

levying and collection of special assessments, the issuance of local improvement district bonds and other obligations, and all related matters, shall be subject to the provisions of chapter 36.94 RCW concerning the use of local improvement districts to finance sewer or water facilities. The requirements of chapter 36.94 RCW concerning the preparation of a general plan and formation of a review committee shall not apply to a local improvement district used to finance all or a portion of Indian land and other claims settlements. The resolution or petition that initiates the creation of a local improvement district used to finance all or a portion of an Indian land and other claims settlement shall describe the general nature of the Indian land and other claims and the proposed settlement. The value of a contribution by any person, municipal corporation, political subdivision, or the state of money, real property, or personal property to the settlement of Indian land and other claims shall be credited to any assessment for a local improvement district under this section.

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.

Passed the House May 8, 1989.

Passed the Senate May 7, 1989.

Approved by the Governor May 13, 1989.

Filed in Office of Secretary of State May 13, 1989.

CHAPTER 5

[Substitute House Bill No. 1737]

VICTIMS OF CRIMES—COMPENSATION

AN ACT Relating to crime victims' compensation; amending RCW 7.68.030, 7.68.070, 7.68.080, 82.08.020, 82.08.010, and 82.12.020; amending section 223, chapter 7, Laws of 1987 1st ex. sess. as amended by section 218, chapter 289, Laws of 1988 (uncodified); adding new sections to chapter 7.68 RCW; adding a new section to chapter 82.32 RCW; creating new sections; repealing RCW 7.68.010; providing an effective date; and declaring an emergency.

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

NEW SECTION. Sec. 1. The department of labor and industries shall operate the crime victims' compensation program within the appropriations and the conditions and limitations on the appropriations provided for this program.

Sec. 2. Section 3, chapter 122, Laws of 1973 1st ex. sess. as amended by section 12, chapter 443, Laws of 1985 and RCW 7.68.030 are each amended to read as follows:

It shall be the duty of the director to establish and administer a program of benefits to innocent victims of criminal acts within the terms and limitations of this chapter. In so doing, the director shall, in accordance

with chapter (~~(34.04)~~) 34.05 RCW, adopt rules and regulations necessary to the administration of this chapter, and the provisions contained in chapter 51.04 RCW, including but not limited to RCW 51.04.020, 51.04.030, 51.04.040, 51.04.050 and 51.04.100 as now or hereafter amended, shall apply where appropriate in keeping with the intent of this chapter. The director may apply for and, subject to appropriation, expend federal funds under Public Law 98-473 and any other federal program providing financial assistance to state crime victim compensation programs. The federal funds shall be deposited in the public safety and education account in the general fund and may be expended only for purposes authorized by applicable federal law.

NEW SECTION. Sec. 3. The director of labor and industries shall institute a cap on medical benefits of one hundred fifty thousand dollars per victim. The director shall, in cooperation with the department of social and health services, establish by October 1, 1989, a process to aid crime victims in identifying and applying for appropriate alternative benefit programs, if any, administered by the department of social and health services.

NEW SECTION. Sec. 4. The cap on medical benefits established by section 3 of this act shall apply equally to current and future recipients of crime victims' compensation benefits. The director shall prepare individual transition plans for individuals who exceed the medical benefit cap on the effective date of this section. The transition plans must be completed within ninety days of the effective date of this section.

Sec. 5. Section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 12, Laws of 1989 and RCW 7.68.070 are each amended to read as follows:

The right to benefits under this chapter and the amount thereof will be governed insofar as is applicable by the provisions contained in chapter 51.32 RCW as now or hereafter amended except as provided in this section:

(1) The provisions contained in RCW 51.32.015, 51.32.030, 51.32.072, 51.32.073, 51.32.180, 51.32.190, and 51.32.200 as now or hereafter amended are not applicable to this chapter.

(2) Each victim injured as a result of a criminal act, including criminal acts committed between July 1, 1981, and January 1, 1983, or (~~(his or her)~~) the victim's family or dependents in case of death of the victim, are entitled to benefits in accordance with this chapter, (~~(and)~~) subject to the limitations under section 1 of this 1989 act. The rights, duties, responsibilities, limitations, and procedures applicable to a worker as contained in RCW 51.32.010 as now or hereafter amended are applicable to this chapter.

(3) The limitations contained in RCW 51.32.020 as now or hereafter amended are applicable to claims under this chapter. In addition thereto, no person or spouse, child, or dependent of such person is entitled to benefits under this chapter when the injury for which benefits are sought, was:

- (a) The result of consent, provocation, or incitement by the victim;
- (b) Sustained while the crime victim was engaged in the attempt to commit, or the commission of, a felony; or
- (c) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services or the department of corrections, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services or the department of corrections.

(4) The benefits established upon the death of a worker and contained in RCW 51.32.050 as now or hereafter amended shall be the benefits obtainable under this chapter and provisions relating to payment contained in that section shall equally apply under this chapter: PROVIDED, That benefits for burial expenses shall not exceed the maximum cost used by the department of social and health services for the funeral and burial of a deceased indigent person under chapter 74.08 RCW in any claim: PROVIDED FURTHER, That if the criminal act results in the death of a victim who was not gainfully employed at the time of the criminal act, and who was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act;

(a) Benefits payable to an eligible surviving spouse, where there are no children of the victim at the time of the criminal act who have survived (~~(him or her)~~) the victim or where such spouse has legal custody of all of his or her children, shall be limited to burial expenses and a lump sum payment of seven thousand five hundred dollars without reference to number of children, if any;

(b) Where any such spouse has legal custody of one or more but not all of such children, then such burial expenses shall be paid, and such spouse shall receive a lump sum payment of three thousand seven hundred fifty dollars and any such child or children not in the legal custody of such spouse shall receive a lump sum of three thousand seven hundred fifty dollars to be divided equally among such child or children;

(c) If any such spouse does not have legal custody of any of the children, the burial expenses shall be paid and the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars and any such child or children not in the legal custody of the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars to be divided equally among the child or children;

(d) If no such spouse survives, then such burial expenses shall be paid, and each surviving child of the victim at the time of the criminal act shall receive a lump sum payment of three thousand seven hundred fifty dollars up to a total of two such children and where there are more than two such

children the sum of seven thousand five hundred dollars shall be divided equally among such children.

No other benefits may be paid or payable under these circumstances.

(5) The benefits established in RCW 51.32.060 as now or hereafter amended for permanent total disability proximately caused by the criminal act shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That if a victim becomes permanently and totally disabled as a proximate result of the criminal act and was not gainfully employed at the time of the criminal act, the victim shall receive monthly during the period of the disability the following percentages, where applicable, of the average monthly wage determined as of the date of the criminal act pursuant to RCW 51.08.018 as now or hereafter amended:

(a) If married at the time of the criminal act, twenty-nine percent of the average monthly wage.

(b) If married with one child at the time of the criminal act, thirty-four percent of the average monthly wage.

(c) If married with two children at the time of the criminal act, thirty-eight percent of the average monthly wage.

(d) If married with three children at the time of the criminal act, forty-one percent of the average monthly wage.

(e) If married with four children at the time of the criminal act, forty-four percent of the average monthly wage.

(f) If married with five or more children at the time of the criminal act, forty-seven percent of the average monthly wage.

(g) If unmarried at the time of the criminal act, twenty-five percent of the average monthly wage.

(h) If unmarried with one child at the time of the criminal act, thirty percent of the average monthly wage.

(i) If unmarried with two children at the time of the criminal act, thirty-four percent of the average monthly wage.

(j) If unmarried with three children at the time of the criminal act, thirty-seven percent of the average monthly wage.

(k) If unmarried with four children at the time of the criminal act, forty percent of the average monthly wage.

(l) If unmarried with five or more children at the time of the criminal act, forty-three percent of the average monthly wage.

(6) The benefits established in RCW 51.32.080 as now or hereafter amended for permanent partial disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section equally apply under this chapter.

(7) The benefits established in RCW 51.32.090 as now or hereafter amended for temporary total disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: **PROVIDED**, That no person is eligible for temporary total disability benefits under this chapter if such person was not gainfully employed at the time of the criminal act, and was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act.

(8) The benefits established in RCW 51.32.095 as now or hereafter amended for continuation of benefits during vocational rehabilitation shall be benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: **PROVIDED**, That benefits shall not exceed five thousand dollars for any single injury.

(9) The provisions for lump sum payment of benefits upon death or permanent total disability as contained in RCW 51.32.130 as now or hereafter amended apply under this chapter.

(10) The provisions relating to payment of benefits to, for or on behalf of workers contained in RCW 51.32.040, 51.32.055, 51.32.100, 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150, 51.32.160, and 51.32.210 as now or hereafter amended are applicable to payment of benefits to, for or on behalf of victims under this chapter.

(11) No person or spouse, child, or dependent of such person is entitled to benefits under this chapter where the person making a claim for such benefits has refused to give reasonable cooperation to state or local law enforcement agencies in their efforts to apprehend and convict the perpetrator(s) of the criminal act which gave rise to the claim.

(12) In addition to other benefits provided under this chapter, victims of sexual assault are entitled to receive appropriate counseling. Fees for such counseling shall be determined by the department in accordance with RCW 51.04.030, subject to the limitations of RCW 7.68.080. Counseling services may include, if determined appropriate by the department, counseling of members of the victim's immediate family, other than the perpetrator of the assault.

(13) Except for medical benefits authorized under RCW 7.68.080, no more than fifteen thousand dollars shall be granted as a result of a single injury or death, except that benefits granted as the result of total permanent disability or death shall not exceed twenty thousand dollars.

(14) Notwithstanding other provisions of this chapter and Title 51 RCW, benefits payable for total temporary disability under subsection (7) of this section, shall be limited to ten thousand dollars.

(15) Any person who is responsible for the victim's injuries, or who would otherwise be unjustly enriched as a result of the victim's injuries, shall not be a beneficiary under this chapter.

(16) Crime victims' compensation is not available to pay for services covered under chapter 74.09 RCW or Title XIX of the federal social security act, except to the extent that the costs for such services exceed service limits established by the department of social and health services.

Sec. 6. Section 8, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 98, Laws of 1986 and RCW 7.68.080 are each amended to read as follows:

The provisions of chapter 51.36 RCW as now or hereafter amended govern the provision of medical aid under this chapter to victims injured as a result of a criminal act, including criminal acts committed between July 1, 1981, and January 1, 1983, except that:

(1) The provisions contained in RCW 51.36.030, 51.36.040, and 51.36.080 as now or hereafter amended do not apply to this chapter;

(2) The specific provisions of RCW 51.36.020 as now or hereafter amended relating to supplying emergency transportation do not apply: PROVIDED, That when the injury to any victim is so serious as to require ((his)) the victim's being taken from the place of injury to a place of treatment, reasonable transportation costs to the nearest place of proper treatment shall be reimbursed from the fund established pursuant to RCW 7.68.090. Hospital, clinic, and medical charges along with all related fees under this chapter shall conform to regulations promulgated by the director. The director shall set these service levels and fees at a level no lower than those established by the department of social and health services under Title 74 RCW. In establishing fees for medical and other health care services, the director shall consider the director's duty to purchase health care in a prudent, cost-effective manner. The director shall establish rules adopted in accordance with chapter 34.05 RCW. Nothing in this chapter may be construed to require the payment of interest on any billing, fee, or charge.

Sec. 7. Section 223, chapter 7, Laws of 1987 1st ex. sess. as amended by section 218, chapter 289, Laws of 1988 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation	\$ 8,227,000
Public Safety and Education Account Appropriation	\$ ((10,866,000))
	<u>17,457,000</u>
Accident Fund Appropriation	\$ 85,159,000
Electrical License Fund Appropriation	\$ 9,907,000
Farm Labor Revolving Account Appropriation	\$ 58,000
Medical Aid Fund Appropriation	\$ 82,105,000
Plumbing Certificate Fund Appropriation	\$ 660,000
Pressure Systems Safety Fund Appropriation	\$ 1,148,000
Worker and Community Right to Know Fund Appropriation	\$ 2,059,000

Total Appropriation	\$	((200,190,000))
		<u>206,781,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall study the feasibility of establishing an independent ombudsman office to aid employers and employees, including self-insured employees, in dealing with the workers' compensation system. The study shall include an evaluation of the need for the office, the recommended functions of the office, and the mechanisms for oversight and funding. The department shall submit its findings and recommendations to the commerce and labor committees of the senate and house of representatives by January 11, 1988.

(2) The department shall evaluate the effectiveness of the workers' compensation vocational rehabilitation program, including the effectiveness of a worker resource center to provide injured worker adjustment services. The study shall be conducted in consultation with the workers' compensation advisory committee and interested groups representing injured workers, labor, and employers. The department shall submit its findings and recommendations to the commerce and labor committees of the senate and house of representatives by January 11, 1988.

(3) The department shall study, in cooperation with the employment security department and the department of social and health services, the potential impact in the state of a state minimum wage based on ninety percent of the federal poverty level. The results of the study shall be submitted to the commerce and labor committees of the senate and house of representatives by January 11, 1988.

(4) The department shall prepare a report on workers' compensation caseload information including, but not limited to, the average number of claims by type by adjudicator compared to optimal caseloads used in the private sector and any recommendations concerning improvement of caseloads. The report shall be submitted to the commerce and labor committees of the senate and house of representatives by January 11, 1988.

(5) All funds appropriated under this section for lease or lease development office space may be used to lease new office space only if the lease is for a period not exceeding three years and does not extend beyond June 30, 1991.

(6) The department shall establish an office of information and assistance to aid workers, employers, health care providers, and other department clients. The department shall report on the activities of the office to the appropriate committees of the legislature by January 1, 1989.

****NEW SECTION. Sec. 8. The office of financial management, in consultation with crime victim advocates, prosecuting attorneys, and representatives of state agencies funded in part or in whole by the public safety and***

education account, shall conduct a study of the public safety and education account and the agencies and programs funded through the account with special emphasis on the crime victims' compensation program. The study shall review claims experience by category and magnitude. The study shall also identify the impact of recent changes in populations eligible for crime victims' compensation and shall develop recommendations regarding the future of the crime victims' compensation program. A report to the legislature shall be issued by December 1, 1989.

*Sec. 8 was vetoed, see message at end of chapter.

*Sec. 9. Section 1, chapter 32, Laws of 1985 and RCW 82.08.020 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 a tax on each retail sale of adult entertainment materials equal to eleven and five-tenths percent of the selling price and a tax on the retail sale of adult entertainment services equal to eighteen percent of the selling price. The tax imposed under this subsection on adult entertainment materials is in addition to the tax imposed in subsection (1) of this section.

(3) The 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.

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

*Sec. 10. Section 82.08.010, chapter 15, Laws of 1961 as last amended by section 3, chapter 38, Laws of 1985 and RCW 82.08.010 are each amended to read as follows:

For the purposes of this chapter:

(1) "Selling price" means the consideration, whether money, credits, rights, or other property except trade-in property of like kind, expressed in the terms of money paid or delivered by a buyer to a seller without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes other than taxes imposed under this chapter if the seller advertises the price as including the tax or that the seller is paying the tax, or any other expenses whatsoever paid or accrued and without any deduction on account of losses; but shall not include the amount of cash discount actually taken by a buyer; and shall be subject to modification to the extent modification is provided for in RCW 82.08.080.

When tangible personal property is rented or leased under circumstances that the consideration paid does not represent a reasonable rental for the use of the articles so rented or leased, the "selling price" shall be determined as nearly as possible according to the value of such use at the places of use

of similar products of like quality and character under such rules as the department of revenue may prescribe(;;).

(2) "Seller" means every person, including the state and its departments and institutions, making sales at retail or retail sales to a buyer or consumer, whether as agent, broker, or principal, except "seller" does not mean the state and its departments and institutions when making sales to the state and its departments and institutions(;;).

(3) "Buyer" and "consumer" include, without limiting the scope hereof, every individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, municipal corporation, quasi municipal corporation, and also the state, its departments and institutions and all political subdivisions thereof, irrespective of the nature of the activities engaged in or functions performed, and also the United States or any instrumentality thereof(;;).

(4) "Adult entertainment materials" means any book, magazine, tabloid, film, motion picture, videotape or videodisc, computer program, or other material that contains or includes any image, illustration, picture, or photograph depicting sexually explicit conduct for the purpose of the sexual stimulation of the viewer.

(5) "Adult entertainment services" means the exhibition of any film, motion picture, or cable television program, that contains or includes any image, illustration, picture, or photograph depicting sexually explicit conduct for the purpose of the sexual stimulation of the viewer. "Adult entertainment services" does not include the exhibition of any film, motion picture, or cable television program that does not contain any explicit sex of the type that would be rated "X" using the standards existing on January 1, 1989, of the Motion Picture Association of America, Inc.

(6) "Sexually explicit conduct" has the meaning given in RCW 9.68A.011(3) except that RCW 9.68A.011(3)(e) shall apply to any person, including a minor.

(7) The meaning attributed in chapter 82.04 RCW to the terms "tax year," "taxable year," "person," "company," "sale," "sale at retail," "retail sale," "sale at wholesale," "wholesale," "business," "engaging in business," "cash discount," "successor," "consumer," "in this state" and "within this state" shall apply equally to the provisions of this chapter.

*Sec. 10 was vetoed, see message at end of chapter.

***NEW SECTION. Sec. 11. A new section is added to chapter 82.32 RCW to read as follows:**

All revenues collected on sales and use of adult entertainment materials and services under RCW 82.08.020(2) and 82.12.020(3) shall be deposited in the public safety and education account under RCW 43.08.250 and shall only be used for the purposes of crime victims' compensation, with an emphasis

towards providing services, support, or therapy to those children who are victims of sexual abuse.

*Sec. 11 was vetoed, see message at end of chapter.

*Sec. 12. Section 82.12.020, chapter 15, Laws of 1961 as last amended by section 7, chapter 7, Laws of 1983 and RCW 82.12.020 are each amended to read as follows:

(1) There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using within this state as a consumer any article of tangible personal property purchased at retail, or acquired by lease, gift, repossession, or bailment, or extracted or produced or manufactured by the person so using the same, or otherwise furnished to a person engaged in any business taxable under RCW 82.04.280, subsections (2) or (7). This tax will not apply with respect to the use of any article of tangible personal property purchased, extracted, produced or manufactured outside this state until the transportation of such article has finally ended or until such article has become commingled with the general mass of property in this state. This tax shall apply to the use of every article of tangible personal property, including property acquired at a casual or isolated sale, and including byproducts used by the manufacturer thereof, except as hereinafter provided, irrespective of whether the article or similar articles are manufactured or are available for purchase within this state. Except as provided in RCW 82.12.0252, payment by one purchaser or user of tangible personal property of the tax imposed by chapter 82.08 or 82.12 RCW shall not have the effect of exempting any other purchaser or user of the same property from the taxes imposed by such chapters.

(2) The tax shall be levied and collected in an amount equal to the value of the article used by the taxpayer multiplied by the rate in effect for the retail sales tax under RCW ~~((82.08.020, as now or hereafter amended;))~~ 82.08.020(1) in the county in which the article is used.

(3) In addition to the tax imposed under subsection (2) of this section, there shall be levied and collected a tax on adult entertainment materials in an amount equal to the value of the article used by the taxpayer multiplied by the rate in effect for the retail sales tax on adult entertainment materials under RCW 82.08.020(2).

*Sec. 12 was vetoed, see message at end of chapter.

NEW SECTION. Sec. 13. Sections 1 and 3 of this act are each added to chapter 7.68 RCW.

NEW SECTION. Sec. 14. Section 1, chapter 122, Laws of 1973 1st ex. sess., section 1, chapter 302, Laws of 1977 ex. sess. and RCW 7.68.010 are each repealed.

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. Except as provided in section 4 of this act, sections 1 through 8 of this act shall apply to all claims filed on or after July 1, 1989.

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 sections 3 and 7 of this act shall take effect immediately. The remaining sections shall take effect July 1, 1989.

Passed the House May 8, 1989.

Passed the Senate May 7, 1989.

Approved by the Governor May 14, 1989, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State May 14, 1989.

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

"I am returning herewith, without my approval as to sections 8, 9, 10, 11 and 12, Engrossed Substitute House Bill No. 1737 entitled:

"AN ACT Relating to crime victims compensation."

There are areas where government should act with restraint. These areas are delineated by the constitutions of the United States and the State of Washington. Both unequivocally protect freedom of speech and artistic expression as set forth in a long line of state and federal court cases defining First Amendment rights.

The provisions in sections 9, 10, 11 and 12 of this bill are unacceptable intrusions of these rights. These sections impose excise taxes on adult entertainment materials and services significantly higher than the tax already imposed on other similar retail materials, i.e. eighteen percent higher. While I can understand citizens' feelings about pornographic material, there are several major difficulties associated with this revenue source. The first is the intrusion into freedom of speech, which is manifested by these sections. This is dubious public policy, and would almost certainly be challenged in court. Such a challenge must be considered as having a high likelihood of success, if not a certainty, and would entail significant litigation expenses for the state. I believe the Legislature publicly acknowledged these concerns when it decided not to use this tax as a funding source on Engrossed Second Substitute House Bill No. 1793.

Second, administration of this tax would be extremely difficult. Potentially, the Department of Revenue would be required to specifically list all services, magazines, video tapes, etc., which are subject to this tax. Closely related to this will be a taxpayer compliance problem. Given the nature of the materials being taxed, it is reasonable to assume that compliance will be at a much lower level than with other types of retail sales. Additionally, mail order sources may be substituted for in-state sales. In either case, audit expenses associated with this tax are likely to be very high. Given these difficulties plus the high probability of incurring litigation expenses in a defense of these new taxes, I must veto sections 9 through 12.

Section 8 of this bill would require the Office of Financial Management to conduct a study of the Public Safety and Education Account by December 1, 1989. The bill specifies a number of items that are to be included in the study and would require a comprehensive look at a complex area of state government. The bill, however, does not provide an appropriation for the study.

The type of study that is anticipated by this section cannot be conducted within available resources. The Office of Financial Management, along with the Department of Labor and Industries, has been studying this issue on a more limited basis as resources permit, and will continue to do so. For this reason, I have vetoed section 8.

With the exception of sections 8, 9, 10, 11 and 12, Engrossed Substitute House Bill No. 1737 is approved."

CHAPTER 6

[Substitute Senate Bill No. 5373]
TRANSPORTATION BUDGET

AN ACT Relating to transportation appropriations; amending RCW 46.68.110 and 46.68.120; amending section 2, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 18, chapter 10, Laws of 1987 1st ex. sess. as amended by section 5, chapter 283, Laws of 1988 (uncodified); amending section 20, chapter 10, Laws of 1987 1st ex. sess. as amended by section 7, chapter 283, Laws of 1988 (uncodified); amending section 26, chapter 10, Laws of 1987 1st ex. sess. as amended by section 12, chapter 283, Laws of 1988 (uncodified); amending section 27, chapter 10, Laws of 1987 1st ex. sess. as amended by section 13, chapter 283, Laws of 1988 (uncodified); and amending section 30, chapter 10, Laws of 1987 1st ex. sess. as amended by section 16, chapter 283, Laws of 1988 (uncodified); adding a new section to chapter 44.40 RCW; creating new sections; and declaring an emergency.

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

NEW SECTION. Sec. 1. 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, 1991. The appropriations contained in sections 69 through 74 of this act are for the period ending June 30, 1989.

NEW SECTION. Sec. 2. FOR THE TRAFFIC SAFETY COMMISSION

General Fund—Public Safety and Education

Account Appropriation	\$	1,200,000
Highway Safety Fund Appropriation—State	\$	351,750
Highway Safety Fund Appropriation—Federal	\$	4,532,200
Total Appropriation	\$	6,083,950

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$1,200,000 of the general fund—public safety and education account appropriation is provided solely for continuation of the DWI community task force program.