

in the course of his or her employment: PROVIDED, That a person is not a worker for the purpose of this title, with respect to his or her activities attendant to operating a truck which he or she owns, and which is leased to a common or contract carrier.

(2) For the purposes of this title, any person, firm, or corporation currently engaging in a business which is registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW is not a worker when:

~~((1))~~ (a) Contracting to perform work for any contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW;

~~((2))~~ (b) The person, firm, or corporation has a principal place of business which would be eligible for a business deduction for internal revenue service tax purposes other than that furnished by the contractor for which the business has contracted to furnish services;

~~((3))~~ (c) The person, firm, or corporation maintains a separate set of books or records that reflect all items of income and expenses of the business; and

~~((4))~~ (d) The work which the person, firm, or corporation has contracted to perform is:

~~((a))~~ (i) The work of a contractor as defined in RCW 18.27.010; or

~~((b))~~ (ii) The work of installing wires or equipment to convey electric current or installing apparatus to be operated by such current as it pertains to the electrical industry as described in chapter 19.28 RCW.

(3) Any person, firm or corporation registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW including those performing work for any contractor registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW is a worker when the contractor supervises or controls the means by which the result is accomplished or the manner in which the work is performed.

Passed the House March 21, 1983.

Passed the Senate April 13, 1983.

Approved by the Governor April 22, 1983.

Filed in Office of Secretary of State April 22, 1983.

CHAPTER 98

[Substitute House Bill No. 241]

JUVENILES—COUNTY OR DSHS DETENTION—EDUCATION

AN ACT Relating to education for juveniles and juvenile offenders; amending section 13, chapter 160, Laws of 1913 as amended by section 1, chapter 121, Laws of 1945 and RCW 13.04.135; adding a new section to chapter 13.04 RCW; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

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

NEW SECTION. Sec. 1. There is added to chapter 13.04 RCW a new section to read as follows:

A program of education shall be provided for by the several counties and school districts of the state for common school age persons confined in each of the detention facilities staffed and maintained by the several counties of the state under this chapter and chapters 13.16 and 13.20 RCW. The division of duties, authority, and liabilities of the several counties and school districts of the state respecting the educational programs is the same in all respects as set forth in RCW 28A.58.772 through 28A.58.778 respecting programs of education for state residential school residents. For the purposes of this section, the terms "department of social and health services," "residential school" or "schools," and "superintendent or chief administrator of a residential school" as used in RCW 28A.58.772 through 28A.58.778 shall be respectively construed to mean "the several counties of the state," "detention facilities," and "the administrator of juvenile court detention services." Nothing in this section shall prohibit a school district from utilizing the services of an educational service district subject to RCW 28A.21.086.

Sec. 2. Section 13, chapter 160, Laws of 1913 as amended by section 1, chapter 121, Laws of 1945 and RCW 13.04.135 are each amended to read as follows:

Counties containing more than fifty thousand inhabitants shall, and counties containing a lesser number of inhabitants may, provide and maintain at public expense, a detention room or house of detention, separated or removed from any jail, or police station, to be in charge of a matron, or other person of good character, wherein all children within the provisions of this chapter shall, when necessary, be sheltered (~~(; and in all counties maintaining a detention home, as herein provided, the county commissioners, together with the directors of any school district or districts, may establish in connection therewith a truant school for the purpose of affording a place of confinement, discipline, instruction and maintenance of children of compulsory school age, who may be committed thereto on such terms and conditions as may be agreed upon between the commissioners and the directors of such school district or districts)~~).

NEW SECTION. Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

A program of education shall be provided for by the department of social and health services and the several school districts of the state for common school age persons who have been admitted to facilities staffed and maintained by the department of social and health services for the education and treatment of juveniles who have been diverted or who have been found to have committed a juvenile offense. The division of duties, authority, and liabilities of the department of social and health services and the several school districts of the state respecting the educational programs shall

be the same in all respects as set forth in RCW 28A.58.772 through 28A.58.778 respecting programs of education for state residential school residents. For the purposes of this section, the term "residential school" or "schools" as used in RCW 28A.58.772 through 28A.58.778 shall be construed to mean a facility staffed and maintained by the department of social and health services for the education and treatment of juvenile offenders on probation or parole. Nothing in this section shall prohibit a school district from utilizing the services of an educational service district subject to RCW 28A.21.086.

Passed the House March 9, 1983.

Passed the Senate April 13, 1983.

Approved by the Governor April 22, 1983.

Filed in Office of Secretary of State April 22, 1983.

CHAPTER 99

[Engrossed Substitute House Bill No. 263]

LOCAL GOVERNMENT TAX IMPOSITION, ALTERATION OR REPEAL— REFERENDUM PROCEDURES

AN ACT Relating to local government finance; amending section 3, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.865; amending section 4, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.870; amending section 21, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.14.200; amending section 6, chapter 134, Laws of 1972 ex. sess. as last amended by section 7, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.710; adding a new section to chapter 35.21 RCW; adding a new section to chapter 82.14 RCW; adding a new section to chapter 82.46 RCW; repealing section 9, chapter 49, Laws of 1982 1st ex. sess. and RCW 35.21.705; repealing section 19, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.14.035; repealing section 12, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.46.020; and declaring an emergency.

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

Sec. 1. Section 21, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.14.200 are each amended to read as follows:

There is created in the state general fund a special account to be known as the "county sales and use tax equalization account." Into this account shall be placed a portion of all motor vehicle excise tax receipts as provided in RCW 82.44.150(2). Funds in this account shall be allocated by the state treasurer according to the following procedure:

(1) Prior to April 1st of each year the director of revenue shall inform the state treasurer of the total and the per capita levels of revenues for the unincorporated area of each county and the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties imposing the sales and use tax authorized under RCW 82.14.030(1) for the previous calendar year.