

(3) Section 13, chapter 7, Laws of 1983 and RCW 82.49.060.

*Sec. 6 was vetoed, see message at end of chapter.

****NEW SECTION. Sec. 7. This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended or repealed in this act or under any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections.***

*Sec. 7 was vetoed, see message at end of chapter.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

****NEW SECTION. Sec. 9. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately, except sections 3 through 6 of this act shall take effect July 1, 1985.***

*Sec. 9 was partially vetoed, see message at end of chapter.

Passed the Senate April 28, 1985.

Passed the House April 28, 1985.

Approved by the Governor April 30, 1985, with the exception of certain items which are vetoed.

Filed in Office of Secretary of State April 30, 1985.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to several sections, Engrossed Substitute Senate Bill No. 3678, entitled:

"AN ACT Relating to revenue and taxation."

The following sections of Engrossed Substitute Senate Bill No. 3678 are hereby vetoed: Sections 2, 3, 4, 5, 6, 7, and the part of Section 9 which refers to Sections 3 through 6.

This bill was a very narrow one which is a response to the recent U. S. Supreme Court decision in Armeo relating to taxation. Due to the narrowness of my request and the need for passage of this legislation, I requested that no other measures regardless of merit be attached as amendments.

Although the sections I am vetoing may be meritorious, I believe it is important to maintain the legislation as a narrow bill as requested.

With the exceptions of those sections vetoed, Engrossed Substitute Senate Bill No. 3678 is approved."

CHAPTER 191

[Engrossed House Bill No. 787]

AVALANCHE CONTROL PROCEDURES—USE OF EXPLOSIVES

AN ACT Relating to explosives; amending RCW 70.74.191; and adding a new section to chapter 70.74 RCW.

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

NEW SECTION. Sec. 1. A new section is added to chapter 70.74 RCW to read as follows:

It is the purpose of this 1985 act to protect the public by enabling ski area operators to exercise appropriate avalanche control measures. The legislature finds that avalanche control is of vital importance to safety in ski areas and that the provisions of the Washington state explosives act contain restrictions which do not reflect special needs for the use of explosives as a means of clearing an area of serious avalanche risks. This 1985 act recognizes these needs while providing for a system of regulations designed to ensure that the use of explosives for avalanche control conforms to fundamental safety requirements.

Sec. 2. Section 5, chapter 137, Laws of 1969 ex. sess. and RCW 70.74.191 are each amended to read as follows:

The laws contained in this chapter and the ensuing regulations prescribed by the department of labor and industries shall not apply to:

(1) Explosives or blasting agents in the course of transportation by way of railroad, water, highway or air under the jurisdiction of, and in conformity with, regulations adopted by the federal department of transportation, the Washington state utilities and transportation commission and the Washington state patrol;

(2) The laboratories of schools, colleges and similar institutions if confined to the purpose of instruction or research and if not exceeding the quantity of one pound;

(3) Explosives in the forms prescribed by the official United States Pharmacopoeia;

(4) The transportation, storage and use of explosives or blasting agents in the normal and emergency operations of federal agencies and departments including the regular United States military departments on military reservations, or the duly authorized militia of any state or territory, or to emergency operations of any state department or agency, any police, or any municipality or county;

(5) The sale and use of fireworks, signaling devices, flares, fuses, and torpedoes;

(6) The transportation, storage, and use of explosives or blasting agents in the normal and emergency avalanche control procedures as conducted by trained and licensed ski area operator personnel. However, the storage, transportation, and use of explosives and blasting agents for such use shall meet the requirements of regulations adopted by the director of labor and industries; and

(7) Any violation under this chapter if any existing ordinance of any city, municipality or county is more stringent than this chapter.

Passed the House March 12, 1985.

Passed the Senate April 17, 1985.

Approved by the Governor April 30, 1985.

Filed in Office of Secretary of State April 30, 1985.

CHAPTER 192

[Senate Bill No. 3818]

RECORDS COMMITTEE—MEMBERSHIP TO INCLUDE APPOINTEE OF THE DIRECTOR OF FINANCIAL MANAGEMENT

AN ACT Relating to the records committee; and amending RCW 40.14.050.

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

Sec. 1. Section 5, chapter 246, Laws of 1957 as amended by section 83, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 40.14.050 are each amended to read as follows:

There is created a committee, to be known as the records committee, composed of the archivist, an appointee of the state auditor, ~~((and))~~ an appointee of the attorney general, and an appointee of the director of financial management. Committee members shall serve without additional salary, but shall be entitled to travel expenses incurred in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended. Such expenses shall be paid from the appropriations made for operation of their respective departments or offices.

The records committee shall meet at least once every quarter or oftener as business dictates. Action by the committee shall be by majority vote and records shall be kept of all committee business.

It shall be the duty of the records committee to approve, modify or disapprove the recommendations on retention schedules of all files of public records and to act upon requests to destroy any public records: PROVIDED, That any modification of a request or recommendation must be approved by the head of the agency originating the request or recommendation.

The division of archives and records management shall provide forms, approved by the records committee, upon which it shall prepare recommendations to the committee in cooperation with the records officer of the department or other agency whose records are involved.

Passed the Senate March 14, 1985.

Passed the House April 15, 1985.

Approved by the Governor April 30, 1985.

Filed in Office of Secretary of State April 30, 1985.