

powers and duties of transportation agencies; providing for transportation studies; adding new sections to Chapter 44.40 RCW; making an appropriation; and declaring an emergency." Veto
Message

This bill authorizes interim studies of various transportation related issues by the Legislative Transportation Committee and/or the Senate and House Transportation and Utilities Committees.

Section 3 of the bill authorizes these committees to enter into contracts on behalf of the state to carry out the purposes of the act. In addition, section 3 provides that the committees "may act for the state in the initiation of or participation in any multi-governmental agency program relative to transportation planning, programming or budgeting, or other purposes of this chapter."

I have determined to veto that item in section 3 quoted above. There are both policy and, in some circumstances, constitutional objections to a legislative committee having the authorization to act for the state in multi-governmental programs. Such federal-state-local governmental arrangements clearly involve executive functions and for a legislative committee to be contracting for the state in such matters would clearly violate the traditional limits of the separation of powers between the legislative and executive branches of government.

With the exception of the described item in section 3, the remainder of the bill is approved."

CHAPTER 211

[Substitute House Bill No. 993]

FLAMMABLE FABRICS ACT

AN ACT Relating to flammable fabrics; adding a new chapter to Title 70 RCW; defining crimes; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. This chapter may be known and cited as the "Flammable Fabrics Act".

NEW SECTION. Sec. 2. The legislature hereby finds and declares that fabric related burns from children's sleepwear present

an immediate and serious danger to the infants and children of this state. The legislature therefor declares it to be in the public interest, and for the protection of the health, property, and welfare of the residents of this state to herein provide for flammability standards for children's sleepwear.

NEW SECTION. Sec. 3. As used in this chapter the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

(1) "Person" means an individual, partnership, corporation, association, or any other form of business enterprise, and every officer thereof.

(2) "Children's sleepwear" means any product of wearing apparel from infant size up to and including size fourteen which is sold or intended for sale for the primary use of sleeping or activities related to sleeping, such as nightgowns, pajamas, and similar or related items such as robes, but excluding diapers and underwear.

(3) "Fabric" means any material (except fiber, filament, or yarn for other than retail sale) woven, knitted, felted, or otherwise produced from or in combination with any material or synthetic fiber, film, or substitute therefor which is intended for use, or which may reasonably be expected to be used, in children's sleepwear.

(4) The term "infant size up to and including size six-x" means the sizes defined as infant through and including six-x in Department of Commerce Voluntary Standards, Commercial Standard 151-50, "Body Measurements for the Sizing of Apparel for Infants, Babies, Toddlers, and Children", Commercial Standard 153, "Body Measurements for the Sizing of Apparel for Girls", and Commercial Standard 155, "Body Measurements for the Sizing of Boys' Apparel".

(5) "Fabric related burns" means burns that would not have been incurred but for the fact that sleepwear worn at the time of the burns did not comply with commercial standards promulgated by the secretary of commerce of the United States in March, 1971, identified as Standard for the Flammability of Children's Sleepwear (DOC FF 3-71) 36 F.R. 14062 and by the Flammable Fabrics Act 15 U.S.C. 1193.

NEW SECTION. Sec. 4. It shall be unlawful to manufacture for sale, sell, or offer for sale any new and unused article of children's sleepwear which does not comply with the standards established in the Standard for the Flammability of Children's Sleepwear (DOC FF 3-71), 36 F.R. 14062 and the Flammable Fabrics Act, 15 U.S.C. 1191-1204.

NEW SECTION. Sec. 5. The attorney general or the prosecuting attorney of any county within the state may bring an action in the name of the state against any person to restrain and prevent any violation of this chapter.

NEW SECTION. Sec. 6. Any violation of this chapter is punishable, upon conviction, by a fine not exceeding five thousand dollars or by confinement in the county jail for not exceeding one year, or both.

NEW SECTION. Sec. 7. Any person who violates section 4 of this act shall be strictly liable for fabric-related burns.

NEW SECTION. Sec. 8. Personal service of any process in an action under this chapter may be made upon any person outside the state if such person has violated any provision of this chapter. Such person shall be deemed to have thereby submitted himself to the jurisdiction of the courts of this state within the meaning of RCW 4.28.180 and 4.28.185, as now or hereafter amended.

NEW SECTION. Sec. 9. The provisions of this chapter shall be in addition to and not a substitution for or limitation of any other law.

NEW SECTION. Sec. 10. If any provision of this chapter, or its application to any person or circumstance is held invalid the remainder of the chapter, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 11. Sections 1 through 9 of this act shall constitute a new chapter in Title 70 RCW.

Passed the House April 14, 1973.

Passed the Senate April 13, 1973.

Approved by the Governor April 26, 1973.

Filed in Office of Secretary of State April 26, 1973.

CHAPTER 212

[Substitute House Bill No. 53]

PROPERTY TAXES--OPEN SPACE, FARM,
AND TIMBER LANDS

AN ACT Relating to the taxation of property; amending section 1, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.010; amending section 2, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.020; amending section 3, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.030; amending section 5, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.050; amending section 6, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.060; amending section 7, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.070; amending section 8, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.080; adding new sections to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW; repealing section 4, chapter 87, Laws of 1970 ex. sess. and RCW