

there are overriding state concerns that are being handled unreasonably at the local governmental level. The provisions of the three sections mentioned above would shift the balance of power too far in favor of local government, contrary to the established policy.

In keeping with my concern for local determination, I intend to request the Council to adopt and promulgate regulations similar to the language in Senate Bill No. 2910 as originally introduced to ensure that the applicant makes a good faith effort to work with local governmental authorities to resolve disputes. In addition, I will request the Council to develop guidelines for determining when the interests of the state are such as to require preemptive action.

With the exception of Sections 1, 7 and 9 which I have vetoed for the above reasons, the remainder of Engrossed Substitute Senate Bill No. 2910."

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## CHAPTER 372

[Engrossed Senate Bill No. 2441]

### HORSE RACE COURSES—FISCAL SUPPORT

AN ACT Relating to horse race courses; amending section 3, chapter 233, Laws of 1969 ex. sess. and RCW 67.16.102; and adding a new section to chapter 67.16 RCW.

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

**NEW SECTION.** Section 1. There is added to chapter 67.16 RCW a new section to read as follows:

The legislature finds that:

(1) A primary responsibility of the horse racing commission is the encouragement of the training and development of the equine industry in the state of Washington whether the result of this training and development results in legalized horse racing or in the recreational use of horses;

(2) The horse racing commission has a further major responsibility to assure that any facility used as a race course should be maintained and upgraded to insure the continued safety of both the public and the horse at any time the facility is used for the training or contesting of these animals;

(3) Small race courses within the state have difficulty in obtaining sufficient funds to provide the maintenance and upgrading necessary to assure this safety at these facilities, or to permit frequent use of these facilities by 4-H children or other horse owners involved in training; and

(4) The one percent of the parimutuel machine gross receipts used to pay a special purse to the licensed owners of Washington bred horses is available for the purpose of drawing interest, thereby obtaining sufficient funds to be disbursed to achieve the necessary support to these small race courses.

Sec. 2. Section 3, chapter 233, Laws of 1969 ex. sess. and RCW 67.16.102 are each amended to read as follows:

Notwithstanding any other provision of chapter 67.16 RCW to the contrary the licensee shall withhold and shall pay daily to the commission, in addition to the fifteen percent authorized by this chapter, one percent of the gross receipts of all parimutuel machines at each race meet which sums shall, at the end of each meet, be paid by the commission to the licensed owners of those horses finishing first, second, third and fourth Washington bred only at each meet from which the additional one percent is derived in accordance with an equitable distribution formula to be promulgated by the commission prior to the commencement of each race

meet: **PROVIDED**, That nothing in this section shall apply to race meets which are nonprofit in nature, or of six days or less or which have a total annual handle of less than two hundred thousand dollars: **PROVIDED**, That the additional one percent of the gross receipts of all parimutuel machines at each race meet and the amount retained by the commission as specified in RCW 67.16.100 shall be deposited daily in a time deposit by the commission and the interest derived therefrom shall be distributed annually on an equal basis to those county legislative authorities that operate fairs, authorized by chapter 36.37 RCW, and race courses at which independent race meets are held which are nonprofit in nature and are of six days or less: PROVIDED, That such county legislative authorities have approved and are operating a program of use for said race course for year-round equine training and quartering: PROVIDED, FURTHER, That said distributed funds shall be used for the purpose of maintaining and upgrading the respective racing courses and equine quartering areas of said nonprofit meets. The commission shall not permit the licensees to take into consideration the benefits derived from this section in establishing purses.

**NEW SECTION.** Sec. 3. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the Senate April 5, 1977.

Passed the House June 20, 1977.

Approved by the Governor July 15, 1977.

Filed in Office of Secretary of State July 15, 1977.

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## CHAPTER 373

[Substitute House Bill No. 660]

### LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE— ESTABLISHED

AN ACT Relating to the legislature; establishing the legislative evaluation and accountability program committee; and adding a new chapter to Title 44 RCW and declaring an emergency.

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

**NEW SECTION.** Section 1. There is hereby created a legislative evaluation and accountability program committee which shall consist of four senators and four representatives from the legislature. The senate members of the committee shall be appointed by the president of the senate and the house members of the committee shall be appointed by the speaker of the house. Not more than two members from each house shall be from the same political party. All members shall be appointed before the close of the 1977 session of the legislature and before the close of each regular session thereafter. Members shall be subject to confirmation, as to the senate members by the senate, and as to the house members by the house.

**NEW SECTION.** Sec. 2. The term of office of the members of the committee who continue to be members of the senate and house shall be from the close of the session in which they were appointed or elected as provided in section 1 of this act until the close of the next regular session, or, in the event that such appointments or elections are not made, until the close of the next regular session during which