728
- Family impact statement, required before taking action: HB 1745
- Fire protection services to state-owned facilities, cities and towns may enter into contracts with state agencies requiring that agencies provide a share of the jurisdiction's fire protection funding: HB 2937, \*SHB 2937, CH 117 (1992)
- Fire protection, separate contract between city or town and state agency allowed: HB 2186
- Fiscal impact statement when agencies adopt, amend, or repeal rules required: HB 1660
- Fiscal legislation, council on, created to oversee preparation of fiscal notes: HB 2593
- Fiscal legislation, council on, membership and duties: HB 2593
- Fiscal note council created, membership and duties: SSB 6188
- Fueling facilities, gasohol to be dispensed as passenger vehicle fuel: HB 1591
- Funding, publications describing delivery of public services to include information about source of funding for services: HB 2999
- Government storm water pollution and liability, special committee created, membership and duties: HB 2946
- Historic places, designation of, designating agency or official must obtain written consent of the property owner to designation or, for existing designations, to continue designation: HB 2849
- Information resources, agencies to adopt strategic information technology plan: HB 2814, \*SHB 2814, CH 20 (1992)
- Information technology projects, criteria for funding agency requests: \*SHB 2814, CH 20 (1992)
- Interlocal agreements, revised provisions relating to filing, approval, scope, and form of agreements: \*SHB 2495, CH 161 (1992)
- Inventory of lands and buildings that might be sold, leased, or exchanged for the development of affordable housing: HB 2484
- Land purchases of more than one hundred acres in one county, three public hearings to be held prior to purchase and written finding of economic effects of purchase to be made: HB 2707
- Leases, plat division for purposes of governmental agency leases allowed: HB 2563
- Liquor control agency established, liquor control board powers, duties, and functions transferred to, exceptions: SHB 1036
- Minority and women's business enterprises office to work with state agencies to develop a plan for direct contracting with certified businesses for public works and construction: SHB 1737

- Moratoria and interim zoning, state standards established to minimize impacts and avoid litigation: HB 2051, SSB 5727
- Noxious weed control, state lands to comply with provisions: HB 2656
- Parking and transportation management advisory committee, duties: SHB 1564
- Parking and transportation, development and implementation of comprehensive program for agencies and facilities: SHB 1564
- Performance audits of state agency programs, auditor given authority to conduct: SHB 2462
- Permit applicants, agency to provide written description of specific requirements to obtain permit for reasonable fee: HB 2478
- Personal services contracts, review and approval procedures: SHB 1133
- Private enterprise review commission created, membership and duties: HB 1605
- Private enterprise, competition prohibited with: HB 1605.
- Public advocate, office of, created, duties: HB 1585
- Public records, list of disclosure exemptions required: HB 2876, \*SHB 2876, CH 139 (1992)
- Public records, retention of requested record required until request is resolved: HB 2876, \*SHB 2876, CH 139 (1992)
- Public services, publications describing delivery of services to include information about source of funding for: HB 2999
- Public works, Washington grown and produced wood products to be used to maximum extent: HB 1871, SHB 1871, HJM 4019
- Public works, office of minority and women's business enterprises to work with state agencies to develop a plan for direct contracting with certified businesses for public works and construction: SHB 1737
- Regional offices to maintain uniform state-wide hours and practices: HB 2136
- Review of all existing programs for need and relevancy with intent to terminate or modify them as required, session to be held in 1993 and at least once a century thereafter for that purpose: HB 2906
- Rules placing burden on nongovernmental persons, agency duty to prepare explanatory statement of compliance requirements: HB 2478
- Senior environmental corps created, powers and duties of certain agencies: HB 2560, \*SHB 2560, CH 63 (1992)
- Small business economic impact statements, notification of small businesses affected required: HB 2498
- Strategic planning process for state government, joint executive/legislative committee on planning established: HB 1873
- Taking of private property, establishes a process to determine when a taking has occurred; implementation duties: HB 1334
- Tort claims, payment from tort claims revolving fund, conditions: HB 1561
- Travel entitlements earned as a result of official travel accrue to the state, personal use of benefits prohibited: HB 2596
- Violation of agency law, rule, or order, agency given reasonable opportunity to correct in lieu of penalty, exceptions: HB 2234

#### STATE AUDITOR

- Improper governmental activity, duty to investigate: \*SSB 5121, CH 118 (1992)
- Performance audits of state agency programs, auditor given authority to conduct: SHB 2462



Whistleblowers, duty to acknowledge and investigate reports received from, revised provisions: \*SSB 5121, CH 118 (1992)

Whistleblowers, investigation of reports from local government employees of improper governmental action, surcharge of five cents per audit hour: \*SSB 6321, CH 44 (1992)

Whistleblowers, surcharge on auditing charges to local governments authorized, to be deposited in local government administrative hearings account: HB 2976

#### **STATE BUILDING CODE COUNCIL**

Technical advisory committee to be appointed to assess emerging design, materials, and construction technologies for inclusion in appropriate code: HB 2478

#### **STATE BUILDINGS**

Bonds, constitutional amendment to prohibit the issuance of bonds for new construction to house state agencies: HJR 4232

Dairy products commission, authority to issue general obligation bonds to partially fund construction of new building for: HB 2856

Facility land bank, authority for department of general administration to purchase real property for inclusion in: SHB 1563

Fire protection services to state-owned facilities, cities and towns may enter into contracts with state agencies requiring that agencies provide a share of the jurisdiction's fire protection funding: HB 2937, \*SHB 2937, CH 117 (1992)

Real property, authority for department of general administration to purchase for inclusion in facility land bank: SHB 1563

Rent, excess receipts to be returned to treasury: HB 1562

State agency housing account, all new construction to be paid for only with funds from account: HB 2473

#### **STATE DEBT**

Debt limit raised from seven percent to yearly incremental limits, return to seven percent after 2003: SHB 1034

Debt limit raised, reservation of additional revenues to specified uses: SHB 1034

#### **STATE EMPLOYEES (See PUBLIC OFFICERS AND EMPLOYEES)**

#### **STATE EMPLOYEES' BENEFITS BOARD**

Health care benefits, state employee working in foreign country may waive coverage if comparable coverage is provided by another source: HB 2755

Health care services, to develop a comprehensive state-purchased uniform benefit package and uniform administrative procedures, board membership modified: HB 2641

Insurance plans approved to receive payment through voluntary payroll deductions, duties: HB 1083

Labor representation increased by one: HB 1045, SHB 1045

#### **STATE ENVIRONMENTAL POLICY ACT (SEPA) (See also ENVIRONMENT)**

#### **STATE FINANCE COMMITTEE**

Water resource related projects, to report on capital needs and alternative funding methods for meeting such needs: HB 1767

#### STATE FUNDS AND ACCOUNTS

State subsidy of education, students to be provided information on amount: HB 2671

#### STATE GOVERNMENT

Capital investment strategy council, governor to appoint members, council duties enumerated: HB 2884, SHB 2884

Commission on efficiency and accountability in government, membership and duties, revised provisions under government accountability act of 1992: HB 2462, SHB 2462

Fire protection services to state-owned facilities, cities and towns may enter into contracts with state agencies requiring that agencies provide a share of the jurisdiction's fire protection funding: HB 2937, \*SHB 2937, CH 117 (1992)

Goals, objectives, and desired outcomes to be included in budget proposals and appropriations bills by each state agency: HB 2462, SHB 2462

Government accountability act of 1992 adopted: HB 2462, SHB 2462

Government accountability task force, membership and duties: SHB 2462

Hydroelectric projects, declaration that state has no regulatory authority over federally owned or licensed hydroelectric projects: HB 2917

Hydroelectric projects, state has no regulatory authority over federally owned or licensed unless authority granted by federal government: SHB 2917, SSB 6475

Investment plan, state investment board required to prepare plan every two years, policy making, reporting, and contract review duties of board revised: SHB 2462

Land purchase of more than one hundred acres in one county, three public hearings to be held prior to purchase and written finding of economic effect of purchase to be made: HB 2707

Performance audits of state agency programs, auditor given authority to conduct: SHB 2462

Preference for hiring Washington residents established if legislature or governor has initiated a reduction in force: HB 2855

Program evaluation system, commission on efficiency and accountability in government's duties in establishing state-wide system: HB 2462, SHB 2462

Restructuring plan to facilitate strategic planning and state-wide program evaluation system, governor's duties: HB 2462

Restructuring plan to facilitate strategic planning and state-wide program evaluation system, office of financial management office's duties: SHB 2462

Review of all existing programs for need and relevancy with intent to terminate or modify them as required, session to be held in 1993 and at least once a century thereafter for that purpose: HB 2906

Review of existing laws and administrative rules with intent to repeal all obsolete, irrelevant, conflicting, or confusing sections, session to be held in 1993 and at least once a century thereafter for that purpose: HB 2906

Sports franchises, the state and its political subdivisions given cause of action for economic damages caused by wrongful removal of a professional sports franchise from state: HB 2977

Strategic planning process for key functional areas, governor and other state elective officials to establish plans for: HB 2462

Strategic planning process for key functional areas, office of financial management to establish plans for: SHB 2462

Travel entitlements earned as a result of official travel accrue to the state, personal use of benefits prohibited: HB 2596

### STATE INVESTMENT BOARD

Delegation of board powers to chairperson authorized: HB 2065

Duties and responsibilities of board, revised provisions: HB 2444, SHB 2444

Executive director, compensation to be set by board: HB 2065

Investment officers, compensation to be set by board: HB 2065

Investment plan, board required to prepare plan every two years beginning January 1, 1993: HB 2444, SHB 2444

Investment plan, board required to prepare plan every two years, policy making, reporting, and contract review duties of board revised: SHB 2462

Membership, number of board members expanded from fourteen to seventeen: HB 2444

Membership, number of board members expanded from fourteen to sixteen by addition of director of the revenue forecast council and the state actuary: SHB 2444

Northern Ireland, investment of state funds in corporations adopting the MacBride principles: SHB 1407

State treasurer, prohibition on candidate for state treasurer accepting contributions from a general partner of the state investment board or a money manager doing business with the board: HB 2885

### STATE LANDS

Aquatic lands, rental rates for, authority to phase in large rate adjustments annually until appropriate lease level is reached: HB 2878

Diamond Point trust parcel, sale to parks and recreation commission by board of natural resources, authority to vary boundaries and acreage of parcel transferred: \*SHB 2990, CH 185 (1992)

Land purchase by state agency of more than one hundred acres in one county, three public hearings to be held prior to purchase and written finding of economic effect of purchase to be made: HB 2707

Natural resources department property, disposition without public auction allowed under specified conditions: \*SB 6161, CH 167 (1992)

Natural resources department property, replacement funded from consideration for property transfer or disposition: \*SB 6161, CH 167 (1992)

Noxious weed control, state lands to comply with provisions: HB 2656

Purchase or exchange of tax-paying parcel of land, requirement that county receive property of equal or greater tax value: HB 1967

Riparian-associated wildlife and salmonid habitat, commissioner to manage agricultural and grazing lands in a way that does not damage: HB 2628

Seaweed, maximum daily wet weight harvest or possession limit set at ten pounds per person for seaweed taken from private and state tidelands and state bedlands for personal use, violation is a misdemeanor: SHB 1455

Stewardship act, creation of funding source for management of natural resource lands: HB 1916, SHB 1916

Timber, processing of timber within timbershed of origin required for restricted timber from sales from department of natural resources lands: HB 2000

Trust lands, board of natural resources and parks and recreation commission to negotiate a sale of withdrawn trust lands to the commission for inclusions in specified state parks, terms and conditions of sale: HB 2990, \*SHB 2990, CH 185 (1992)

User fees, authority of natural resource agencies to collect: HB 1916, SHB 1916

Wildlife and recreation lands management act adopted: HB 2594, \*SHB 2594, CH 153 (1992)

Wildlife and recreation lands management, task force to develop and report recommendations on funding sources for: HB 2594, \*SHB 2594, CH 153 (1992)

Wildlife department, taxes in lieu of property taxes on department owned property, in lieu tax provisions repealed: HB 1779

#### **STATE LIBRARY**

Learn-in-libraries program, grants for year-around programs for children, use of older adult and community volunteer resources encouraged: HB 1663

#### **STATE OFFICERS AND EMPLOYEES (See PUBLIC OFFICERS AND EMPLOYEES)**

#### **STATE PARKS**

Diamond Point trust parcel, sale to parks and recreation commission by board of natural resources, authority to vary boundaries and acreage of parcel transferred: \*SHB 2990, CH 185 (1992)

Larabee state park, appropriation for acquisition of abutting lands: HB 2826

Recycling obligations: HB 1021

Trust lands, board of natural resources and parks and recreation commission to negotiate a sale of withdrawn trust lands to the commission for inclusions in specified state parks, terms and conditions of sale: HB 2990, \*SHB 2990, CH 185 (1992)

#### **STATE PATROL**

Background checks on out-of-state applicants for positions with unsupervised access to children, national criminal history search authorized: HB 2146

Commercial vehicle enforcement program to be funded from public safety and education account: HB 1802

Crime laboratories to be maintained in at the least same locations as of December 31, 1990: HB 1395

Crime laboratory analysis fee to be levied on persons found guilty to pay costs associated with analysis of forensic evidence by state crime laboratory: SSB 6057

Crime laboratory system, forensic evidence analysis fee: HB 2349, SHB 2349

Crime laboratory, certified copy of analytical report admissible in evidence in controlled substances prosecutions, criminologist may be subpoenaed to testify: \*SSB 6055, CH 129 (1992)

Crime laboratory, certified copy of analytical report admissible in evidence in controlled substances prosecutions, defendant may subpoena the criminologist to testify: SSB 6055

Crime laboratory, reports by or testimony of criminologists admissible as evidence in controlled substances prosecutions: HB 2303

Crime laboratory, reports by or testimony of forensic scientists admissible as evidence in controlled substances prosecutions: SHB 2303

- Criminal background checks required on sole independent contractors hired by physically disabled, mentally ill, or impaired persons and paid by state: HB 2622, SHB 2622
- Criminal history background check requirements extended to persons providing services to physically disabled and mentally impaired persons: HB 2415
- Criminal history check on persons providing services to children, federal bureau of investigation check required on persons who have been residents for less than five years: HB 2621
- Educational employees, state patrol and federal bureau of investigation to accept fingerprints only if they can assure that no record will be kept after background check is completed: \*SHB 2518, CH 159 (1992)
- Fingerprint check of school employees with unsupervised access to children required before hiring: HB 2332
- Fire fighter or flood control worker, patrol officer who is trained fire fighter or flood control worker may be released from duty to serve as emergency fire fighter or flood control worker: HB 2936
- Headquarters construction project, general obligation bonds issuance authorized: SHB 1810
- Identification document fraud, organized crime advisory board to report on all aspects of: 2SSB 6364
- Optical strobe light devices to control traffic signals, authority to mount and use such devices on public transit and transportation department vehicles, rulemaking authority: SHB 2291
- Overweight trucks, highway damage from traffic to and from Seattle and Tacoma ports, pilot project to study: HB 1805
- Radiopaque waste, inspections to be conducted at newly designated ports of entry and public safety tariff to be collected from each highway transporter to defray inspection facility and operating costs: HB 2779
- Rehabilitation of criminal offender, use of criminal history background check to determine status of prospective employee or volunteer: HB 2055, SHB 2055
- Retirement system, basic state contribution rates established as of September 1, 1992: HB 2693, SHB 2693, \*SSB 6286, CH 239 (1992)
- Retirement system, merchant marine service credit: HB 1065
- Retirement system, portability provisions, transfer or restoration of credits, revised time limits: HB 2273
- Retirement, service credit for earlier law enforcement employment: HB 1129
- School bus drivers, background check required: HB 2351
- School buses, hazard strobe lamp may be mounted and used on bus, conditions and restrictions, rulemaking authority: SSB 5116
- School employees, criminal record check through patrol and federal bureau of investigation required for potential employees, duties: HB 2518, \*SHB 2518, CH 159 (1992)
- Sexual offenders, notice to be given to sheriff and state patrol prior to release when future residence unknown, requirements: HB 2262, \*SHB 2262, CH 45 (1992)
- Truck weight study to assess amount of payment damage due to containerized cargo into and out of Washington ports: HB 2168
- Tuition waivers at state colleges and universities, inclusion of patrol officers: HB 1056

**STATE PURCHASES**

- Architectural and engineering services, review of state procurement and use of: HB 1132

- Budget, social and health services vendor rates and grant standards to be linked to any adjustment for inflation for purchased goods and services in governor's budget: HB 2908
- Colleges and universities, exemption from bidding requirements for purchases funded from research grant, contract, or other nonstate funds of fifteen thousand dollars or less, record of price competition required for audit purposes: \*SSB 6328, CH 85 (1992)
- Colleges and universities, procedures for purchases not requiring competitive bids: HB 2850, SSB 6328
- Documents to show total cost of run and cost of individual document on cover or first page: HB 1644
- Facility land bank, authority for department of general administration to purchase real property for inclusion in: SHB 1563
- Gasohol to be dispensed as passenger vehicle fuel at state facilities: HB 1591
- Land purchase of more than one hundred acres in one county, three public hearings to be held prior to purchase and written finding of economic effect of purchase to be made: HB 2707
- Low bid, agency to notify lower bidders of reasons for rejection when low bid was not accepted: HB 2478
- Personal services contracts, review and approval procedures: SHB 1133
- Printing for state, union labels required on, exceptions: HB 1639
- Real property, authority for department of general administration to purchase for inclusion in facility land bank: SHB 1563
- Request for proposal criteria to be developed that offer adequate detail for realistic bids from multiple suppliers: HB 2478
- Social and health services vendor rates and grant standards to be linked to any adjustment for inflation for purchased goods and services in governor's budget: HB 2908

#### **STATE ROUTES (See ROADS AND HIGHWAYS)**

#### **STATE TREASURER**

- Campaign financing, prohibition on candidate for state treasurer accepting contributions from a general partner of the state investment board or a money manager doing business with the board: HB 2885
- Cigarette sales enforcement fund created: HB 1323
- Emergency reserve fund created, transfer of earnings to education construction account: SB 6470
- Executive state officer, assistant treasurer, deputy treasurer, legal counsel, and investment officer included within definition of: HB 2885
- Forfeited property, seizing agency to make reports to and remit portion of proceeds to state treasurer for deposit in drug enforcement and education account: \*2SSB 5318, CH 210 (1992)
- Funds and accounts managed by treasurer, changes to fee system: HB 1233
- Funds and accounts managed by treasurer, treatment of earnings from investment of balances: HB 1233
- Treasury accounts, crediting of earnings on the balances of certain accounts, revised provisions: HB 2689

#### **STEELHEAD**

- Catch accounting system, fisheries and wildlife departments to develop plan to accurately record steelhead and salmon catches: SB 6150
- Catch reporting, incentives and penalties to improve accuracy to be examined: SB 6150
- Cutthroat trout, department of wildlife to implement experimental captive broodstock program for wild sea-run: HB 2626, SHB 2626
- Diversions from salmon and steelhead bearing portions of Columbia and Snake rivers to be equipped with devices to measure instantaneous and seasonal water flows: HB 2627
- Harvest management of anadromous fish, committee on, created to study ways to increase returns of weak salmon and steelhead stocks: SSB 6151
- Protection from nonendangered marine mammals, departments of fisheries and wildlife to pursue authority to lethally remove: SSB 5666
- Steelhead and salmon recovery, committee to study populations status: HCR 4410, SHCR 4410

#### **STORM WATER MANAGEMENT AND CONTROL**

- Government storm water pollution and liability, special committee created, membership and duties: HB 2946

#### **STREETS (See ROADS AND HIGHWAYS)**

#### **STRIKES (See also LABOR RELATIONS)**

#### **STUDENT EXCHANGE PLACEMENT AGENCIES (See EXCHANGE STUDENT PLACEMENT AGENCIES)**

#### **STUDIES**

- Administrative rules and local ordinances affecting small businesses, department of trade and economic development to conduct study of: HB 2901
- Adult criminal offenders, task force on sentencing of created, membership and duties: HB 2170
- Aging, nonprofit homes for, property tax exemption, revised income and eligibility provisions and study requirements: HB 2639, \*SHB 2639, CH 213 (1992)
- Air transportation demand, aviation industry trends, and air capacity in Washington through 2020, air transportation commission to report on: \*SHB 2609, CH 190 (1992)
- Air transportation planning options in Washington, air transportation commission to conduct a transportation systems planning evaluation of: \*SHB 2609, CH 190 (1992)
- Air transportation system, air transportation commission to conduct review of environmental, social, and economic costs associated with expansion and operation of: \*SHB 2609, CH 190 (1992)
- Air transportation, air transportation commission to evaluate the importance of air transportation in the economic and social vitality of the state including costs and effects of delaying air capacity expansion: \*SHB 2609, CH 190 (1992)
- Alcohol and drug abuse by children, appointment of task force to study treatment methods and programs: HB 1007
- Alcohol, illegal use by persons between seventeen and twenty-one, study authorized: HB 2097

- Alternative fuel and solar powered vehicles, research and development by Western Washington University: HB 1754
- Anadromous fish, committee on harvest management of, study of ways to increase returns of weak salmon and steelhead stocks: SSB 6151
- Architectural and engineering services, review of state procurement and use of: HB 1132
- At risk coastal resources, Olympic natural resources center to study: SHB 2047
- Back conditions, health department to contract for study of comparative effectiveness of chiropractic and other treatments for low back conditions: HB 2604
- Basic health plan, school of public health and community medicine to make interim report on: HB 1161
- Bicycle and pedestrian facilities on route 520 corridor, study authorized: SSB 6372
- Boot camp pilot program for first-time offenders: HB 1433
- Boot camp, shock incarceration programs, and other residential programs for criminal offenders, institute of public policy to study: SHB 1433
- Business assistance center to study how it can best coordinate information regarding agency regulations affecting small businesses: \*SHB 2498, CH 197 (1992)
- Cellular communications, taxation and assessment of property and services, department of revenue to study: HB 2672, \*SHB 2672, CH 218 (1992)
- Certification of teachers and administrators, board of education to study current requirements in conjunction with council on education reform and funding and present options for improving certification system: \*SSB 5953, CH 141 (1992)
- Children in care of department of social and health services, department to conduct assessment to determine appropriate level of residential and treatment services for these children: HB 2466, SHB 2466
- Children of substance abusers, task force on, membership and duties: SHB 1109
- Children with alcohol and drug abuse problems, task force to study treatment methods and programs: HB 1478
- College transcripts, random sample to determine eligible credits earned but not recognized in state allocation model: HB 1632, SHB 1632
- Columbia river dredging feasibility study funded: HB 1551
- Consolidation of state and federal medical and health services and programs, legislative budget committee to determine feasibility and desirability of: SHB 2590
- Consortia on children, youth, and families, juvenile issues task force to study the establishment and role of a network of consortia and the need for an institute on children and family services: SSB 6428
- Construction industry, department of revenue to study contractors' compliance with excise tax laws: SHB 2965
- Consumer credit transactions, joint select committee on consumer credit transactions created, membership and duties: HB 2944
- Consumer credit, joint select committee on consumer credit created, duties: HB 2944
- Contracts for specific services by institutions of higher education, study authorized: HB 1926
- Crab fishing in coastal waters, participation in coast-wide study of Dungeness crab fishery by the Pacific States Marine Fisheries Commission: \*HB 2294, CH 9 (1992), SB 6052
- Criminal penalties, consideration of possible exceptions to state preemption of local penalties study authorized: HB 1785
- Critical areas, joint select committee on critical areas to study: HFR 4776



- Day care facilities, local government zoning regulations and siting of facilities, survey and recommendations urged: HJM 4041
- Developmentally disabled, community residential programs service providers cost reimbursement rates, social and health services to contract for study: HB 1541
- Direct landlord pay task force created to study whether housing for public assistance recipients would increase were direct pay available: SHB 2152
- Distribution formulas, superintendent of public instruction to evaluate and report to the legislature on: SHB 1023
- Domestic violence education available to professions dealing with domestic violence, department of social and health services to review and report on current level of, content requirements established: \*SSB 6347, CH 111 (1992)
- Domestic violence issues, standing legislative committees to be appointed to study and report on: HB 1741
- Early retirement of plan I public employees' retirement system and teachers' retirement system members, state actuary to conduct study on utilization of: HB 2947, \*SHB 2947, CH 234 (1992)
- Eastern and western state hospitals, department of labor and industries to conduct study of causes and solutions to assaults on state employees at: HB 2647, SHB 2647
- Economic values, consideration in the rulemaking and ordinance making process, department of trade and economic development to conduct study to ensure that appropriate consideration is given to: HB 2901
- Education 2000 task force, membership and duties, report to legislature: HB 1100
- Educator academy, University of Washington to develop plan for: SHB 2217
- Ethanol, energy self-sufficiency commission created to study the production and use of ethanol in the state: HB 1590
- Excise tax laws compliance within construction industry, department of revenue to study: SHB 2965
- Family preservation services, department of social and health services to conduct study in at least one region of state: HB 2472, SHB 2472, \*SSB 6111, CH 214 (1992)
- Family reconciliation services, evaluation by department of social and health services: HB 1418
- Financial need, higher education coordinating board to conduct study on effect of financial need on the higher education choices of Washington residents: HB 2292, SHB 2292
- Geographic information task force to study development and use of computer-based geographic information, department of information services: HB 1659
- Guide and service dogs, governor's committee on disability issues and employment to study issues relating to the implementation of the white cane law: \*SHB 2333, CH 10 (1992)
- Habitat management practices, departments of wildlife and natural resources to study methods of application as standards to agricultural and grazing lands owned or managed by their agencies: SHB 2628
- Health care for retired and disabled public employees, study commission to develop recommendations: HB 1665
- Health care insurance provided retired public employees by employers, study authorized: HB 1834
- Health care providers cost shifting, health care authority to study: HB 2832
- Health insurance coverage for small employers, insurance commissioner to conduct study and develop legislation to promote the availability of: SHB 2817

- Health services act, implementation of, legislative budget committee to conduct evaluation of: SHB 2590
- Health services commission, legislative budget committee to study of whether administrative and service delivery structure should be continued: SHB 2590
- Hearing-impaired demographical study team, duties: HB 1793
- High-technology education, study committee to identify issues related to leadership in: HCR 4432, HCR 4437, SCR 8427
- Identification document fraud, state patrol organized crime advisory board to report on all aspects of: 2SSB 6364
- Incidental catch of fish in commercial fisheries: HB 1860
- Jury source list, task force created to develop and recommend methodology and standards for merging registered voters list with licensed driver and identicaid holders list: HB 2945, SHB 2945
- Juvenile issues task force to develop statutory community-based planning, allocation, and service system for children and families, duties: HB 2466, SHB 2466
- Juvenile issues, joint select committee on, to develop statutory community-based planning, allocation, and service system for children and families, duties: \*SHB 2466, CH 205 (1992)
- Juvenile justice system, independent study of racial disproportionality in, submission date of report modified: HB 2466, \*SHB 2466, CH 205 (1992)
- Juvenile offenders, economic or racial disparity in processing of juvenile offenders, department of social and health services to make annual report: HB 2466, SHB 2466
- Learning problems prevention, implementation review board to review and report on pilot program: HB 1141
- Learning problems prevention, superintendent of public instruction to report on pilot program: HB 1141
- Long-term care, development and financing of community-based long-term care and support services system to be studied for later inclusion in health services act: SHB 2590
- Longshore and harbor workers, workers' compensation act coverage, commissioner to study methods of establishing a reasonable plan to provide: SHB 2720
- Longshore and harbor workers, workers' compensation coverage by private and public insurance plans, feasibility study authorized: SB 6322
- Longshore and harbor workers, workers' compensation coverage, study of ability of private insurers to provide affordable plans: \*SHB 2720, CH 209 (1992)
- Manufactured housing task force reporting date extended to December 1, 1993, with task force to terminate December 31, 1993: HB 2487
- Marine aquatic plant research, department of natural resources and department of fisheries to explore possibility of private funding for: SHB 1455
- Medicaid eligibility, committee to study asset transfer and estate recovery as they relate to establishing medicaid eligibility, especially for nursing facility residents: HB 2968
- Medicaid funding support for regionally managed mental health care, department of social and health services to report on options and recommendations for maximizing: SB 6319
- Mental health services for children, office of financial management to conduct inventory biennially: SHB 1609

- Mentally disordered offenders, sentencing guidelines commission to identify and suggest appropriate sentencing options for, required elements: SHB 2847
- Mobile home park health and sanitation, department of health to develop minimum procedures for responding to complaints about: SHB 2904
- Motor vehicles fuels marketing, joint select committee on, creation, membership, and duties: SHB 1924
- National competitive retail credit market task force created, study authorized: SSB 6305
- Natural resources enforcement office, evaluation of and report to legislature on: HB 1010
- Natural resources enforcement, departments of fisheries and wildlife to study: SHB 1010
- Nursing facility construction, renovation, and replacement, department of social and health services to review current funding methods: HB 2968
- Nutritional needs, study by house human services committee: HB 1167, SHB 1167
- Overweight trucks, highway damage from traffic to and from Seattle and Tacoma ports, pilot project to study: HB 1805
- Paper mill waste, department of ecology to study impacts of regulating: HB 2029
- Park user fees, parks and recreation commission to conduct review of fees charged: HB 1916
- Parking and transportation program at state agencies and facilities, advisory committee to study: SHB 1564
- Pedestrian and bicycle facilities on route 520 corridor, study authorized: SSB 6372
- Pedestrian safety program, traffic safety commission to perform an evaluation of state's overall pedestrian safety program: SHB 2442
- Poison information center, department of health to report on funding, efficiencies, and fees associated with establishing a single center and to recommend funding levels and how center should be funded: SHB 2016
- Preschools, child care coordinating committee to study whether preschools should be regulated like agencies providing care for children, expectant mothers, and developmentally disabled persons: HB 2905
- Privacy and informational technology, joint select committee on, creation, membership, and duties: HB 1774
- Property tax exemption for nonprofit homes for the aging, department of revenue to conduct study on: HB 2639, \*SHB 2639, CH 213 (1992)
- Property tax, department of revenue to study alternative plans for separate assessment levels for residential and nonresidential properties: HB 2238
- Public employees, task force on postretirement issues created to study supplementary benefits for: HCR 4431
- Public records disclosure exemptions, institute for public policy to review: HB 2876
- Public transit, study to determine feasibility of lighter weight buses: HB 2806
- Puget Sound air transportation committee's flight plan report, air transportation commission to conduct review of final draft of: \*SHB 2609, CH 190 (1992)
- Racial disproportionality in juvenile justice system, department of social and health services' children, youth, and family services division to contract for study: HB 1412, SHB 1412
- Racial disproportionality in juvenile justice system, study by department of social and health services and commission on African American affairs: SHB 1901
- Racial disproportionality in the juvenile justice system, submission date for report modified: HB 2466, \*SHB 2466, CH 205 (1992)

- Reclaimed water use, department to report to legislature on progress, compliance, and participation in the use of reclaimed water and the resulting savings of water: \*SHB 2833, CH 204 (1992)
- Recreational vehicle drivers, need for special licensing study: HB 1799
- Runaway children, commission on runaway children to review implementation of families in conflict act: HB 1425
- School buses, use of compressed natural gas as fuel, report to analyze potential for: HB 1179
- School buses, video camera use to reduce discipline problems, pilot program, report by superintendent of public instruction: HB 1173
- School district employees, health care authority to study group health insurance coverage for retired and disabled school district employees: HB 2857, \*SHB 2857, CH 152 (1992)
- School pathway and bus stop improvement program council to make recommendations for standards for safety improvement: HB 2780
- Sentencing of adult criminal offenders, task force on created, membership and duties: HB 2170
- Skagit river salmon recovery plan, director of fisheries to prepare: \*SB-5675, CH 88 (1992)
- Small businesses, department of trade and economic development to conduct study of administrative rules and local ordinances: HB 2901
- Small businesses, department of trade and economic development to review state and local regulations and compile report on local government evaluation of economic impacts of its regulations: HB 2728, SHB 2728
- Soccer facility construction for 1994 World Cup soccer games, economic impact analysis and cost-benefit analysis: SHB 1302
- Special education buses, review of use of aides on: HB 1173
- State flood damage reduction commission to consider development of comprehensive flood policies: SHB 1491
- Student housing needs study by higher education coordinating board: HFR 4684
- Student housing needs, task force created to study: HB 1238
- Teacher and administrator certification, board to study current requirements in conjunction with council on education reform and funding and present options for improving certification system: \*SSB 5953, CH 141 (1992)
- Teachers and administrators, board of education to study and report on options for improving current certification system: HB 2522
- Teachers, task force on postretirement issues created to study supplementary benefits for: HCR 4431
- Third party administrator, regulation study authorized: SHB 1544
- Transportation planning, department of transportation authorized to conduct special studies: HB 1816, SHB 1816
- Transportation system management and governance, two-phase study to evaluate system and compare it with alternative systems: HB 2165
- Truck weight study to assess amount of pavement damage due to containerized cargo into and out of Washington ports: HB 2168
- Uniform benefits package and workers' compensation, workers' compensation advisory committee to conduct study of the relationship between: HB 2590, SB 6089
- Violent families, inventory and assessment of programs serving, office of financial management to conduct: HB 1882, SHB 1882

- Washington healthcare plan, feasibility of program, service, and funding consolidation, study authorized: HB 2205
- Washington healthcare service, continuance of administrative structure, study authorized: HB 2205
- Water resource related projects, state finance committee to report on capital needs and alternative funding methods: HB 1767
- Water system connection rates, study by joint select committee on water resource policy required: HCR 4414
- Weights and measures programs, office of financial management to conduct review of: \*SSB 6483, CH 237 (1992)
- Weights and measures, office of financial management to conduct review of state program, content of review and review procedure requirements established: HB 2998
- Wetland maps, community development department to study feasibility of contracting with federal, state, and private agencies to expedite development of maps for use by local governments: 2SSB 6255
- White cane law, governor's committee on disability issues and employment to study issues relating to the implementation of the: \*SHB 2333, CH 10 (1992)
- Wild salmonid review and inventory team, to review and recommend recovery methods for stocks outside the Columbia river basin: SHB 2626
- Wild salmonid review and recovery team, to review and recommend recovery methods for stocks outside the Columbia river basin: HB 2626
- Wildlife and recreation lands management, task force to develop and report recommendations on funding sources for: HB 2594, \*SHB 2594, CH 153 (1992)
- Wildlife department funding, task force to analyze funding base and recommend how it can be expanded, membership and duties: SHB 1250
- Work force training and retraining, task force on to study funding structure and sources: HCR 4433
- Workers' compensation and uniform benefits package, workers' compensation advisory committee to conduct study on the relationship between: HB 2590, SB 6089

## **SUBDIVISIONS**

- Dedications, restrictions on alterations that diminish or change use of dedication: HB 2276
- Record of survey not required when it is a retracement or resurvey and no discrepancy is found when compared to recorded information or other public survey map records: \*SSB 5557, CH 106 (1992)
- Testamentary provisions, divisions of land by, prohibited: HB 2679
- Wildland/urban interface areas, fire protection requirements for plat approval in high or extreme risk level area: HB 2519

## **SUBSTITUTE CARE FOR CHILDREN (See FOSTER CARE)**

## **SUNSET REVIEW**

- Center for international trade in forest products at University of Washington, duties of center modified and program and sunset review provisions repealed: SB 6023
- Center for international trade in forest products at University of Washington, termination date moved to June 30, 1996: HB 2257, SB 6023

Center for international trade in forest products at the University of Washington, duties of center modified and sunset termination date changed to June 30, 1994: \*SB 6023, CH 121 (1992)

Counselor registration requirements, termination provisions repealed: HB 2467

Emergency medical services committee, repeal of termination provisions: \*SB 6032, CH 84 (1992)

Industrial insurance labor-management cooperation program, expiration date repealed: HB 2585, SHB 2585

Industrial insurance labor-management cooperation program, expiration date repealed and remainder of statute codified: SSB 6361

Information services department and information services board, sunset review date extended: HB 2814, \*SHB 2814, CH 20 (1992)

International marketing program for agricultural commodities and trade (IMPACT) continued: \*HB 2316, CH 95 (1992)

International marketing program for agricultural commodities and trade at Washington State University, sunset date extended: SB 6022

International marketing program for agricultural commodities and trade at Washington State University, sunset provisions repealed: HB 2258, SB 6022

Legislative budget committee responsibilities revisions: HB 1327

Naturopathy, termination provisions for naturopathy statutes repealed: HB 2854

Nursing home advisory council continued: HB 2810

Technology center at University of Washington, termination on June 30, 1994: SSB 6472

Technology center at University of Washington, termination on June 30, 1996: SSB 6472

#### **SUPERIOR COURT**

Alcohol and drug abuse by child, parental petition to commit child to secure facility for evaluation and treatment: HB 1007

Attorney fees, payment by appellant when appellant does not obtain more favorable judgment in appeal from district court: HB 1190

Children, alcohol and drug abuse evaluation, may order involuntary commitment for evaluation and treatment: HB 1478

Collective bargaining for court employees, definitions revised to include: HB 1286, \*SB 5105, CH 36 (1992)

Family court and family court services expanded, revised provisions: SHB 2155

Family court and family court services, fees established based on ability to pay: HB 2188, SHB 2188

Family court and family court services, revised provisions: HB 2188, SHB 2188

Family court may appoint guardian to represent interests of minor or dependent child in proceedings: SHB 2155

Fee schedule modified: \*SHB 1378, CH 54 (1992), HB 2566

Filing fees increased and percentage of fee deposited in public safety and education account increased: \*SHB 1378, CH 54 (1992), HB 2997

Filing fees increased, portion of fees to be deposited in the public safety and education account: HB 2617

Fines, revenues may be retained by local jurisdiction for criminal justice programs: HB 2343

Indeterminate sentence-review board powers, duties, and functions transferred to court: HB 2834, SHB 2834

- Indigent persons, civil representation by qualified legal aid programs funding, waiver of filing fees: \*SHB 1378, CH 54 (1992)
- Indigent persons, funding of qualified legal aid program civil representation for indigent persons from public safety and education account authorized: \*SHB 1378, CH 54 (1992), HB 2997
- Involuntary commitment and treatment of minors requiring mental health care, parental petition to seek review of determination that child does not meet criteria authorized and procedures established: HB 2466, SHB 2466
- Judges, additional judges authorized in King, Grays Harbor, Skagit, Snohomish, and Mason counties: HB 2459, \*SHB 2459, CH 189 (1992)
- Judicial review of review proceedings before the shorelines hearing board to be based on record developed by the local government along with written and oral arguments before the board: SSB 6113
- Jurisdictional amount raised to twenty-five thousand dollars: HB 1190
- Jury source list, to use either list merged by the county or furnished by the department of information services, notice requirements: HB 2945, SHB 2945
- Juvenile dependency proceedings, presiding judge to appoint judges to handle for minimum of one year, qualifications: HB 2116
- Law libraries, filing fee amount deposited in library fund for each superior court or district court filing increased: \*SHB 1378, CH 54 (1992), HB 2997
- Mandatory arbitration, claim limit raised to forty-five thousand dollars, conditions: HB 1786
- Natural resources department resurvey, landowner right to challenge a resurvey and to receive compensation when bona fide rights were impaired: HB 2736
- Norplant implants, procedure to require involuntary insertion of implant in woman giving birth to baby with fetal alcohol syndrome or addicted to drugs: HB 2909
- Partial summary judgment allowed in civil actions for damages: SHB 1638
- Pro tempore judges, appointment of retired judge, revised provisions: HB 1784
- Pro tempore judges, appointment of, authorizing revised selection procedures: HJR 4219
- Pro tempore judges, appointment procedures, revised provisions: HB 1783
- Pro tempore judges, authorizing the appointment of retired judges as: HJR 4220
- Retired judges, appointment as judge pro tempore, revised provisions: HB 1784
- Retired judges, authorizing their appointment as judges pro tempore: HJR 4220
- Workers' compensation appeals, notice of appeal and copy of record before board of industrial insurance appeals to be served on either the worker or the beneficiary and to any other party: SHB 2496

## **SUPREME COURT**

- Chief justice to be chosen for four-year term by majority vote of the supreme court judges: HJR 4226
- Filing fees increased: HB 2887, \*SHB 2887, CH 140 (1992), HB 2997
- Initiatives, constitutionality ruling required within forty-five days of certification: HJR 4238
- Jury source list, task force created to develop and recommend methodology and standards for merging registered voters list with licensed driver and identicard holders list, adoption of recommendations by rule authorized: HB 2945, SHB 2945

## **SURETY (See SURETYSHIP AND GUARANTY)**

**SURETYSHIP AND GUARANTY**

Bond, definition: HB 2651, SHB 2651

Liability limitations: HB 2651, SHB 2651, \*SSB 6451, CH 115 (1992)

**SURROGATE PARENTING**

Children of assisted conception, status: HB 1086

Uniform status of children of assisted conception act: HB 1086

**SURVEYORS**

Registration board membership modified: HB 1308

Registration requirements for professional land surveyors and land-surveyors-in-training, revised provisions: HB 2897

**SURVEYS AND MAPS**

Geographic information task force to study development and use of computer-based geographic information, department of information services: HB 1659

Natural resources department resurvey may not impair the bona fide rights of a landowner who may be affected by the survey, resurveys limited to dependent surveys only: HB 2738

Natural resources department resurvey, landowner right to challenge a resurvey and to receive compensation when bona fide rights were impaired: HB 2736

Record of survey not required when it is a retracement or resurvey and no discrepancy is found when compared to recorded information or other public survey map records: \*SSB 5557, CH 106 (1992)

Record of survey not required when no material variance found in boundary retracement: HB 2022, SSB 5557

**TACOMA**

Educational opportunity grant pilot program to be implemented in Tacoma school district: HB 1876

**TAHUYA RIVER**

Water conservation programs authorized to promote wild salmonid recovery: HB 2629

**TANNING SALONS**

Registration requirements and business practice standards established: HB 2912

**TAX APPEALS BOARD**

Appeal of action by county board of equalization deemed to be timely filed if postmarked on or before thirtieth day after the mailing of the decision of the board of equalization: SHB 2925

Filing of appeals to board, timely filing of appeal, revised provisions: HB 2955

**TAXES - ADULT ENTERTAINMENT ADMISSIONS TAX**

One dollar tax imposed upon all customers of adult entertainment business: HB 1978, SSB 5644

**TAXES - ADULT ENTERTAINMENT TAX (See TAXES - SALES TAX)**



**TAXES - ALCOHOL SALES TAX**

Health services trust fund, additional tax imposed on liquor sales for deposit in fund: SB 6089

**TAXES - BASIC HEALTH PLAN EMPLOYER TAX**

Small business health insurance hardship program established to assist employers severely effected by payment of tax: HB 2590, SB 6089

Tax levied to fund program, procedures for determining tax liability and deductions designated, penalties set for failure to report or pay tax: HB 2590, SB 6089

**TAXES - BEER TAX**

Health care revenue account, additional tax imposed for deposit in account: HB 2641

Health services trust fund, additional tax imposed on beer sales for deposit in fund: HB 2590, SB 6089

**TAXES - BUSINESS AND OCCUPATION TAX**

Affordable housing developments, tax credits provided to businesses making contributions to: HB 2484

Affordable housing projects, credits for businesses contributing to: HB 1620, SHB 1620

Alcohol fuel production, tax exemption extended through 1999: HB 2387

Assessment and collection, revised provisions: \*HB 2680, CH 206 (1992)

Audio tapes, records, and compact disks, manufacture and sale, tax to fund deaf centers and deaf programs: SHB 1523

Cable television services included in terms "sale at retail" or "retail sale": HB 2445

Child care facilities, tax credit for employer-sponsored facilities: HB 1637, SHB 1637

Child care tax credit for employer providing child care assistance to employees: HB 1538

Church day care services, exemption from business and occupation tax: \*SB 6010, CH 81 (1992)

Convention, tourism, and economic development promotions, exemption for payments and contribution to nonprofit corporations by public entities: HB 1898, SB 5661

Exemption for business with gross income or proceeds less than eight thousand dollars per month: HB 2336

Exemptions, nonprofit organizations serving meals for fundraising purposes: HB 1067, SSB 5929

First-time homebuyers, exemption from tax of interest received on loans to: HB 1622

Fishing, exemption for extractors taking fish in waters without this state for initial sale in state: SSB 5300

Gross income and gross proceeds threshold raised to eight thousand dollars per month: HB 2336

Health care organizations, deduction of amounts received for services rendered or prescription drugs sold as part of organized delivery system: HB 2641

Health care service contractors and health maintenance organizations, additional tax imposed on those not meeting organized delivery system obligations: HB 2641

Housing trust fund, deposit of revenue from exemption on tax on interest received on loans except that from first-time homebuyers: HB 1622

Inmate work programs, participants in free venture industries may deduct gross inmate wages from measure of tax amounts: HB 2268, \*SHB 2268, CH 123 (1992)

Investment income, exemption levels lowered: HB 2668

Investment income, exemptions removed: HB 2668  
 Lost fishing net recovery tax, imposed on manufacturers and wholesalers of commercial net products: SHB 1012  
 Lost fishing net recovery tax, imposed on retailers of commercial nets or components of those nets: SHB 1012  
 Low-level radioactive waste sites, reduction in tax rate: SHB 2031  
 Newspaper carriers under the age of eighteen with gross income below two thousand dollars per month exempted from tax registration requirements: HB 2895  
 Public schools, tax credits for donations to public schools, conditions: HB 2612  
 Punch boards, pull-tabs, and card games, tax imposed at rate of three percent of gross proceeds: HB 2446  
 Registration, exception for business until gross income is one thousand dollars per month: SSB 6471  
 Residence with selling price of more than one million dollars, tax imposed on gains realized from sale: HB 2667  
 Small business innovation research program awards exempted from tax: HB 2509  
 Stock brokers, broker-dealers, and security houses, rate set: SSB 6395  
 Wildlife oriented nonprofit corporations, taxes on dues to wildlife account: SHB 1250

#### TAXES - CIGARETTE TAX

Construction and modernization of common schools, use of cigarette tax revenues for: HB 1589  
 Health care revenue account, additional tax impose on tobacco products for deposit in account: HB 2641  
 Health service trust fund, additional tax imposed on tobacco products for deposit in fund: HB 2590, SB 6089

#### TAXES - ESTATE TAX

Transfer of property, tax on greater of federal credit or ten percent of net estate imposed: HB 2196

#### TAXES - EXCISE TAX

Aircraft excise tax, payment of interest authorized when refund is made for overpayment of tax: \*HB 2727, CH 154 (1992)  
 Aircraft excise tax, persons who register aircraft in another jurisdiction to avoid tax are liable for unpaid tax, penalties, and interest: \*HB 2727, CH 154 (1992)  
 Appliances, tax on manufacturers and distributors to be paid to scrap metal recycling account: HB 2091  
 Cogeneration facilities, deferral for eligible investment projects: SB 6116  
 Community college benefit districts, authority to impose tax on employers in district: HB 2790  
 Corporate transfers of ownership subject to excise tax, exemptions: HB 2223  
 Corporations, publicly held, to file annual information return with department of revenue disclosing excise taxes due and taxes paid: HB 2222  
 Educational support account, property taxes levied by state deposited in: HB 2232  
 Estate or real property transfers of ownership subject to excise tax, exceptions: HB 2223  
 Evasion of tax, penalties: SHB 1402

- Forest-related product, excise tax on wholesale value of finished item, exemptions: HB 1823
- Grower-raised shellfish exemption: HB 1349
- Impact fees, remodeling or replacement of existing residence exempt from: HB 2557
- Interest on tax deficiencies: SHB 1402
- Late payment penalties: SHB 1402
- Leasehold tax, alcohol fuel production, tax exemption extended through 1999: HB 2387
- Leasehold tax, assessment and collection provisions revised: \*HB 2680, CH 206 (1992)
- Leasehold tax, exemption for interests held by lessee who would qualify for senior citizen property tax exemption: HB 2012, SB 5699
- Leasehold tax, exemption from tax of interests used for operation of correctional industries: HB 2268, \*SHB 2268, CH 123 (1992)
- Motor vehicle rental or lease, county may impose tax for financing all or part of cost of maintaining and operating a public sports stadium facility: HB 2982
- Motor vehicle tax, governor may withhold revenues from county or city not in compliance with growth management planning requirements: HB 1669
- Motor vehicle tax, public transit fare revenue use as match for tax funds authorized: HB 2942
- Motor vehicle, active duty military personnel entitled to special license plate and exempted from other license fees and the motor vehicle excise tax: HB 2698
- Motor vehicle, rental cars exempted from excise taxes and additional sales and use taxes imposed in lieu of, additional tax imposed to fund traffic safety education programs: HB 2964, SHB 2964
- Motor vehicles, "clean fuel vehicle" defined, exempted from tax: HB 1754
- Motor vehicles, additional sales tax imposed on rental vehicles equal to excise tax that would have been collected if applicable to fleet vehicles: HB 1820
- Motor vehicles, additional taxes based on emissions and fuel economy: HB 1754
- Motor vehicles, clean-fuel vehicles, tax waived: HB 1902
- Motor vehicles, tax on manufacturers and distributors to be paid to scrap metal recycling account: HB 2091
- Publicly held corporations to file annual information return with department of revenue disclosing taxes due and taxes paid: HB 2222
- Real estate, additional growth management related tax, rates, authorization and use, revised provisions: HB 2144
- Real estate, additional one percent on difference between assessed value and actual sales price, exceptions: HB 1385
- Real estate, capital facilities, city or county must adopt comprehensive plan under growth management act before imposing tax for: HB 2700
- Real estate, cities and counties authorized to use for financing capital facilities only if growth management plan and regulations enacted: SB 6408
- Real estate, city or county budget to identify capital projects funded from tax and to indicate that tax is intended to be in addition to other available funds: \*SB 6408, CH 221 (1992)
- Real estate, limitations on use of revenues from tax for financing capital projects revised: \*SB 6408, CH 221 (1992)
- Real estate, tax imposed on conveyance of, definitions, rates, exemptions, and collection procedures, revised provisions: HB 2447, SHB 2447, HB 2484

- Real estate, wetland lands classification for current use assessment, created and defined: HB 1817
- Real property or estate transfers of ownership subject to excise tax, exceptions: HB 2223
- Real property, additional tax imposed, revenues to be deposited in state lands stewardship account: HB 1916, SHB 1916
- Refunds, interest on: SHB 1402
- Registration, exception for business until gross income is one thousand dollars per month: SSB 6471
- Rental cars exempted from motor vehicle excise taxes and additional sales and use taxes imposed in lieu of: \*SHB 2964, CH 194 (1992)
- Sports stadium facilities, county may impose tax on motor vehicle rental or lease to finance all or part of cost of maintaining and operating a public facility: HB 2982
- Telecommunications relay service excise tax, utilities and transportation commission to determine amount of tax necessary to fund program based on information provided by the office of deaf services: \*SSB 6377, CH 144 (1992)
- Telephone excise tax ceiling raised to fourteen cents per month per telephone line to fund telephone relay system program: SHB 2769
- Travel trailer and camper excise tax, payment of interest authorized when refund is made for overpayment of tax: \*HB 2727, CH 154 (1992)
- Travel trailer and camper excise tax, persons who register trailer or camper in another jurisdiction are liable for unpaid tax, penalties, and interest: \*HB 2727, CH 154 (1992)
- Travel trailers and campers, additional tax imposed, revenues to be deposited in state lands stewardship account: HB 1916, SHB 1916
- Watercraft excise tax, payment of interest authorized when refund is made for overpayment of tax: \*HB 2727, CH 154 (1992)
- Watercraft excise tax, persons who register vessel in another jurisdiction to avoid tax are liable for unpaid tax, penalties, and interest: \*HB 2727, CH 154 (1992)

#### **TAXES - GAMBLING TAX**

- Fifty percent of revenue from local government taxation of gambling to go to gambling related law enforcement activities: HB 2919
- Local tax proceeds, restriction on use removed: HB 1809
- Punchboards and pulltabs, rate not to exceed ten percent of net proceeds: HB 1866
- Social card games, tax rate not to exceed ten percent of gross revenue: HB 1867

#### **TAXES - GENERAL**

- Assessment and collection, revised provisions: \*HB 2680, CH 206 (1992)
- Creation of a new tax or increase in an existing one, favorable vote of three-fifths of legislature required: HJR 4222
- Elections, challenges to elections concerning bonds or levies must commence within one hundred eighty days of election: SHB 1827
- Federal tax and other liens to be filed with department of licensing: \*HB 1185, CH 133 (1992)
- Federal tax liens on real property, county auditor's recording duties, auditor to bill internal revenue service or other federal agency monthly for document filing fees: \*HB 1185, CH 133 (1992)
- Overpayments, refund or credit provisions revised: HB 2681

- Percentages, tax system to be designed and administered to ensure that individual's taxes commensurate with another individual's taxes: HJR 4233
- Refund or credit for overpaid taxes discovered after taxpayer signs waiver of four-year limitation, taxpayer waiver will automatically provide for: \*HB 2681, CH 169 (1992)
- Refund or credit for overpayments, revised provisions: HB 2681
- Regressive tax system, constitutional amendment to require that the total effect of the state and local tax system shall not be regressive: HJR 4223
- Tax preferences to be reviewed by legislative budget committee for possible termination: HB 2219
- Waiver of four-year limitation on assessments, taxpayer waiver will automatically provide for refund or credit for overpaid taxes discovered after taxpayer signs waiver: \*HB 2681, CH 169 (1992)

#### **TAXES - HOTEL/MOTEL TAX (See TAXES - LODGING TAX)**

#### **TAXES - INCOME TAX**

- Constitutional amendment to allow: HJR 4230
- Established: HB 2195
- Established, moneys collected deposited in basic education account: HB 2208
- Exemption for dependent children tax fairness act for families passage urged: HJM 4023
- Pension income, taxation only by state of residency, congress urged to support: HJM 4018
- Retirement and pension benefits, exemption of property from execution of out-of-state judgment for failure to pay that state's tax on: HB 1292
- Tax fairness act for families, exemption for dependent children of at least thirty-five hundred dollars urged: HJM 4023

#### **TAXES - LEASEHOLD EXCISE TAX (See TAXES - EXCISE TAX)**

#### **TAXES - LIQUOR TAX**

- Alcohol awareness program directed toward minors, additional tax imposed on wine, beer, and spirits to fund: HB 2356
- Alcohol counteradvertising account, tax on sale of liquor advertising to be deposited in: HB 2378
- Construction and modernization of common schools, use of liquor tax revenues for: HB 1589
- Governor may withhold revenues from county or city not in compliance with growth management requirements: SHB 1669
- Health care revenue account, additional tax imposed on liquor sales for deposit in: HB 2641
- Health services trust fund, additional tax imposed on liquor sales for deposit in fund: HB 2590, SB 6089
- Public awareness campaign, tax on sale of liquor advertising to fund public awareness campaign: HB 2378

#### **TAXES - LITTER TAX**

Imposed on privilege of engaging in business as manufacturer, wholesaler, or retailer of listed products manufactured or sold in state, rates set: HB 2635, \*SHB 2635, CH 175 (1992)

Waste reduction, recycling, and litter control account created as successor to the litter control account, expenditures from account authorized for specified programs: \*SHB 2635, CH 175 (1992)

#### **TAXES - LODGING TAX**

Assessment and collection, revised provisions: \*HB 2680, CH 206 (1992)

Cities in second class counties, authority to impose tax, conditions and restrictions: HB 1949

Rate of special excise tax on lodging raised from two to three percent: HB 2799

Thurston county authorized to use tax revenues to pay for projects that attract visitors or promote tourism: HB 2724

Thurston county, authority to impose removed and use of revenues collected limited to tourism, arts, cultural, historical, and parks and recreation sites with historical significance activities: \*HB 2961, CH 156 (1992)

Tourist-related activities, certain cities in first class counties authorized to impose tax to fund: HB 2180

#### **TAXES - LOST FISHING NET RECOVERY TAX**

Imposed on manufacturers and wholesalers of commercial net products: SHB 1012

Imposed on retailers of commercial nets or components of those nets: SHB 1012

#### **TAXES - LUMBER AND BUILDING MATERIALS TAX**

Imposed on wholesale and retail sales within the state with revenues split between building code council and housing trust fund: HB 2484

#### **TAXES - MEDICAID TAX**

Intermediate care facilities for the mentally retarded, tax imposed on each facility for act or privilege: \*SHB 2967, CH 80 (1992)

Intermediate care facilities for the mentally retarded, tax imposed on facility for act or privilege of doing business, rate set, appropriation made for prospective rate increases to cover medicaid share of tax: HB 2967, SHB 2967

Tax imposed on nursing homes for the privilege of doing business, rate set, appropriation made for prospective rate increases to cover medicaid share of tax: HB 2968

#### **TAXES - MOTOR VEHICLE FUEL TAX**

Governor may withhold revenues from county or city not in compliance with growth management planning requirements: SHB 1669

Power take-off units, calculation of fuel usage for exemption: HB 2583, SB 6172

#### **TAXES - OIL HEAT TANK POLLUTION LIABILITY TAX**

Imposed on heating oil dealers: HB 1896

#### **TAXES - OIL SPILL RESPONSE TAX**

Collection of tax, revised provisions: HB 2389, \*SHB 2389, CH 73 (1992)

Refund or credit, eligibility for: \*SHB 2389, CH 73 (1992)

**TAXES - OUTDOOR EQUIPMENT TAX**

- Imposed on possession of outdoor equipment for commercial use: HB 1823
- Imposed on retail sale of outdoor equipment, revenue to be used to fund nonconsumptive wildlife user programs: SHB 1250
- Recreational equipment, tax imposed on equipment possessed for commercial use, deposit in state lands stewardship account: HB 1916

**TAXES - PERSONAL PROPERTY TAX**

- Charitable fund-raising organizations, exempts real and personal property from taxation when organization meets specified conditions: HB 2892
- Intangible personal property, taxation of income from: HB 2197
- Recycling, annual recycling assessment paid by manufacturers, wholesalers, and retailers: SHB 1459

**TAXES - PREMIUM TAX**

- Group disability insurers, additional tax imposed on those not meeting organized delivery system obligations: HB 2641
- Health services trust fund, additional tax imposed to be deposited in fund: HB 2590, SB 6089

**TAXES - PRIVILEGE TAX**

- Municipally owned utilities, limitations on tax rate not applicable to taxes levied by city on: HB 2614

**TAXES - PROPERTY TAX**

- Affordable housing development improvements, three year exemption from tax following completion of improvements: HB 2484
- Affordable housing developments, physical improvements to, exemption from taxation for three years subsequent to completion, qualifications: HB 2963
- Aging, exemption for nonprofit homes for the aging, revised income and eligibility provisions and study requirements: HB 2639, \*SHB 2639, CH 213 (1992)
- Agricultural lands, incidental uses compatible with agricultural purposes included in definition: HB 2816
- Alcohol fuel production, tax exemption extended through 1999: HB 2387
- Appeals, filing of appeal to state board of tax appeals, timely filing of appeal, revised provisions: HB 2955
- Assessed value, averaging of large property valuation increases over four year period, revised procedures: HB 2067
- Assessed value, averaging of large property valuation increases, revised assessment procedures: SHB 1300, HB 2182
- Assessment and collection by county, revised provisions: HB 1994
- Assessment in 1991 exceeding one hundred-fifty percent of 1990 assessment, delinquency deferred to April 30, 1992: SSB 5812
- Assessment of new construction or remodelled owner-occupied homes: HB 2166, HB 2178
- Assessment of owner-occupied residences not to exceed true and fair value, limitation on annual increase, constitutional amendment: HJR 4203
- Assessment of real property exclusive of structures, calculation to average sales within the four-year evaluation cycle: HB 2699

- Assessment rolls, corrections involving revaluation of property, conditions to be met in order for correction to be made: HB 2925, SHB 2925
- Assessments to be at lesser of true value or most recent assessment plus six percent annually: HB 2166, HB 2178
- Assessments, large increases in property assessments may be phased-in over time: HJR 4207
- Averaging of large property valuation increases over four year period, revised assessment procedures: HB 2067
- Averaging of large property valuation increases, revised assessment procedures: SHB 1300, HB 2182
- Averaging of taxable values over four-year period authorized: HJR 4224
- Charitable fund-raising organizations, exempts real and personal property from taxation when organization meets specified conditions: HB 2892
- Combined disposable income, definition to include medical prescriptions costs for purpose of determining exemptions: HB 2582
- Commercial ships and vessels, listing requirements and tax payment procedures: HB 2110, SHB 2110
- Conservation futures, county may make additional levy for maintenance and operation of lands acquired as conservation futures: HB 2934
- Counties electing in lieu payments on game land to pay state all game violation moneys: HB 2564
- Current use valuation of mobile home parks and housing for very low-income persons authorized: HB 2484
- Current use valuation of very low-income housing, constitutional amendment to allow: HJR 4235
- Current use valuation of wetlands, "wetland lands" classification created: HB 1817
- Deferrals, senior citizen and disability deferrals, interest rate reduced to six percent: HB 1240
- Delinquency deferral until April 30, 1992, when 1991 assessment exceeds one hundred-fifty percent of 1990 assessment: SSB 5812
- Delinquent tax interest and penalties waived when mortgage lien removed but county has not notified owner of taxes owed: HB 2326, SHB 2326
- Delinquent tax, if 1993 taxes exceed one hundred fifty percent of 1992 taxes, interest and penalties on excess may not be assessed through April 30, 1994: SSB 5812
- Disposable income, calculation for senior citizen exemption claimant whose spouse has recently died: \*HB 2514, CH 187 (1992)
- Disposable income, redefinition for purposes of senior citizen tax exemption: SB 6169
- Educational support account, ad valorem tax levies deposited in: HB 2232
- Equalization, county board of, appeals to county board of equalization, revised provisions: HB 2925, SHB 2925
- Equalization, state board of, appeal may be taken directly to state board without hearing before county board of equalization: HB 2925, SHB 2925
- Excess levies for school districts, levy base increased to cover lag in revenue availability for expenditures that occur at the beginning of the school year but are funded from levies collected in the second half: \*SHB 1932, CH 49 (1992)
- Excess property tax exemption, qualifying disposable income amount raised to twenty-two thousand dollars a year: HB 1004



- Exemption for nonprofit homes for the aging, revised income and eligibility provisions and study requirements: HB 2639, \*SHB 2639, CH 213 (1992)
- Exemption for residents of homes for the aged, increase of residents' maximum income limits: HB 2227
- Exemption from excess property taxes, qualifying disposable income amount raised to twenty-two thousand dollars a year: HB 1004
- Exemptions, low-income person's tax exemption based on ability of low-income person to pay property taxes, claim procedures established: HB 2484
- Exemptions, medical clinics owned by nonprofit organizations: HB 1492
- Exemptions, medical prescriptions costs included in "combined disposable income" definition: HB 2582
- Exemptions, residences near jails, exemption from county levy: HB 1101
- Exemptions, senior citizen and disabled persons who do not meet qualifying disposable income amount qualification: HB 1240
- Exemptions, senior citizen exemption, change in qualifying age for: SHB 1313
- Exemptions, senior citizen exemption, renewal application for exemption required at least every four years to be accompanied by documented verification of income: HB 2926
- Exemptions, senior citizens and disability exemptions, qualifying disposable income amount raised: HB 1240, HB 2066, HB 2178
- Fire districts, authority to submit a single proposition to impose excess levies for either one or two years: HJR 4209
- First-time homebuyers, tax exemption for qualified buyers, eligibility conditions and procedures to obtain exemption: SHB 1414
- First-time homebuyers, temporary tax exemption for first-time homebuyers: HJR 4210, SHJR 4210
- First-time homebuyers, three-year tax exemption for qualified buyers: HB 1414
- Foreclosed property, sale by county legislative authority through private negotiation, when authorized: HB 2271, SHB 2271
- Home health care, tax relief for persons receiving: HB 1002, HB 1004, HB 2178
- Homeowners, limitation on rate of increase of assessed value of owner-occupied real property: HB 1026, SHB 1026
- Improvements to low-income multifamily rental housing, three year exemption from tax on improvement: HB 1619, SHB 1619
- Increases in taxation of real estate may be limited by legislature for periods in which no change of ownership occurs: HJR 4229
- Interest and penalties on delinquent tax, waiver when mortgage lien removed but county has not notified owner of taxes owed: HB 2326, SHB 2326
- Interest and penalties, if 1993 taxes exceed one hundred fifty percent of 1992 taxes, interest and penalties on excess may not be assessed through April 30, 1994: SSB 5812
- Jails, exemption of residences near jails from county levy: HB 1101
- Levy base for schools increased to cover lag in revenue availability for expenditures that occur at the beginning of the school year but are funded from levies collected in the second half of the year: \*SHB 1932, CH 49 (1992)
- Library improvement tax levies, limited waiver of one hundred six percent limitation: HB 2215
- Limited proposition levies to be made in the amounts and the years authorized by voters in addition to other allowed levies: HB 2108

- Local taxing districts, reimbursement from state general fund for losses due to homeowner tax relief: HB 1026, SHB 1026
- Loss of revenue to local governments from tax relief to be reimbursed from state general fund: HB 2166, HB 2178
- Low-income homeowners, state assistance eligibility: HB 1297
- Low-income homeowners, tax exemption provisions: HB 1298
- Low-income person's tax exemption to be made available based on low-income person's ability to pay property taxes, claim procedures established: HB 2484
- Low-income property owners, property tax relief on owner-occupied residences: HJR 4208, HJR 4237
- Medical clinics owned by nonprofit organizations, exemption from tax: HB 1492
- Medical prescriptions costs included in "combined disposable income" definition for purpose of determining exemptions: HB 2582
- Nonprofit organizations, property use for gain or to promote business activities allowed for three days in any month: HB 2346
- Omitted assessments on property, interest and penalties to be paid if property was omitted because taxpayer failed to get building permit or knowingly failed to inform assessor of omission: SHB 2324
- Omitted assessments, one year waiver of penalty and interest removed: HB 2324
- One hundred six percent limitation, removal conditions: HB 2825
- Open space lands, classification and current use valuation of, revised definitions and procedures: HB 2928, \*SHB 2928, CH 69 (1992)
- Open space lands, farm and agriculture conservation land category created and eligibility requirements established: HB 2928, \*SHB 2928, CH 69 (1992)
- Open space taxation, advisory committee created to assist department in recommending changes in rules regarding: SHB 2928
- Owner-occupied residence, assessed value reduced below true and fair value: HB 2239
- Owner-occupied residences, property tax reduction allowed: HJR 4231
- Ownership and occupancy dates to qualify for senior citizen and disability exemption changed from January 1 to December 31 of year in which exemption or deferral is claimed: HB 2748
- Port district receipts treated as nonoperating income: SHB 1546
- Port districts nonvoter-approved tax, districts with population of more than one hundred thousand, study and public hearing required before levy imposed: SHB 1546
- Public assembly halls or meeting places, property tax exemption not lost for inadvertent use to promote business gain unless part of a pattern of inconsistent use: SHB 2346
- Public assembly halls or meeting places, property tax exemption unaffected by use for casual and isolated sales activities exempt from state sales tax: SHB 2346
- Purchase or exchange of tax-paying parcel of land, requirement that county receive property of equal or greater tax value: HB 1967
- Reduction in property values or highest and best use as the result of government action to be considered by county assessor in computing property value: HB 2312
- Relief, constitutional amendment to authorize: HB 1029
- Residential and nonresidential properties, alternative plans for separate assessment levels to be studied by department of revenue: HB 2238
- Residential property tax aggregate increase limited to ten percent per year, constitutional amendment to allow: HJR 4206

- Revaluation of real property to be conducted annually beginning no later than January 1, 1999: HB 2924
- Sales at public auction may be used to determine true and fair value for taxation purposes: HB 2687
- School construction, property tax levied for up to fifteen years used solely to fund: HJR 4242
- School excess levy limits raised, revised provisions: \*SHB 1932, CH 49 (1992)
- School levy base increased to cover lag in revenue availability for expenditures that occur at the beginning of the school year but are funded from levies collected in the second half of the year: \*SHB 1932, CH 49 (1992)
- Schools may levy tax equal to previous year's levy without resubmission to voters following failed tax levy proposition: HB 1215
- Schools, exemption from excess levy limits for specified nonbasic education program activities: HB 2150
- Schools, levy equalization rate raised from ten to twenty percent for eligible districts: HB 1657, SHB 1657
- Schools, levy lids increased from twenty percent to thirty percent: SHB 1657
- Schools, state-wide average ten percent levy rate raised to twenty percent: HB 2150
- Senior citizen exemption, calculation of disposable income for claimant whose spouse has recently died: \*HB 2514, CH 187 (1992)
- Senior citizen exemption, renewal application for exemption required at least every four years to be accompanied by documented verification of income: HB 2926
- Senior citizen or disability exemption, ownership and occupancy dates to qualify changed from January 1 to December 31 of year in which exemption or deferral is claimed: HB 2748
- Senior citizen property tax relief qualifications to include nonrecognized gain on sale of principal residence: HB 1313
- Senior citizen tax exemption, "disposable income" redefined: SB 6169
- Senior citizen tax exemption, change in qualifying age for: SHB 1313
- Senior citizen tax exemption, cotenant's disposable income excluded from combined income threshold computation: HB 1840
- Senior citizens and disabled persons, limits on increases in aggregate taxes imposed on residence: HB 1240
- Ships and vessels, commercial, listing requirements and tax payment procedures: HB 2110, SHB 2110
- Tax appeals board, appeal of action by county board of equalization deemed to be timely filed if postmarked on or before thirtieth day after the mailing of the decision of the board of equalization: SHB 2925
- Taxable values, constitutional amendment to allow averaging of values over a four-year period, under conditions and restrictions provided by law: HJR 4239
- True and fair value, sales at public auction may be used to determine for taxation purposes: HB 2687
- Valuation of large property tax increase averaged over four years: SHB 1300
- Valuation, 1989 assessment for 1991 taxes, conditions established for taxes after 1991: HB 1385
- Veteran's assistance fund, allowable levy rate increased: HB 1107
- Waiver of delinquent tax interest and penalties when mortgage lien removed but county has not notified owner of taxes owned: HB 2326, SHB 2326

Waiver of one year penalty and interest removed for payment of taxes on omitted assessments: HB 2324

Wetlands, current use valuation of, "wetland lands" classification created: HB 1817

Wildlife department, lands exempt from taxes in lieu of property taxes: HB 2565

Wildlife department, taxes in lieu of property taxes on department owned property, in lieu tax provisions repealed: HB 1779

#### TAXES - SALES TAX

"Food products" redefined to provide additional revenue for funding nonemployee-related costs of superintendent of public instruction: HB 2202

"Food products" redefined, exclusions: HB 2202

"Newspaper" defined for purpose of tax exemption on distribution and newsstand sales of: HB 2019

"Sale at retail" defined to include for hire air, rail, and water carriers, and for hire motor vehicles and trailers: HB 2223

"Sale at retail" defined to include property purchased for use in operating air, rail, or water carrier business: HB 2223

"Spirit cooler" defined, retail sales tax rate established: HB 2204

Airplanes, locomotives, railroad cars, or watercraft used in conducting for hire commerce subject to sales tax: HB 2223

Assessment and collection, revised provisions: \*HB 2680, CH 206 (1992)

Birth control prescription drugs, exemption: HB 1533

Building materials and labor used in remodeling, rehabilitation, or new construction of affordable housing exempt from tax: HB 2484

Building materials used in multifamily residential structures, exemption from tax: HB 1621, SHB 1621

Business assistance program, participation, rules of conduct: HB 1570, HB 1731, SHB 1731

Cable television services included in terms "sale at retail" or "retail sale," percentage of revenues to be deposited into budget stabilization account after June 30, 1993: HB 2445

Candy tax, exceptions to list of food products expanded: HB 1178

Candy tax, revenues dedicated to school construction: HB 1178

Children's investment trust account, revenues from out-of-state taxpayers who do not maintain a place of business in state but engage in specified activities to be deposited in account: HB 2471, SHB 2471

Citizens' review of local government, alteration in rate and distribution as a consequence of: HB 1017

Commerce and employment resources act enacted: HB 2728, SHB 2728

Contractors required to pay sales tax on all materials at time of purchase with deductions allowed when contractor collects tax from final consumer: HB 2966

County sales and use tax equalization account, additional distribution in place of department of wildlife in-lieu tax distribution: HB 2520, SHB 2520

Criminal justice purposes, authority to impose additional tax for in larger counties east of the Cascades: HB 1980

Deferrals, investment project deferrals extended to tourism projects: HB 1106

Domestic violence community advocates, funding authorized from local tax revenues: HB 1741

Educational support account, ninety-four percent of revenues deposited in: HB 2232

- Exemption for durable medical equipment used by persons sixty-five years of age or older: HB 2879
- Exemptions for investments or costs resulting in the creation of jobs in distressed areas: HB 2864
- Exemptions, nonprofit organizations serving meals for fundraising purposes: HB 1067, SSB 5929
- Free hospitals, exemption on necessary items: HB 2504, SB 5524
- Gasoline, local option tax authorized on gasoline to fund public transit and transportation systems: HB 2070
- Glucose monitoring equipment, exemption from sales and use taxes: HB 1602
- Governor may withhold revenues from county or city not in compliance with growth management planning requirements: SHB 1669
- Impact fees paid by a business taxpayer, credit to be allowed against tax due equal to the amount of, eligibility requirements: HB 2728, SHB 2728
- Investments or costs resulting in the creation of jobs in distressed areas, tax exemptions for: HB 2864
- Local government service agreements, alteration in rate and distribution as a consequence of: SHB 1015
- Medical equipment, durable, used by persons sixty-five years of age and older, sales and use tax exemption: HB 2879
- Motor vehicle lease or rental, tax of two dollars per day imposed for traffic safety education programs: HB 2449
- Motor vehicle rental, county may impose tax to acquire or operate public sports stadium facility or youth sport activities: \*SHB 2964, CH 194 (1992)
- Motor vehicles and trailers used for transporting persons or property for hire subject to sales tax: HB 2223
- Over-the-counter medications and vitamins exempted from sales and use taxes: HB 2253
- Owner-occupied residential real estate with selling price of five hundred thousand dollars or less, exemption: HB 2223
- Prescription drugs, sale of all prescription drugs, including those for family planning purposes, exempted from tax: HB 2632
- Property purchased for use in operating business as air, rail, or water carrier subject to sales tax: HB 2223
- Public assembly halls or meeting places, property tax exemption unaffected by use for casual and isolated sales activities exempt from state sales tax: SHB 2346
- Rental cars exempted from motor vehicle excise taxes and additional sales and use taxes imposed in lieu of: \*SHB 2964, CH 194 (1992)
- Rental cars exempted from motor vehicle excise taxes and additional sales and use taxes imposed in lieu of, additional tax imposed to fund traffic safety education programs: HB 2964, SHB 2964
- Rental vehicles, additional tax imposed: HB 1820
- Rental vehicles, additional tax imposed equal to the motor vehicle excise tax that would have been collected if applicable to fleet vehicles: HB 1820
- Retail sales tax reduced to six and two-tenths percent of selling price: HB 2223
- Traffic safety education programs, tax of two dollars per day imposed on lease or rental of motor vehicle licensed for hire: HB 2449

**TAXES - SNACK FOOD TAX**

Imposition of tax on the manufacture and wholesale and retail sales of snack foods, revenues to be deposited in health care revenue account: HB 2641

#### **TAXES - UNEMPLOYMENT COMPENSATION RESERVE TAX**

Imposed on all covered employers, rates set, receipts to be deposited in employment security reserve fund: HB 2603, SHB 2603

#### **TAXES - USE TAX**

"Food products" redefined to provide additional revenue for funding nonemployee-related costs of superintendent of public instruction: HB 2202

"Food products" redefined, exclusions: HB 2202

Birth control prescription drugs, exemption: HB 1533

Building materials and labor used in remodeling, rehabilitation, or new construction of affordable housing exempt from tax: HB 2484

Building materials used in multifamily residential structures, exemption from tax: HB 1621, SHB 1621

Business assistance program, participation, rules of conduct: HB 1570, HB 1731, SHB 1731

Children's investment trust account, revenues from out-of-state taxpayers who do not maintain a place of business in state but engage in specified activities to be deposited in account: HB 2471, SHB 2471

Citizens' review of local government, alteration in rate and distribution as a consequence of: HB 1017

County sales and use tax equalization account, additional distribution in place of department of wildlife in-lieu tax distribution: HB 2520, SHB 2520

Criminal justice purposes, authority to impose additional tax for in larger counties east of the Cascades: HB 1980

Deferrals, investment project deferrals extended to tourism projects: HB 1106

Domestic violence community advocates, funding authorized from local tax revenues: HB 1741

Educational support account, ninety-four percent of revenues deposited in: HB 2232

Exemption for durable medical equipment used by persons sixty-five years of age or older: HB 2879

Exemptions for investments or costs resulting in the creation of jobs in distressed areas: HB 2864

Exemptions, nonprofit organizations serving meals for fundraising purposes: SSB 5929

Free hospitals, exemption on necessary items: HB 2504, SB 5524

Gasoline, local option tax authorized on gasoline to fund public transit and transportation systems: HB 2070

Glucose monitoring equipment, exemption from sales and use taxes: HB 1602

Governor may withhold revenues from county or city not in compliance with growth management planning requirements: SHB 1669

Investments or costs resulting in the creation of jobs in distressed areas, tax exemptions for: HB 2864

Local government service agreements, alteration in rate and distribution as a consequence of: SHB 1015

Medical equipment, durable, used by persons sixty-five years of age and older, sales and use tax exemption: HB 2879

Motor vehicle rental, county may impose tax to acquire or operate public sports stadium facility or youth sport activities: \*SHB 2964, CH 194 (1992)

Over-the-counter medications and vitamins exempted from sales and use tax: HB 2253

Over-the-counter medications and vitamins exempted from sales and use taxes: HB 2253

Rental cars exempted from motor vehicle excise taxes and additional sales and use taxes imposed in lieu of: \*SHB 2964, CH 194 (1992)

Rental cars exempted from motor vehicle excise taxes and additional sales and use taxes imposed in lieu of, additional tax imposed to fund traffic safety education programs: HB 2964, SHB 2964

#### **TAXES - VEHICLE RENTAL TAX**

Imposition of tax, establishment of rates and collection procedures: HB 2282

#### **TAXES - WINE TAX**

Health care revenue account, additional tax imposed on wholesale sales of wine for deposit in account: HB 2641

Health services trust fund, additional tax imposed on liquor sales for deposit in fund: HB 2590, SB 6089

#### **TAXICABS**

Bonding requirements, minimum amount increased: HB 1953, HB 2107

Revised provisions relating to: \*SSB 6460, CH 114 (1992)

#### **TEACHERS**

"Baccalaureate degree" defined for purposes of determining compensation allocations: HB 2139

"Educator" defined: HB 2217

Braille competency requirements for teachers of blind students: HB 1945

Certificate or permit revocation or suspension, authority of superintendent of public instruction to conduct investigation without complaint from district superintendent or private school administrator: \*SHB 2518, CH 159 (1992)

Certificated employees, nonrenewal of contracts, reconsideration request procedures: HB 2125

Certificated employees, optional three-year contracts allowed: HB 2125

Certificates, initial certificate valid for no more than seven years but may be reinstated under board of education rules: HB 2522

Certification of teachers and administrators, board of education to study current requirements in conjunction with council on education reform and funding and present options for improving certification system: \*SSB 5953, CH 141 (1992)

Certification to include diversity education throughout curricula: SHB 1365

Certification, initial certificate to be valid for seven years with reinstatement available under board of education rules: SSB 5953

Certification, investigative powers of superintendent of public instruction when conducting investigation of violation of certification statutes: \*SHB 2518, CH 159 (1992)

Certification, masters degree requirement for continuing teacher certification repealed: \*SSB 5953, CH 141 (1992)

Certification, powers and duties of board of education revised relating to: HB 1170

Child abuse issues, professional preparation program required for certification: HB 1985

- College transcripts, random sample to determine eligible credits earned but not recognized in state allocation model: HB 1632, SHB 1632
- Compensation allocations, "baccalaureate degree" defined for purpose of determining: HB 2139
- Compensation plan for educational employees placing Washington in top ten percent among states: HB 1223
- Conditional scholarships authorized for teachers seeking master's degree required for continuing certification: HB 2729, SHB 2729
- Continuing education credit for internships with private and public sector organizations: HB 1256, SHB 1256
- Contracts, certificated employees, three-year contracts with annual renewals authorized: HB 2125
- Contracts, nonrenewal period extended to three years with exception of teachers with three years of previous experience in Washington schools: SSB 5953
- Contracts, nonrenewal period for probationary teachers extended to two years except that experienced teachers are subject to one year probationary period when transferring to another district: \*SSB 5953, CH 141 (1992)
- Education association officials, retirement service credit authorized for periods of unpaid leave while serving as elected official: HB 2418, SHB 2418, \*SSB 6186, CH 3 (1992)
- Educator academy advisory board created, membership and duties: HB 2217, SHB 2217
- Educator academy created at Tacoma branch campus of University of Washington: HB 2217
- Educator academy staff development and professional enrichment programs, pilot project established: HB 2217
- Educator academy, University of Washington to develop plan for: SHB 2217
- Educator disciplinary board created, membership, powers, and duties: HB 2217
- Educator disciplinary board, pilot project established: HB 2217
- Educator preparation and certification, revised provisions: HB 2240
- Educators, conduct constituting unprofessional conduct: HB 2217
- Entrance to practice examination, passage required to obtain initial certification, content requirements established: SSB 5953
- Ethics teaching in public schools, annual legislative award to two teachers, criteria: HB 2010
- Future teacher conditional scholarship program, enhancement and revised provisions: SHB 1598
- In-service training funding: HB 2226
- Indian culture, history, and government, required teacher education course in state or Northwest history to include information on: HB 2541
- Interest arbitration panels authorize to resolve bargaining impasses: HB 1398
- Internships with private and public sector organizations, continuing education credit for: HB 1256, SHB 1256
- Investigations concerning eligibility and certification of common school personnel, authority of superintendent of public instruction to conduct: HB 1984
- Investigative files compiled by superintendent of public instruction, exemption from public disclosure: HB 1984
- Legislative ethics in education award created: HB 2010
- Local master's degree teacher training program: SHB 1293



- Master's degree requirement eliminated: HB 1157, SB 5375
- Master's degree requirement for certification deadline extended to 1997: HB 1307
- Master's degree requirement for certification deadline extended to August 31, 1995: HB 2190
- Master's degree requirement for educators, state and educator to each pay one-half of tuition cost: HB 2217
- Masters degree requirement for continuing teacher certification repealed: \*SSB 5953, CH 141 (1992)
- Noncertificated persons, eligibility to teach without supervision: HB 1068, SHB 1068
- Operation Desert Shield service, death benefits allowed for members' beneficiaries: SHB 1269
- Performance-based compensation plans, committee to study various plans: HCR 4407
- Provisional employment period changed to three years: HB 2124
- Provisional employment period, certificated employees who have completed three years in another district subject to nonrenewal in first year with new district: HB 2124
- Provisional status: HB 2240
- Rétired teachers permitted to work in public schools for up to ninety days per year without reduction in pension: HB 1219
- Retired teachers, task force on postretirement issues created to study supplementary benefits for: HCR 4431
- Retirement system contribution rate for legislators and state officials: SHB 1269
- Retirement system eligibility for half-time employees: SHB 1269
- Retirement system, "substitute teacher" defined to exclude full time plan I community college district teachers: HB 1020
- Retirement system, basic state contribution rates established as of September 1, 1992: HB 2693, SHB 2693, \*SSB 6286, CH 239 (1992)
- Retirement system, calculation of initial retirement allowance: SSB 5380
- Retirement system, cost-of-living increases in benefits for plan I retirees, revised provisions: HB 2956
- Retirement system, cost-of-living increases, calculation of target benefit modified: HB 1603
- Retirement system, cost-of-living increases, changes in terminology: HB 1603
- Retirement system, disability retirement for persons with half-time contracts, retroactive application and choice of survivor option provisions: HB 2419
- Retirement system, early retirement authorized for plan I employees meeting specified criteria, districts prohibited from hiring persons retiring under this act through personal services contracts: HB 2947, \*SHB 2947, CH 234 (1992)
- Retirement system, employees meeting Plan I early retirement criteria, eligibility for accrued sick leave remuneration under district's attendance incentive program: \*SHB 2947, CH 234 (1992)
- Retirement system, funds established for use by system, simplification of designation of: \*HB 2259, CH 212 (1992)
- Retirement system, merchant marine service credit: HB 1065
- Retirement system, military service, service credit authorized for members during period in which employment is interrupted by military service, conditions and restrictions: \*SSB 5092, CH 119 (1992)
- Retirement system, overpayments based on miscalculation of the "age sixty-five allowance," recovery prohibited: \*HB 2259, CH 212 (1992)

- Retirement system, overpayments for certain cost of living adjustments, recovery prohibited: HB 2259, HB 2645
- Retirement system, recodification of retirement provisions, technical corrections made to 1991 recodification: \*HB 2260, CH 72 (1992)
- Retirement system, reentry into system, restoration of service credits allowed between April 4, 1992, and June 30, 1993, requirements and conditions set: HB 2723
- Retirement system, service credit authorized for members during period in which employment is interrupted by military service, conditions and restrictions: \*SSB 5092, CH 119 (1992)
- Retirement system, service credit authorized for periods of unpaid leave as elected official of a Washington education association: HB 2418, SHB 2418, \*SSB 6186, CH 3 (1992)
- Retirement system, service credit for out-of-state experience, conditions: HB 1164
- Salaries of certificated staff, expenditures from local funds solely the financial responsibility of district: HB 1504
- Salaries, governor's budget to link salary increase with department of social and health services' vendor rate and grant standards increase: HB 2838
- Salary allocation, determination, no more than ninety post-baccalaureate credit hours may be used beginning in 1997, exceptions: HB 1344
- Salary, cost-of-living increase allowed only by separate contract: HB 2580
- Schedule of days for students to attend school, establishment and publication of schedule, requirements, schedule not subject to collective bargaining: SSB 5953
- Second class districts with fewer than 200 students, authority to hire spouse of district officer as certificated or classified employee, conditions: HB 2559
- Sign language instructors' qualifications, state board of education to consult with various groups concerning standards for evaluation and certification of American sign language instructors: \*HB 1664, CH 60 (1992)
- Strikes by teachers prohibited: HB 1398
- Student diversity training programs, superintendent of public instruction responsible for establishment, operation, and content of: HB 2517
- Student diversity training, professional and paraprofessional preparation programs to report to state board of education on actions taken to ensure that their students have necessary knowledge and skills: HB 2517
- Student teacher assistance program: HB 1505
- Substitute teachers, authority to hire spouse of second class district officer as a substitute teacher when board has found there to be a shortage of substitute teachers in district: HB 2559
- Teachers' retirement system, allowance increase to equal medicare part B premium: HB 1493
- Teachers' retirement system, early retirement allowance reduced: HB 1384
- Teachers' retirement system, retirement account plan for plan I participants with thirty years service credit: HB 1432
- Teachers' retirement system, service credit authorized for periods of unpaid leave as elected official of a Washington education association: HB 2418, \*SSB 6186, CH 3 (1992)
- Vocational instructors, board to education to adopt baccalaureate equivalency standards: \*SSB 5953, CH 141 (1992)

## TECHNICAL COLLEGES

Community and technical college act of 1991: SHB 1039  
Task force on technical colleges created, duties: SHB 1039

## TECHNOLOGICAL EDUCATION (See VOCATIONAL EDUCATION)

## TECHNOLOGY

Washington technology center, revised organization and duties: \*HB 2932, CH 142 (1992)

## TELECOMMUNICATIONS

- 900 numbers, regulation of: HB 1612
- Cellular communications, taxation and assessment of property and services, department of revenue to study: HB 2672, \*SHB 2672, CH 218 (1992)
- Information delivery services, advertisement of, requirements: HB 1612
- Live operators, every company providing operator services required to make simple access to live operator available: HB 2991
- Operators, every company providing operator services required to make access to live operator by simple means available: HB 2991
- Pay-per-call services, regulation of: HB 1612
- Pen registers, use authorized, conditions: HB 1351
- Pesticide recordkeeping and reporting by electronic means, director may establish pilot project: HB 2777
- Pesticide recordkeeping and reporting by electronic means, rulemaking authority of director of agriculture: HB 2777
- Price reductions, temporary reductions may be authorized to promote a telecommunication service: HB 2465, \*SHB 2465, CH 68 (1992)
- Telecommunications devices for the deaf, contract award procedures revised: SSB 6377
- Telecommunications relay service excise tax, utilities and transportation commission to determine amount of tax necessary to fund program based on information provided by the office of deaf services: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system advisory committee to make progress reports at least four times a year to administrators and operators of system, required elements of report established: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system and text telephone, department to maintain program for the hearing and speech impaired, revised requirements: HB 2769, SHB 2769, \*SSB 6377, CH 144 (1992)
- Telecommunications relay system, department of social and health services to apply to federal communications commission to have a state-controlled program by October 1, 1992: SHB 2769
- Telecommunications relay system, department of social and health services to apply to federal communications commission for certification of the state-wide relay service: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system, discounted long distance rates for service in conjunction with system required: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system, operation and maintenance of system, requirements for award of contract for provision of service commencing July 26, 1993: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system, operation of system to be bid out to a qualified contractor: HB 2769, SHB 2769

Telephone excise tax ceiling raised to fourteen cents per month per telephone line to fund telephone relay system program: SHB 2769

Trap and trace devices, use authorized, conditions: HB 1351

### TELEPHONES

Live operators, every company providing operator services required to make simple access to live operator available: HB 2991

Operators, every company providing operator services required to make access to live operator by simple means available: HB 2991

Rule-making hearings, facsimile and recorded telephone comments may be allowed by agency at: HB 2511, \*SB 6289, CH 57 (1992)

Tariff reduction to promote service authorized for not more than sixty days: SSB 6144

Telecommunications relay service excise tax, utilities and transportation commission to determine amount of tax necessary to fund program based on information provided by the office of deaf services: \*SSB 6377, CH 144 (1992)

Telecommunications relay system advisory committee to make progress reports at least four times a year to administrators and operators of system, required elements of report established: \*SSB 6377, CH 144 (1992)

Telecommunications relay system and text telephone, department to maintain program for the hearing and speech impaired, revised requirements: HB 2769, SHB 2769, \*SSB 6377, CH 144 (1992)

Telecommunications relay system, department of social and health services to apply to federal communications commission to have a state-controlled program by October 1, 1992: SHB 2769

Telecommunications relay system, department of social and health services to apply to federal communications commission for certification of the state-wide relay service: \*SSB 6377, CH 144 (1992)

Telecommunications relay system, discounted long distance rates for service in conjunction with system required: \*SSB 6377, CH 144 (1992)

Telecommunications relay system, operation and maintenance of system, requirements for award of contract for provision of service commencing July 26, 1993: \*SSB 6377, CH 144 (1992)

Telecommunications relay system, operation of system to be bid out to a qualified contractor: HB 2769, SHB 2769

Telephone excise tax ceiling raised to fourteen cents per month per telephone line to fund telephone relay system program: SHB 2769

### TELEVISION (See also NEWS MEDIA)

Cable systems, access to by multiple dwelling units' tenants: HB 2201

Cable television company offering hook-ups to one or more island residents to offer at reasonable cost to all residents: HB 2230

Cable television services included in terms "sale at retail" and "retail sale" for purposes of business and occupation tax and sales tax: HB 2445

Cable television, congress requested to enact legislation allowing state and local governments authority to mandate improved cable television service: HJM 4035

Liquor advertising on television prohibited, civil and criminal penalties: HB 1239

Liquor advertising on television restricted, civil and criminal penalties: HB 2379

Liquor advertising, health warnings required, penalties for noncompliance: HB 2380

Television reception improvement districts, board membership: \*SB 6444, CH 150 (1992)

### TENANCIES

Joint tenancy, each tenant has unilateral right to sever tenancy: HB 2538

### TERRORISM

Life insurance, limitation on liability, death from terrorism may not be included in limitation: HB 1366

### THURSTON COUNTY

Lodging tax, authority to impose removed and use of revenues collected limited to tourism, arts, cultural, historical, and parks and recreation sites with historical significance activities: \*HB 2961, CH 156 (1992)

Tourist promotion and attraction of visitors projects, county authorized to use lodging tax revenues to pay for: HB 2724

### TIDELANDS

Animal waste pollution, districts encouraged to contract with shellfish protection districts to control: \*SSB 6132, CH 100 (1992)

Counties with saltwater tidelands, watershed protection districts and programs to protect shellfish authorized: HB 2363, SHB 2363, SSB 6132

Seaweed, maximum daily wet weight harvest or possession limit set at ten pounds per person for seaweed taken from private and state tidelands and state bedlands for personal use, violation is a misdemeanor: SHB 1455

Shellfish protection districts and programs, authority to create for protection of shellfish growing areas from animal waste and failing on-site sewage system pollution: \*SSB 6132, CH 100 (1992)

Shellfish protection districts, creation and operation of district, revised procedures and deadlines, powers of county legislative authority revised: \*SSB 6132, CH 100 (1992)

Shellfish protection districts, fees, charges, and rates, authority of county legislative authority to fix, alter, and control, confined animal feeding operations and other facilities exempted from: \*SSB 6132, CH 100 (1992)

Shellfish tidelands, plans and programs to protect: HB 2363, SHB 2363, \*SSB 6132, CH 100 (1992)

Watershed financial assistance program created in department of ecology to assist counties to form and implement watershed protection districts: HB 2363, SHB 2363

Watershed protection districts, creation, abolition, powers, and funding provisions and procedures established: HB 2363, SHB 2363

### TIMBER AND TIMBER INDUSTRIES (See also FOREST PRACTICES, FOREST PRODUCTS INDUSTRY)

Basic health plan, timber impact area residents, including those without a history of direct timber employment, eligible to enroll in plan: SHB 2994

Center for international trade in forest products at University of Washington, duties of center modified and program and sunset review provisions repealed: SB 6023

Center for international trade in forest products at University of Washington, modification of duties of center and date: HB 2257

- Center for international trade in forest products at University of Washington, modification of duties of center and date of sunset termination moved to June 30, 1996: SB 6023
- Center for international trade in forest products at the University of Washington, duties of center modified and sunset termination date changed to June 30, 1994: \*SB 6023, CH 121 (1992)
- Community-based family support centers, establishment and funding: SHB 1714
- Economic diversification and strengthening infrastructure in timber-dependent counties, funding priority: HB 1442
- Forest and families protection act, congress urged to enact: HJM 4033, SHJM 4033
- Forest practice permits, fees imposed on applicants for, to assist with review and permitting costs related to environmental protection: HB 1854
- Hardwood commission, compensation and reimbursement provisions: SHB 1857
- Hardwoods processing, assessment to be levied by hardwood commission on, rates and exceptions: SHB 1857
- Higher education opportunities program for dislocated timber workers: SHB 1870
- Liquor deliveries to stores and agencies, first consideration to be given to freight carriers within federal timber impact area: HB 1746
- Lumber and wood products workers, extended unemployment compensation benefits for, conditions: SHB 1599
- Management and harvesting of timber, only those rules in effect when a stand of timber is planted are applicable to: HB 2428
- Natural resource worker project established for dislocated timber workers: SHB 1314
- Natural resource worker project in Skagit county: SHB 1314
- Open space corridors, identification of corridor not to restrict use or management of lands in corridor for agricultural or forest purposes unless city or county acquires sufficient interest to prevent control or development: \*SB 6401, CH 227 (1992)
- Processing of timber within timbershed of origin required for restricted timber from sales from department of natural resources lands: HB 2000
- Public forests commission created, membership and duties: HB 1583, SHB 1583
- Public works, Washington grown and produced wood products to be used to maximum extent: HB 1871, SHB 1871, HJM 4019
- Skagit River salmon recovery plan, director of fisheries plan to include strategies for employing displaced timber workers to conduct salmon restoration and other tasks in plan: \*SB 5675, CH 88 (1992)
- Timber impact areas, designation of additional socially and economically integrated communities as timber impact areas by economic recovery board authorized: \*HB 2821, CH 21 (1992)
- Timber impact areas, public works loans authorized to local governments in: HB 1647
- Timber retraining benefits program extended to workers who filed unemployment claim on or after January 1, 1989: \*SB 6074, CH 47 (1992)
- Timber salvage in national forests, congress urged to authorize sale: HJM 4036, SSJM 8024
- Timber supply impact areas, public facility loans and grants authorized in: HB 1645
- Timber workers, counter-cyclical program for dislocated workers, employment and counseling opportunities: HB 1600
- Timberlands foundation established to achieve and sustain quality of life in timberlands region, organization and duties: HB 2181
- Timberlands revitalization act: HB 2181
- Training pilot project for dislocated timber industry workers in Skagit county: SHB 1315

Unemployment compensation benefits under timber retraining benefits program extended to workers who filed unemployment claim on or after January 1, 1989: \*SB 6074, CH 47 (1992)

Wild mushrooms, specialized forest products permit required to harvest, possess, and transport wild mushrooms, limit set on amount that may be harvested: \*SHB 2865, CH 184 (1992)

## **TIRES**

Load limits established for vehicles over ten thousand pounds: HB 2762, SHB 2762

Studded tires, counties may impose fee on retail sales of studded tires: SHB 1154

Studded tires, period for which use is authorized reduced: SHB 1154

Studded tires, use prohibited: HB 1154

## **TITLE COMPANIES**

Controlled business arrangements prohibited unless disclosed at or prior to the time referral is made to real estate settlement service: SHB 2248

Disclosure of financial or ownership interest in title company being utilized required of any party to real estate transaction: HB 2248

Disclosure of ownership interest in real estate settlement service providers extended to all real estate transactions except those now governed by federal law: SHB 2248

Document preparation for property sales or loans, repeal of obsolete RCW sections: \*SB 6329, CH 91 (1992)

Property sale or loan documents, provisions relating to preparation repealed: HB 2361

## **TITLE ONLY**

Developmental disabilities act of 1991: HB 2192

Fiscal matters act of 1991: \*SB 5961, CH 238 (1992)

Fiscal matters act of 1992: HB 2995, HB 2996

Public assistance act of 1991: HB 2193

State facilities for the developmentally disabled act of 1991: HB 2191

## **TOBACCO**

Employment, unfair practice to require individual to abstain from legal tobacco use away from place of work: HB 1617

Outdoor advertising of tobacco and alcohol products on buses or within one mile radius of school prohibited: SHB 2011

Outdoor advertising of tobacco products prohibited, civil penalties: HB 2011

Prevention of tobacco-caused disease, programs to reduce tobacco use by youth and to promote tobacco use reduction: HB 1753, SHB 1753

Purchase and use by minors, state board of health authorized to adopt rules to control: SHB 1158

Purchase, possession, or use of tobacco products, unlawful for person under eighteen: HB 1974

Vending machines, prohibition on possession and operating of, exceptions: HB 1597

## **TORTS**

Agricultural food products disparagement, action for damages: HB 2858, SHB 2858

- Agriculture industry, attorney general authorized to assist in recovering damages for dissemination of misleading information regarding: HB 1935
- Annuity structured settlement of a personal injury or wrongful death claim authorized, procedures established to collect payment when payment is not made in accordance with terms of agreement: HB 2776
- Apple industry, class action suit against program "60 Minutes" for statements regarding, appropriation to assist: HB 1935
- Certificate of merit to be filed within thirty days in professional negligence actions, requirements: SSB 5386
- Claims against state, payment from tort claims revolving fund, conditions: HB 1561
- Defenses, care within accepted health care practice parameters constitutes an affirmative defense in a medical malpractice action: HB 2868
- Disparagement of agricultural products, action for damages: HB 2858, SHB 2858
- Health care practice parameters, care within accepted parameters constitutes an affirmative defense in a medical malpractice action: HB 2868
- Local government entities, claims against, establishment of single uniform system to pursue: HB 2499, SHB 2499
- Medical malpractice, care within accepted health care practice parameters constitutes an affirmative defense in a medical malpractice action: HB 2868
- Negligence per se, furnishing liquor to minors constitutes negligence per se in any civil action for damages resulting from a minor's consumption of liquor: HB 2733, SHB 2733
- Professional negligence actions, certificate of merit to be filed within thirty days, requirements: SSB 5386
- Psychiatric facilities, immunity from civil and criminal liability if duties performed in good faith: HB 1520
- Sewer systems, imposing strict liability on public sewer systems for damage to individual residences, exceptions: HB 1759
- Sports franchises, the state and its political subdivisions given cause of action for economic damages caused by wrongful removal of a professional sports franchise from state: HB 2977

#### **TOURISM**

- Convention, tourism, and economic development promotions, business and occupation tax exemption for payments and contributions by public entities to nonprofit corporations for: HB 1898, SB 5661
- Investment project tax deferrals extended to tourism projects: HB 1106
- Timber supply impact areas, public facility loans and grants authorized in: HB 1645

#### **TOW TRUCKS**

- Deficiency claims for towing and storage, limitation on amount of claim does not apply to law enforcement impounds: \*HB 2844, CH 200 (1992)
- Impound charges, operator may receive compensation from private property owner for private impound of unauthorized vehicle with only scrap value: \*HB 2746, CH 18 (1992)
- Law enforcement impounds, limitation on amount of deficiency claim for towing and storage does not apply to: \*HB 2844, CH 200 (1992)
- Law enforcement impounds, limits on towing and storage charges inapplicable to: HB 2844



Towing and storage charge limits inapplicable to law: HB 2844

**TOWNS (See CITIES AND TOWNS)**

**TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT**

- Administrative rules and local ordinances affecting small businesses, department to conduct study of: HB 2901
- Business assistance center, center to coordinate information regarding agency regulations affecting small businesses: HB 2498, \*SHB 2498, CH 197 (1992)
- Business assistance center, center to study how it can best coordinate information regarding agency regulations affecting small businesses: \*SHB 2498, CH 197 (1992)
- Business assistance center, minority and women-owned businesses, education and technical assistance, eligibility: HB 1737, SHB 1737
- Business assistance center, minority and women-owned businesses, export assistance, eligibility: HB 1737, SHB 1737
- Business assistance center, minority and women-owned businesses, public works and construction, public facilities concessions: HB 1737, SHB 1737
- Clean Washington center established, assistance duties: SHB 1459
- Clean Washington center, recycled paper content agreements with manufacturers: HB 2678
- Economic values, consideration in the rulemaking and ordinance making process, department to conduct study to ensure that appropriate consideration is given to: HB 2901
- Hanford state-leased land, sublease promotion funding: SSB 6494
- Industrial growth management demonstration pilot project established in Yakima county, departmental duties: HB 1998, SHB 1998
- Minority and women-owned businesses, department to provide technical assistance to businesses with the capacity to participate in international trade: SHB 1737
- Pacific Northwest export assistance project, purposes and duties: HB 1990
- Plant closure law, administrative duties: HB 1477
- Private enterprise review commission created, support duties: HB 1605
- Promotion of lease between state and federal government at Hanford, department to cooperate with associate development organizations located in or near the Tri-Cities area: \*SSB 6494, CH 228 (1992)
- Public works, Washington grown and produced wood products to be used to maximum extent, department duties: HB 1871, SHB 1871, HJM 4019
- Regulatory ombudsman to determine degree of ad hoc changes by local governments in regulatory requirements: HB 2136
- Regulatory ombudsman to establish group to assess materials used in new technologies: HB 2136
- Regulatory ombudsman to institute policies and programs to achieve regulatory goals more efficiently: HB 2136
- Small business bonding assistance program, duties: HB 1737
- Small business financing expanded: HB 2133
- Small businesses, department to conduct study of administrative rules and local ordinances affecting: HB 2901
- Small businesses, to review state and local regulations and compile report on local government evaluation of economic impacts of its regulations: HB 2728, SHB 2728

Technology center, collaborative effort between colleges and universities, private industry, and government headquartered at University of Washington: SSB 6472

Technology center, department duties: SSB 6472

Washington technology center, administrative duties in regard to: \*HB 2932, CH 142 (1992)

### TRAFFIC

Automobile use reduction, congress asked to give preferential tax treatment to employer-provided benefits encouraging: HJM 4013

Commute trip reduction task force, membership and duties: HB 1754

Commuter ride sharing, employee use of department of transportation-owned vehicles authorized as demonstration of effectiveness of ride sharing as a commute trip reduction measure: SHB 2763

Commuter ride sharing, employee use of state-owned vehicles authorized as demonstration of effectiveness of ride sharing as a commute trip reduction measure: HB 2763

Commuting, reduction of single occupant vehicle commuting, duty of state, local governments, and employers to plan and implement: HB 1754

Pedestrians, vehicle operator's obligation to stop to allow pedestrian in crosswalk to cross intersection: SHB 1934

Pedestrians, vehicle operators required to stop for pedestrians lawfully within intersection control area: HB 2442, SHB 2442

Signals, use of optical strobe light devices to control signals by public transit and department of transportation vehicles authorized: HB 2291, SHB 2291

Traffic fatalities, duty of traffic safety commission to collect and publish description of each fatality, requirements for information to be included: HB 2863

### TRAFFIC OFFENSES

Deferral of judicial determination that an infraction was committed, limitations and standards: SHB 1552

Disabled parking, fines imposed for improper parking in spaces for disabled to be used by local jurisdiction for law enforcement: SHB 1634

Disabled parking, fines increased for improper parking in spaces for the disabled: SHB 1634

Driver and vehicle licenses, satisfaction of outstanding traffic infractions required prior to renewal, revised provisions: HB 2890

Driving while suspended or revoked but eligible to reinstate license defined as driving while license suspended or revoked in the third degree, a misdemeanor: \*SSB 6330, CH 130 (1992)

Failure to comply with promise to appear, gross misdemeanor: \*SB 6140, CH 32 (1992)

First-degree negligent driving, defined and penalties established: SHB 1183

High occupancy vehicle lanes, improper use of lane or ramp, charging and reporting procedures: HB 1468

High occupancy vehicles, presumption that registered owner was operator when violation occurred: HB 1128

High-occupancy vehicle lane violations, charging and reporting procedures relating to: HB 2272, SHB 2272

Inattentive driving, defined and made a traffic infraction: SHB 1183

Motor vehicle insurance, proof of financial responsibility violations, penalties: HB 1391

- Negligent driving, penalty increased: SHB 1183
- School buses, failure to stop for, law enforcement officers may request that owner of vehicle identify driver when violation occurred: SHB 1174, \*SSB 5116, CH 39 (1992)
- Size, weight, or load violations, response by written submission sent to court may substitute for personal appearance: HB 2712

### TRAFFIC SAFETY

- Education programs, additional sales and use tax imposed on rental cars to fund: HB 2964, SHB 2964
- Education programs, appropriation to fund: HB 2247
- Education programs, tax of two dollars per day imposed on lease or rental of motor vehicle licensed for hire to support: HB 2449
- Recreational vehicle drivers' training, minimum curriculum for commercial driver training schools and traffic safety organizations to be established: HB 2453, SHB 2453
- Rental cars exempted from motor vehicle excise taxes and additional sales and use taxes imposed in lieu of, additional tax imposed to fund traffic safety education programs: HB 2964, SHB 2964
- Safety education officer program to be funded from public safety and education account: HB 1802
- School pathway and bus stop improvement program and council established, council membership and duties set out: HB 2780
- Sobriety checkpoint programs authorized: HB 2013
- Tax of two dollars per day imposed on lease or rental of motor vehicle licensed for hire to support traffic education programs: HB 2449

### TRAFFIC SAFETY COMMISSION

- Legislative transportation committee recommendations regarding the traffic safety commission to be implemented: HB 2032
- Pedestrian safety education program, traffic safety commission is to develop and execute a state-wide program: SHB 2442
- Pedestrian safety program, commission to perform an evaluation of state's overall pedestrian safety program: SHB 2442
- Safety equipment or devices known to have caused or contributed to injuries, commission prohibited from promoting the mandatory use of: HB 2863
- Secretary of health added as member of commission: HB 1587
- Traffic fatalities, duty to collect and publish description of each fatality, requirements for information to be included: HB 2863

### TRAINS (See RAILROADS)

### TRANSPORTATION

- Air quality, transportation plans and programs to conform to state implementation plan for: HB 1754
- Bicycle and pedestrian facilities on route 520 corridor, study authorized: SSB 6372
- Budget, 1992 supplemental transportation budget: HB 2553, \*SHB 2553, CH 166 (1992)
- Commute trip reduction task force, membership and duties: HB 1754

- Commuting, reduction of single occupant vehicle commuting, duty of state, local governments, and employers to plan and implement: HB 1754
- Elderly and handicapped persons, provision of specialized transportation services for: HB 1507
- Environmental elements and environmental cost estimates, pilot program to define for all projects within pilot district: HB 2848, SHB 2848
- Gasoline, local option sales and use tax authorized on gasoline to fund public transit and transportation systems: HB 2070
- High capacity transportation service, public transit agencies authorized to impose sales and use tax on rental cars at rate equal to local motor vehicle excise tax to fund: \*SHB 2964, CH 194 (1992)
- High-speed ground transportation system steering committee, moratorium on Seattle Tacoma airport expansion until studies completed and approved by legislature: HB 2754
- Highway system plan, improvement and preservation to ensure acceptable operating conditions: HB 1816
- Planning requirements of department of transportation, required elements to reflect policies of state transportation policy plan and federal planning requirements and be consistent with local and regional plans: SHB 1816
- Public transportation benefit area in counties of over one hundred fifty thousand planning under growth management act, annexation of or withdrawal of city transit system: HB 2938
- Public transportation policy plan to be developed by transportation commission as party of the state transportation policy plan, required elements: HB 2939, SHB 2939
- Puget Sound regional transportation council created, membership, funding, powers, and duties including development of regional transportation plan: HB 2610
- Puget Sound regional transportation council, certification, membership, funding, powers, and duties including development of regional transportation plan: SHB 2610
- Regional transit authorities, formation to create high capacity transit system in urbanized areas, cooperation with local transit operators and planning consistency required: HB 2958
- Regional transit authority, consolidation of component metropolitan municipal corporation with authority, procedure: HB 2958
- Regional transportation authorities, authority to establish, governance, financing, powers, and duties of authority: HB 2610, \*SHB 2610, CH 101 (1992)
- Regional transportation planning organizations, optional duties: HB 2144
- Rental cars, public transit agencies authorized to impose sales and use tax at rate equal to local motor vehicle excise tax to fund high capacity transportation service: \*SHB 2964, CH 194 (1992)
- State agencies and facilities, development and implementation of comprehensive transportation and parking program: SHB 1564
- State agencies and facilities, parking and transportation management advisory committee, duties: SHB 1564
- State-interest component of state-wide transportation plan, required elements: SHB 1816
- State-owned facilities component of state-wide transportation plan, required elements: SHB 1816
- State-wide transportation plan, department of transportation to develop, required elements: SHB 1816

Study, system management and governance, two-phase study to evaluate system and compare it with alternative systems: HB 2165

Transportation policy plan to set goals, identify issues, recommend policies and strategies: HB 1816, SHB 1816

#### **TRANSPORTATION BENEFIT AREAS**

Addition of territory to area when city annexation extends city boundaries into a public transportation benefit area: HB 2714, \*SHB 2714, CH 16 (1992)

Annexation of city transit system into benefit area in counties of over one hundred fifty thousand planning under growth management act: HB 2938

Withdrawal of city operating transit system from participation in public transportation benefit area, approval of county legislative authority required: HB 2938

#### **TRANSPORTATION BENEFIT DISTRICTS**

Local flexibility for state-wide public transportation linkages between communities: SHB 1568

#### **TRANSPORTATION COMMISSION**

Ferry vessel and terminal acquisition, construction, and materials, bond issuance authorized: \*HB 2896, CH 158 (1992), HB 2989

Geographical restrictions on commissioner appointments removed: HB 1216

Public transportation policy plan to be developed by commission as party of the state transportation policy plan, required elements: HB 2939, SHB 2939

#### **TRANSPORTATION IMPROVEMENT BOARD**

Membership of board increased by addition of citizen member with background in transportation issues: SSB 6373

#### **TRANSPORTATION, DEPARTMENT**

Airport systems plan, needs identification, planning requirements: HB 1816

Bicycle plan, needs identification, facilities funding: HB 1816, SHB 1816

City/state street responsibilities, population requirements for dividing responsibilities modified: HB 1135

City/state street responsibilities, task force to study population threshold for dividing responsibilities: SHB 1135

Commission to serve in advisory capacity to secretary, powers transferred to secretary: HB 1868

Commuter ride sharing, employee use of department-owned vehicles authorized as demonstration of effectiveness of ride sharing as a commute trip reduction measure: SHB 2763

Commuter ride sharing, employee use of state-owned vehicles authorized as demonstration of effectiveness of ride sharing as a commute trip reduction measure: HB 2763

Environmental elements and environmental cost estimates, pilot program to define for all projects within pilot district: HB 2848, SHB 2848

Ferries repair or improvement contracts, requirements: HB 1713

Ferry system plan, establishment of service standards, demand forecasting, strategies: HB 1816, SHB 1816

- Freight rail plan, light density lines identification, preservation, priorities: HB 1816, SHB 1816
- Highway heritage program established to preserve scenic, cultural, and historic features: HB 1888
- Highway rights of way plantings to provide potential source of pulp wood and timber, duties: HB 2003
- Highway system plan, improvement and preservation to ensure acceptable operating conditions: HB 1816, SHB 1816
- Optical strobe light devices to control traffic signals, authority to mount and use such devices: HB 2291, SHB 2291
- Pedestrian and bicycle facilities on route 520 corridor, study authorized: SSB 6372
- Planning requirements of department, required elements to reflect policies of state transportation policy plan and federal planning requirements and be consistent with local and regional plans: SHB 1816
- Public transit, study to determine feasibility of lighter weight buses: HB 2806
- Public transportation systems annual report, inclusion of elements of six-year transit development and financial programs submitted by local governments authorized: HB 2940, SHB 2940
- Public transportation, planning and capital projects' development funding: HB 2941
- Puget Island ferry funding: \*SSB 6306, CH 82 (1992)
- Safety improvements, special category C projects, litigation and appeals process expedited, procedures: HB 1522
- Scenic beauty preservation in highway project areas, alternatives to removing basalt formation in I-90 median required: HB 1846
- Secretary to be appointed by governor, policy guidance from transportation commission and governor: HB 1868
- Secretary to be appointed by governor, transportation commission powers transferred to: HB 1868
- Secretary, annual evaluation required: HB 1306
- Special transportation planning studies authorized: HB 1816, SHB 1816
- Stampede Pass rail line, purchase, negotiations authorized: HB 2102
- State aviation plan, state-interest component of state-wide transportation plan to include, required elements set out: SHB 1816
- State bicycle transportation and pedestrian walkways plan, state-interest component of state-wide transportation plan to include, required elements set out: SHB 1816
- State intercity passenger rail plan, state-interest component of state-wide transportation plan to include, required elements set out: SHB 1816
- State public transit plan, state-interest component of state-wide transportation plan to include, required elements set out: SHB 1816
- State-interest component of state-wide transportation plan, required elements: SHB 1816
- State-owned facilities component of state-wide transportation plan, required elements: SHB 1816
- State-wide transportation plan, department to develop, required elements: SHB 1816
- Storm water, special committee on government storm water pollution and liability created, membership and duties: HB 2946
- Transportation policy plan to set goals, identify issues, recommend policies and strategies: HB 1816, SHB 1816

**TRAPPING (See HUNTING)****TRAUMA CARE (See EMERGENCY SERVICES)****TRAVEL CHARTER AND TOUR OPERATORS**

Promoter defined, business practices regulated: HB 1439

**TRAVEL TRAILERS AND CAMPERS**

Excise tax, additional tax imposed, revenues to be deposited in state lands stewardship account: HB 1916, SHB 1916

Excise tax, payment of interest authorized when refund is made for overpayment of tax: \*HB 2727, CH 154 (1992)

Excise tax, persons who register in another jurisdiction to avoid tax are liable for unpaid tax, penalties, and interest: \*HB 2727, CH 154 (1992)

**TRI-CITIES**

Promotion of lease between state and federal government at Hanford, department of trade and economic development to cooperate with associate development organizations located in or near the Tri-Cities area: \*SSB 6494, CH 228 (1992)

Trade, recreation, and agriculture center, appropriation for the development of, matching requirements established: HB 2783

**TRUCKS AND TRUCKING**

Axle and gross weights, revised provisions: HB 2650

Combined vehicle licensing fees, distribution: HB 2650

Commercial vehicle enforcement act, weight limit enforcement enhanced: HB 1805

Fruit bins, overweight loads of empty bins, permit for continuous operation, permit periods and fees established: HB 2981

Lane use requirements, trucks over twenty-six thousand pounds: HB 1155, SSB 5237

Liquor deliveries to stores and agencies, first consideration to be given to carriers within federal timber impact area: HB 1746

Overweight loads of empty fruit bins, permit for continuous operation, permit periods and fees established: HB 2981

Overweight loads, penalties increased: HB 1805

Power take-off units, calculation of fuel usage for motor vehicle fuel tax exemption: HB 2583, SB 6172

Recovered materials, commercial transport of, utilities and transportation commission permit required: HB 1519

Size and weight load limit violations, moneys received for violations to be deposited in state patrol highway account: HB 1989

Tire load limits on vehicles over ten thousand pounds established: HB 2762, SHB 2762

Trip permits, gross weight limits: HB 2650

Truck weight study to assess amount of pavement damage due to containerized cargo into and out of Washington ports: HB 2168

**TRUSTS AND TRUSTEES**

Holders of financial assets, duties of, repeal of RCW 11.92.095: \*SB 6008, CH 224 (1992)  
RCW 11.92.095 repealed: HB 2243, \*SB 6008, CH 224 (1992)

Testamentary additions to trusts act, adoption of uniform act: HB 2256

#### **UNCLAIMED PROPERTY**

Donated or worthless property exempted from the uniform unclaimed property act: \*HB 2841, CH 122 (1992)

Intangible property, when presumed abandoned and subject to state custody: \*HB 2682, CH 48 (1992)

Port districts, disposition of property held by district: HB 2018

#### **UNDERGROUND STORAGE TANKS**

Cleanup financial assistance conditioned upon commitment that tank site continue to meet local needs, application procedures: SHB 2114

Removal or closure of tank, department of ecology statement that action conforms to departmental rules: SSB 5055

#### **UNEMPLOYMENT COMPENSATION**

"Reasonable assurance" redefined to exclude an offer contingent upon funding, enrollment, or program changes: HB 1744

Account to provide financing for special programs in the administrative contingency fund, correction of statutory reference relating to purposes for which moneys in account may be expended: HB 2278

Additional benefits under timber retraining benefits program extended to workers who filed unemployment claim on or after January 1, 1989: HB 2454, \*SB 6074, CH 47 (1992)

Audit and compliance issues requiring expenditure of state resources, use of administrative contingency fund as compliance resource: HB 2914, SHB 2914

Benefits, aliens legally residing in United States at time services performed, eligibility: HB 2385

Benefits, no deduction made for social security recipient's contribution to program: HB 2385

Conviction for or admission of work related felony or gross misdemeanor made grounds for disqualification for benefits: HB 2437, SHB 2437

Corporate officers, exclusion from eligibility for benefits, revised provisions: SSB 6063

Educational institution employees, offer of employment contingent upon funding, enrollment, or program change does not constitute reasonable assurance of employment: HB 2440

Educational institution employees, services ineligible for payment of benefits, revised provisions: HB 2440

Educational service district service providers, benefit exclusions: HB 1875

Eligibility to be determined only on the basis of most recent employment: HB 2437, SHB 2437

Eligibility, marital status or domestic responsibilities considered in bona fide work determination: HB 1730, SHB 1730

Employer contributions, revised rates and reporting requirements: HB 2603, SHB 2603

Employer experience rating account, promptly fired employee benefits not to be charged to: HB 1872

Employment security reserve fund created, receipts from reserve tax to be deposited into fund for payment of unemployment benefits: HB 2603, SHB 2603



- Good cause for separation from work established by compelling personal reasons, by changes in hours, pay, or distance to travel to work, or by employer misconduct: HB 2439
- Lockouts, eligibility of workers unemployed due to lockout: HB 1279
- Lumber and wood products workers, extended benefits for, conditions: SHB 1599
- Overpayments, employment security overpayment interest account created for deposit of interest assessed against claimants to fund overpayment and collection activities: HB 2914
- Promptly fired employee, benefits paid not to be charged to employer experience rating account: HB 1872
- Public works, contract bids to include costs for industrial insurance, unemployment compensation, and workers' compensation, treble damages allowed for failure to pay required coverages: HB 2414
- Public works, contract bids to include costs of industrial insurance, unemployment compensation, and workers' compensation, action for damage by second lowest bidder authorized: SHB 2414
- Reasonable assurance of employment for employees of educational institutions does not include offers made contingent upon funding, enrollment, or program change: HB 2440
- Records and information relating to claimant or employer, commissioner may grant access to other party's information: HB 2914, SHB 2914
- Reentry into workforce after absence for temporary total disability from nonwork-related injury or illness, eligibility for benefits provided under chapter 50.06 RCW: HB 2438, SHB 2438
- Requalification provisions: HB 1730, SHB 1730
- Reserve tax imposed on all covered employers, rates set, receipts to be deposited in employment security reserve fund: HB 2603, SHB 2603
- Self-employment, persons leaving employment for bona fide self-employment considered to have left previous employment for good cause: HB 2436
- Timber retraining benefits program, benefits extended to workers who filed unemployment claim on or after January 1, 1989: HB 2454, \*SB 6074, CH 47 (1992)
- Weekly benefits amounts for eligible individuals: HB 1340
- Weekly benefits, no deduction made for those receiving federal social security pensions: HB 1338

#### UNIFORM ACTS

- Simultaneous death, 1991 uniform simultaneous death act enacted: HB 2752
- Testamentary additions to trusts act, adoption of uniform act: HB 2256
- Transfer of litigation, adoption of uniform act: HB 2393
- Unclaimed property act, donated or worthless property exempted from the act: \*HB 2841, CH 122 (1992)

#### UNIFORM COMMERCIAL CODE

- "Holder" redefined: HB 1092
- "Money" redefined: HB 1092
- Accord and satisfaction, reservation of rights provision inoperative in regard to: HB 1092
- Articles 1, 3, and 4, revision and update of provisions relating to negotiable instruments and checks: HB 1964

Bank deposits and collections, revisions to the article on: HB 1579  
 Bulk sales (Article 6) provisions repealed: HB 2413  
 Bulk sales, adoption of revised article on bulk sales: HB 1188  
 Cashier's, teller's, or certified checks, procedure to establish claim of loss in situation involving lost, destroyed, or stolen checks: HB 2751  
 Deposits and collections, revision and update of uniform commercial code provisions relating to: HB 1964  
 Farm products, security interest in, farm products statement filing required: SHB 2086  
 Federal tax and other liens to be entered in uniform commercial code filing system by department of licensing: \*HB 1185, CH 133 (1992)  
 Leases, article on leases added: HB 1797, SHB 1797  
 Leases, determination of whether a transaction creates a lease or a security interest, elements to be considered: HB 2969  
 Lost, destroyed, or stolen cashier's, teller's, or certified checks, procedure to establish claim of loss in situation involving: HB 2751  
 Negotiable instruments and checks, revision and update of uniform commercial code provisions relating to: HB 1964  
 Prescriptions, dispensing of prescription product is service not creating any implied warranty under code: SHB 1556  
 Repossession of collateral upon default, duty of secured party to return property of debtor not covered by security interest within forty-eight hours: SSB 6083  
 Repossession of motor vehicle, secured party's duty to protect and return personal property in repossessed vehicle: SSB 6083  
 Reservation of rights provision inoperative as to accord and satisfaction: HB 1092  
 Security interests, determination of whether a transaction creates a lease or a security interest, elements to be considered: HB 2969

#### **UNIFORM DISCIPLINARY ACT**

Physician's trained intravenous therapy technicians, airway management technicians, mobile intensive care paramedics, and ambulance operators, directors, and drivers, application of act to: \*SB 6033, CH 128 (1992)

#### **UNION BAY**

Wildlife habitat management area established: SHB 1448

#### **UNIVERSITY OF WASHINGTON**

Aquatic animal health and disease training program, duties: HB 1322  
 Center for international trade in forest products at University of Washington, duties of center modified and program and sunset review provisions repealed: SB 6023  
 Center for international trade in forest products at the University of Washington, duties of center modified and sunset termination date changed to June 30, 1994: \*SB 6023, CH 121 (1992)  
 Center for international trade in forest products, modification of duties of center and date of sunset termination moved to June 30, 1996: HB 2257, SB 6023  
 Coastal resources program created in cooperation with Grays Harbor College, program goals and requirements: HB 2047  
 Construction, appropriation for minor repairs and improvements: HB 1178  
 Dental residents, limited license authorized: HB 2555, \*SHB 2555, CH 59 (1992)

- Educator academy advisory board created, membership and duties: HB 2217, SHB 2217  
Educator academy created at Tacoma branch campus: HB 2217  
Educator academy staff development and professional enrichment programs, pilot project established: HB 2217  
Educator academy, university to develop plan for: SHB 2217  
Enrollment, state-funded enrollment level increased: HB 1319  
Evening degree program enrollment level increased: HB 1549  
Fetal alcohol and drug unit, planning for learning project for teaching children with prenatal drug or alcohol exposure, duties: SSB 6366  
Giovanni Costigan endowed teaching chair established: HB 1305  
Infant drug exposure assessment and monitoring program established, duty to develop standards for: SB 6051  
Limited license for postgraduate dental residents authorized: HB 2555, \*SHB 2555, CH 59 (1992)  
Olympic natural resources center to study at risk coastal resources: SHB 2047  
Public health and community medicine school to make interim report on basic health plan: HB 1161  
Regents, two student members to be appointed to the board of regents: HB 1218  
Tacoma branch campus, educator academy created at: HB 2217  
Technology center, board of directors membership and duties: SSB 6472  
Technology center, collaborative effort between colleges and universities, private industry, and government headquartered at University of Washington: SSB 6472  
Technology center, sunset termination June 30, 1994: SSB 6472  
Technology center, sunset termination on June 30, 1996: SSB 6472  
Thomas Burke Memorial Museum, matching fund appropriation to develop and install permanent exhibits: HB 2579  
Washington family policy center established, duties: HB 1420  
Washington technology center, revised organization and duties: \*HB 2932, CH 142 (1992)

## UTILITIES

- Electric utilities, revised provisions relating to municipal utilities access to high voltage transmission lines: \*HB 2347, CH 11 (1992)  
Electrical and gas companies, consumer least-cost plan to be company's most profitable course of conduct: HB 2060  
Electrical and gas company energy conservation tariff filings, filing requirements: HB 2060  
Electrical utilities and contractors exempted from licensing requirements, conditions and limitations: HB 2053  
Electrical utilities and contractors retained by utilities, journeyman electrician certificate not required for employee registered with or graduated from state-approved lineman apprenticeship course: \*HB 2053, CH 240 (1992)  
Electrical utilities, exemptions from licensing and inspection requirements for work in connection with installation, repair, and maintenance of lines, wires, apparatus, and equipment, conditions and limitations: \*HB 2053, CH 240 (1992)  
Fraudulent means to obtain or use rental or leased property or services, penalties: HB 2888  
Island inhabitants, provisions to protect them from loss of electricity during storms: HB 1650  
Minority and women-owned businesses, procurement contracts, increased opportunity: HB 1738

- Plats, designation of availability of utilities on recorded plats: SSB 5062
- Privilege tax, limitations on tax rate not applicable to taxes levied by city on municipally owned utilities: HB 2614
- Rental or leased property, fraudulent means to obtain or use, penalties: HB 2888
- Services, fraudulent means to obtain or use, penalties: HB 2888
- Transmission lines and magnetic fields, interim policy to limit new or upgraded lines to level of existing lines, cost responsibilities: HB 1547
- Weatherization of low-income homes, electric, oil, and gas companies to submit weatherization plans and updates to year 2001: HB 2060

#### **UTILITIES AND TRANSPORTATION COMMISSION**

- Cable television company offering hook-ups to one or more island residents to offer at reasonable cost to all residents: HB 2230
- Common carriers, limits on liability for damage or loss of baggage by carrier to be set by commission: HB 1272
- Complaints against commission regulated water companies, revised provisions: HB 1325
- Electrical and gas companies, consumer least-cost plan to be company's most profitable course of conduct, rulemaking duties: HB 2060
- Electrical and gas company energy conservation tariff filings, filing requirements: HB 2060
- Emergency adjudications, authority to designate persons to preside and enter final orders in: HB 1494
- Energy conservation tariff, electrical and gas companies to file: SHB 1335
- Low-income residence weatherization programs required to include all energy efficiency measures in public interest: SHB 1335
- Low-level radioactive waste sites, disposal rate setting by commission: SHB 2031
- Minority and women-owned businesses, utilities procurement contracts, duties: HB 1738
- Motor carriers to submit copies of contracts with permit applications: HB 1273
- Motor vehicles transporting packages twenty-five pounds or less, permit procedure: HB 1529
- Natural gas, motor vehicle refueling stations development policies: HB 1902
- Railroad crossing inspection fees to be set by commission: HB 1271
- Railroads, repeal of commission authority to regulate under chapter 81.34 RCW: HB 1577
- Recovered materials, commercial transport of, commission permit required: HB 1519
- Solid waste rate regulation, counties may delegate to commission: HB 2099
- Steamboat operators, regulation revisions: HB 1819
- Telecommunications companies, tariff reduction to promote service authorized for not more than sixty days: SSB 6144
- Telecommunications devices for the deaf, rate setting: SSB 6377
- Telecommunications relay service excise tax, utilities and transportation commission to determine amount of tax necessary to fund program based on information provided by the office of deaf services: \*SSB 6377, CH 144 (1992)
- Telecommunications relay system, discounted long distance rates for service in conjunction with system required: \*SSB 6377, CH 144 (1992)
- Telecommunications services, temporary price reductions may be authorized to promote a telecommunication service: HB 2465, \*SHB 2465, CH 68 (1992)
- Telephone excise tax ceiling raised to fourteen cents per month per telephone line to fund telephone relay system program: SHB 2769

Trains, safety review of passenger train operating with less than two crew members, commission authorized to conduct in absence of collective bargaining agreement and to order two member crews: \*SHB 2281, CH 102 (1992)

Vessels hauling primarily freight required to have certificate of public necessity: HB 2929

Water companies, audits of nonmunicipal systems by commission, revised provisions: HB 1325

Water system connection rates, study by joint select committee on water resource policy required: HCR 4414

Weatherization of low-income homes, electric, oil, and gas companies to submit weatherization plans and updates to year 2001: HB 2060

#### **UTILITY LOCAL IMPROVEMENT DISTRICTS**

Creation of, assessments by, and bond issues of district, optional procedure for: HB 2395

#### **VANCOUVER**

Columbia River renaissance project, capital appropriation for development of waterfront: HB 2740

#### **VENDING MACHINES**

Recycling receptacles required near machines: HB 2390

Recycling requirements established for machines located on passenger ferry or in highway rest area: SHB 2390

#### **VESSEL DEALERS (See BOATS, COMMERCIAL VESSELS AND SHIPPING)**

#### **VETERANS**

Assistance fund, allowable tax levy rate increased: HB 1107

Burial benefits for indigent veterans increased: HB 2117

Charitable solicitations for programs, false or deceptive activities prohibited: HB 1530, SHB 1530

Charitable solicitations registration, director of veterans' affairs to be notified of application from entity purporting to raise funds to benefit, may advise secretary of state and attorney general regarding such entity: SHB 2637

Charitable solicitations, written authorization required to use name of veterans' organization to solicit contributions: SSB 6246

Desert Storm veterans made eligible for veterans' benefits: SSB 6011

Disability pensions or compensation for military service disability may be considered in calculating child support obligation: HB 1309

Disabled veterans, congress urged to allow military retirees to receive full retirement pay and full disability compensation: HJM 4027

Educational benefits for Vietnam veterans, time for enrollment in state institution of higher education and expiration of section provisions extended: HB 2910

Korean war memorial, appropriation to fund, matching requirements: HB 2688

Merchant marine service included in definition of veteran: HB 1104

Middle east veterans affairs office, advisory council, created: SHB 1530, HB 2164

Persian Gulf, tuition and fees frozen at 1990 rates for: HB 1674

Police officers and fire fighters, veterans credit allowed on civil service examinations for: SHB 1275

- Public employees' retirement system, "veteran" redefined for purposes of military service credit: HB 1396
- Veterans affairs advisory committee, revised membership provisions: HB 2322, SHB 2322, \*SSB 6086, CH 35 (1992)
- Veterans and military personnel affairs, joint select committee on created: HCR 4416
- Vietnam veterans, educational benefits, time for enrollment in state institution of higher education and expiration of section provisions extended: HB 2910
- Vietnam veterans, tuition and fees at state colleges set at rate paid by veterans on October 1, 1977, enrollment period extended: HB 2092

#### **VETERANS AFFAIRS, DEPARTMENT**

- Advisory committee, membership and duties: HB 2322, SHB 2322, \*SSB 6086, CH 35 (1992)
- Charitable organizations, notification by secretary of state of registration application from entity that claims to raise funds to benefit veterans: SSB 6246
- Charitable solicitations for veterans' programs, investigation and prohibition authority: HB 1530, SHB 1530
- Charitable solicitations registration, director to be notified of application from entity purporting to raise funds to benefit, may advise secretary of state and attorney general regarding such entity: SHB 2637
- Korean war memorial, appropriation to fund, matching requirements and departmental duties: HB 2688
- Middle East veterans affairs office, advisory council, created: SHB 1530, HB 2164
- Retirement, early retirement for eligible employees: HB 1077

#### **VETERINARIANS**

- Legend drugs, authority to dispense drugs prescribed by another veterinarian: SHB 1237
- License to practice specialized veterinary medicine authorized, requirements to obtain: SHB 1776
- Specialized veterinary medicine, license to practice authorized, requirements to obtain: SHB 1776

#### **VICTIMS OF CRIMES**

- Child sexual abuse victims, dissemination of identifying information about victim prohibited without consent of victim or victim's legal guardian other than as specifically allowed: SHB 2348
- Child sexual abuse victims, information revealing identity of child victims of sexual assault confidential and not subject to public disclosure, courts authorized to seal information identifying child victim: \*SHB 2348, CH 188 (1992)
- Childhood crimes, time limitations for victims' benefits revised: HB 2562
- Death penalty sentencing proceedings, victims and survivors of victims entitled to make victim impact statements at: HB 2638
- Domestic violence victims, revised eligibility standards for receiving benefits, availability of counseling services: HB 1741
- Drunk or intoxicated drivers may be required to attend educational program focusing on the emotional, physical, and financial suffering of victims: \*SB 6295, CH 64 (1992)
- Families of homicide victims, counseling provided: \*SSB 6174, CH 203 (1992)

- HIV testing of accused criminal offender, right to request HIV testing of the accused, procedures: SSB 5086
- HIV testing of accused sex offenders after first court appearance, disclosure of test results to victim: SSB 5086
- HIV testing of accused sex offenders, crime victims may request test and obtain test results: SHB 1343
- Harassment, notification of the victim and law enforcement of release from prison or mental hospital of person who was charged or convicted of felony harassment required: \*SHB 2702, CH 186 (1992)
- Homicide victims, counseling benefits for the families of: HB 2034, HB 2255
- Homicide victims, counseling for families provided: \*SSB 6174, CH 203 (1992)
- Identity of witnesses to and victims of crimes, information revealing the identity of witnesses and victims exempt from public disclosure: \*SHB 2876, CH 139 (1992)
- Inmate wages, twenty percent of wages of inmate convicted of criminal act resulting in injury to another to go to victim's compensation fund: HB 1982
- Mediation program for victims and offenders authorized, exceptions: HB 2130
- Office of crime victims' advocacy created, crime victims' ombud created within office, powers and duties, confidentiality of records: HB 2734, SHB 2734
- Sexual assault and domestic violence victims, provision of chemical dependency services to: HB 2477, SHB 2477
- Sexual assault, prevention programs for persons at-risk of becoming victims of sex offenders, grant application requirements: HB 2734, SHB 2734
- Victims' panel, person convicted of driving under the influence of intoxicants may be required to attend: HB 2675, SHB 2675, \*SB 6295, CH 64 (1992)

#### **VIDEO COMMUNICATIONS**

- Video testimony of children under ten who are sexual abuse victims, constitutional amendment to allow: HJR 4240

#### **VIDEO DISPLAY TERMINALS**

- Employers to use safeguards and practices to enhance employee health and safety: HB 1680

#### **VIDEO GAMES**

- Card games authorized for play, licensing and approval requirements, tax imposed on licensed video card games: HB 2597
- Video card games run by nonprofit organizations authorized, conditions and taxation: HB 1652, SHB 1652

#### **VIDEOTAPE**

- Interviews with child in abuse and neglect cases by department of social and health services to be recorded by audio or videotape or written transcript when a law enforcement officer is not present: HB 2948

#### **VITAL RECORDS**

- Burial-transit permit issuance by local registrar allowed before death certificate completed: HB 2300
- Heirloom birth certificate program, distribution of receipts to council for prevention of child abuse and scholarships and loans for midwives: SHB 2084

**VITAL STATISTICS**

- Death certificates, issuance and filing of, revised requirements and procedures: SHB 2300
- Death certificates, vital statistics task force created to report and make recommendations on issues relating to: SHB 2300
- Death registration, revised provisions and procedures: SHB 2300
- Final disposition or removal of body not allowed until authorized by local registrar of vital statistics: SHB 2300
- Vital statistics task force created to report and make recommendations on issues relating to death certificates: SHB 2300

**VITAMINS**

- Over-the-counter medications and vitamins exempted from sales and use taxes: HB 2253

**VOCATIONAL EDUCATION**

- Academic and vocational integration development program established to fund and coordinate three pilot projects: HB 1764
- Academic and vocational integration, task force on, task force duties: HB 1764
- Adult education, advisory council on, creation, powers, and duties: SHB 1039
- Agriculture education program: HB 1303
- Aircraft maintenance training, community or technical college program funding: \*HB 2812, CH 183 (1992)
- Baccalaureate and masters degree equivalency standards for vocational instructors, board of education to establish: HB 2522
- Community and technical college act of 1991: SHB 1039
- Community and technical colleges, correction of obsolete nomenclature regarding the community and technical college system: HB 2279, SHB 2279
- Cosmetology, "Vocational student" redefined for purposes of: HB 2737
- High-technology education, study committee to identify issues related to leadership in: HCR 4432, HCR 4437, SCR 8427
- Instructors, board of education to adopt baccalaureate equivalency standards: \*SSB 5953, CH 141 (1992)
- Job training coordinating council created, powers and duties: SHB 1039
- Job training trust fund created, funds to be used to train and retrain adults requiring vocational skills to be employed: HB 2603, SHB 2603
- Master's degree equivalency standards for instructors to be implemented after August 31, 1995: HB 2190
- Private vocational schools, revised provisions relating to funding board administrative activities and handling of claims and complaints: HB 2423, SHB 2423
- Private vocational schools, tuition recovery fund, increase in minimum operating balance through incremental licensee payments: HB 2423, SHB 2423
- Staff to student ratio established for high schools: HB 1937, SSB 6180
- State board for vocational education abolished: SHB 1039
- State vocational education center to be established by superintendent of public instruction: HB 1937
- Vocational education cooperatives encouraged as demonstration projects, grant award program created: HB 1937
- Vocational education council created, powers and duties: SHB 1039



Vocational education task force to develop the process and review and select a state vocational education center: HB 1937

Vocational-technical institutes, transfer of functions to college district: SHB 1039

Work force training and education coordinating board created, powers and duties: SHB 1039

Work force training and retraining, task force on to study funding structure and sources: HCR 4433

## VOCATIONAL REHABILITATION

Transportation and child or dependent care costs related to worker's participation in rehabilitation program allowed as approved costs: HB 2765

## VOLUNTEERS

"Serve Washington" pilot program created: HB 1148

Center for voluntarism and citizen service act, center for voluntary action renamed and its duties enhanced: HB 2735

Center for voluntary action, "serve Washington" pilot program created, center duties: HB 1148

Center for voluntary action, support for citizen service programs, activities and duties: HB 1147

Center for volunteerism and citizen service act, center for voluntary action renamed and its duties enhanced: \*SHB 2735, CH 66 (1992)

Citizen service, state support for: HB 1147

Council on voluntary action, support for citizen service programs, duties: HB 1147

Emergency medical service district workers, inclusion in benefits available under the volunteer fire fighters relief and pension fund: 2SSB 5335

High schools encouraged to offer opportunity for students to volunteer for community organizations: SHB 2611

High schools to offer at least one elective course in which students may volunteer for community service: HB 2611

Rehabilitation of criminal offender, use of criminal history background check to determine status of prospective volunteer: HB 2055, SHB 2055

Retired senior citizen volunteer programs, funds distribution: \*HB 2374, CH 65 (1992), SB 6181

Schools, directory of volunteer programs and business on civic club partnerships in, compilation of: HB 1417

Senior environmental corps created, goals: HB 2560, \*SHB 2560, CH 63 (1992)

Student volunteer programs, superintendent of public instruction to prepare guidelines for programs: SHB 2611

Volunteer service credit program established to exchange targeted services for service credit: HB 2851

## VOTING

Absentee ballot, ongoing absentee status may include any qualified applicant: HB 1509

Absentee voter records, address disclosure of actual or threatened victim of domestic violence prohibited, conditions: HB 2156

Absentee voters, eligibility for ongoing absentee voter status expanded: HB 2403

Absentee voting, establishment of satellite offices for absentee voting authorized: HB 1697

- Address verification, revised procedures for verifying registrant's address: HB 1554
- High school students, registration of: HB 1073
- Identification documents and information, falsification by voter registration applicant is class C felony: HB 2875, 2SSB 6364
- Mail voter registration: HB 1310, SHB 1310
- Mail voting, nonpartisan special election may be conducted by mail in precincts with less than two hundred voters, conditions: SHB 1501
- Mail voting, primary or special election may be held by mail under specified conditions, voting and canvassing procedures established: SHB 1501
- Nonresident property owners, authorization to vote in local nonpartisan elections when owning property within that government's boundaries: HB 2952
- Public utility district elections, candidate name order to be rotated on ballots in each precinct: HB 2233
- Voter card issued to registrant to include words, "not valid for identification purposes": 2SSB 6364
- Voter qualifications, revision of provisions relating to who is eligible and ineligible to vote: HJR 4215
- Voter registration allowed until fifteen days before election: HB 1099
- Voter registration, fraudulent documents or false information, registrar notice to applicant that use is class C felony: HB 2875, 2SSB 6364
- Voter registration, high school student registration: HB 1073
- Voter registration, registration up to fifteen days before election allowed for absentee voting: HB 1217
- Voters' pamphlet arguments, county auditor to appoint committees to prepare local pamphlet arguments: HB 1594
- Voters' pamphlet explanatory statement to summarize laws repealed by a ballot measure: SB 6080

#### **VULNERABLE ADULTS**

- Criminal history background check of persons associated with licensed agency or facility for convictions and rehabilitation status: HB 2055, SHB 2055
- Criminal offenders, employment involving provision of services to vulnerable adults, disqualification for three to five years of certain criminal offenders depending on gravity of offense: \*SHB 2055, CH 104 (1992)
- Licensure requirements for facilities providing services to vulnerable adults, conditions set for consideration of employment of persons with criminal history following period of disqualification: \*SHB 2055, CH 104 (1992)

#### **WAGES AND HOURS (See also MINIMUM WAGE)**

- Agricultural employees to be paid within twenty-four hours following end of employment, establishes penalties for failure to pay and dispute resolution procedure: HB 2432, HB 2433
- Agricultural workers protection act adopted, fair employment practices established for farm labor: HB 2432
- Automobile salespersons, exemption from overtime compensation requirements for work weeks in excess of forty hours: HB 2845

- Automobile salespersons, overtime compensation requirements met by paying the greater of one and one-half the hourly rate for work in excess of forty hours a week or commission, salaries, or salaries plus commission: \*SHB 2845, CH 94 (1992)
- Child care wage enhancement grant program established: HB 1566
- Child labor laws, enforcement, penalties for violations: HB 1288
- Child labor, employer records requirements: SSB 6442
- Child labor, employment of children under age sixteen, hours and conditions: SSB 6442
- Child labor, joint select committee on nonagricultural child labor established: SSB 6442
- Child labor, prohibited employment: SSB 6442
- Commissions, principal's obligations for payment to sales representatives: SSB 6120
- Earned vacation time, payment for time not taken: HB 2377
- Elected officials, health insurance costs not considered compensation for officials of public entities: HB 2451
- Garnishment, forty times state minimum wage per hour made one measure of wages exempt from: HB 2405
- Minimum wage, enforcement of wage and hour standards: SHB 1471
- Overtime compensation for automobile salespersons, exemption from requirements for work weeks in excess of forty hours: HB 2845
- Overtime compensation requirements for automobile salespersons met by paying the greater of one and one-half the hourly rate for work in excess of forty hours a week or commission, salaries, or salaries plus commission: \*SHB 2845, CH 94 (1992)
- Overtime pay, employees may voluntarily agree to work more than eight-hour day or forty-hour week: HB 1475, SHB 1475
- Overtime work, employer may petition for variance from hours of work requirements, conditions: SHB 1475
- Overtime, enforcement of wage and hour standards: SHB 1471
- Prevailing wage law compliance on projects when more than fifty percent of facility leased or purchased by agency: SHB 1245
- Prevailing wage law compliance on remodeling projects in part of facility occupied by agency: SHB 1245
- Prevailing wage law compliance required on projects performed through a public contract: HB 1245
- Prevailing wage law, failure to comply with, liability of state or local agency: HB 1246
- Prevailing wage, certification of payment to workers on public works projects required: HB 1383
- Sales representatives and principals, regulation of contractual relationship between representatives and principals including payment of wages and commissions: \*SSB 6120, CH 177 (1992)
- Sales representatives, principal's obligations for commission payment: SSB 6120
- State elective officials, salaries continued at rate in effect on September 3, 1990: HB 2475
- Wage payment laws, civil penalties for violations of: HB 1289

## WAHIAKUM COUNTY

- Puget Island ferry funding: \*SSB 6306, CH 82 (1992)

## WARRANTIES

- Electronic equipment warranties, requirements: SHB 1399
- Emergency vehicles included in definition of "new motor vehicle": HB 2677

**WASHINGTON ADMINISTRATIVE CODE**

Review of existing laws and administrative rules with intent to repeal all obsolete, irrelevant, conflicting, or confusing sections, session to be held in 1993 and at least once a century thereafter for that purpose: HB 2906

**WASHINGTON STATE UNIVERSITY**

Aquatic animal health and disease training program, duties: HB 1322

Aquatic animal health diagnostic and extension laboratory and certification service: HB 1322

Construction, appropriation for minor repairs and improvements: HB 1178

Enrollment level increased: HB 1549

Enrollment, state-funded enrollment level increased: HB 1319

Farm and livestock management that protect fish and wildlife, department of agriculture to provide instructions in methods of: HB 2628

Fish and wildlife considerations, to report on integration with existing curriculum in the agriculture department and the cooperative extension service: SHB 2628

Fish and wildlife habitat protection, extension service to make information available to agricultural and range managers: HB 2628, SHB 2628

International marketing program for agricultural commodities and trade (IMPACT) continued: \*HB 2316, CH 95 (1992)

International marketing program for agricultural commodities and trade at Washington State University, sunset date extended: SB 6022

International marketing program for agricultural commodities and trade, sunset provisions repealed: HB 2258, SB 6022

Regents, two student members to be appointed to the board of regents: HB 1218

Technology center, collaborative effort between colleges and universities, private industry, and government, Washington State University and University of Washington to provide staff, faculty, and facilities: SSB 6472

Vocational agriculture education institute to provide in-service training for vocational agriculture instructors, duties: HB 1303

**WASTE (See also HAZARDOUS WASTE, INFECTIOUS WASTE AND SOLID WASTE)**

Packaging materials, target recycling rate achievement, strategies: HB 1826

**WASTEWATER**

Ballast water, department of ecology to adopt rules to regulate discharge: HB 2365

Operator certification costs to be split equally between the operators and the state: HB 2800

Operator certification, committee to review the certification program to be established by department, membership and duties: HB 2800

Pulp and paper mills discharging chlorinated organics, department of ecology may require that each submit an engineering report on cost of installing technology to reduce discharges, restrictions on establishing limits on discharges: \*2SSB 5724, CH 201 (1992)

Pulp mills, issuance of permits for discharge of chlorinated organic compounds prohibited until federal government issues final guidelines: 2SSB 5724

Reclaimed water use, department to report to legislature on progress, compliance, and participation in the use of reclaimed water and the resulting savings of water: \*SHB 2833, CH 204 (1992)

- Reclaimed water, departments of ecology and health to adopt a single set of standards, procedures, and guidelines for land applications of reclaimed water: \*SHB 2833, CH 204 (1992)
- Reclaimed water, departments of health and ecology to adopt a single set of standards, procedures, and guidelines for the industrial and commercial use of reclaimed water: \*SHB 2833, CH 204 (1992)
- Reclaimed water, lawful users of reclaimed water prior to effective date of act exempted from compliance with standards, procedures, and guidelines adopted by the departments of health and ecology before July 1, 1995: \*SHB 2833, CH 204 (1992)
- Treated wastewater, department of ecology to adopt standards for land applications: HB 2833, SHB 2833

## WATER

- Agricultural water purveyors completing an application for proceeds from sale of bonds to identify whether and how rate structures could provide an incentive to water users to conserve water: SHB 2629
- Aquifers, proposed oil pipeline must demonstrate that it will meet federal regulations designed to protect sole source aquifer areas: HB 2701
- Ballast water, department of ecology to adopt rules to regulate discharge: HB 2365
- Bottled water, health and manufacturing standards established regarding bottled water: HB 2747, \*SHB 2747, CH 34 (1992), SSB 6015
- Boundary review boards, county may waive review of water and sewer extensions by: HB 2507, \*SSB 6085, CH 162 (1992)
- Cities and towns authorized to issue revenue bonds to finance water conservation programs: HB 2561, \*SB 6028, CH 25 (1992)
- Conservation of water, programs to increase instream flows in areas where wild salmonids are in decline: HB 2629, SHB 2629
- Conservation performance standards, plumbing fixtures to meet standards, testing and identification requirements: HB 2109
- Conservation programs, economic incentives offered to water users to conserve: HB 2629, SHB 2629
- Counties authorized to issue revenue bonds to finance water conservation programs: HB 2561, \*SB 6028, CH 25 (1992)
- Counties, authority and procedures to establish water resources utilities, functions of utility: HB 1970
- Diversions from salmon and steelhead bearing portions of Columbia and Snake rivers to be equipped with devices to measure instantaneous and seasonal water flows: HB 2627
- Game fish-bearing waters, pre-1947 unscreened diversions to be registered and screened, time limits set: HB 2627
- Hydraulic projects permits, fees imposed upon applicants for: HB 1855, SHB 1855
- Hydroelectric projects, declaration that state has no regulatory authority over federally owned or licensed hydroelectric projects: HB 2917
- Hydroelectric projects, state has no regulatory authority over federally owned or licensed unless authority granted by federal government: SHB 2917, SSB 6475
- Hydropower plan, task force to prepare state comprehensive hydropower plan, extension of task force and revision of duties: HB 2917
- Interagency committee for water resource funding created: HB 1767

- Minimum water flow levels for salmonid recovery, department of ecology to implement minimum flow levels on some rivers and recommend minimum levels on others: HB 2629
- Minimum water flow levels for salmonid recovery, department of ecology to prioritize evaluation and implementation of minimum flow levels in basins with declining salmonid stock: SHB 2629
- Oil pipelines, proposed pipeline must demonstrate that it will meet federal regulations designed to protect sole source aquifer areas: HB 2701
- Permits established by department of ecology, fee increases limited to six percent per year: HB 1973
- Public utility districts authorized to charge for the availability of water used for domestic purposes: HB 2801
- Rate structures that encourage water conservation, water purveyors in the Dungeness, Cowlitz, Dewatto, and Tahuya river watersheds to evaluate: HB 2629
- Reclaimed water use, department to report to legislature on progress, compliance, and participation in the use of reclaimed water and the resulting savings of water: \*SHB 2833, CH 204 (1992)
- Reclaimed water, department of health to develop standards for limited use: HB 2833, SHB 2833
- Reclaimed water, department of health to form advisory committee to provide technical assistance to develop standards for limited use: \*SHB 2833, CH 204 (1992)
- Reclaimed water, departments of ecology and health to adopt a single set of standards, procedures, and guidelines for land applications of reclaimed water: \*SHB 2833, CH 204 (1992)
- Reclaimed water, departments of health and ecology to adopt a single set of standards, procedures, and guidelines for the industrial and commercial use of reclaimed water: \*SHB 2833, CH 204 (1992)
- Reclaimed water, lawful users of reclaimed water prior to effective date of act exempted from compliance with standards, procedures, and guidelines adopted by the departments of health and ecology before July 1, 1995: \*SHB 2833, CH 204 (1992)
- Waiver by county legislative authority of review of water and sewer extensions by boundary review board: HB 2507, \*SSB 6085, CH 162 (1992)
- Water resources program, administrative fees and penalties for violations increased: HB 1851, SHB 1851
- Water resources utilities, authority and procedures for county to establish, functions of utility: HB 1970
- Water, bottled, health and manufacturing standards established regarding bottled water: HB 2747, \*SHB 2747, CH 34 (1992), SSB 6015

#### **WATER COMPANIES**

- Complaints against utilities and transportation commission regulated utilities, revised provisions: HB 1325
- Nonmunicipal systems, audits by utilities and transportation commission, revised provisions: HB 1325
- Removal from regulation by utilities and transportation commission, commission approval required: HB 1325
- Water system connection rates, study by joint select committee on water resource policy required: HCR 4414

**WATER DISTRICTS**

- Bidding practices on public works, revised provisions: HB 2505, SHB 2505
- Fluoride, procedures to obtain voter approval for adding fluoride to water supply: HB 2045
- Property, sale provisions revised: HB 2505, SHB 2505
- Public works, award of contract for, criteria for making award, revised provisions: HB 2409, SHB 2409
- Public works, lowest responsible bidder, additional criteria for determination of: SHB 2409
- Rates and charges for the use and availability of water, revised provisions: HB 2054
- Sewer connection to water district sewer without permission from district prohibited, penalties: HB 1379
- Small works rosters, process for districts to award contracts on works estimated to cost less than fifty thousand dollars: HB 2505, SHB 2505
- Water conservation, evaluation of delivery rate structures to encourage: SHB 2629

**WATER POLLUTION**

- Animal waste pollution, conservation districts encouraged to contract with shellfish protection districts to control: \*SSB 6132, CH 100 (1992)
- Shellfish growing areas, land use element of comprehensive plan expanded to include protection of marine water quality in: SHB 2363
- Shellfish protection districts and programs, authority to create for protection of shellfish growing areas from animal waste and failing on-site sewage system pollution: \*SSB 6132, CH 100 (1992)
- Shellfish protection districts, creation and operation of district, revised procedures and deadlines, powers of county legislative authority revised: \*SSB 6132, CH 100 (1992)
- Shellfish protection districts, fees, charges, and rates, authority of county legislative authority to fix, alter, and control, confined animal feeding operations and other facilities exempted from: \*SSB 6132, CH 100 (1992)
- Water pollution control revolving fund, expenditures subject to legislative appropriation: HB 2992
- Watershed protection programs, financing options including county taxes, fees, bond issues, and a high priority for state financial assistance, limitations on charges and fees to confined animal feeding operations: SHB 2363

**WATER QUALITY**

- Account, interest to be included in aggregate revenues for determining account transfers: HB 2038
- Ballast water, coast guard requested to prohibit dumping in United States waters: SJM 8002
- Interagency committee for water resource funding created: HB 1767
- Paper mill waste, department of ecology to study impacts of regulating: HB 2029
- Pulp and paper mills discharging chlorinated organics, department of ecology may require that each submit an engineering report on cost of installing technology to reduce discharges, restrictions on establishing limits on discharges: \*2SSB 5724, CH 201 (1992)
- Pulp mills, issuance of permits for discharge of chlorinated organic compounds prohibited until federal government issues final guidelines: 2SSB 5724
- Water quality account, transfer of funds, provisions revised: HB 2992

**WATER RIGHTS**

- Claims with priority date prior to June 6, 1917, filing with department of ecology, procedure and filing in claim registry: HB 1582, SHB 1582, SB 5389
- Diversions from salmon and steelhead bearing portions of Columbia and Snake rivers to be equipped with devices to measure instantaneous and seasonal water flows: HB 2627
- Game fish-bearing waters, pre-1947 unscreened diversions to be registered and screened, time limits set: HB 2627
- Reservation of water rights by counties, issuance of permit and protection of senior water rights and minimum flow levels, revised provisions: HB 2407
- Seasonal use right change to yearly use right, transfer criteria: SSB 5807

**WEAPONS (See FIREARMS)****WEEDS**

- Noxious weed control, state lands to comply with provisions: HB 2656

**WEIGHTS AND MEASURES**

- Agriculture department consumer protection program to be funded by general fund and device inspections activities to be funded on a fee-for-service basis until office of financial management concludes study of: HB 2998, \*SSB 6483; CH 237 (1992)
- Calibrator, license required, application and fees: SSB 6483
- Certification, inspection, testing, and enforcement provisions revised, department of agriculture and city sealer duties relating to: HB 2998, \*SSB 6483, CH 237 (1992)
- City sealers, enforcement of weights and measures provisions, powers and duties: \*SSB 6483, CH 237 (1992)
- City sealers, revised provisions relating to: HB 2998
- Commercial weighing and measuring instruments, technical requirements: \*SSB 6483, CH 237 (1992)
- Definitions: \*SSB 6483, CH 237 (1992)
- Inspection and testing fees, department of agriculture to convene a task force to recommend the appropriate level of fees before setting or changing fees: \*SSB 6483, CH 237 (1992)
- Instruments to be inspected for accuracy at least once every two years, official seal of approval required: \*SSB 6483, CH 237 (1992)
- Review of state weights and measures program, office of financial management to conduct, content of review and review procedure requirements established: HB 2998
- Weights and measures programs, office of financial management to conduct review of: \*SSB 6483, CH 237 (1992)

**WELLS**

- Delegation of water well construction enforcement authority to local government agencies: HB 2796, \*SHB 2796, CH 67 (1992)
- Identification and tagging of existing water wells, department of ecology to undertake pilot project: HB 1453
- Water well construction, revised regulatory provisions: HB 1453
- Water wells, construction, expansion, and decommissioning of, additional department of ecology authority to regulate: HB 2452



Well drillers licenses, additional licensing requirements and expanded department of ecology authority to require compliance: HB 2452

#### **WESTERN STATE HOSPITAL**

Assaults on state employees at, department of labor and industries to conduct study of causes and solutions to assaults: HB 2647, SHB 2647

Institute for the study and treatment of mental disorders, community mental health program responsibilities: \*SB 6319, CH 230 (1992)

Institute for the study and treatment of mental disorders, training of community service providers and hospital staff, funding approval: \*SB 6319, CH 230 (1992)

Mentally ill patients, hospital to become clinical center for handling the most complicated long-term care needs of patients with primary diagnosis of mental illness: \*SB 6319, CH 230 (1992)

#### **WESTERN WASHINGTON UNIVERSITY**

Alternative fuel and solar powered vehicles, department of ecology to contract for research and development: HB 1754

Construction, appropriation for minor repairs and improvements: HB 1178

Enrollment level increased: HB 1549

Enrollment, state-funded enrollment level increased: HB 1319

Trustees, one student member to be appointed to the board of trustees: HB 1218

#### **WETLANDS**

Activities exempt from regulation by local governments when conducted on wetlands: SB 6096

Current use valuation, "wetland lands" classification created: HB 1817

Development regulations, adoption by local governments, provisions to establish greater consistency among local jurisdictions within the state: SB 6096

Development regulations, county with population under two hundred thousand may remove itself from requirements: SB 6096

Inventory map of land to be prepared before adopting development regulations, notice requirements: 2SSB 6255

Local jurisdictions to use criteria in United States army corps of engineers delineation manual to designate and regulate: SB 6254

Local regulations, required contents of locally adopted wetlands protection regulations: SB 6096

Mapping, community development department to study feasibility of contracting with federal, state, and private agencies to expedite development of wetland maps for use by local governments: 2SSB 6255

Private land, designation as wetland, open space, or other public benefit property, full compensation to be paid when designation prohibits or restricts use of property: HB 2739

Regulatory takings of private property, owner or user right to compensation established, exceptions and alternatives set out: SB 6201

Second Substitute Senate Bill 6255, amending the cutoff resolution, House Concurrent Resolution 4426, to allow consideration of: HCR 4436

#### **WHISTLEBLOWERS**

- Civil actions based on reprisal or retaliation, court may award costs as well as reasonable fees to prevailing party: \*SSB 5121, CH 118 (1992)
- Improper governmental action, local government employee's right to report acts of, reporting procedures policy to be adopted, retaliatory actions prohibited, adjudicative proceedings may be sought for relief from: HB 2976
- Local government employee's right to report improper governmental conduct, reporting procedures policy to be adopted, retaliatory actions prohibited, adjudicative proceeding may be sought for relief from: HB 2976
- Local government, governing body to adopt policy and procedures for reporting improper governmental action: \*SSB 6321, CH 44 (1992)
- Local government, retaliatory action against employee who provides information in good faith prohibited, adjudicative hearing procedures: \*SSB 6321, CH 44 (1992)
- Protection for, revised provisions: \*SSB 5121, CH 118 (1992)
- Reprisal or retaliation against, human rights commission may fine violator and issue order to suspend violator for up to thirty days: \*SSB 5121, CH 118 (1992)
- Retaliatory actions by employer against employee who makes good faith report of potential wrongdoing prohibited, remedies: HB 2068
- State auditor, duty to acknowledge and investigate reports received from whistleblowers, revised provisions: \*SSB 5121, CH 118 (1992)
- Whistleblower, definition: \*SSB 5121, CH 118 (1992)

#### **WILDLIFE**

- Agricultural and grazing practices, development of practices that protect riparian-associated fish and wildlife habitat: HB 2628, SHB 2628
- Commercial trafficking in wildlife, penalties increased: HB 2535
- Fees charged to hunters on private land not to be based on success in bagging animal: HB 2352
- Fish and wildlife education council to raise and distribute funds for public school environmental education programs that emphasize species conservation and projects in fish and wildlife preservation and management: SHB 2630
- Fish and wildlife education, state commission on funding for, creation, membership, organization, and duties: HB 2630
- Illegal traffic in wildlife, penalties for commercial trafficking increased: HB 2535
- Natural resources enforcement, to study in conjunction with department of fisheries: SHB 1010
- Nonconsumptive wildlife area funding, two percent tax on retail sale of outdoor equipment: SHB 1250
- Plastic connecting rings for beverage and other containers, sale prohibited, exceptions: HB 2840, SHB 2840
- Private land, fees charged to hunters not to be based on success in bagging animal: HB 2352
- Private land, landowners to allow free ingress and egress of wildlife: HB 2352
- State wildlife and recreation lands management act adopted: HB 2594, \*SHB 2594, CH 153 (1992)
- Union Bay wildlife habitat management area established: SHB 1448
- Wildlife and recreation lands management, task force to develop and report recommendations on funding sources for: HB 2594, \*SHB 2594, CH 153 (1992)
- Wildlife violator compact, department of wildlife authorized to enter into: HB 2534

**WILDLIFE, DEPARTMENT**

- Assault on wildlife agent in line of duty, revocation of licenses and privileges extended to person convicted of: HB 1943
- Cutthroat trout, to implement experimental captive broodstock program for wild sea-run: HB 2626, SHB 2626
- Disabled persons, director to develop plan to comply with Americans with Disabilities Act of 1990: SHB 1250
- Fish and wildlife education in the public schools, development duties and funding provisions: HB 2630
- Fisheries, department of, legislative budget committee to study feasibility of merging with department of wildlife: HB 2366
- Fishing license, seventy-year-old residents' eligibility for free license removed: SHB 1850
- Flood control improvements repair, emergency hydraulic permit issuance: SHB 1490
- Funding, authority to solicit gifts, grants, conveyances, bequests, and devises to carry out department purposes: SHB 1250
- Game land, counties electing in lieu property tax payments to pay state all game violation moneys: HB 2564
- Game land, exemption from taxes in lieu of property taxes: HB 2565
- Habitat management practices, to develop agricultural and grazing practices to protect wildlife within department jurisdiction: HB 2628
- Habitat management practices, to develop best practices with technical advisory committee and other state agencies and parties: SHB 2628
- Habitat management practices, to study methods of application as standards to agricultural and grazing lands owned or managed by agency: SHB 2628
- Hunting and fishing license fees increased: SHB 1850
- Hunting dog training, workout, field trial, and show area to be developed, duties: HB 1798
- Hydraulic projects permits, fees imposed upon applicants for: HB 1855, SHB 1855
- In-lieu tax distribution, additional county sales and use tax equalization account distribution to replace department's: HB 2520, SHB 2520
- Indian fishing and hunting rights outside reservation, limit on power of department to grant: HB 1168
- Joint select committee on department of wildlife established, duties: HCR 4413
- Lake management district assessments subject to same rates imposed on privately owned lake front property: SHB 1368
- Lands held by department for wildlife habitat and recreation considered open space land: HB 1370
- License or permit is not fee for purposes of section limiting liability of owner permitting recreational use of land: HB 1369
- License plates, additional fees from personalized license plates to be used for the nonconsumptive management of wildlife resources: SHB 1250
- Natural resources enforcement office, consolidation of enforcement responsibilities in, evaluation duties: HB 1010
- Nonconsumptive wildlife area funding, task force to consider options: SHB 1250
- Pheasant hunting permit for western Washington required, harvest limits: \*SB 6221, CH 41 (1992)
- Purchase or exchange of tax-paying parcel of land, requirement that county receive property of equal or greater tax value: HB 1967

- Salmon and steelhead, department to develop plan with fisheries department to accurately record catches: SB 6150
- Salmon and steelhead, department to pursue authority to lethally remove nonendangered marine mammals preying on: SSB 5666
- Salmon and steelhead, incentives to improve reporting accuracy to be examined: SB 6150
- Scatter Creek wildlife area, recreational use maintenance and enhancement, planning duties: HB 2131, SHB 2131
- Scatter Creek wildlife area, recreational use maintenance and enhancement, user groups to assist in planning: SHB 2131
- Senior environmental corps created, powers and duties: HB 2560, \*SHB 2560, CH 63 (1992)
- Taxes in lieu of property taxes on department owned property, in lieu tax provisions repealed: HB 1779
- Taxes in lieu of property taxes, exemption: HB 2565
- Union Bay wildlife habitat management area established, responsibilities: SHB 1448
- Upland game bird permits, revised recordkeeping requirements and harvest limits for western Washington pheasant: \*SB 6221, CH 41 (1992)
- Wild salmonid review and inventory team, departments of fisheries and wildlife to establish, membership and duties: SHB 2626
- Wild salmonid review and recovery team, departments of fisheries and wildlife to establish, membership and duties: HB 2626
- Wildlife and fishery patrol officers, commensurate salaries recommended: HCR 4415
- Wildlife violator compact, department authorized to enter into: HB 2534

**WILLS**

- Simultaneous death, 1991 uniform simultaneous death act enacted: HB 2752
- Subdivision of property by testamentary means prohibited if otherwise unlawful: HB 1449
- Testamentary additions to trusts act, adoption of uniform act: HB 2256

**WINE (See ALCOHOLIC BEVERAGES)****WIRETAPPING**

- Pen registers, use authorized, conditions: HB 1351
- Trap and trace devices, use authorized, conditions: HB 1351

**WITNESSES**

- Identity of witnesses to and victims of crimes, information revealing the identity of witnesses and victims exempt from public disclosure: \*SHB 2876, CH 139 (1992)
- Witnesses in course of official duties not covered by industrial insurance: HB 1332

**WOMEN**

- Athletic leadership positions, state board for community and technical colleges to establish information clearinghouse for recruiting women as coaches, athletic directors, and athletic administrators: HB 2852

**WOMEN AND MINORITY BUSINESSES**

- First class cities, solicitation and employment of women and minority businesses by contractors with, revised requirements: HB 2481, SHB 2481

**WOOD BURNING STOVES**

Task force on the testing and certification of solid fuel burning devices created, membership and duties: SB 6315

**WOOD PRODUCTS INDUSTRY (See also TIMBER AND TIMBER INDUSTRIES)**

Timber workers, counter-cyclical program for dislocated workers, employment and counseling opportunities: HB 1600

**WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD**

Created, powers and duties: SHB 1039

Educational progress oversight panel created to report annually on progress of education reform, panel membership and report content requirements established: SSB 5953

Private vocational schools, revised provisions relating to funding board administrative activities and handling of claims and complaints: HB 2423, SHB 2423

Private vocational schools, tuition recovery fund, increase in minimum operating balance through incremental licensee payments: HB 2423, SHB 2423

Public disclosure reporting, "executive state officer" redefined to include board members: SSB 6228

Work force training and retraining, task force on to study funding structure and sources: HCR 4433

**WORKERS' COMPENSATION**

Annuities, purchase by self-insured employers authorized: \*SSB 5342, CH 124 (1992)

Appeal or reconsideration, director or board authorized to waive time limitations for: HB 2412

Appeals, notice of appeal and copy of record before board of industrial insurance appeals to be served on either the worker or the beneficiary and to any other party: SHB 2496

Appeals, notice to be served on all parties to appeal: HB 2496

Arrears in industrial insurance taxes, notice and order to withhold procedures modified: HB 1354

Assessments, notice requirements: HB 2573

Basic health plan, timber impact areas, designation of additional socially and economically integrated communities as timber impact areas by economic recovery board authorized: \*HB 2821, CH 21 (1992)

Benefits maintenance for temporarily disabled worker: HB 1283

Chiropractic services, inclusion among services provided: HB 1627

Claims reopenings for aggravation of disability, self-insured employers: SSB 5329

Compensation during appeals, technical amendments to statute governing during appeal: HB 2434, SHB 2434

Consolidation of state and federal medical and health services and programs, legislative budget committee to determine feasibility and desirability of: SHB 2590

Construction contractors, out-of-state contractors required to cover workers with state workers' compensation: HB 2372

Contractors, coverage information required as part of application for registration or license including coverage in state of domicile for workers employed in Washington: \*SHB 2686, CH 217 (1992)

Contractors, out-of-state, coverage in state of domicile required: HB 2686, SHB 2686

- Covered employment, exclusions modified: SHB 1353
- Death benefits, calculation and payment procedures: HB 1281
- Death benefits, lump sum payment to surviving spouse on remarriage: HB 2216
- Definitions of terms revised: SHB 1353
- Disability claims, self-insured employers, authority to close claims after July 1990: HB 1565, SB 5345
- Disability compensation, calculation for deferred disability: HB 1381
- Disability compensation, calculation for permanent and temporary disabilities: HB 1281
- Disability compensation, payments increased for permanent partial disabilities: HB 1280
- Disability compensation, reduction for social security benefits, reimbursement of attorney fees for establishing claim: SHB 1466
- Discharged worker, employer eligible for expedited preliminary review, procedures: HB 2162
- Federal targeted jobs tax credit program, fee exemption for employers with less than fifty employees: HB 2134
- Federal targeted jobs tax credit program, strategies to increase employer participation, reduce paperwork: HB 2134
- Fraud, class C felony, penalties: HB 2575
- Harbor and longshore workers, coverage made available to all longshore and harbor workers, plan required for those unable to purchase through the normal insurance market: HB 2720, SB 6322
- Health care services, authority to deny payment or demand reimbursement for inappropriate charges by provider: HB 2795, SSB 6299
- Health care services, provider eligibility to participate may be terminated or suspended for patterns of medically unnecessary or inappropriate health care: SSB 6299
- Health care services, provider eligibility to participate may be terminated or suspended if payment for services induced by fraud: SSB 6299
- Health care services, provider repayment of sums deemed owing, civil procedure: HB 2795, SSB 6299
- Hospital, definition in regard to self-insurers: HB 2574, SHB 2574
- Industrial appeals judges code of ethics: HB 1238
- Industrial insurance labor-management cooperation program, expiration date repealed: HB 2585, SHB 2585
- Industrial insurance labor-management cooperation program, expiration date repealed and remainder of statute codified: SSB 6361
- Jockeys, workers' compensation coverage extended to: SHB 1952
- Jurors and witnesses injured in course of official duties not covered by industrial insurance: HB 1332
- Law enforcement officers and fire fighters, heart disease and cancer presumed to be occupational diseases: HB 1497
- Longshore and harbor workers, coverage made available to all longshore and harbor workers, plan required for those unable to purchase through the normal insurance market: HB 2720, SB 6322
- Longshore and harbor workers, insurance commissioner to establish plan available to those unable to purchase coverage through normal insurance market: \*SHB 2720, CH 209 (1992)
- Longshore and harbor workers, study authorized of feasibility of private and public insurance plans: SB 6322

- Longshore and harbor workers, unauthorized insurer prohibited from soliciting or providing insurance: SHB 2720
- Medical evaluation to determine previous disability and subsequent injury to occur within thirty days, procedures: HB 2162
- Medical examinations, payment for time lost while attending: HB 1285
- Medical services, consolidation into Washington healthcare plan, feasibility study: HB 2205
- Medical services, health care practitioner reimbursement allowed if comparable reimbursement to another practitioner allowed: HB 2980
- Out-of-state construction contractors required to cover workers with state workers' compensation: HB 2372
- Permanent total disability benefits, calculation: HB 1281
- Premium and rate, definitions: HB 2951
- Premium liability of workers removed: HB 1733
- Premium rates fixed by statute, revision of departmental authority to set rates: HB 2252
- Public works, contract bids to include costs for industrial insurance, unemployment compensation, and workers' compensation, treble damages allowed for failure to pay required coverages: HB 2414
- Public works, contract bids to include costs of industrial insurance, unemployment compensation, and workers' compensation, action for damage by second lowest bidder authorized: SHB 2414
- Rate and premium, definitions: HB 2951
- Reconsideration of department order in favor of injured worker, employer obligation to timely submit all relevant information: HB 2435
- Reconsideration or appeal, director or board authorized to waive time limitations for: HB 2412
- Reopened claims, computation of payments: HB 1282, SHB 1282
- Self-insured employers, annuities purchase authorized: \*SSB 5342, CH 124 (1992)
- Self-insured employers, claims reopening for aggravation of disability: SSB 5329
- Self-insured employers, disability claims, authority to close after July 1990: HB 1565, SB 5345
- Self-insurers, "hospital" defined in regard to: HB 2574, SHB 2574
- Self-insurers, allowance or denial of a claim must be requested within sixty days: SHB 1463
- Self-insurers, appeal of decision by worker or employee, payment of attorneys' fees and litigation costs: SHB 1463
- Self-insurers, copy of employee's claim file must be provided upon request of employee: SHB 1463
- Self-insurers, provisions allowing repealed: HB 1920
- State employees, temporary total disability, dates for which compensation will be received: HB 1043
- State-purchased uniform benefit package, health care authority to develop recommendations on relationship between workers' compensation and: HB 2641
- Task force created to review system and make recommendations for its improvement: HCR 4411
- Tax arrearages, notice and order to withhold procedures modified: HB 1354
- Temporarily disabled worker, benefits maintenance for: HB 1283
- Temporary total disability benefits, calculation: HB 1281

- Time limitations for reconsideration or appeal, director or board authorized to waive: HB 2412
- Uniform benefits package and workers' compensation, workers' compensation advisory committee to conduct study on the relationship between: HB 2590, SB 6089
- Unlawful practices, civil penalties: SHB 1464
- Vocational rehabilitation costs, transportation and child or dependent care costs related to worker's participation in rehabilitation program allowed as approved costs: HB 2765
- Vocational rehabilitation counselors, selection criteria: HB 1160
- Vocational rehabilitation services, retraining period, job placement services: HB 1465
- Vocational services, authority to deny payment or demand reimbursement for inappropriate charges by provider: HB 2795, SSB 6299
- Vocational services, provider repayment of sums deemed owing, civil procedure: HB 2795, SSB 6299
- Witnesses and jurors injured in course of official duties not covered by industrial insurance: HB 1332

#### **WRONGFUL DEATH ACTIONS**

- Annuity structured settlement of a personal injury or wrongful death claim authorized, procedures established to collect payment when payment is not made in accordance with agreement: HB 2776

#### **YAKIMA COUNTY**

- Criminal justice enhancement, appropriation to provide grant for: HB 1360
- Industrial growth management demonstration pilot project established in Yakima county: HB 1998, SHB 1998

#### **ZONING**

- Community councils, formation in unincorporated areas authorized: HB 1009
- Family day care facilities, local government zoning regulations and siting of facilities, survey and recommendations urged: HJM 4041
- Family day-care provider, home is permitted use in all areas zoned for residential or commercial purposes: HB 2674, SHB 2674
- Inverse condemnation resulting from land use planning, zoning, or other regulatory program, statutory basis for: HB 1162, SHB 1162
- Land use proposals, local government to notify private property owners of proposals, contents of notice and standing to contest action provisions established: HB 2717
- Moratoria or interim zoning, state standards established to minimize impacts and avoid litigations: HB 2051, SSB 5727
- Moratorium or interim zoning map, ordinance, or official control, public hearings, findings of fact, and effective period requirements for adoption of: \*SSB 5727, CH 207 (1992)
- Oil transmission lines to conform to local zoning and environment codes: HB 1251, SHB 1251
- Schools, portable classrooms and facilities, emergency siting in violation of zoning laws authorized when overcrowding exists: HB 1996
- Second-family residential units on existing single-family lots, variance to allow, conditions: SSB 5810



Shoreline master programs, local zoning to be considered in implementing: HB 2696

