Final Legislative Report 1980

Regular Session

Forty-Sixth Legislature of Washington State
Final Legislative Report 1980

46th Regular Session
This final edition of the 1980 Legislative Report is available upon request* from the House Office of Program Research and the Senate Research Center.

For more detailed information regarding this legislation, contact:

The House Office of Program Research
205 House Office Building
Olympia, WA 98504
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Olympia, WA 98504
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March 31, 1980

Lt. Governor John A. Cherberg and
Members of the Legislature

This final edition of the Legislative Report is a compilation and summary of
action taken during the 1980 Regular Session of the 46th Legislature. It pro-
vides a brief description of the legislation which passed the Legislature,
the status of that legislation, and a record of gubernatorial action.

The report is organized into four major sections preceded by a subject and
numerical index:

Analyses of bills which passed the Legislature;
Gubernatorial vetoes;
Budget data; and,
An appendix containing session law citations, gubernatorial
appointments, and standing and interim committee assignments.

More technical and legal information on bills of specific interest is available
from the House Office of Program Research or the Senate Research Center.

Sincerely,

John Bagnariol
Democratic Speaker

Duane Berentson
Republican Speaker

Gordon L. Walgren
Senate Majority Leader
## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statistical Summary</td>
<td>vi</td>
</tr>
<tr>
<td>Index</td>
<td>vii</td>
</tr>
<tr>
<td>Subject Index</td>
<td>viii</td>
</tr>
<tr>
<td>Numerical Index</td>
<td>xvii</td>
</tr>
<tr>
<td>Legislation</td>
<td>xxiii</td>
</tr>
<tr>
<td>House Bill Analyses</td>
<td>1</td>
</tr>
<tr>
<td>Senate Bill Analyses</td>
<td>49</td>
</tr>
<tr>
<td>Gubernatorial Vetoes</td>
<td>85</td>
</tr>
<tr>
<td>Budgetary Highlights</td>
<td>105</td>
</tr>
<tr>
<td>See Budget—Table of Contents</td>
<td>107</td>
</tr>
<tr>
<td>Appendix</td>
<td>131</td>
</tr>
<tr>
<td>Session Law Tables</td>
<td>133</td>
</tr>
<tr>
<td>Gubernatorial Confirmations</td>
<td>142</td>
</tr>
<tr>
<td>Legislative Leadership</td>
<td>145</td>
</tr>
<tr>
<td>Standing Committee Appointments</td>
<td>146</td>
</tr>
<tr>
<td>Statutory and Select Committee Appointments</td>
<td>153</td>
</tr>
</tbody>
</table>
## Bills Before the Legislature

<table>
<thead>
<tr>
<th></th>
<th>Retained from 1979 Sessions</th>
<th>Newly Introduced</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>House</td>
<td>1,168</td>
<td>597</td>
<td>1,765</td>
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<tr>
<td>Senate</td>
<td>965</td>
<td>499</td>
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</tr>
<tr>
<td>Legislature</td>
<td>2,133</td>
<td>1,096</td>
<td>3,229</td>
</tr>
</tbody>
</table>

## Bills passed by the Legislature

<table>
<thead>
<tr>
<th></th>
<th>Passed</th>
<th>Signed</th>
<th>Vetoed</th>
<th>Partially Vetoed</th>
</tr>
</thead>
<tbody>
<tr>
<td>House</td>
<td>117</td>
<td>112</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>Senate</td>
<td>74</td>
<td>73</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Legislature</td>
<td>191</td>
<td>185</td>
<td>6</td>
<td>10</td>
</tr>
</tbody>
</table>

## Joint Memorials and Joint Resolutions

<table>
<thead>
<tr>
<th></th>
<th>Retained from 1979 Sessions</th>
<th>Newly Introduced</th>
<th>Total</th>
<th>Filed</th>
</tr>
</thead>
<tbody>
<tr>
<td>House</td>
<td>53</td>
<td>26</td>
<td>79</td>
<td>4</td>
</tr>
<tr>
<td>Senate</td>
<td>32</td>
<td>10</td>
<td>42</td>
<td>1</td>
</tr>
<tr>
<td>Legislature</td>
<td>85</td>
<td>36</td>
<td>121</td>
<td>5</td>
</tr>
</tbody>
</table>

## Gubernatorial Appointments

- Referred: 100
- Confirmed: 90
SUBJECT INDEX

Headings

Agriculture

Business and Consumer Affairs

Constitution, Elections, and Governmental Ethics

Education

Energy and Utilities

Environment, Natural Resources, and Parks

Financial Institutions and Insurance

Fiscal

Higher Education

Human Resources and Health Care

Labor

Law and Justice

Local Government

State Government

Transportation
<table>
<thead>
<tr>
<th>BILL NUMBER</th>
<th>TITLE</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AGRICULTURE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SHB 810</td>
<td>Compensating tax forest land</td>
<td>8</td>
</tr>
<tr>
<td>HB 1568</td>
<td>Gasohol use state vehicles</td>
<td>31</td>
</tr>
<tr>
<td>SHB 1630</td>
<td>Alcohol motor vehicle use</td>
<td>36</td>
</tr>
<tr>
<td>SSB 2748</td>
<td>Irrigation dist. board comp.</td>
<td>50</td>
</tr>
<tr>
<td>SSB 3224</td>
<td>County weed boards</td>
<td>59</td>
</tr>
<tr>
<td>SSB 3551</td>
<td>Alcohol fuels tax incentive</td>
<td>77</td>
</tr>
<tr>
<td>SSB 3629</td>
<td>Tax incent. alcohol fuels</td>
<td>81</td>
</tr>
<tr>
<td><strong>BUSINESS AND CONSUMER AFFAIRS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HB 277</td>
<td>Comic book regulat. repealed</td>
<td>2</td>
</tr>
<tr>
<td>SHB 382</td>
<td>Smoke detectors required</td>
<td>3</td>
</tr>
<tr>
<td>SHB 395</td>
<td>Chiropractors</td>
<td>3</td>
</tr>
<tr>
<td>SHB 714</td>
<td>Taking of crabs</td>
<td>6</td>
</tr>
<tr>
<td>HB 762</td>
<td>S&amp;L negotiable transfers</td>
<td>7</td>
</tr>
<tr>
<td>SHB 1016</td>
<td>Sales, use exemptions</td>
<td>9</td>
</tr>
<tr>
<td>SHB 1416</td>
<td>Credit unions</td>
<td>13</td>
</tr>
<tr>
<td>SHB 1510</td>
<td>Franchise termination</td>
<td>27</td>
</tr>
<tr>
<td>HB 1663</td>
<td>Contractor's regis. number</td>
<td>37</td>
</tr>
<tr>
<td>HB 1950</td>
<td>Banking</td>
<td>43</td>
</tr>
<tr>
<td>SHB 1988</td>
<td>Mobile homes, movement, rent</td>
<td>45</td>
</tr>
<tr>
<td>SHB 1989</td>
<td>Manufactured homes</td>
<td>46</td>
</tr>
<tr>
<td>SSB 2616</td>
<td>Minors, disc jockeys taverns</td>
<td>50</td>
</tr>
<tr>
<td>SB 3253</td>
<td>Electricians rearranged</td>
<td>65</td>
</tr>
<tr>
<td>SSB 3256</td>
<td>Fish tax modified</td>
<td>65</td>
</tr>
<tr>
<td>SB 3280</td>
<td>Real estate brokers and sales</td>
<td>66</td>
</tr>
<tr>
<td>SB 3282</td>
<td>Business corp. act modified</td>
<td>67</td>
</tr>
<tr>
<td>SSB 3309</td>
<td>Ocularists regulated</td>
<td>68</td>
</tr>
<tr>
<td>SSB 3405</td>
<td>Admin. practices -- licensing</td>
<td>73</td>
</tr>
<tr>
<td>SSB 3556</td>
<td>Fleet opportunity board</td>
<td>78</td>
</tr>
<tr>
<td><strong>CONSTITUTION, ELECTIONS, AND GOVERNMENTAL ETHICS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HB 1434</td>
<td>Prosecuting attorneys recall</td>
<td>17</td>
</tr>
<tr>
<td>HB 1465</td>
<td>Legislative boards</td>
<td>21</td>
</tr>
<tr>
<td>HB 1475</td>
<td>Leg. sessions terminology</td>
<td>22</td>
</tr>
<tr>
<td>HB 1829</td>
<td>Voter reg. schools fire hall</td>
<td>41</td>
</tr>
<tr>
<td>SHB 1852</td>
<td>Election, caucus conflicts</td>
<td>42</td>
</tr>
<tr>
<td>HCR 35</td>
<td>Special session, convening</td>
<td>49</td>
</tr>
<tr>
<td>SSB 3359</td>
<td>Election, caucus conflicts</td>
<td>71</td>
</tr>
<tr>
<td>SB 3362</td>
<td>Election precinct corr.</td>
<td>71</td>
</tr>
<tr>
<td>SJR 132</td>
<td>Unappropriated public lands</td>
<td>82</td>
</tr>
</tbody>
</table>
### EDUCATION

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>SHB 440</td>
<td>Parents school bus rides</td>
<td>4</td>
</tr>
<tr>
<td>HB 542</td>
<td>Ed. TV, comm. abolish, create</td>
<td>4</td>
</tr>
<tr>
<td>SHB 1210</td>
<td>Remote 2nd class school dist.</td>
<td>10</td>
</tr>
<tr>
<td>HB 1432</td>
<td>School dist. directors terms</td>
<td>16</td>
</tr>
<tr>
<td>HB 1460</td>
<td>Blind schools salaries</td>
<td>20</td>
</tr>
<tr>
<td>HB 1463</td>
<td>Mandatory attendance waiver</td>
<td>20</td>
</tr>
<tr>
<td>SHB 1466</td>
<td>School district bid levels</td>
<td>21</td>
</tr>
<tr>
<td>HB 1586</td>
<td>Double amendment RCW 28A</td>
<td>32</td>
</tr>
<tr>
<td>HB 1597</td>
<td>School bonds energy efficien</td>
<td>33</td>
</tr>
<tr>
<td>HB 1643</td>
<td>School construction bonds</td>
<td>36</td>
</tr>
<tr>
<td>SHB 1676</td>
<td>School discipline</td>
<td>37</td>
</tr>
<tr>
<td>HB 1686</td>
<td>School district expenditures</td>
<td>38</td>
</tr>
<tr>
<td>HB 1843</td>
<td>Energy audit schools</td>
<td>42</td>
</tr>
<tr>
<td>SSB 2963</td>
<td>Common schools, funds</td>
<td>51</td>
</tr>
<tr>
<td>SSB 3133</td>
<td>School buses veh. lic. fees</td>
<td>53</td>
</tr>
<tr>
<td>SB 3190</td>
<td>School sports transportation</td>
<td>56</td>
</tr>
<tr>
<td>SB 3241</td>
<td>Military recruiters access</td>
<td>62</td>
</tr>
<tr>
<td>SSB 3321</td>
<td>Ballots receipt</td>
<td>69</td>
</tr>
<tr>
<td>SB 3406</td>
<td>School fund abolished</td>
<td>73</td>
</tr>
<tr>
<td>SB 3537</td>
<td>Sick leave prog.</td>
<td>77</td>
</tr>
<tr>
<td>SSB 3581</td>
<td>School prop. lease, rental</td>
<td>79</td>
</tr>
</tbody>
</table>

### ENERGY AND UTILITIES

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>SHB 1413</td>
<td>State energy fair, 1983</td>
<td>12</td>
</tr>
<tr>
<td>SHB 1419</td>
<td>Renewable energy resources</td>
<td>14</td>
</tr>
<tr>
<td>HB 1444</td>
<td>Low income utility fees</td>
<td>17</td>
</tr>
<tr>
<td>HB 1453</td>
<td>Wood study program, energy</td>
<td>18</td>
</tr>
<tr>
<td>SHB 1499</td>
<td>Low income sen cit utilities</td>
<td>26</td>
</tr>
<tr>
<td>HB 1508</td>
<td>Ride sharing vans tax exempt</td>
<td>26</td>
</tr>
<tr>
<td>HB 1518</td>
<td>Oil, gas leases, state lands</td>
<td>28</td>
</tr>
<tr>
<td>HB 1568</td>
<td>Gasohol use state vehicles</td>
<td>31</td>
</tr>
<tr>
<td>HB 1597</td>
<td>School bonds energy efficient</td>
<td>33</td>
</tr>
<tr>
<td>SHB 1630</td>
<td>Alcohol motor vehicle use</td>
<td>36</td>
</tr>
<tr>
<td>SHB 1688</td>
<td>State gov't eff. energy use</td>
<td>39</td>
</tr>
<tr>
<td>HB 1843</td>
<td>Energy audit schools</td>
<td>42</td>
</tr>
<tr>
<td>HJM 24</td>
<td>Wood use promotion</td>
<td>46</td>
</tr>
<tr>
<td>HJM 25</td>
<td>Geothermal resources dev.</td>
<td>47</td>
</tr>
<tr>
<td>SHJM 31</td>
<td>Energy license applications</td>
<td>47</td>
</tr>
<tr>
<td>SSB 2977</td>
<td>Renewable energy practices</td>
<td>52</td>
</tr>
<tr>
<td>SB 3181</td>
<td>Solar energy systems tax exempt</td>
<td>55</td>
</tr>
<tr>
<td>SSB 3237</td>
<td>Franchises, highway util.</td>
<td>61</td>
</tr>
<tr>
<td>SB 3253</td>
<td>Electricians rearranged</td>
<td>65</td>
</tr>
<tr>
<td>SSB 3551</td>
<td>Alcohol fuels tax incentive</td>
<td>77</td>
</tr>
<tr>
<td>SSB 3629</td>
<td>Tax incent. alcohol fuels</td>
<td>81</td>
</tr>
</tbody>
</table>
## ENVIRONMENT, NATURAL RESOURCES, AND PARKS

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 646</td>
<td>Waste management revisions</td>
</tr>
<tr>
<td>SHB 714</td>
<td>Taking of crabs</td>
</tr>
<tr>
<td>SHB 810</td>
<td>Compensating tax forest land</td>
</tr>
<tr>
<td>2SHB 1141</td>
<td>Park reservation system</td>
</tr>
<tr>
<td>SHB 1429</td>
<td>Shell fish, private tidelands</td>
</tr>
<tr>
<td>HB 1447</td>
<td>Game code revisions</td>
</tr>
<tr>
<td>HB 1453</td>
<td>Wood study program, energy</td>
</tr>
<tr>
<td>HB 1464</td>
<td>RV's sanitary sys rest areas</td>
</tr>
<tr>
<td>HB 1486</td>
<td>Razor-clamming licenses</td>
</tr>
<tr>
<td>HB 1518</td>
<td>Oil, gas leases, state lands</td>
</tr>
<tr>
<td>HB 1555</td>
<td>Protecting unique wildlife</td>
</tr>
<tr>
<td>HB 1598</td>
<td>Salmon Advisory Council</td>
</tr>
<tr>
<td>HB 1624</td>
<td>Salmon enhancement bonding</td>
</tr>
<tr>
<td>SHB 1807</td>
<td>Hazardous cargo transport</td>
</tr>
<tr>
<td>HB 1976</td>
<td>Pollution control facilities</td>
</tr>
<tr>
<td>HJM 24</td>
<td>Wood use promotion</td>
</tr>
<tr>
<td>HJM 25</td>
<td>Geothermal resources dev.</td>
</tr>
<tr>
<td>HCR 33</td>
<td>Science technology committee</td>
</tr>
<tr>
<td>SSB 2751</td>
<td>Pollution control facilities</td>
</tr>
<tr>
<td>SB 3011</td>
<td>Beaver tag elim. trapper fee</td>
</tr>
<tr>
<td>SSB 3164</td>
<td>Urban state parks priorities</td>
</tr>
<tr>
<td>SSB 3184</td>
<td>Liberty townsite purchase</td>
</tr>
<tr>
<td>SSB 3195</td>
<td>Heart Lake purchase</td>
</tr>
<tr>
<td>SSB 3228</td>
<td>MV emission control</td>
</tr>
<tr>
<td>SSB 3256</td>
<td>Fish tax modified</td>
</tr>
<tr>
<td>SB 3371</td>
<td>Padilla Bay sanctuary</td>
</tr>
<tr>
<td>SB 3474</td>
<td>Landlords firewood liability</td>
</tr>
<tr>
<td>SSB 3558</td>
<td>Fleet opportunity board</td>
</tr>
<tr>
<td>SB 3593</td>
<td>Unappropriated lands</td>
</tr>
<tr>
<td>SSB 3603</td>
<td>Poll. control, exempt bonds</td>
</tr>
<tr>
<td>SJR 132</td>
<td>Unappropriated lands</td>
</tr>
</tbody>
</table>

## FINANCIAL INSTITUTIONS AND INSURANCE

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 322</td>
<td>Fire code hand-held candles</td>
</tr>
<tr>
<td>HB 762</td>
<td>S&amp;L negotiable transfers</td>
</tr>
<tr>
<td>SHB 1416</td>
<td>Credit unions</td>
</tr>
<tr>
<td>SHB 1471</td>
<td>Insurance revisions</td>
</tr>
<tr>
<td>SHB 1492</td>
<td>Pub. emp. certain insurance</td>
</tr>
<tr>
<td>SHB 1496</td>
<td>Health ins. conversion rights</td>
</tr>
<tr>
<td>HB 1587</td>
<td>Double amendment RCW 51</td>
</tr>
<tr>
<td>HB 1950</td>
<td>Banking</td>
</tr>
<tr>
<td>SHB 1983</td>
<td>Motor vehicle insurance</td>
</tr>
<tr>
<td>SHB 1989</td>
<td>Manufactured homes</td>
</tr>
</tbody>
</table>
SSB 3169  Workers' comp. modified  54
SB 3318  Insurance revisions  68
SSB 3457  Crime victims insurance  74

FISCAL

SHB 810  Compensating tax forest land  8
SHB 1016  Sales, use exemptions  9
SHB 1090  Warrants revision  9
SHB 1397  Urban trans. systems, taxes  11
HB 1410  Gambling devices  12
SHB 1419  Renewable energy resources  14
SHB 1427  Public transit excise tax  15
HB 1433  State crime lab appropr.  16
SHB 1454  County funds investment  19
HB 1460  Blind schools salaries  20
HB 1483  Referendum 37 appropriation  23
SHB 1533  DSHS appropration  30
HB 1545  State library appropration  30
HB 1597  School bonds energy efficient  33
HB 1604  Retirement system funds  34
SHB 1609  Airport projects aid  34
SHB 1610  State investment board  34
HB 1620  Transportation appropration  35
HB 1624  Salmon enhancement bonding  35
HB 1643  School construction bonds  36
HB 1658  Admin. contingency fund  36
HB 1841  Meals, sales and use tax  41
HB 1976  Pollution control facilities  44
SHB 1981  Jail bonds  44

2SSB 2748  Irrigation dist. board comp.  50
SSB 2751  Pollution control facilities  50
SSB 2963  Common schools, funds  51
SB 3011  Beaver tag elim. trapper fee  52
SSB 3133  School buses veh. lic. fees  53
SSB 3169  Workers' comp. modified  54
SB 3181  Solar energy sys. tax exempt  55
SB 3235  Fire commissioners, comp.  60
SB 3244  LEOFF elective membership  63
SB 3245  Clarifying public retirement  63
SSB 3250  Nursing home cost system  63
SSB 3256  Fish tax modified  65
SSB 3271  PERS members transfers JRS  66
SSB 3297  Warrants  68
SB 3318  Insurance revisions  68
SB 3404  Disestablishing accounts  73
SB 3406  School fund abolished  73
| SB 3487 | Retirement plan credits | 75 |
| SB 3499 | Fragile children aid | 75 |
| SSB 3509 | Sen. cit. prop. tax relief | 76 |
| SSB 3537 | Sick leave prog. comm. coll. | 77 |
| SSB 3551 | Alcohol fuels tax incentive | 77 |
| SSB 3603 | Poll. control, exempt bonds | 80 |
| SSB 3611 | Municipal pension funds | 81 |
| SSB 3629 | Tax incent. alcohol fuels | 81 |

**HIGHER EDUCATION**

| HB 357 | High. ed. student association | 3 |
| HB 1414 | Student financial aid | 12 |
| SHB 1480 | Students, progrms, fees | 12 |
| SHB 1481 | Higher institutions, waivers | 23 |
| HB 1495 | Ed. services regis. exemp. | 25 |
| HB 1604 | Retirement system funds | 34 |

| SHCR 29 | Higher ed. reciprocity comm. | 48 |
| SB 3241 | Military recruiters access | 62 |
| SB 3487 | Retirement plan credits | 75 |
| SSB 3537 | Sick leave prog. comm. coll. | 77 |

**HUMAN RESOURCES AND HEALTH CARE**

| SHB 395 | Chiropractors | 3 |
| SHB 1457 | Joint health departments | 19 |
| HB 1458 | PA recipients, nursing homes | 19 |
| HB 1483 | Referendum 37 appropriation | 23 |
| SHB 1485 | Controlled substances | 24 |
| SHB 1496 | Health ins. conversion rights | 25 |
| SHB 1511 | Legend drugs identification | 27 |
| SHB 1515 | Health care planning | 27 |
| SHB 1516 | In-home services require. | 28 |
| SHB 1520 | DSHS criminal records access | 29 |
| HB 1521 | Property transfers pub. ass't | 29 |
| SHB 1533 | DSHS appropriation | 30 |
| HB 1585 | Double amendment RCW 18 | 31 |
| HB 1658 | Admin. contingency fund | 36 |
| SHB 1729 | Adoption consent parents | 39 |
| HB 1841 | Meals, sales and use tax | 41 |

<p>| SB 2433 | Unemployable persons defined | 49 |
| SB 3202 | Basic sciences repealer | 57 |
| SSB 3226 | Prescriptions | 59 |
| SSB 3250 | Nursing home cost system | 63 |
| SSB 3257 | Poison control, drug info. | 66 |</p>
<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Description</th>
<th>Session No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>SSB 3309</td>
<td>Ocularists regulated</td>
<td>68</td>
</tr>
<tr>
<td>SSB 3330</td>
<td>Univ. hospitals, purchases</td>
<td>70</td>
</tr>
<tr>
<td>SB 3415</td>
<td>Hearing aid dogs, white cane</td>
<td>73</td>
</tr>
<tr>
<td>SB 3499</td>
<td>Fragile children aid</td>
<td>75</td>
</tr>
<tr>
<td>SB 3574</td>
<td>Delinquency prevention prog.</td>
<td>78</td>
</tr>
<tr>
<td>SSB 3636</td>
<td>Nursing home care standards</td>
<td>81</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SHB 1492</td>
<td>Pub. emp. certain insurance</td>
<td>25</td>
</tr>
<tr>
<td>SHB 1496</td>
<td>Health ins. conversion rights</td>
<td>25</td>
</tr>
<tr>
<td>HB 1524</td>
<td>Salary surveys, public emp.</td>
<td>29</td>
</tr>
<tr>
<td>SHB 1952</td>
<td>Unemployment compensation</td>
<td>43</td>
</tr>
<tr>
<td>SB 2433</td>
<td>Unemployable persons defined</td>
<td>49</td>
</tr>
<tr>
<td>SSB 3169</td>
<td>Workers' comp. modified</td>
<td>54</td>
</tr>
<tr>
<td>SB 3244</td>
<td>LEOFF elective membership</td>
<td>63</td>
</tr>
<tr>
<td>SB 3245</td>
<td>Clarifying public retirement</td>
<td>63</td>
</tr>
<tr>
<td>SSB 3271</td>
<td>PERS members transfers JRS</td>
<td>66</td>
</tr>
<tr>
<td>SB 3378</td>
<td>Civil serv. transfers sheriff</td>
<td>72</td>
</tr>
<tr>
<td>SB 3487</td>
<td>Retirement plan credits</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SHB 19</td>
<td>Civil rights restoration</td>
<td>1</td>
</tr>
<tr>
<td>HB 209</td>
<td>Discretion. review/decision</td>
<td>2</td>
</tr>
<tr>
<td>HB 427</td>
<td>Search warrants use limited</td>
<td>4</td>
</tr>
<tr>
<td>SHB 551</td>
<td>Pornography, children</td>
<td>5</td>
</tr>
<tr>
<td>HB 829</td>
<td>Family court funding</td>
<td>8</td>
</tr>
<tr>
<td>SHB 1147</td>
<td>Grand jury state-wide</td>
<td>10</td>
</tr>
<tr>
<td>HB 1406</td>
<td>MV offenses double amend.</td>
<td>11</td>
</tr>
<tr>
<td>HB 1418</td>
<td>Traffic infractions</td>
<td>13</td>
</tr>
<tr>
<td>SHB 1422</td>
<td>Courts of limited jurisdict.</td>
<td>15</td>
</tr>
<tr>
<td>HB 1433</td>
<td>State crime lab appropr.</td>
<td>16</td>
</tr>
<tr>
<td>HB 1434</td>
<td>Prosecuting attorneys recall</td>
<td>17</td>
</tr>
<tr>
<td>SHB 1520</td>
<td>DSHS criminal records access</td>
<td>29</td>
</tr>
<tr>
<td>HB 1585</td>
<td>Double amendment RCW 18</td>
<td>31</td>
</tr>
<tr>
<td>HB 1586</td>
<td>Double amendment RCW 28A</td>
<td>32</td>
</tr>
<tr>
<td>HB 1587</td>
<td>Double amendment RCW 51</td>
<td>32</td>
</tr>
<tr>
<td>HB 1588</td>
<td>Double amendment RCW 67</td>
<td>32</td>
</tr>
<tr>
<td>HB 1589</td>
<td>Double amendment RCW 72</td>
<td>32</td>
</tr>
<tr>
<td>HB 1681</td>
<td>State patrol crime lab</td>
<td>38</td>
</tr>
<tr>
<td>SHB 1729</td>
<td>Adoption consent parents</td>
<td>39</td>
</tr>
<tr>
<td>HB 1762</td>
<td>Interlocal, county drug fund</td>
<td>40</td>
</tr>
<tr>
<td>SHB 1981</td>
<td>Jail bonds</td>
<td>44</td>
</tr>
<tr>
<td>SHJR 37</td>
<td>Judicial qualifications comm.</td>
<td>48</td>
</tr>
<tr>
<td>Bill No.</td>
<td>Description</td>
<td>Page</td>
</tr>
<tr>
<td>---------</td>
<td>------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>SSB 2381</td>
<td>Superior court clerks fees</td>
<td>49</td>
</tr>
<tr>
<td>SSB 3207</td>
<td>Superior court King County</td>
<td>57</td>
</tr>
<tr>
<td>SB 3220</td>
<td>Civil judgment procedures</td>
<td>58</td>
</tr>
<tr>
<td>SB 3236</td>
<td>Hit and run personal injuries</td>
<td>60</td>
</tr>
<tr>
<td>SSB 3271</td>
<td>PERS members transfers JRS</td>
<td>66</td>
</tr>
<tr>
<td>SB 3282</td>
<td>Business corp. act modified</td>
<td>67</td>
</tr>
<tr>
<td>SB 3318</td>
<td>Insurance revisions</td>
<td>68</td>
</tr>
<tr>
<td>SB 3320</td>
<td>Agencies, summary orders</td>
<td>69</td>
</tr>
<tr>
<td>SB 3331</td>
<td>Dangerous commodities trans.</td>
<td>70</td>
</tr>
<tr>
<td>SB 3334</td>
<td>Lien, enforcement judgments</td>
<td>70</td>
</tr>
<tr>
<td>SSB 3385</td>
<td>Fires reporting fire marshal</td>
<td>72</td>
</tr>
<tr>
<td>SSB 3457</td>
<td>Crime victims insurance</td>
<td>74</td>
</tr>
<tr>
<td>SB 3474</td>
<td>Landlords firewood liability</td>
<td>74</td>
</tr>
<tr>
<td>SB 3574</td>
<td>Delinquency prevention prog.</td>
<td>78</td>
</tr>
</tbody>
</table>

**LOCAL GOVERNMENT**

<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 322</td>
<td>Fire code hand-held candles</td>
<td>2</td>
</tr>
<tr>
<td>HB 878</td>
<td>Sewer districts, powers</td>
<td>9</td>
</tr>
<tr>
<td>SHB 1090</td>
<td>Warrants revision</td>
<td>9</td>
</tr>
<tr>
<td>HB 1371</td>
<td>County road projects</td>
<td>11</td>
</tr>
<tr>
<td>HB 1435</td>
<td>Fire district equipment use</td>
<td>17</td>
</tr>
<tr>
<td>HB 1444</td>
<td>Low income utility fees</td>
<td>17</td>
</tr>
<tr>
<td>SHB 1454</td>
<td>County funds investment</td>
<td>19</td>
</tr>
<tr>
<td>SHB 1457</td>
<td>Joint health departments</td>
<td>19</td>
</tr>
<tr>
<td>SHB 1558</td>
<td>Fire code dwelling access</td>
<td>31</td>
</tr>
<tr>
<td>SHB 1575</td>
<td>Primitive roads classif.</td>
<td>31</td>
</tr>
<tr>
<td>HB 1589</td>
<td>Double amendment RCW 72</td>
<td>32</td>
</tr>
<tr>
<td>HB 1593</td>
<td>Model traffic ordinance</td>
<td>33</td>
</tr>
<tr>
<td>SHB 1609</td>
<td>Airport projects aid</td>
<td>34</td>
</tr>
<tr>
<td>HB 1685</td>
<td>Parking facilities reg.</td>
<td>38</td>
</tr>
<tr>
<td>HB 1762</td>
<td>Interlocal, county drug fund</td>
<td>40</td>
</tr>
<tr>
<td>SHB 1981</td>
<td>Jail bonds</td>
<td>44</td>
</tr>
<tr>
<td>SSB 3140</td>
<td>City-county housing</td>
<td>53</td>
</tr>
<tr>
<td>SSB 3184</td>
<td>Liberty townsite purchase</td>
<td>56</td>
</tr>
<tr>
<td>SB 3211</td>
<td>Special purpose districts</td>
<td>57</td>
</tr>
<tr>
<td>SB 3214</td>
<td>Road contract awards</td>
<td>58</td>
</tr>
<tr>
<td>SSB 3224</td>
<td>County weed boards</td>
<td>59</td>
</tr>
<tr>
<td>SB 3235</td>
<td>Fire commissioners, comp.</td>
<td>60</td>
</tr>
<tr>
<td>SSB 3297</td>
<td>Warrants</td>
<td>68</td>
</tr>
<tr>
<td>SB 3378</td>
<td>Civil serv. transfers sheriff</td>
<td>72</td>
</tr>
<tr>
<td>SB 3422</td>
<td>Port districts, facilities</td>
<td>74</td>
</tr>
<tr>
<td>SSB 3611</td>
<td>Municipal pension funds</td>
<td>81</td>
</tr>
</tbody>
</table>
### STATE GOVERNMENT

<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>SHB 38</td>
<td>Career dev. civil service emp.</td>
<td>1</td>
</tr>
<tr>
<td>HB 209</td>
<td>Discretion. review/decision</td>
<td>2</td>
</tr>
<tr>
<td>HB 322</td>
<td>Fire code hand-held candles</td>
<td>2</td>
</tr>
<tr>
<td>HB 783</td>
<td>Retirement -- WSP</td>
<td>7</td>
</tr>
<tr>
<td>SHB 799</td>
<td>DSHS cert. civil serv. exempt</td>
<td>7</td>
</tr>
<tr>
<td>HB 1433</td>
<td>State crime lab appropr.</td>
<td>16</td>
</tr>
<tr>
<td>HB 1475</td>
<td>Leg sessions terminology</td>
<td>22</td>
</tr>
<tr>
<td>SHB 1492</td>
<td>Pub. emp. certain insurance</td>
<td>25</td>
</tr>
<tr>
<td>SHB 1520</td>
<td>DSHS criminal records access</td>
<td>29</td>
</tr>
<tr>
<td>HB 1524</td>
<td>Salary surveys, public emp.</td>
<td>29</td>
</tr>
<tr>
<td>SHB 1533</td>
<td>DSHS appropriation</td>
<td>30</td>
</tr>
<tr>
<td>HB 1545</td>
<td>State library appropriation</td>
<td>30</td>
</tr>
<tr>
<td>HB 1585</td>
<td>Double amendment RCW 18</td>
<td>31</td>
</tr>
<tr>
<td>SHB 1610</td>
<td>State investment board</td>
<td>34</td>
</tr>
<tr>
<td>HB 1620</td>
<td>Transportation appropriation</td>
<td>35</td>
</tr>
<tr>
<td>HB 1658</td>
<td>Admin. contingency fund</td>
<td>36</td>
</tr>
<tr>
<td>HB 1681</td>
<td>State patrol crime lab</td>
<td>38</td>
</tr>
<tr>
<td>SHB 1688</td>
<td>State gov't eff. energy use</td>
<td>39</td>
</tr>
<tr>
<td>SHB 1763</td>
<td>Legislative art committee</td>
<td>40</td>
</tr>
<tr>
<td>SB 3219</td>
<td>Lewis &amp; Clark commemorated</td>
<td>58</td>
</tr>
<tr>
<td>SB 3240</td>
<td>Coord. review, account. act</td>
<td>61</td>
</tr>
<tr>
<td>SB 3245</td>
<td>Clarifying public retirement</td>
<td>63</td>
</tr>
<tr>
<td>SSB 3271</td>
<td>PERS members transfers JRS</td>
<td>66</td>
</tr>
<tr>
<td>SB 3320</td>
<td>Agencies, summary orders</td>
<td>69</td>
</tr>
<tr>
<td>SSB 3385</td>
<td>Fires reporting fire marshal</td>
<td>72</td>
</tr>
<tr>
<td>SB 3404</td>
<td>Disestablishing accounts</td>
<td>73</td>
</tr>
<tr>
<td>SSB 3405</td>
<td>Admin. practices-licensing</td>
<td>73</td>
</tr>
<tr>
<td>SSB 3558</td>
<td>Fleet opportunity board</td>
<td>78</td>
</tr>
<tr>
<td>SCR 120</td>
<td>Leg. ofc. space cost control</td>
<td>82</td>
</tr>
</tbody>
</table>

### TRANSPORTATION

<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 646</td>
<td>Waste management revisions</td>
<td>6</td>
</tr>
<tr>
<td>SHB 1397</td>
<td>Urban trans. systems, taxes</td>
<td>11</td>
</tr>
<tr>
<td>SHB 1427</td>
<td>Public transit excise taxes</td>
<td>15</td>
</tr>
<tr>
<td>HB 1464</td>
<td>RV's sanitary sys rest areas</td>
<td>20</td>
</tr>
<tr>
<td>HB 1508</td>
<td>Ride sharing vans tax exempt</td>
<td>26</td>
</tr>
<tr>
<td>HB 1568</td>
<td>Gasohol use state vehicles</td>
<td>31</td>
</tr>
<tr>
<td>SHB 1575</td>
<td>Primitive roads classif.</td>
<td>31</td>
</tr>
<tr>
<td>HB 1593</td>
<td>Model traffic ordinance</td>
<td>33</td>
</tr>
<tr>
<td>SHB 1609</td>
<td>Airport projects aid</td>
<td>34</td>
</tr>
<tr>
<td>HB 1620</td>
<td>Transportation approp.</td>
<td>35</td>
</tr>
<tr>
<td>SHB 1778</td>
<td>Drivers' license stations</td>
<td>40</td>
</tr>
<tr>
<td>SHB 1807</td>
<td>Hazardous cargo transport</td>
<td>41</td>
</tr>
<tr>
<td>HB 1870</td>
<td>Bill of lading hazard. cargo</td>
<td>43</td>
</tr>
<tr>
<td>Bill</td>
<td>Description</td>
<td>Page</td>
</tr>
<tr>
<td>--------</td>
<td>--------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>SSB 3133</td>
<td>School busses veh. lic. fees</td>
<td>53</td>
</tr>
<tr>
<td>SB 3183</td>
<td>Hood canal bridge</td>
<td>55</td>
</tr>
<tr>
<td>SB 3190</td>
<td>School sports transportation</td>
<td>56</td>
</tr>
<tr>
<td>SB 3214</td>
<td>Road contract awards</td>
<td>58</td>
</tr>
<tr>
<td>SB 3219</td>
<td>Lewis &amp; Clark commemorated</td>
<td>58</td>
</tr>
<tr>
<td>SSB 3237</td>
<td>Franchises, highway util.</td>
<td>61</td>
</tr>
<tr>
<td>SB 3331</td>
<td>Dangerous commodities trans.</td>
<td>70</td>
</tr>
<tr>
<td>SB 3422</td>
<td>Port districts, facilities</td>
<td>74</td>
</tr>
<tr>
<td>SB 3565</td>
<td>Temporary driving permit</td>
<td>78</td>
</tr>
<tr>
<td>House Bills</td>
<td>Page</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>------</td>
<td></td>
</tr>
<tr>
<td>SHB 19</td>
<td>Civil rights restoration</td>
<td>1</td>
</tr>
<tr>
<td>SHB 38</td>
<td>Career dev civil service emp</td>
<td>1</td>
</tr>
<tr>
<td>HB 209</td>
<td>Discretion. review/decision</td>
<td>2</td>
</tr>
<tr>
<td>HB 277</td>
<td>Comic book regulat. repealed</td>
<td>2</td>
</tr>
<tr>
<td>HB 322</td>
<td>Fire code hand-held candles</td>
<td>2</td>
</tr>
<tr>
<td>HB 357</td>
<td>High ed student association</td>
<td>3</td>
</tr>
<tr>
<td>SHB 382</td>
<td>Smoke detectors required</td>
<td>3</td>
</tr>
<tr>
<td>SHB 395</td>
<td>Chiropractors</td>
<td>3</td>
</tr>
<tr>
<td>HB 427</td>
<td>Search warrants use limited</td>
<td>4</td>
</tr>
<tr>
<td>SHB 440</td>
<td>Parents school bus rides</td>
<td>4</td>
</tr>
<tr>
<td>HB 542</td>
<td>Ed TV comm. abolish, create</td>
<td>4</td>
</tr>
<tr>
<td>SHB 551</td>
<td>Pornography, children</td>
<td>5</td>
</tr>
<tr>
<td>HB 646</td>
<td>Waste management revisions</td>
<td>6</td>
</tr>
<tr>
<td>SHB 714</td>
<td>Taking of crabs</td>
<td>6</td>
</tr>
<tr>
<td>HB 762</td>
<td>S&amp;L negotiable transfers</td>
<td>7</td>
</tr>
<tr>
<td>HB 783</td>
<td>Retirement--WSP</td>
<td>7</td>
</tr>
<tr>
<td>SHB 799</td>
<td>DSHS cert civil serv exempt</td>
<td>7</td>
</tr>
<tr>
<td>SHB 810</td>
<td>Compensating tax forest land</td>
<td>8</td>
</tr>
<tr>
<td>HB 829</td>
<td>Family court funding</td>
<td>8</td>
</tr>
<tr>
<td>HB 878</td>
<td>Dewer districts, powers</td>
<td>9</td>
</tr>
<tr>
<td>SHB 1016</td>
<td>Sales, use exemptions</td>
<td>9</td>
</tr>
<tr>
<td>SHB 1090</td>
<td>Warrants revisions</td>
<td>9</td>
</tr>
<tr>
<td>2SHB 1141</td>
<td>Park reservation system</td>
<td>9</td>
</tr>
<tr>
<td>SHB 1147</td>
<td>Grand jury state-wide</td>
<td>10</td>
</tr>
<tr>
<td>SHB 1210</td>
<td>Remote 2nd class school dist</td>
<td>10</td>
</tr>
<tr>
<td>HB 1371</td>
<td>County road projects</td>
<td>11</td>
</tr>
<tr>
<td>SHB 1397</td>
<td>Urban trans. systems, taxes</td>
<td>11</td>
</tr>
<tr>
<td>HB 1406</td>
<td>MV offenses double amend.</td>
<td>11</td>
</tr>
<tr>
<td>HB 1410</td>
<td>Gambling devices taxation</td>
<td>12</td>
</tr>
<tr>
<td>SHB 1413</td>
<td>State energy fair, 1983</td>
<td>12</td>
</tr>
<tr>
<td>HB 1414</td>
<td>Students financial aid</td>
<td>12</td>
</tr>
<tr>
<td>SHB 1416</td>
<td>Credit unions</td>
<td>13</td>
</tr>
<tr>
<td>HB 1418</td>
<td>Traffic infractions</td>
<td>13</td>
</tr>
<tr>
<td>SHB 1419</td>
<td>Renewable energy resources</td>
<td>14</td>
</tr>
<tr>
<td>SHB 1422</td>
<td>Courts of limited jurisdict.</td>
<td>15</td>
</tr>
<tr>
<td>HB 1427</td>
<td>Public transit excise tax</td>
<td>15</td>
</tr>
<tr>
<td>SHB 1429</td>
<td>Shellfish, private tidelands</td>
<td>16</td>
</tr>
<tr>
<td>HB 1432</td>
<td>School dist. directors terms</td>
<td>16</td>
</tr>
<tr>
<td>HB 1433</td>
<td>State crime lab appropr.</td>
<td>16</td>
</tr>
<tr>
<td>HB 1434</td>
<td>Prosecuting attorneys recall</td>
<td>17</td>
</tr>
<tr>
<td>HB 1435</td>
<td>Fire district equipment use</td>
<td>17</td>
</tr>
<tr>
<td>HB 1444</td>
<td>Low income utility fees</td>
<td>17</td>
</tr>
<tr>
<td>HB 1447</td>
<td>Game code revisions</td>
<td>18</td>
</tr>
<tr>
<td>HB 1453</td>
<td>Wood study program, energy</td>
<td>18</td>
</tr>
<tr>
<td>Bill No.</td>
<td>Title</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>SHB 1454</td>
<td>County funds investment</td>
<td></td>
</tr>
<tr>
<td>SHB 1457</td>
<td>Joint health departments</td>
<td></td>
</tr>
<tr>
<td>HB 1458</td>
<td>PA recipients, nursing homes</td>
<td></td>
</tr>
<tr>
<td>HB 1460</td>
<td>Blind schools salaries</td>
<td></td>
</tr>
<tr>
<td>HB 1463</td>
<td>Mandatory attendance waiver</td>
<td></td>
</tr>
<tr>
<td>HB 1464</td>
<td>RV's sanitary sys rest areas</td>
<td></td>
</tr>
<tr>
<td>HB 1465</td>
<td>Legislative ethics boards</td>
<td></td>
</tr>
<tr>
<td>SHB 1466</td>
<td>School district bid levels</td>
<td></td>
</tr>
<tr>
<td>SHB 1471</td>
<td>Insurance revisions</td>
<td></td>
</tr>
<tr>
<td>HB 1475</td>
<td>Leg sessions terminology</td>
<td></td>
</tr>
<tr>
<td>SHB 1480</td>
<td>Students, programs, fees</td>
<td></td>
</tr>
<tr>
<td>SHB 1481</td>
<td>Higher institutions, waivers</td>
<td></td>
</tr>
<tr>
<td>HB 1483</td>
<td>Referendum 37 appropriation</td>
<td></td>
</tr>
<tr>
<td>SHB 1485</td>
<td>Controlled substances</td>
<td></td>
</tr>
<tr>
<td>HB 1486</td>
<td>Razor-clamming licenses</td>
<td></td>
</tr>
<tr>
<td>SHB 1492</td>
<td>Pub emp certain insurance</td>
<td></td>
</tr>
<tr>
<td>HB 1495</td>
<td>Ed services regis. exemp.</td>
<td></td>
</tr>
<tr>
<td>SHB 1496</td>
<td>Health ins conversion rights</td>
<td></td>
</tr>
<tr>
<td>SHB 1499</td>
<td>Low income sen cit utilities</td>
<td></td>
</tr>
<tr>
<td>HB 1508</td>
<td>Ride sharing vans tax exempt</td>
<td></td>
</tr>
<tr>
<td>SHB 1510</td>
<td>Franchise termination</td>
<td></td>
</tr>
<tr>
<td>SHB 1511</td>
<td>Legend drugs identification</td>
<td></td>
</tr>
<tr>
<td>SHB 1515</td>
<td>Health care planning</td>
<td></td>
</tr>
<tr>
<td>SHB 1516</td>
<td>In-home services require</td>
<td></td>
</tr>
<tr>
<td>HB 1518</td>
<td>Oil, gas leases, state lands</td>
<td></td>
</tr>
<tr>
<td>SHB 1520</td>
<td>DSHS criminal records access</td>
<td></td>
</tr>
<tr>
<td>HB 1521</td>
<td>Property transfers pub ass't</td>
<td></td>
</tr>
<tr>
<td>HB 1524</td>
<td>Salary surveys, public emp.</td>
<td></td>
</tr>
<tr>
<td>SHB 1533</td>
<td>DSHS appropriation</td>
<td></td>
</tr>
<tr>
<td>HB 1545</td>
<td>State library appropriation</td>
<td></td>
</tr>
<tr>
<td>HB 1555</td>
<td>Protecting unique wildlife</td>
<td></td>
</tr>
<tr>
<td>SHB 1558</td>
<td>Fire code dwellings access .</td>
<td></td>
</tr>
<tr>
<td>HB 1568</td>
<td>Gasohol use state vehicles</td>
<td></td>
</tr>
<tr>
<td>SHB 1575</td>
<td>Primitive roads classif.</td>
<td></td>
</tr>
<tr>
<td>HB 1585</td>
<td>Double amendment RCW 18</td>
<td></td>
</tr>
<tr>
<td>HB 1586</td>
<td>Double amendment RCW 28A</td>
<td></td>
</tr>
<tr>
<td>HB 1587</td>
<td>Double amendment RCW 51</td>
<td></td>
</tr>
<tr>
<td>HB 1588</td>
<td>Double amendment RCW 67</td>
<td></td>
</tr>
<tr>
<td>HB 1589</td>
<td>Double amendment RCW 72</td>
<td></td>
</tr>
<tr>
<td>HB 1593</td>
<td>Model traffic ordinance</td>
<td></td>
</tr>
<tr>
<td>HB 1597</td>
<td>School bonds energy efficien</td>
<td></td>
</tr>
<tr>
<td>HB 1598</td>
<td>Salmon advisory council</td>
<td></td>
</tr>
<tr>
<td>HB 1604</td>
<td>Retirement system funds</td>
<td></td>
</tr>
<tr>
<td>SHB 1609</td>
<td>Airport projects aid</td>
<td></td>
</tr>
<tr>
<td>SHB 1610</td>
<td>State investment board</td>
<td></td>
</tr>
<tr>
<td>HB 1620</td>
<td>Transportation approp.</td>
<td></td>
</tr>
<tr>
<td>HB 1624</td>
<td>Salmon enhancement bonding</td>
<td></td>
</tr>
<tr>
<td>SHB 1630</td>
<td>Alcohol motor vehicle use</td>
<td></td>
</tr>
<tr>
<td>HB 1643</td>
<td>School construction bonds</td>
<td></td>
</tr>
<tr>
<td>Bill Number</td>
<td>Bill Title</td>
<td>Page</td>
</tr>
<tr>
<td>------------</td>
<td>-------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>HB 1658</td>
<td>Admin. contingency fund</td>
<td>36</td>
</tr>
<tr>
<td>HB 1663</td>
<td>Contractor's regis. number</td>
<td>37</td>
</tr>
<tr>
<td>SHB 1676</td>
<td>School discipline</td>
<td>37</td>
</tr>
<tr>
<td>HB 1681</td>
<td>State patrol crime lab</td>
<td>38</td>
</tr>
<tr>
<td>HB 1685</td>
<td>Parking facilities reg.</td>
<td>38</td>
</tr>
<tr>
<td>HB 1686</td>
<td>School district expenditures</td>
<td>38</td>
</tr>
<tr>
<td>SHB 1688</td>
<td>State gov't eff. energy use</td>
<td>39</td>
</tr>
<tr>
<td>SHB 1729</td>
<td>Adoption consent parents</td>
<td>39</td>
</tr>
<tr>
<td>HB 1762</td>
<td>Interlocal, county drug fund</td>
<td>40</td>
</tr>
<tr>
<td>SHB 1763</td>
<td>Legislative art committee</td>
<td>40</td>
</tr>
<tr>
<td>SHB 1778</td>
<td>Drivers' license stations</td>
<td>40</td>
</tr>
<tr>
<td>SHB 1807</td>
<td>Hazardous cargo transport.</td>
<td>41</td>
</tr>
<tr>
<td>HB 1829</td>
<td>Voter reg. schools fire hall</td>
<td>41</td>
</tr>
<tr>
<td>HB 1841</td>
<td>Meals, sales &amp; use tax</td>
<td>41</td>
</tr>
<tr>
<td>HB 1843</td>
<td>Energy audit schools</td>
<td>42</td>
</tr>
<tr>
<td>SHB 1852</td>
<td>Election, caucus conflicts</td>
<td>42</td>
</tr>
<tr>
<td>HB 1870</td>
<td>Bill of lading hazard. cargo</td>
<td>43</td>
</tr>
<tr>
<td>HB 1950</td>
<td>Banking</td>
<td>43</td>
</tr>
<tr>
<td>SHB 1952</td>
<td>Unemployment compensation</td>
<td>43</td>
</tr>
<tr>
<td>HB 1976</td>
<td>Pollution control facilities</td>
<td>44</td>
</tr>
<tr>
<td>SHB 1981</td>
<td>Jail bonds</td>
<td>44</td>
</tr>
<tr>
<td>SHB 1983</td>
<td>Motor vehicle insurance</td>
<td>45</td>
</tr>
<tr>
<td>SHB 1988</td>
<td>Mobile homes, movement, rent</td>
<td>45</td>
</tr>
<tr>
<td>SHB 1989</td>
<td>Manufactured homes</td>
<td>46</td>
</tr>
<tr>
<td>HJM 24</td>
<td>Wood use promotion</td>
<td>46</td>
</tr>
<tr>
<td>HJM 25</td>
<td>Geothermal resources dev.</td>
<td>47</td>
</tr>
<tr>
<td>SHJM 31</td>
<td>Energy license applications</td>
<td>47</td>
</tr>
<tr>
<td>SHJR 37</td>
<td>Judicial qualifications comm</td>
<td>48</td>
</tr>
<tr>
<td>SHCR 29</td>
<td>Higher ed reciprocity comm.</td>
<td>48</td>
</tr>
<tr>
<td>HCR 33</td>
<td>Science technology committee</td>
<td>48</td>
</tr>
<tr>
<td>HCR 35</td>
<td>Special session, convening</td>
<td>49</td>
</tr>
</tbody>
</table>
NUMERICAL INDEX

Senate Bills

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>2SSB 2381</td>
<td>Superior court clerks fees</td>
<td>49</td>
</tr>
<tr>
<td>SB 2433</td>
<td>Unemployable persons defined</td>
<td>49</td>
</tr>
<tr>
<td>SSB 2616</td>
<td>Minors, disc jockeys taverns</td>
<td>50</td>
</tr>
<tr>
<td>2SSB 2748</td>
<td>Irrigation dist. board comp.</td>
<td>50</td>
</tr>
<tr>
<td>SSB 2751</td>
<td>Pollution control facilities</td>
<td>50</td>
</tr>
<tr>
<td>SSB 2963</td>
<td>Common schools, funds</td>
<td>51</td>
</tr>
<tr>
<td>SSB 2977</td>
<td>Renewable energy practices</td>
<td>52</td>
</tr>
<tr>
<td>SB 3011</td>
<td>Beaver tag elim. trapper fee</td>
<td>52</td>
</tr>
<tr>
<td>SSB 3133</td>
<td>School busses veh lic fees</td>
<td>53</td>
</tr>
<tr>
<td>SSB 3140</td>
<td>City-county housing</td>
<td>53</td>
</tr>
<tr>
<td>SSB 3164</td>
<td>Urban state parks priorities</td>
<td>53</td>
</tr>
<tr>
<td>SSB 3169</td>
<td>Workers' comp. modified</td>
<td>54</td>
</tr>
<tr>
<td>SB 3181</td>
<td>Solar energy sys. tax exempt</td>
<td>55</td>
</tr>
<tr>
<td>SB 3183</td>
<td>Hood canal bridge</td>
<td>55</td>
</tr>
<tr>
<td>SSB 3184</td>
<td>Liberty townsite purchase</td>
<td>56</td>
</tr>
<tr>
<td>SB 3190</td>
<td>School sports transportation</td>
<td>56</td>
</tr>
<tr>
<td>SSB 3195</td>
<td>Heart Lake purchase</td>
<td>56</td>
</tr>
<tr>
<td>SB 3202</td>
<td>Basic sciences repealer</td>
<td>57</td>
</tr>
<tr>
<td>SSB 3207</td>
<td>Superior court King County</td>
<td>57</td>
</tr>
<tr>
<td>SB 3211</td>
<td>Special purposes districts</td>
<td>57</td>
</tr>
<tr>
<td>SB 3214</td>
<td>Road contract awards</td>
<td>58</td>
</tr>
<tr>
<td>SB 3219</td>
<td>Lewis &amp; Clark commemorated</td>
<td>58</td>
</tr>
<tr>
<td>SB 3220</td>
<td>Civil judgment procedures</td>
<td>58</td>
</tr>
<tr>
<td>SSB 3224</td>
<td>County weed boards</td>
<td>59</td>
</tr>
<tr>
<td>SB 3226</td>
<td>Prescriptions</td>
<td>59</td>
</tr>
<tr>
<td>SSB 3228</td>
<td>MV emission control</td>
<td>59</td>
</tr>
<tr>
<td>SB 3235</td>
<td>Fire commissioners, comp.</td>
<td>60</td>
</tr>
<tr>
<td>SB 3236</td>
<td>Hit &amp; run personal injuries</td>
<td>60</td>
</tr>
<tr>
<td>SSB 3237</td>
<td>Franchises, highway util.</td>
<td>61</td>
</tr>
<tr>
<td>SB 3240</td>
<td>Coord. review, account. act</td>
<td>61</td>
</tr>
<tr>
<td>SB 3241</td>
<td>Military recruiters access</td>
<td>62</td>
</tr>
<tr>
<td>SB 3244</td>
<td>LEOFF elective membership</td>
<td>63</td>
</tr>
<tr>
<td>SB 3245</td>
<td>Clarifying public retirement</td>
<td>63</td>
</tr>
<tr>
<td>SSB 3250</td>
<td>Nursing home cost system</td>
<td>63</td>
</tr>
<tr>
<td>SB 3253</td>
<td>Electricians rearranged</td>
<td>65</td>
</tr>
<tr>
<td>SSB 3256</td>
<td>Fish tax modified</td>
<td>65</td>
</tr>
<tr>
<td>SSB 3257</td>
<td>Poison control, drug info</td>
<td>66</td>
</tr>
<tr>
<td>SSB 3271</td>
<td>PERS members transfers JRS</td>
<td>66</td>
</tr>
<tr>
<td>SB 3280</td>
<td>Real estate brokers &amp; sales</td>
<td>66</td>
</tr>
<tr>
<td>SB 3282</td>
<td>Business corp. act modified</td>
<td>67</td>
</tr>
<tr>
<td>SSB 3297</td>
<td>Warrants</td>
<td>68</td>
</tr>
<tr>
<td>Bill No.</td>
<td>Description</td>
<td>Page</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>SSB 3309</td>
<td>Ocularists regulated</td>
<td>68</td>
</tr>
<tr>
<td>SB 3318</td>
<td>Insurance revisions</td>
<td>68</td>
</tr>
<tr>
<td>SB 3320</td>
<td>Agencies, summary orders</td>
<td>69</td>
</tr>
<tr>
<td>SSB 3321</td>
<td>Ballots receipt</td>
<td>69</td>
</tr>
<tr>
<td>SSB 3330</td>
<td>Univ. hospitals, purchases</td>
<td>70</td>
</tr>
<tr>
<td>SB 3331</td>
<td>Dangerous commodities trans.</td>
<td>70</td>
</tr>
<tr>
<td>SB 3334</td>
<td>Lien, enforcement judgments</td>
<td>70</td>
</tr>
<tr>
<td>SSB 3359</td>
<td>Election, caucus conflicts</td>
<td>71</td>
</tr>
<tr>
<td>SB 3362</td>
<td>Election precinct corr.</td>
<td>71</td>
</tr>
<tr>
<td>SB 3371</td>
<td>Padilla Bay Sanctuary</td>
<td>71</td>
</tr>
<tr>
<td>SB 3378</td>
<td>Civil serv transfers sheriff</td>
<td>72</td>
</tr>
<tr>
<td>SSB 3385</td>
<td>Fires reporting fire marshal</td>
<td>72</td>
</tr>
<tr>
<td>SB 3404</td>
<td>Disestablishing accounts</td>
<td>73</td>
</tr>
<tr>
<td>SSB 3405</td>
<td>Admin. practices-licensing</td>
<td>73</td>
</tr>
<tr>
<td>SB 3406</td>
<td>School fund abolished</td>
<td>73</td>
</tr>
<tr>
<td>SB 3415</td>
<td>Hearing aid dogs, white cane</td>
<td>73</td>
</tr>
<tr>
<td>SB 3422</td>
<td>Port districts, facilities</td>
<td>74</td>
</tr>
<tr>
<td>SSB 3457</td>
<td>Crime victims insurance</td>
<td>74</td>
</tr>
<tr>
<td>SB 3474</td>
<td>Landlords firewood liability</td>
<td>74</td>
</tr>
<tr>
<td>SB 3487</td>
<td>Retirement plan credits</td>
<td>75</td>
</tr>
<tr>
<td>SB 3499</td>
<td>Fragile children aid</td>
<td>75</td>
</tr>
<tr>
<td>SSB 3509</td>
<td>Sen. cit. prop. tax relief</td>
<td>76</td>
</tr>
<tr>
<td>SSB 3537</td>
<td>Sick leave prog. comm. coll.</td>
<td>77</td>
</tr>
<tr>
<td>SSB 3551</td>
<td>Alcohol fuels tax incentive</td>
<td>77</td>
</tr>
<tr>
<td>SSB 3558</td>
<td>Fleet opportunity board</td>
<td>78</td>
</tr>
<tr>
<td>SB 3565</td>
<td>Temporary driving permit</td>
<td>78</td>
</tr>
<tr>
<td>SB 3574</td>
<td>Delinquency prevention prog.</td>
<td>78</td>
</tr>
<tr>
<td>SSB 3581</td>
<td>School prop. lease, rental</td>
<td>79</td>
</tr>
<tr>
<td>SB 3593</td>
<td>Unappropriated lands</td>
<td>79</td>
</tr>
<tr>
<td>SSB 3603</td>
<td>Poll. control, exempt bonds</td>
<td>80</td>
</tr>
<tr>
<td>SSB 3611</td>
<td>Municipal pension funds</td>
<td>81</td>
</tr>
<tr>
<td>SSB 3629</td>
<td>Tax incent. alcohol fuels</td>
<td>81</td>
</tr>
<tr>
<td>SSB 3636</td>
<td>Nursing home care standards</td>
<td>81</td>
</tr>
<tr>
<td>SJR 132</td>
<td>Unappropriated public lands</td>
<td>82</td>
</tr>
<tr>
<td>SCR 120</td>
<td>Leg. ofc. space cost control</td>
<td>82</td>
</tr>
</tbody>
</table>
Legislation
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SHB 19

BRIEF TITLE: Restoring the civil rights of persons convicted of infamous crimes upon their final discharge by the parole board.

SPONSORS: House Committee on Judiciary
(Originally Sponsored by Representatives Nelson (D.), Knowles, Pruitt and Brekke)
(By House Committee on Judiciary of the 45th Legislature Request)

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:
Exoffenders are frequently unaware of how to obtain restoration of their civil rights. Further, there is some ambiguity regarding the Parole Board’s authority to restore civil rights after the expiration of the offender’s maximum term.

SUMMARY:
The Parole Board has jurisdiction to issue a certificate of discharge restoring civil rights lost upon conviction after the expiration of the offender’s maximum statutory sentence.

House: 94 2 Effective: June 12, 1980
Senate: (a) 45 0
House Concurred, Final Passage: 95 1 C 75 L 80

SHB 38

BRIEF TITLE: Establishing a program of training and career development for state civil service employees.

SPONSOR: House Committee on State Government
(Originally Sponsored by Representatives Taller, Ehlers, Sommers, Nelson (G.A.) and Sanders)

HOUSE COMMITTEE: State Government; Appropriations
SENATE COMMITTEE: State Government

RATIONALE:
The state Civil Service Law (chap. 41.06 RCW) does not provide a central focus for training and career development programs for state agencies and their employees. As a result, many training programs for state employees are organized and implemented by individual agencies.

Interim studies by the House Committee on State Government concluded that the current situation has hampered the development of an effective interagency training program and may have resulted in increased training costs because of duplicative efforts. Recommendations have included coordinating training activities through the Department of Personnel, establishing service-wide training goals, requiring entry-level management training for supervisors, and establishing a career executive program.

SUMMARY:
The State Personnel Board, in consultation with state agencies and employees, is required to prescribe minimum standards for training and career development programs. The Director of Personnel must monitor these programs in light of Board standards; provide for interagency programs and sharing of training resources; and provide programs for an agency’s internal use upon agency request.

Each agency is required to prepare an employee training and career development plan which at least meets the minimum standards prescribed by the Board. These plans must be implemented by the agency and supported by funds budgeted for that purpose. Program operation and costs must be reported to the Director of Personnel.

The Board must prescribe conditions under which an employee appointed to a supervisory or management position (as designated by the agency subject to the Director’s approval) must complete an entry-level management training course. This requirement may be waived if the Director determines that an employee had previously completed an equivalent training course. The Board, by rule, may waive the requirement where the training course would adversely affect agency operations, or where a person has demonstrated experience as a substitute for training.

The Board is also required to develop a career executive program designed to: (1) identify, attract, and retain highly-qualified executive candidates; (2) provide outstanding employees a broad opportunity for career development; and (3) provide for mobility of such employees among agencies.

The Director, in consultation with the agencies, must recommend to the Board the classified positions which may be covered by the career executive program. Upon request of an agency, management positions exempted from civil service may be included in the program. No employee may be placed or retained in the program without the employee’s consent, and the number of employees participating in the program may not exceed one percent of the employees subject to the state Civil Service Law. The career executive program will terminate on June 30, 1985 unless extended by the Legislature for an additional fixed period of time.

An appropriation of $144,504 from the Department of Personnel Service Revolving Fund is included for the purpose of implementing the act.

House: (a) 92 3 Effective: June 12, 1980
Senate: 43 5 C 118 L 80
HB 209

BRIEF TITLE: Authorizing discretionary review of administrative agency decisions by the court of appeals.

SPONSORS: Representatives Winsley, Smith (R.) and Newhouse
(By Judicial Council Request)

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:
The final decision of an administrative agency in a contested case, covered by the Administrative Procedures Act, cannot be appealed directly to the court of appeals. It must first be appealed to superior court where the review is conducted by the court without a jury. Review is confined to record, except in cases of alleged irregularities in procedure not shown in the record. Subsequent to the hearing in superior court, the aggrieved party may appeal to the Supreme Court or the court of appeals. It is argued that this procedure extends the time and increases the costs by forcing the parties to pursue litigation at the superior court level.

SUMMARY:
In a contested case, the court of appeals may exercise discretionary review after a final decision has been reached by an administrative agency. Notice for such review must be filed within thirty days after the litigant has filed a petition for review in superior court.

The final decision of the administrative agency in a contested case may be directly reviewed by the court of appeals only if the case is certified to the court of appeals by the superior court. Before it can certify a case, the superior court must find that: (1) review of the case can be limited to the record developed in the agency proceedings; (2) the case involves fundamental and urgent issues affecting the future administrative process or the public interest which should be promptly resolved; (3) the case would likely be appealed to the court of appeals regardless of the determination made in superior court; and (4) the appellate court's decision in the case would have significant precedential value. The court of appeals can refuse to review an agency decision certified by the superior court. The refusal to review a decision is not subject to further appellate review. The court of appeals jurisdictional statute is amended to provide that the court of appeals has jurisdiction to directly review agency decisions certified by the superior court.

HB 277

BRIEF TITLE: Repealing regulation of comic books.

SPONSORS: Representatives Warnke, Walk, Addison and Williams

HOUSE COMMITTEE: Commerce
SENATE COMMITTEE: Commerce

RATIONALE:
The Washington Supreme Court, in Adams v. Hinkle, 51 Wash. 2d 763 (1958), held that the 1955 Comic Book Act was unconstitutional. The Act is no longer enforced, yet it remains in existing law as Chapter 19.18 RCW.

SUMMARY:
All sections of the Comic Book Act of 1955 (Chapter 19.18 RCW) are repealed.

HB 322

BRIEF TITLE: Exempting from the fire code hand-held candles used in religious ceremonies.

SPONSORS: Representatives Isaacson, Pruitt, Oliver, Brekke, Hastings, Hurley, Sanders, North, Addison, Greengo, and Struthers

HOUSE COMMITTEE: State Government
SENATE COMMITTEE: Local Government

RATIONALE:
State law requires cities and counties to apply the Uniform Fire Code, which is published by national building and fire prevention organizations. The Code prohibits the use of hand-held candles in public places.

SUMMARY:
Participants in religious ceremonies may carry hand-held candles regardless of the Uniform Fire Code provisions.
HB 357

PARTIAL VETO

BRIEF TITLE: Placing student associations at institutions of higher education under Open Public Meetings Act.

SPONSORS: Representatives Thompson, Zimmerman and Gruger

HOUSE COMMITTEE: Higher Education
SENATE COMMITTEE: Higher Education

RATIONALE:
Student governments do not fall within the definition of "governing board" under the Open Public Meetings Act (Chapter 42.30 RCW), and are therefore not subject to the provisions of the Act which essentially require open meetings and timely notice.

SUMMARY:
The governing boards of recognized student associations at the state's institutions of higher education are subject to the Open Public Meetings Act.

Other institutional committees on which students serve are also subject to the Open Meetings Act (Vetoed Section).

House: 97 0 Effective: June 12, 1980
Senate: (a) 42 0
House Concurred,
Final Passage: 96 0 C 49 L 80 PV

PARTIAL VETO SUMMARY:
The Governor vetoed the provision that made this act applicable to bodies other than the recognized student body associations. (See VETO MESSAGE)

SHB 382

BRIEF TITLE: Requiring smoke detectors in certain dwelling units.

SPONSORS: House Committee on Commerce
(Originally Sponsored by Representatives Gallagher, Wilson, Brown, Martinis, and Van Dyken)

HOUSE COMMITTEE: Commerce
SENATE COMMITTEE: Commerce

RATIONALE:
Statistics show that roughly two-thirds of the 7,500 fire victims each year in the United States are killed in their own homes.

The Uniform Building Code requires smoke detection devices be placed in hotels and apartments. However, there is no statutory requirement that such devices be placed in other residential dwellings.

SUMMARY:
Beginning December 31, 1981, smoke detection devices are required for all dwelling units occupied by persons other than the owner. Smoke detection devices must also be installed in all dwelling units built or manufactured in this state after December 31, 1980.

The smoke detection devices must be designed and installed in conformance with nationally accepted standards and with rules promulgated by the State Fire Marshal. The owner of a dwelling unit is responsible for installing the devices, and tenants are responsible for their maintenance. At time of vacancy of a rental unit, the owner is required to insure that the smoke detection device is operational prior to reoccupancy.

Any owner or tenant failing to comply with the provisions of this act may be punished by a fine not to exceed fifty dollars.

House: (a) 82 10 Effective: June 12, 1980
Senate: (a) 45 2
House Concurred,
Final Passage: 95 2 C 50 L 80

SHB 395

BRIEF TITLE: Revising laws regulating chiropractors.

SPONSORS: House Committee on Social and Health Services
(Originally Sponsored by Representatives Adams, Whiteside, Thompson, Haley, Pruitt, Gruger, Wilson, Salatino, McCormick, Mitchell, Schmitten, Taller, Bauer, King, Lux, Kreidler, Erak, Newhouse, Deccio, Martinis, and Brown)

HOUSE COMMITTEE: Social and Health Services
SENATE COMMITTEE: Social and Health Services

RATIONALE:
The State Supreme Court has declared that the appointment procedures of the Chiropractic Examining and Disciplinary Boards are unconstitutional because the law limits the Governor's appointments to those nominated by two named chiropractic associations.

Without authority to accredit chiropractic schools in accordance with nationally recognized standards, the state may become the dumping ground for graduates of unaccredited schools.

SUMMARY:
When appointing members to the Chiropractic Examining Board, the Governor may consider recommendations of chiropractic professional organizations. The members must be persons who have been licensed to
practice chiropractic in this state and who have been actual residents of this state for at least the preceding five years.

The Examining Board must establish 25 minimum hours over 3 years of continuing education to be required of practicing chiropractors. The Board has authority to accredit chiropractic schools and to adopt educational standards of any accrediting agency recognized by the U.S. Department of Health and Human Services. At a minimum, the standards must include specified subjects, such as 200 hours in chiropractic principles. A student is held responsible to ascertain the accreditation status of their school.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: (a) Effective: March 3, 1980
Senate: (a)
House Concurred,
Final Passage: C 51 L 80

HB 427

BRIEF TITLE: Limiting the use of search warrants.

SPONSORS: Representatives Smith (R), Newhouse, Thompson, Winsley, Knowles, Chandler, Sherman, Haley and Erak

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary
RATIONALE:
The United States Supreme Court (in Zurcher v. Stanford Daily) held that it is constitutionally permissible for a state to authorize the issuance of search warrants directed against persons not suspected of criminal activity but who may have evidence of criminal activity in their possession. Those disagreeing with this ruling feel that states should be required to use a subpoena to obtain such evidence from third parties unless special circumstances are involved which justify immediate seizure. Representatives of the press further argue that the use of a third-party search warrant against the press would hamper their ability to collect information for publication.

SUMMARY:
Any evidence sought from a radio or television station, a regularly published newspaper, magazine, or wire service, or one of their employees must be obtained by subpoena rather than search warrant unless there is probable cause to believe that: (1) the person in possession may be involved in the crime under investigation; or (2) the evidence sought will be destroyed or hidden if subpoena procedures are followed.

HB 542

PARTIAL VETO

BRIEF TITLE: Abolishing existing educational television commission and creating another; setting out its powers and duties, and making appropriations thereto.

SPONSORS: Representatives Bauer, Chandler, Erickson, Barnes, Blair, Thompson,
$55,000 are appropriated to the State Public Broadcasting Commission which may be used in matching federal grants.

House: (a) 67 25 Effective: June 12, 1980
Senate: (a) 34 15
House Concurred.
Final Passage: 72 24 C 123 L 80 PV

PARTIAL VETO SUMMARY:
The Governor vetoed three sections of the bill which dealt primarily with the distribution of funds for the Public Broadcasting Commission. (See VETO MESSAGE)

SHB 551

BRIEF TITLE: Prohibiting pornography involving children.

SPONSORS: House Committee on Judiciary
(Originally Sponsored by Representatives Brown, Winsley, Gallagher, Pruitt, Vrooman, Jovanovich, Scott, Owen, Granlund, Smith (R.), Erickson, Grimm, Walk, Brekke, McGinnis, Burns, Nelson (D.), Clayton, Hughes, North, Tilly, Hurley, Bender and Smith (C.))

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:
Although current law prohibits the sale, distribution or display of obscene material (Chapter 9.68 RCW), there is no specific provision prohibiting the use of minors in pornographic shows.

SUMMARY:
It is unlawful for anyone to coerce or entice, or for a parent or a guardian to knowingly allow, a minor to engage in sexually explicit conduct (defined in section 1 of the bill) knowing that such conduct will be photographed or displayed for commercial purposes.

A violation of this provision is a felony punishable by a $10,000 fine and ten years in the penitentiary. A defense to this crime is provided for a defendant who can show (by a preponderance of the evidence) that he had a reasonable belief, based on declarations by the minor, that the minor was at least eighteen years old.

It is also unlawful for anyone, with the intent to distribute, exhibit, or sell, to knowingly send, bring or possess within this state any obscene matter which depicts a minor engaged in sexually explicit conduct. The obscene matter must be visual or printed matter and a minor must actually be used in the production of the material. "Visual or printed matter" is defined
as any film, photograph, negative, slide, motion picture, video tape, book, magazine, or other mechanically reproduced visual or printed material. An exemption is provided for a motion picture projectionist, who within the scope of employment, exhibits the film. A violation of this section is a felony punishable by a $5,000 fine and five years in the penitentiary.

HB 646

BRIEF TITLE: Revising the law on waste management.

SPONSORS: Representatives Valle, Barr, Gruger, Scott, Granlund, Jovanovich, and Lux

HOUSE COMMITTEE: Ecology
SENATE COMMITTEE: Ecology

RATIONALE:
- The federal Resource Conservation and Recovery Act establishes a regulatory program for the generation, transportation and disposal of hazardous wastes. State law regulates the disposal of "extremely hazardous" wastes and provides for a manifest system for the transportation of those wastes, but does not regulate the generation of "extremely hazardous" wastes. Nor does it regulate the less toxic or less hazardous of the wastes regulated under the federal Act, wastes called "dangerous" wastes under state statutes.

Proposed federal rules implementing the federal law would not authorize a state agency to administer the federal Act in the state, in lieu of being administered directly by the U.S. Environmental Protection Agency (EPA), unless the state agency has the authority to administer a waste management program for the entire category of hazardous wastes.

SUMMARY:
The Department of Ecology is designated as the state's agency for implementing the federal Resource Conservation and Recovery Act. The Department is authorized to establish a permit system for facilities that treat, store, or dispose of dangerous wastes and to establish standards for safe transportation, treatment, storage, and disposal of these wastes. The Department is also authorized to establish record keeping requirements and to conduct necessary inspections and monitoring. Spent pesticidal containers resulting from normal farm operations are exempted from the permit system.

The Attorney General is authorized to bring actions at the request of the Department to enforce hazardous waste management requirements.

House: (a) 97 0 Effective: June 12, 1980
Senate: (a) 40 0
House Concurred.
Final Passage: 97 0 C 53 L 80

SHB 714

BRIEF TITLE: Regulating the taking of crabs.

SPONSORS: House Committee on Natural Resources
(Originally Sponsored by Representatives Vrooman, Schmitten, Martinis and Wilson)

HOUSE COMMITTEE: Natural Resources
SENATE COMMITTEE: Natural Resources

RATIONALE:
The number of fishermen and amount of gear involved in the Puget Sound commercial crab fishery has gone up about two-fold since 1972. This amount of gear is more than sufficient to harvest the available amount of crab and this has created several biological and management problems: (1) crab mortality from lost pots; (2) crab mortality from increased handling of female and sub-legal male crab; and (3) gear conflicts. The increased amount of gear has also caused economic problems for those in the fishery.

SUMMARY:
A new shellfish pots license is established for the taking of crab. For this license to be endorsed for the Puget Sound licensing district (eastward of line drawn from Cape Flattery to Bonilla Point on Vancouver Island), the vessel must have (a) held a commercial shellfish pot license issued between January 1, 1975 and December 31, 1979; (b) not transferred the license to another vessel; (c) landed 1,000 lbs. of crab in Puget Sound during any one of the qualifying years; and (d) been licensed in 1980. In addition, to maintain the Puget Sound endorsement on the crab license, the vessel must be licensed every year. License endorsements are non-transferable before July 1, 1982.

An advisory board is created to hear cases of persons aggrieved by decisions of the Department under this moratorium.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: (a) 95 1 Effective: March 13, 1980
Senate: (a) 42 7
House Concurred.
Partial
Senate Refused to Recede
House Concurred.
Final Passage: 97 0 C 133 L 80
HB 762

BRIEF TITLE: Authorizing savings and loan associations to permit use of negotiable transfer from accounts.

SPONSORS: Representatives Winsley and Eng

HOUSE COMMITTEE: Financial Institutions

SENATE COMMITTEE: Financial Institutions and Insurance

RATIONALE:
State-chartered savings and loan associations are prohibited in statute from offering any type of negotiable or transferable order or authorization of withdrawal from a saver's account. Because of the development of new programs by other institutions, such as mutual savings banks and credit unions, which authorize "check-like" orders of withdrawal from accounts, state-chartered savings and loan associations believe that the prohibition places them at a competitive disadvantage.

SUMMARY:
Depositors at savings and loan associations are authorized to withdraw funds from their accounts through negotiable or transferable orders or authorizations of withdrawal. Although similar in appearance to "checking accounts" such orders or authorizations of withdrawal do not constitute demand deposits.

The prohibition against the offering of commercial or checking accounts by savings and loan associations is also removed from current law.

The bill contains a contingent effective date to provide that this bill is not effective until Congress authorizes negotiable order of withdrawal accounts for all financial institutions in Washington State.

House: 96 0 Effective: See summary for date
Senate: (a) 49 0
House Concurred, Final Passage: 97 0 C 54 L 80

SHB 799

BRIEF TITLE: Exempting certain positions in the Department of Social and Health Services from the state Civil Service Law.

SPONSORS: House Committee on State Government (Originally Sponsored by Representatives Taller and Ehlers) (By Department of Social and Health Services Request)

HOUSE COMMITTEE: State Government

SENATE COMMITTEE: State Government

RATIONALE:
Current law exempts from the State Civil Service Law the Secretary of the Department of Social and Health Services; his deputy secretary; his personnel director; his administrative assistant, if any; up to six assistant secretaries, and one confidential secretary for each of the ten exempt officials. The Department believes that the recent reorganizations justify increasing the number of exempted positions to include other major policy-making positions.

SUMMARY:
The number of positions in the Department of Social and Health Services which are exempted from the State Civil Service Law is increased as follows. The Secretary's executive assistant, if any; thirteen division directors; six regional directors; a confidential secretary for each such director; six bureau chiefs; and all superintendents of institutions whose average daily population equals or exceeds 100 residents are added to the exempted positions.

House: 90 0 Effective: June 12, 1980
Senate: (a) 47 0
House Concurred, Final Passage: 77 1 C 73 L 80
SHB 810

BRIEF TITLE: Modifying the law on forest lands and open space, agriculture, and timber lands.

SPONSORS: House Committee on Revenue
(Originally Sponsored by Representatives Barr, Sommers, Craswell, Thompson and Fuller)

HOUSE COMMITTEE: Revenue
SENATE COMMITTEE: Ways and Means

RATIONALE:

Land under forest or open space classification is assessed at current use value, rather than highest and best use value. Early removal from forest or open space classification or designation requires a payment of a compensating tax approximately equal to the tax savings during the years the land was under current use.

The sequence for collection of the compensating tax is as follows: Assuming that an event occurs in year 1 that requires removal of a forest land/open space classification, the assessor must assess the land at highest and best use effective January 1 of year 2, and must notify the land owner of the amount of compensating tax due by May 31 of that year. The compensating tax is then due on April 30 of year 3.

A lien attaches to the land as of the date the compensating tax is due (April 30 of year 3).

Real estate transactions cannot generally be finally closed until the real estate tax affidavit is filed.

The buyer of forest land or open space land is often unaware of the potential liability for compensating tax that would be due if the forest land or open space classification is removed. In many cases, the sale itself results in a change of use that requires the removal of the forest land or open space classification and triggers the compensating tax.

Some nonprofit organizations owning timber lands want to be exempted from timber taxes when the proceeds from their timber sales are used to support youth programs.

SUMMARY:

The possibility of a person buying forest or open space without being aware of potential compensating tax liability is substantially decreased. The seller of forest or open space land is required to either pay the accrued compensating tax at the time of the sale or obtain the buyers written agreement to continue the forest land/open space classification. To enforce this requirement, the county auditor will not accept the real estate excise tax affidavit unless the compensating tax had been paid or the buyer had signed the continuation agreement.

The sequence for collection of compensating tax is changed to require the assessor to compute the compensating tax "as soon as possible" after the land is assessed at its highest and best use. The compensating tax is then due 30 days after the owner is notified of the amount of compensating tax that is due.

The lien will attach at the time the land is removed from forest land/open space classification. The time period for payment of the compensating tax in cases where the land is removed from forest/open space use without being sold is shortened.

An exemption is created from the timber tax for nonprofit organizations which use the proceeds from timber sales to promote, operate and maintain nondiscriminatory youth programs. The types of organizations which may qualify are nonprofit, nonsectarian organizations conducted for character-building, benevolent, protective or rehabilitative social services which use timber sales proceeds to support youth programs. Examples of organizations which may qualify are 4-H organizations.

HB 829

BRIEF TITLE: Increasing the funding of family court.

SPONSORS: Representatives Haley, Kreidler, Craswell, Thompson and Smith (R.)

HOUSE COMMITTEE: Local Government
SENATE COMMITTEE: Judiciary

RATIONALE:

County "family courts" are permitted to provide marriage counseling services. Such services could be helpful to many people, but their provision has become financially burdensome to counties. These services are also time-consuming for superior court judges.

SUMMARY:

Counties are permitted to increase the current $8 marriage license fee up to an additional $8. Proceeds from fee increases must be earmarked to support the family court. If a county has no such court, fees may be used to support marriage conciliation services. Family courts are permitted to assess costs on parties receiving marriage services up to $150 per party receiving such services, and monies collected must be used exclusively for family court and related marriage conciliation activities.
**HB 878**

**BRIEF TITLE:** Clarifying the powers of sewer districts.

**SPONSOR:** Representative Knowles

**HOUSE COMMITTEE:** Local Government

**SENATE COMMITTEE:** Local Government

**RATIONALE:**

A bond counsel has opined that current law does not allow a sewer district to acquire water supply systems.

**SUMMARY:**

Sewer districts may exercise all powers of water districts including acquisition of water supply systems (in accordance with Title 57 RCW).

House: 96 0 Effective: June 12, 1980

Senate: 47 1 C 12 L 80

**SHB 1016**

**BRIEF TITLE:** Dividing sales and use exemption subsections into separate sections.

**SPONSORS:** House Committee on Revenue

(Originally Sponsored by Representatives Newhouse and Sommers)

**HOUSE COMMITTEE:** Revenue

**SENATE COMMITTEE:** Ways and Means

**RATIONALE:**

Currently, the sales tax exemptions, use tax exemptions, and business and occupation tax deductions are codified in three long sections with multiple subsections. This makes it difficult to find a particular exemption or deduction in the statutes. The amendment process is complicated by the necessity of printing the entire text of a long section in a bill containing an amendment to only one exemption or deduction. If the Legislature enacts more than one bill amending a tax exemption or deduction without cross referencing the bills, the entire section of law must be repeated in the statute books for each amendment enacted.

**SUMMARY:**

Each sales tax exemption, use tax exemption, and business and occupation tax deduction is made a separate section in the Revised Code of Washington. No change is made in the substance of any exemption or deduction.

House: 93 0 Effective: April 1, 1980

Senate: (a) 30 12

House Concurred, Final Passage: 80 17 C 145 L 80

**SHB 1090**

**BRIEF TITLE:** Relating to maximum interest rates allowable on county bonds.

**SPONSORS:** House Committee on Local Government

(Originally Sponsored by Representatives Zimmerman and Charnley)

**HOUSE COMMITTEE:** Local Government

**SENATE COMMITTEE:** Local Government

**RATIONALE:**

Current law allows county bonds to bear a maximum eight percent interest rate. This rate does not encourage investment in these bonds.

**SUMMARY:**

Maximum interest rates allowed on county general obligation bonds is set at 12½.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 95 0 Effective: March 4, 1980

Senate: 45 0 C 37 L 80

**SHB 1141**

**BRIEF TITLE:** Establishing a reservation system for state park campsites.

**SPONSORS:** House Committee on Appropriations

(Originally Sponsored by Representatives Hurley, Zimmerman, North, Winsley, Charnley, Fuller, Granlund, Nelson (C.), Clayton, Sprague, Wilson and Tilly)

**HOUSE COMMITTEE:** Parks and Recreation; Appropriations

**SENATE COMMITTEE:** Parks and Recreation

**RATIONALE:**

The 1979-81 biennium budget provides for an experimental campsite reservation system for Washington residents. Among the state parks to be included in the reservation system are some which have received federal funds for acquisition and development. Since federal law prohibits the establishment of a reservation system that excludes any person based on residency at parks financed with federal funds, the Parks and Recreation Commission has requested that the
WASHINGTON RESIDENTS LIMITATION BE REMOVED FROM THE BUDGET AUTHORIZATION.

SUMMARY:
The phrase "for Washington residents" is removed from the budget authorization for the experimental campsite reservation system.

House: (a) 95 1 Effective: June 12, 1980
Senate: 48 1 C 38 L 80

SHB 1147

BRIEF TITLE: Providing for a state-wide special inquiry judge proceeding.

SPONSORS: House Committee on Judiciary
(Originally Sponsored by Representatives Walk, Schmitten, Pruitt, Fancher, Hughes, Haley, Grimm, Brown and Adams)

HOUSE COMMITTEE: Judiciary; Appropriations
SENATE COMMITTEE: Judiciary

RATIONALE:
Courts often lack adequate resources to deal effectively with organized crime activity and official corruption, especially when such crime or corruption is committed in more than one county. Current law allows for the examination of witnesses before an inquiry judge to develop evidence on crime and corruption, but only within the county.

SUMMARY:
The Organized Crime Advisory Board (OCAB) by a three-fourths vote may petition the Supreme Court to impanel a statewide special inquiry judge for an initial six-month period. The petition must state the crimes to be investigated and why these crimes warrant the establishment of a statewide special inquiry judge. The scope of the investigation is limited to the crimes listed in the petition to the Supreme Court unless the OCAB by a three-fourths vote expands the list. If the petition is approved, then: (1) the Supreme Court designates a superior court judge to act as the special inquiry judge, and (2) a special prosecutor is appointed pursuant to a recommendation by the OCAB and approval by the Governor. The Supreme Court is to develop rules to govern the procedure of the statewide special inquiry judge proceedings subject to approval of the Senate and House Judiciary Committee. The inquiry judge is to hear and receive evidence of crime and corruption and to insure that the proceedings are recorded. The special prosecutor is authorized to subpoena and examine witnesses and to file informations. A witness who discloses that he or she has been called as a witness or who discloses the nature of testimony given is guilty of a misdemeanor. Any other person making such disclosures may be held in contempt of court. The inquiry judge is disqualified from participating in any subsequent proceedings arising from the inquiry except contempt of court proceedings. Either the special prosecutor or the county prosecutor will prosecute the information. The special prosecutor is to keep the affected county’s prosecutor informed of the investigation unless such disclosure creates a substantial likelihood of a conflict of interest for the county prosecutor. The special prosecutor is also required to submit within ten days of his appointment an operating budget to the OCAB for its approval. A state revolving fund is established to provide for such an operating budget with an initial appropriation of $250,000.

Seven new positions are created on the OCAB two of which are nonvoting members (for a total of fifteen members). Five of these new members are appointed by the Governor: two county prosecutors, one municipal police chief, one county sheriff, and one retired judge of a court of record. The two non-voting members are the two U.S. attorneys located in Washington. All terms are for a two-year period.

House: (a) 96 1 Effective: June 12, 1980
Senate: (a) 42 0
House Concurred.
Final Passage: 98 0 C 146 L 80

SHB 1210

BRIEF TITLE: Authorizing certain exceptions relating to second class school districts respecting beneficial interests in contracts.

SPONSORS: House Committee on Education
(Originally Sponsored by Representatives Galloway, Whiteside, Vrooman, Erickson, Van Dyken and Zimmerman)

HOUSE COMMITTEE: Education
SENATE COMMITTEE: Education

RATIONALE:
Current law governing the contract interests of school officials prohibits school districts from hiring the spouse of any elected or appointed officer of that school district.

SUMMARY:
Two provisions are added to the code which relax hiring restrictions previously imposed on second class school districts as follows: (1) School district officers are authorized to let any contract for the driving of a school bus in a second class school district when renumeration under the contract is commensurate with the pay plan or collective bargaining agreement in existence in the districts; and (2) Second class school districts with less than two hundred students
may contract with the spouse of an officer of the district when the contract is solely for employment as a certificated or classified employee.

A conflicting section of the education code is repealed.

House: (a) 95 0 Effective: June 12, 1980
Senate: 45 0 C 39 L 80

HB 1371

BRIEF TITLE: Relating to county road projects.

SPONSORS: Representatives Charnley and Zimmerman

HOUSE COMMITTEE: Rules
SENATE COMMITTEE: Local Government

RATIONALE:

Current law limits county road construction projects performed by day labor (county) employees to $25,000 on any individual project. This limit has been in effect since 1949. Due to inflation, the $25,000 limit per project has made it extremely difficult for counties to efficiently utilize their own road employees. This problem has become critical in many of the more rural counties which are unable to attract competitive bids from private contractors.

SUMMARY:

The per project day labor limitation is repealed (with one exception) and replaced with budget limits on annual amounts of funds which counties may spend on road construction by day labor. The total amount of day labor construction programs one county may perform annually may total no more than the amounts determined in the following manner:

Road Construction Budget Over $4,000,000
   Day Labor Limit = 15% or $800,000 (whichever is greater)

Road Construction Budget $1,500,000 to $4,000,000
   Day Labor Limit = 20% or $525,000 (whichever is greater)

Road Construction Budget $500,000 to $1,500,000
   Day Labor Limit = 35% or $250,000 (whichever is greater)

Road Construction Budget Less than $500,000
   Day Labor Limit = $250,000 or $35,000/project

Counties in the lowest road construction budget category may elect to construct county roads by day labor in an amount not to exceed $35,000 on any one project.

Adoption of road construction budgets which have the effect of permitting counties to exceed the day labor limits are in violation of the County Road Administration Board’s standards of good practice.

HB 1406

BRIEF TITLE: Relating to count• road projects.

SPONSORS: Representatives Charnley and Zimmerman

HOUSE COMMITTEE: Rules
SENATE COMMITTEE: Local Government

RATIONALE:

Current law limits county road construction projects performed by day labor (county) employees to $25,000 on any individual project. This limit has been in effect since 1949. Due to inflation, the $25,000 limit per project has made it extremely difficult for counties to efficiently utilize their own road employees. This problem has become critical in many of the more rural counties which are unable to attract competitive bids from private contractors.

SUMMARY:

The per project day labor limitation is repealed (with one exception) and replaced with budget limits on annual amounts of funds which counties may spend on road construction by day labor. The total amount of day labor construction programs one county may perform annually may total no more than the amounts determined in the following manner:

Road Construction Budget Over $4,000,000
   Day Labor Limit = 15% or $800,000 (whichever is greater)

Road Construction Budget $1,500,000 to $4,000,000
   Day Labor Limit = 20% or $525,000 (whichever is greater)

Road Construction Budget $500,000 to $1,500,000
   Day Labor Limit = 35% or $250,000 (whichever is greater)

Road Construction Budget Less than $500,000
   Day Labor Limit = $250,000 or $35,000/project

Counties in the lowest road construction budget category may elect to construct county roads by day labor in an amount not to exceed $35,000 on any one project.

Adoption of road construction budgets which have the effect of permitting counties to exceed the day labor limits are in violation of the County Road Administration Board’s standards of good practice.

The day labor limit of $10,000 for electrical traffic control projects is not changed.

This bill takes effect January 1, 1981.

House: (a) 94 3 Effective: Jan. 1, 1981
Senate: 44 4 C 40 L 80

SHB 1397

BRIEF TITLE: Exempting motor vehicle fuel used by urban transportation systems from the sales and use tax.

SPONSORS: House Committee on Revenue
(Originally Sponsored by Representatives May, Fuller, Gallagher, Sanders, Salatino, Owen, Scott, Bond, Brekke, Maxie, Stratton, McCormick, Knowles, Hughes, Heck, and Burns)

HOUSE COMMITTEE: Revenue
SENATE COMMITTEE: Ways and Means

RATIONALE:

Currently, public and private urban transportation systems are allowed to receive refunds or exemptions for the motor fuels and special fuel excise taxes they pay. These taxes are levied at the rate of 12 cents per gallon. However, they are required to pay use tax of 5.0 percent to 5.3 percent, or approximately 6 cents per gallon at current prices, on their purchases of these fuels.

SUMMARY:

An exemption from the use tax is provided for motor and special fuels purchased by urban transportation systems.

House: 95 2 Effective: June 12, 1980
Senate: (a) 48 0
House Concurred, Final Passage: 96 0 C 147 L 80

HB 1406

BRIEF TITLE: Correcting double amendments in laws relating to motor vehicle offenses.

SPONSOR: Representative Newhouse

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:

Previous enactments of the Legislature made double amendments to certain sections relating to motor vehicle offenses. Because of the recodification of various motor vehicle offenses in the 1979 session, there
are incorrect cross references in the Revised Code of Washington.

SUMMARY:
The double amendments are reenacted as a single section of law. The incorrect cross references to certain motor vehicle offenses are corrected.
This bill takes effect January 1, 1981, except for the section dealing with arrest powers which takes effect April 1, 1980.

HB 1410
FULL VETO
BRIEF TITLE: Modifying taxation of gambling devices.
SPONSORS: Representatives Sommers and Greengo
HOUSE COMMITTEE: Revenue
SENATE COMMITTEE: Ways and Means
RATIONALE:
Activities of the State Gambling Commission are partly financed by a tax on certain coin-operated gambling devices. The existing tax on each device is equal to eighty percent of the federal tax (currently $250 per year), and can be taken as a credit against the federal tax by taxpayers. The federal tax has been repealed as of June 30, 1980. Because the state tax is set at a percentage of the federal tax, it also ends on this date.

SUMMARY:
The existing state tax on coin-operated gambling devices is replaced with an annual tax of $250 per device. Devices subject to this tax are those subject to the existing federal and state taxes. The bill contains a special effective date of June 1, 1980.

VETO SUMMARY:
The Governor vetoed the bill because she believes that unanswered technical questions might make the scope of the bill indeterminable. (See VETO MESSAGE)
attending Oregon schools are not now eligible for Washington financial aid.

SUMMARY:
Eligibility for the state need grant program is extended to Washington students if the following conditions are met:

1. The student qualifies as financially needy.
2. The institution is accredited and is directly or indirectly affected by tuition and fee reciprocity agreements. This qualification is broad enough to include both public and private institutions. Participating Oregon institutions must comply with Washington rules governing the program.

The CPE is granted the authority to exclude from this financial aid arrangement Oregon institutions located in counties from which Oregon residents cannot participate in the reciprocity arrangement with Washington. For example, the reciprocity agreement as it now stands does not allow Portland residents to attend Clark Community College at reduced tuition rates. This provision will not allow Washington students attending private schools in Portland to receive Washington financial aid until such time as Portland residents are allowed resident status at Clark Community College.

House: 90 1 Effective: June 12, 1980
Senate: 45 0 C 13 L 80

SHB 1416

BRIEF TITLE: Making miscellaneous changes in the law relating to credit unions.

SPONSORS: House Committee on Financial Institutions
(Originally Sponsored by Representatives Eng and Winsley)

HOUSE COMMITTEE: Financial Institutions
SENATE COMMITTEE: Financial Institutions and Insurance

RATIONALE:
State-chartered credit unions have some restrictions on their operations which put them at a disadvantage vis-a-vis federally-chartered credit unions. In order that the state credit unions may more efficiently and safely serve their members, they have asked that certain changes be made in the law.

SUMMARY:
The following changes are made in state law relating to the general powers and lending authority of state chartered credit unions:

1. The Supervisor of Savings and Loans may waive restrictions on investments in real property or leasehold interests.
2. A director may be removed by the board if the director is absent from three consecutive meetings.
3. The guaranty fund requirement is modified to coincide with the requirements for federal credit unions.
4. Mobile home loan maturity is extended to twenty years and the fifty mile restriction on first mortgages and real estate loans is removed.
5. The loan repayment period is increased from four to five years on unsecured loans and from eight to ten years on secured loans. The unsecured loan limit is increased from twenty-five hundred dollars to four thousand dollars. Members are allowed to borrow to the full extent of their shares.
6. Credit unions may accept deposits of deferred compensation.
7. A surviving spouse may, by means of an affidavit procedure, avoid probating a member's account which does not exceed one thousand dollars.
8. Nonmembers are included in the definition of shareholder under the Washington Credit Unions Share Guaranty Association to insure protection of deferred compensation.

House: 95 0 Effective: June 12, 1980
Senate: 44 0 C 41 L 80

HB 1418

BRIEF TITLE: Modifying the laws governing traffic infractions.

SPONSORS: Representatives Newhouse, Smith (R.), Knowles and Ellis
(By Judicial Council Request)

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:
The 1979 act which decriminalized many traffic offenses contains no sanctions other than the non-renewal of drivers' licenses for drivers who fail to respond to a notice of a traffic infraction. This sanction may take as much as two years to impose and is of no value against out-of-state drivers. The 1979 act also provides for superior court de novo review of traffic infraction proceedings and contains an effective
date of July 1, 1980. This may not be adequate time for the judicial system to prepare for the changes.

SUMMARY:

It is a misdemeanor to fail to respond to a notice of traffic infraction. The Supreme Court has the authority to prescribe by rule procedures for appealing traffic infractions. The effective date of the decriminalization act is delayed until January 1, 1981.

Counties and municipalities may negotiate the filing fee for traffic infraction cases in the same manner provided for in criminal cases. Costs in traffic infraction cases may not be awarded to defendants. The Department of Licensing may take into account findings that a traffic infraction has been committed in deciding whether to suspend a driver's license.

The general penalty provisions of the Model Traffic Ordinance (RCW 46.90) are made the same as the general penalty provisions found in the remainder of the Motor Vehicle Code. Law enforcement officers are authorized to issue a notice of traffic infraction at the scene of an accident if they have reasonable cause to believe that a traffic infraction has been committed.

This bill contains an emergency clause and takes effect upon signature by the Governor, which delays the implementation date of the traffic infractions act until January 1, 1981.

House: (a) 97 0 Effective: March 12, 1980
Senate: (a) 41 0
House Concurred.
Final Passage: 96 0 C 128 L 80

SHB 1419

BRIEF TITLE: Encouraging the use of renewable energy resources by gas and electric companies.

SPONSORS: House Committee on Revenue
(Originally Sponsored by Representatives Scott, Bond, McCormick, Wilson, Nelson (D.), Sprague, Martinis, Mitchell, Charnley, King, Sherman, Grimm, Ehlers, Thompson, Eng, Erak, Galloway, Granlund, Hughes, Kreidler, Lux, Monohon, Pruitt, Salatino, Smith (R.), Van Dyken, and Vrooman)

HOUSE COMMITTEE: Revenue
SENATE COMMITTEE: Energy and Utilities

RATIONALE:

Electric and gas utilities can help meet future state energy needs through expenditures that improve efficiency of energy use by their customers and investments in cogeneration facilities and energy production facilities that use renewable resources. Such expenditures and investments also can limit demand for nuclear or fossil fuels as energy sources.

SUMMARY:

Two financial incentives are offered to electric and gas utilities to encourage expenditures on measures to improve efficiency of energy end use (use by utility customers), and investments in cogeneration facilities and energy production facilities using renewable resources.

One of the incentives is in the form of increased rates of return on qualifying investments made by privately-owned utilities. The Utilities and Transportation Commission (UTC) is required to allow privately-owned electric and gas companies to earn higher rates of return on qualifying investments than otherwise would be permitted. Qualifying investments include: (1) Investments in measures to improve efficiency of energy end use (i.e., energy conservation loans to utility customers); (2) investments in cogeneration facilities; (3) investments in facilities which produce energy from renewable resources.

The UTC is required to allow a utility to earn a two percent higher rate of return on the "common equity" portion of a qualifying investment than otherwise would be permitted. Qualifying investments will receive the increased rate of return for a period not to exceed 30 years.

The second incentive is a public utility tax deduction for production costs of energy produced by cogeneration facilities and energy production facilities using renewable resources. For a cogeneration facility or a facility producing energy with renewable resources, the utility tax deduction will be given for a period of up to 30 years. A utility tax deduction also will be allowed for expenditures made by utilities to improve the efficiency of energy end use, or to reduce the use of electrical energy or gas by consumers.

Eligibility for the increased rate of return and utility tax deduction is restricted to investments and expenditures initiated after the effective date of SHB 1419 and before January 1, 1990.

The Department of Revenue is directed to consult with the Utilities and Transportation Commission in the case of investor-owned "utilities", and with the governing bodies of locally regulated utilities, prior to determining the eligibility of individual projects for deductions from the utility tax.

House: 95 0 Effective: June 12, 1980
Senate: (a) 45 0
House Concurred.
Final Passage: 96 0 C 149 L 80
SHB 1422

BRIEF TITLE: Providing for review of proceedings in courts of limited jurisdiction.

SPONSOR: House Committee on Judiciary
(Originally Sponsored by Representatives Newhouse and Ellis)

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:
Current law requires review of inferior court decisions to be de novo in the superior court. There is no provision for a systematic and uniform method of jury selection in courts of limited jurisdiction.

SUMMARY:
The Supreme Court may establish rules for review of decisions of courts of limited jurisdiction. If electronic equipment is to be used for recording inferior court proceedings, then the administrator for the courts will supervise the installation and use of such equipment.

Jury selection procedures for courts of limited jurisdiction must be the same as the procedures for superior courts utilizing the jury list developed by the Superior courts.

The salary for full-time district court judges is established at 90 percent of the salary for superior court judges.

The filing fees in Justice court are raised from $6 to $12 for civil cases and from $1 to $5 for small claims cases.

The State Magistrates Association (district court judges association) is directed to report annually to the Supreme Court, Lieutenant Governor, and the Legislature on the condition of business in the courts of limited jurisdiction. Court Commissioners in district Court are required to be attorneys or lay persons who have passed the qualifying exam for lay justices of the peace.

Those provisions having to do with judges' salaries and filing fees for civil cases will take effect May 1, 1980. The provisions concerning jury selection, qualifications for court commissioners, magistrates' association reports, and small claims filing fees take effect June 12, 1980. The remaining provisions regarding review of district court decisions take effect January 1, 1981.

House: 91 4
Senate: (a) 45 4
House Concurred.
Final Passage: 95 2

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HB 1427

BRIEF TITLE: Increasing the municipal public transit motor vehicle excise tax authorization.

SPONSORS: Representatives Martinis, Wilson, Sherman, Chandler, Nelson (D.), Bauer, and Heck

HOUSE COMMITTEE: Transportation
SENATE COMMITTEE: Ways and Means

RATIONALE:
Some municipalities that provide public transportation services levy a special one percent Motor Vehicle Excise Tax (MVET) on vehicles owned by residents of such municipalities. This one percent MVET is a credit against the two percent portion of the 2.2 percent MVET collected by the state on such vehicles. (The .2 percent MVET finances capital improvements on the state ferry system.) The revenue from other locally-generated special taxes (household, B & O or sales and use) imposed by municipalities may be budgeted for public transportation. These budgeted taxes are the basis for matching up to the current maximum (the one percent MVET amount). MVET monies that are not used as matching monies for local public transportation (and other designated uses) are general fund revenues and may be used for any public purpose.

METRO imposes a .3 percent special sales and use tax in King County. The total proceeds of this tax exceed the amount of the one percent MVET. Therefore, METRO now collects the maximum amount of both local and MVET revenues authorized under existing statutes.

SUMMARY:
The local option special sales and use tax authorization is increased from .3 percent to .6 percent for METRO only, subject to approval of the voters residing within METRO boundaries. The additional taxing authority will approximately double the amount of locally generated revenues available to operate the transit system, if approved by the voters. None of the additional local revenues generated will be eligible for the MVET match since proceeds from the .3 percent sales tax already exceed the amount of the one percent MVET.

An appropriation of $3 million is made to the Office of Financial Management for disbursement for public transportation purposes. No monies are to be disbursed until the Director of the Office of Financial Management determines that the local transportation system is in need of the funds and the system has exhausted all reasonable alternatives to generate additional local monies.

The amount of locally generated tax revenues available to METRO could increase by approximately
HB 1427

$33–35 million/year in current dollars. There is no impact on state revenues.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 82 15 Effective: April 4, 1980
Senate: (a) 42 4
House Concurred.
Final Passage: 89 8 C 163 L 80

SHB 1429

BRIEF TITLE: Regulating the taking of shellfish on private tidelands.

SPONSORS: House Committee on Natural Resources (Originally Sponsored by Representatives Owen, Nisbet, Smith (R.), Vrooman, Craswell, and Schmitt.)

HOUSE COMMITTEE: Natural Resources
SENATE COMMITTEE: Natural Resources

RATIONALE:
During the summer of 1979, the Department of Fisheries cited several individuals for taking more than the daily bag limit of oysters. These individuals were later convicted and fined. They had taken these oysters from tidelands they owned and had previously stocked with oysters.

SUMMARY:
Private tideland owners and lessees of state tidelands are exempted from Department of Fisheries' regulations relating to times, areas, gear, possession limits, size limits, and landings when taking or possessing oysters, clams, cockles, borers, or mussels, excluding razor clams, produced on these tidelands when taken for personal use. These individuals are not exempted from departmental regulations relating to the prevention and suppression of diseases. The tideland owners or lessees are only exempted when taking shellfish produced on their own tidelands.

House: 92 2 Effective: June 12, 1980
Senate: (a) 42 0
House Concurred,
Final Passage: 96 0 C 55 L 80

HB 1432

BRIEF TITLE: Removing school district director terms from assumption of office date common to counties, cities and towns and certain other special purpose districts.

SPONSORS: Representatives Granlund, Taller, Galloway, Winsley, Heck, Chandler, Eberle, Scott, Jovanovich, Salatino, Walk, and Dawson

HOUSE COMMITTEE: Education
SENATE COMMITTEE: Education

RATIONALE:
Current statute sets January 1 as the uniform date for the assumption of office by various local officials, including local school district boards of directors. Due to the unique responsibilities faced by school directors, an earlier assumption date is necessary. Notice of the February 5th school bond and levy election was not published by a school district. Without legislation, the validity of the election is in question.

SUMMARY:
School directors-elect will assume office at the time their election is qualified.

All school district elections, held on February 5, 1980 which authorized bonds or tax levies are validated regardless of whether a notice of the election was published. Any challenges to the validity of the election may not be brought later than April 15, 1980, or 30 days from the effective date of this act whichever is later. Notice of these provisions must be published within 5 days after the effective date of this act by any affected school districts.

Sections of the bill dealing with the election of school directors take effect June 18. The section of the bill relating to validation of school levy elections took effect February 28.

House: 90 5 Effective: See summary for dates.
Senate: (a) 39 1
House Concurred,
Final Passage: 92 1 C 35 L 80

HB 1433

BRIEF TITLE: Appropriating funds for the state crime lab.

SPONSORS: Representatives Thompson, Nelson (G.), King, Newhouse, Knowles, Whiteside, Winsley, Barr, Struthers, Brown, Gallagher, May, Salatino, Owen, Adams, Monohon, Deccio, Granlund, Walk, Dawson, and Kreidler

HOUSE COMMITTEE: Appropriations
SENATE COMMITTEE: Ways and Means

RATIONALE:
Currently, the State Patrol operates two crime laboratories in the state of Washington—one in Seattle and one in Spokane. According to State Patrol statistics, the current laboratories are involved in only 16 percent of the reported rape incidences and 2 percent of
assault and robbery cases. Also, since the formation of the original laboratories (1975), the state's population has grown by approximately 14 percent and incidence of crime during this same time frame has grown by 20 percent.

SUMMARY:
An appropriation of $1,163,000 is made for additional staff at the existing facilities, expansion at the Spokane laboratory, and the creation of four satellite laboratories to be located in Kelso, the Tri-Cities, Pierce County, and Snohomish County. A shared cost feasibility study must be conducted and submitted to the Legislature prior to October 1980.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 93 0 Effective: April 4, 1980
Senate: 42 0 C 164 L 80

HB 1434

BRIEF TITLE: Permitting replies to recall charges and directing the attorney general to determine the sufficiency of the charge against a prosecuting attorney.

SPONSORS: Representatives Erickson, Tilly, Gruger, Oliver, and Smith (R.)

HOUSE COMMITTEE: Constitution, Elections and Governmental Ethics

SENATE COMMITTEE: Constitution and Elections

RATIONALE:
The current recall law requires the Chief Justice of the Supreme Court to determine the sufficiency of recall charges against the Attorney General. But no provision is made for anyone other than the prosecuting attorney to determine the sufficiency of the charges filed against a prosecuting attorney. The law also states that the synopsis of the charges is to appear on the recall ballot, but no provision is made for a response to the charges to be included on the ballot.

SUMMARY:
When recall charges are filed against a prosecuting attorney, the Attorney General is directed to determine the sufficiency of the charges and prepare a ballot synopsis of the charges which are determined to be sufficient for recall. An officer subject to a recall election may, within seven days, prepare and submit a response to the recall charges. The response is to be placed on the recall ballot along with the synopsis of the charges.

House: (a) 94 0 Effective: June 12, 1980
Senate: 44 0 C 42 L 80

HB 1435

BRIEF TITLE: Removing limitations on use of fire protection district equipment.

SPONSORS: Representatives Charnley, Zimmerman, Teutsch, Deccio, May, Bauer, Tilly, Galloway, and Nisbet

HOUSE COMMITTEE: Local Government

SENATE COMMITTEE: Local Government

RATIONALE:
Existing law appears to preclude fire districts from providing ambulance or first aid vehicle services beyond their boundaries.

SUMMARY:
A fire protection district may, under conditions prescribed by its commissioners, use its ambulance, first-aid vehicle, and all other equipment or personnel beyond its boundaries.

House: 95 1 Effective: June 12, 1980
Senate: 46 0 C 43 L 80

HB 1444

BRIEF TITLE: Requiring ordinances for reduced utility fees for low income persons.

SPONSORS: Representatives Amen, Charnley, Patterson, Vrooman, and Winsley

HOUSE COMMITTEE: Energy and Utilities

SENATE COMMITTEE: Energy and Utilities

RATIONALE:
A local government, which installed a new domestic water main while still continuing the old main in service was required by auditors to apply the full tap-in charges to customers. This created a hardship for low income persons. Clear authority to waive or delay charges is sought.

SUMMARY:
Cities, towns, and counties are acknowledged to have authority to waive or delay collection of utility tap-in charges, connection fees, or hookup fees for low income persons or classes of low income persons if done pursuant to a program established by ordinance.

House: 96 0 Effective: June 12, 1980
Senate: 45 0
House Concurred.
Final Passage: 98 0 C 150 L 80
HB 1447

BRIEF TITLE: Revising the Game Code.
SPONSORS: Representatives Schmitt, Vrooman (By Department of Game Request)

HOUSE COMMITTEE: Natural Resources
SENATE COMMITTEE: Natural Resources

RATIONALE:
Approximately three years ago, members of the House Natural Resources Committee, the Game Commission, the Department of Game and concerned sportsmen recognized the need and initiated the process of modernizing Title 77 RCW, the Game Code. The present Game Code with occasional amendments was written in 1933 following passage of an initiative measure creating the Department of Game. No significant revision of the Code has been made since it was originally adopted. Much of the language in Title 77 RCW is confusing, contradictory, or out-of-date.

SUMMARY:
The Game Code is reorganized into six chapters (currently there are ten). Sixty-six sections of existing statute are repealed; seventeen sections are recodified; and eleven sections are decodified. Every section remaining in the Game Code is amended.

This act takes effect July 1, 1981.

HB 1453

FULL VETO

BRIEF TITLE: Creating a program to study the use of wood for energy and heat.

SPONSORS: Representatives Schmitt, Vrooman, Addison, Brekke, Fuller, Keller, Mitchell, Monohon, Nisbet, Oliver, Pruitt, Salatino, Sanders, and Walk

HOUSE COMMITTEE: Natural Resources
SENATE COMMITTEE: Energy and Utilities

RATIONALE:
The Department of Natural Resources has developed some expertise in the field of using wood for energy or heat (primarily through a study conducted by them for the House Natural Resources Committee released on January 1, 1979). As a major forest landowner the Department has an interest in utilizing wood wastes.

SUMMARY:
The Department of Natural Resources is declared the lead state agency with regard to using wood for energy. The Department is directed to establish a program to: (1) collect information and data to study, (2) develop and disseminate information and knowledge concerning the efficient use of wood for energy and heating purposes, and (3) to foster development of supplies of wood for public and industrial energy uses.

The Department may (1) make agreements and contracts with public and private entities; (2) apply for and accept grants from federal, state, local, and private sources; (3) and coordinate its activities with other public agencies and educational institutions. All state agencies and local governments are to cooperate with DNR in carrying out DNR's duties and are to coordinate their own wood for energy programs with DNR.

The Department of Natural Resources is directed to reimburse local governments for all expenses incurred in complying with requests by the Department under the provisions of this Act.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: (a) 97 0 Effective: July 1, 1981
Senate: (a) 33 15
House Concurred, Partial:
Senate Receded, Final Passage: 42 1
House, Final Passage: 96 0

VETO SUMMARY:
The Governor believes that authority already exists to carry out the mandates of this legislation. In the absence of language which "increases the authority of the Department or imposes greater duties than already exist in law," she contends that this legislation "adds nothing to the effectiveness of current law."

Recognizing the concern of the Legislature in passing this bill, the Governor directs the Department to give priority to the program as finances permits. (See VETO MESSAGE)
**SHB 1454**

**BRIEF TITLE:** Authorizing investments of county funds.

**SPONSORS:** House Committee on Local Government  
(Originally Sponsored by Representatives Keller, Zimmerman, Rosbach, Brown, Vrooman, and Charnley)

**HOUSE COMMITTEE:** Local Government  
**SENATE COMMITTEE:** Local Government

**RATIONALE:**
Current law permits county treasurers to invest funds of municipal corporations in savings and loan associations and mutual savings banks if they receive such direction from the governing body of the municipal corporation. Frequently no direction is given to the treasurer on how to invest the funds. It is thought that treasurers should be granted the flexibility to invest the funds in savings and loan associations and mutual savings banks when no investment direction has been given in order to obtain higher returns on investments.

**SUMMARY:**
County treasurers may invest funds of municipal corporations held in trust by the treasurer in savings and loan association or mutual savings bank accounts up to the amount of insurance afforded such accounts by the federal government even if the governing body of a municipal corporation fails to specify such investments and therefore investment guidance is provided by the County Finance Committee.

| House: | 96 | 0 | Effective: June 12, 1980 |
| Senate: (a) | 42 | 0 |
| House Concurred, Final Passage: | 90 | 0 | C 56 L 80 |

**SHB 1457**

**BRIEF TITLE:** Modifying the laws providing for joint county and city health departments.

**SPONSORS:** House Committee on Local Government  
(Originally Sponsored by Representatives Charnley, Rohrbach and Garrett)

**HOUSE COMMITTEE:** Local Government  
**SENATE COMMITTEE:** Local Government

**RATIONALE:**
King County and Seattle have agreed to restructure the combined Seattle and King County Health Departments allowing the county to assume a majority of the functions and funding of the Department.

**BILL SUMMARY:**
A new procedure for creating a city/county health department limited to a Class AA County (King) and a city with a population over 400,000 (Seattle) is established. The director of the combined public health department shall be appointed by the county executive of the county and the mayor of the city. The appointment shall be effective only upon a majority vote of the legislative authority of the county and of the city. The director may be removed by the County executive of the County after consultation with the mayor of the city.

This bill contains an emergency clause and takes effect upon signature by the Governor.

| House: | 96 | 0 | Effective: March 3, 1980 |
| Senate: (a) | 40 | 0 |
| House Concurred, Final Passage: | 94 | 0 | C 57 L 80 |

**HB 1458**

**BRIEF TITLE:** Allowing public assistance recipients in nursing homes to retain wages from training or rehabilitative programs.

**SPONSORS:** Representatives Sanders, Gruger, Teutsch, Adams, Tupper, Lux, McDonald, Whiteside, Addison, Brekke, Charnley, Houchen, Maxie, Mitchell, Pruitt, Taller, Van Dyken, Winsley

**HOUSE COMMITTEE:** Social and Health Services  
**SENATE COMMITTEE:** Social and Health Services

**RATIONALE:**
Currently, there is a presumption that when public assistance applicants transfer property without adequate consideration within two years prior to application, the transfer was undertaken to become eligible for assistance. Recent court decisions have indicated that applicants must be given a chance to rebut this presumption, and the Department of Social and Health Services has changed its regulations in an attempt to conform with these decisions.

Further, DSHS currently requires developmentally disabled residents of nursing homes to give the Department all the income they earn in sheltered workshops in excess of $65.00 per month. This administrative requirement in effect stops the rehabilitation process for these people when they begin to earn more than $65.00 per month. Federal Title XIX regulations authorize DSHS to allow these people to retain up to $250.00 per month in urban areas, and $230.00 per month in rural areas.
HB 1458

SUMMARY:
AFDC and general assistance applicants may rebut the presumption that a property transfer was made in order to become eligible for assistance.

DSHS must allow developmentally disabled residents of nursing homes to retain all earned income up to the amount allowed under Title XIX of the federal Social Security Act.

House: 98 0 Effective: June 12, 1980
Senate: (a) 47 0
House Concurred.
Final Passage: 96 0 C 79 L 80

HB 1460

BRIEF TITLE: Mandating salaries of certificated employees in state schools for the blind to be comparable to others in school district where located.

SPONSORS: Representatives Bauer, Heck, Zimmerman, Galloway, and Thompson

HOUSE COMMITTEE: Appropriations
SENATE COMMITTEE: Ways and Means

RATIONALE:
Certificated teachers of the State School for the Deaf and the State School for the Blind are classified state employees. These teachers are under the salary setting authority of the Department of Personnel through the biennial salary survey. This method of salary determination has led to teachers at the State Schools for the Deaf and Blind to receive salaries which are lower than salaries paid to teachers of similar experience.

SUMMARY:
Commencing with the 1981-82 school year, salaries for the teachers at the State Schools for the Deaf and Blind must be set so they conform to and remain contemporary with salaries paid to teachers with similar experience and background in the same location.

House: 96 0 Effective: June 12, 1980
Senate: 47 0 C 58 L 80

HB 1463

BRIEF TITLE: Authorizing waiver of mandatory attendance law for certain students excused for purposes agreed to by school authorities.

SPONSORS: Representatives Bauer, Heck, Zimmerman, Galloway, Grimm, Maxie, Walk, Ehlers, Taylor, Tupper, Gallagher, North, Salatino, Taller and Williams

HOUSE COMMITTEE: Education
SENATE COMMITTEE: Education

RATIONALE:
Compulsory school attendance laws require the attendance of students under the age of 15. A student may be excused by the superintendent due to a physical or mental condition making the student unable to attend, or if the student attends a DSHS residential school. Students from 15 to 18 may be excused for these same reasons, and for the additional reasons of employment, proficiency in the first nine grades, or having met graduation requirements or received a certificate of educational competence. There are no exceptions from compulsory attendance laws for extended excused absences.

SUMMARY:
In addition to the provisions outlined above, students may be excused from school for purposes agreed upon by the school authorities and parent. Permission may not be given if an absence would result in a serious adverse effect on the student’s educational progress.

House: (a) 96 1 Effective: June 12, 1980
Senate: (a) 45 1
House Concurred.
Final Passage: 97 0 C 59 L 80

HB 1464

BRIEF TITLE: Directing the construction and maintenance of recreational vehicle sanitary disposal systems in certain highway rest areas.

SPONSORS: Representatives Martinis, Wilson, Scott, Mitchell, Sprague, King, Addison, Gallagher, Garrett, Grimm, Houchen, Keller, Smith (R.), and Walk

HOUSE COMMITTEE: Transportation
SENATE COMMITTEE: Transportation

RATIONALE:
Eleven of the thirteen WASHTO (Western Association of State Highway and Transportation Officials) states have sanitary disposal systems in all or some of their rest areas. Washington and Utah have none, relying upon commercial or public facilities. There are 196,000 registered recreational vehicles in the state of Washington, 90 percent federal/10 percent state funding is provided for the construction of sanitary disposal stations on the interstate highway system if a state qualifies under DOT federal standards. Construction of these stations should help eliminate roadside littering.
SUMMARY:
The State Department of Transportation is directed to construct and maintain recreational vehicle sanitary disposal systems at certain Interstate rest areas. Three general locations are provided on Interstate 5, two on Interstate 90, and one on Interstate 82.

At the time of annual vehicle licensing, an additional dollar is to be collected for each camper, travel trailer, and motor home and deposited in the RV Account of the Motor Vehicle Fund. Monies accruing to the account are to be used by the Department of Transportation for the construction and maintenance of recreational vehicle sanitary disposal systems at rest areas on federal-aid highways.

HB 1465
BRIEF TITLE: Specifying disciplinary action that may be taken by the legislative ethics boards.

SPONSORS: Representatives Pruitt, Fuller, Van Dyken, Erickson, Gallagher, Granlund, Gruger, Salatino, Sanders, and Smith (R.)

HOUSE COMMITTEE: Constitutions, Elections, and Governmental Ethics
SENATE COMMITTEE: Constitutions and Elections

RATIONALE:
The Legislature adopts a Code of Ethics as part of their Joint Rules. It has been criticized for not having a permanent set of ethical standards.

Under the legislative ethics act, the boards of ethics are not required to recommend a disciplinary action in every case in which they find a violation of ethics standards. Also, the range of permissible disciplinary actions which a board may recommend is somewhat unclear.

SUMMARY:
The Code of Ethics contained in the Joint Rules of the House of Representatives and the Senate will continue in effect until revised by subsequently adopted rules.

The boards of legislative ethics are required to recommend disciplinary action in each case in which a legislator or legislative employee is found to have engaged in unethical conduct. Also, the boards are authorized to recommend a range of disciplinary measures, including, for legislators: reprimand, censure, expulsion and restitution; and, for legislative employees: reprimand, suspension, dismissal and restitution.

SHB 1466
BRIEF TITLE: Reestablishing levels school districts shall put public bids out for on improvements and purchases.

SPONSORS: House Committee on Education
(Originally Sponsored by Representatives Taylor, McCormick, Amen, Sommers, Chandler, Bauer, Heck, Houchen, Galloway, Nisbet, Smith (C.))

HOUSE COMMITTEE: Education
SENATE COMMITTEE: Education

RATIONALE:
Bid laws for school districts require a formal competitive bid process for all purchases of furniture, supplies, equipment, and improvements or repairs to buildings, or other work or purchases except books, if the cost is over $3,500. In lieu of this, telephone solicitations may be used for purchases, except building improvements and repairs, if the cost does not exceed $7,500. Books are not subject to bid requirements. These bid limits have not been increased since 1976.

SUMMARY:
The bid laws are changed to require a formal competitive bid process for all purchases, except books, if the cost exceeds $10,000. If the cost of the purchase of furniture, equipment, or supplies, except books, is from $4,500 to $10,000, written or telephone quotations must be obtained. If the cost of building improvements on repairs, or other public works projects is from $4,500 to $10,000, the award must be made by obtaining written or telephone quotations utilizing a small works roster maintained by the school district.

SHB 1471
BRIEF TITLE: Revising laws relating to insurance.

SPONSORS: House Committee on Insurance
(Originally Sponsored by Representatives Keller, Dawson, and Deccio)
(By Insurance Commissioner Request)

HOUSE COMMITTEE: Insurance
SENATE COMMITTEE: Financial Institutions and Insurance

RATIONALE:

Current law sets forth the amount of unimpaired capital and surplus which must be held in reserve in order for an insurance company to be formed. The minimum limits have not been adjusted since 1967.

SUMMARY:

The minimum capital and surplus requirements for stock and mutual insurers are raised to approximately twice previous levels. Reciprocal insurance companies are not affected and their capital and surplus requirement remains at $300,000.

A company holding either a solicitation permit or a certificate of authority immediately prior to June 1, 1980, is required to maintain only the capital and surplus required before that date. Any legal action arising out of the period between June 8, 1967, and July 1, 1980, will be governed by the law as it stood between those dates.

House: 96 1 Effective: June 12, 1980
Senate: (a) 48 0
House Concurred, Final Passage: 95 0 C 135 L 80

HB 1475

PARTIAL VETO

BRIEF TITLE: Modifying terminology relating to regular and special sessions of the Legislature.

SPONSORS: Representatives Erickson and Oliver

HOUSE COMMITTEE: Constitution, Elections and Governmental Ethics

SENATE COMMITTEE: Constitution and Elections

RATIONALE:

Throughout state law, reference is made to regular and extraordinary sessions and activities which must be completed prior to a session. Many of the activities relate to reports which are to be made at the beginning of each biennium. Since the passage of the annual sessions resolution establishing regular sessions each year, references in the statutes to regular sessions should be changed so that activities which are completed at the beginning of the biennium are not required to be completed annually.

SUMMARY:

The references in state law to regular sessions are amended so that the studies, reports, and budget requests by agencies, special committees, commissions and boards currently required to be completed or submitted to the Legislature or Executive on a biennial basis are not required to be completed annually. The references in state law to extraordinary sessions are also changed to special sessions.

The current provision which permits a presiding officer of either house of the Legislature, who serves in that position for six consecutive regular sessions, to be admitted to the practice of law and the Washington State Bar Association without examination is repealed.

An arbitration panel created for public employees' collective bargaining is considered a state agency for the purposes of performing its state functions.

House: 97 0 Effective: June 12, 1980
Senate: (a) 45 0
House Concurred, Final Passage: 95 0 C 87 L 80 PV

PARTIAL VETO SUMMARY:

The Governor vetoed two sections; one that was repealed in SB 3406 and one that was amended in the same bill. (See VETO MESSAGE)

SHB 1480

BRIEF TITLE: Giving college and university students responsibility in spending of funds for programs paid with services and activities fees.

SPONSORS: House Committee on Higher Education (Originally Sponsored by Representatives Burns, Grimm, Erickson, Patterson, Teutsch, Gruger, Oliver, Brekke, Pruitt, Nelson (D.), Lux, and Rinehart)

HOUSE COMMITTEE: Higher Education

SENATE COMMITTEE: Higher Education

RATIONALE:

Services and activities fees (S&A), charged to students at all public institutions, serve as a funding source for a variety of extracurricular student activities. The degree of student participation in determining how those fees should be expended varies from campus to campus.

Current law defines the term "services and activities fees," but does not detail the process by which such fees are to be budgeted. Student participation in the process is not expressly directed.

SUMMARY:

It is the intent of the Legislature that students initiate budget proposals for the expenditure of S&A fees. Student participation in the budgeting process is limited to the extent of S&A fees. The boards of trustees or regents of each of the state's higher education institutions must adopt guidelines governing the establishment and funding of programs supported by
S&A fees consistent with the following basic provisions:

1. At least a majority of voting memberships on the S and A fee committee will be students;
2. Upon review of the S and A fee committee’s recommendations, the institution’s administration will publish a written response outlining differences between the committee’s recommendations and those of the administration;
3. The governing board will receive along with the administration’s proposed budget a copy of the S and A fee committee’s recommendation. A student representative will be given the opportunity to address the governing board on any differences between the two budget proposals.

The authority of the board of regents or trustees to adopt the S&A fee budget is not altered.

SUMMARY:
Community college districts are allowed unlimited capacity to grant tuition and fee waivers to all adult students enrolled in high school completion programs. The current four percent limitation (RCW 28 B.15.740) on waiver programs for needy and disadvantaged students and for displaced homemakers is reduced to three percent of tuition revenues. The four percent waiver limitation on four year schools is unaffected.

HB 1483

BRIEF TITLE: Appropriating moneys to implement Referendum 37 (facilities for the handicapped).

SPONSORS: Representatives Whiteside, Adams, Stratton, Schmittcn, Mitchell, Lux, Pruitt, Smith (C.), Vrooman, Maxie, Gallagher, Valle, Salatino, and Williams (By Department of Social and Health Services Request)

HOUSE COMMITTEE: Appropriations
SENATE COMMITTEE: Ways and Means

RATIONALE:
During the 1979 extraordinary legislative session, HB 740 was signed into law (Chapter 221). This Act provided $25 million of state general obligation bonds subject to referendum approval (Referendum 37), for the purpose of financing the planning, acquisition, construction, renovation, improvement, and equipping of regional and community facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps. Referendum 37 did receive a majority approval during the November 1979 general election, thereby authorizing the $25 million in bonds. Subsequent legislative action is required for the actual appropriation of this bonding authority.

SUMMARY:
$25 million are appropriated from the 1979 Handicapped Facilities Construction Account to the Department of Social and Health Services for the issuance of general obligation bonds to finance the planning, acquisition, construction, renovation, improvement, and equipping of regional and community facilities for the care, training, and rehabilitation of handicapped persons, in accordance with the provisions of Referendum 37.
DSHS may not expend funds for handicapped facilities until it has submitted documents and/or schedules to the Legislature pursuant to the Budget and Accounting Act. However, the fiscal committees of the Legislature may approve the expenditure of funds for facilities which have been verified by DSHS, not later than December 1, 1980, as meeting the assessed need of a county and being ready to proceed.

Each 6th, 7th or 8th class county may receive up to seventy-five thousand dollars if DSHS has determined that there is a demonstrated need for the facility in such Counties.

The bill contains an emergency clause and takes effect upon signature by the Governor.

House: (a) 95 0 Effective: March 13, 1980
Senate: (a) 47 0
House Concurred.
Final Passage: 97 0 C 136 L 80

SHB 1485

BRIEF TITLE: Revising laws on controlled substances.

SPONSORS: House Committee on Social and Health Services
(Originally Sponsored by Representatives Mitchell, Teutsch, Whiteside, Flint, Houchen, Brekke, Kreidler, and Granlund)
(By Board of Pharmacy Request)

HOUSE COMMITTEE: Social and Health Services
SENATE COMMITTEE: Social and Health Services

RATIONALE:

The schedules of prohibited drugs in the state's Uniform Controlled Substances Act are periodically updated by regulations of the Board of Pharmacy. However, the classification schedules in the RCW itself have not been changed since the Act was passed in 1971.

The State Supreme Court recently overturned the conviction of a woman charged with possessing a drug prohibited by the emergency regulations of the Board of Pharmacy. The court held that the emergency regulations did not provide a sufficient basis for the prosecution of a felony, since emergency regulations involve little notice to the public. The Attorney General's Office has expressed concern that the reasoning of this court decision might be extended to permanent regulations. Therefore, changes in the statutory classification schedules are advised to ensure the successful prosecution of persons using drugs prohibited by the Board of Pharmacy's regulations. In addition, the use of amphetamines and other narcotic stimulants is statutorily restricted to named disease states. There is no flexibility to permit their use according to new circumstances.

SUMMARY:

Classification Schedules I–V of the Uniform Controlled Substances Act are updated. The Board of Pharmacy, in consultation with the Medical and Osteopathy Disciplinary Boards, may specify additional disease states or illnesses which would permit the use of certain Schedule II nonnarcotic stimulants.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 97 0 Effective: March 13, 1980
Senate: (a) 49 0
House Concurred, Partial
Senate Receded, Final Passage: 44 0
House, Final Passage: 97 0 C 138 L 80

HB 1486

BRIEF TITLE: Restricting issuance of free razor-clamming licenses.

SPONSORS: Representatives Monohon, Schmittcn, Erak, Vrooman, Smith (R.), Mitchell, Rosbach, and Nisbet.

HOUSE COMMITTEE: Natural Resources
SENATE COMMITTEE: Natural Resources

RATIONALE:

In the process of passing the razor-clamming license law, an amendment was made to lower the age at which a free license could be obtained from age 70 to age 65. This amendment was worded in a way which allows all persons over 65, not just state residents, this privilege. In addition, there is no express statutory provision that would allow physically disabled persons to have other persons dig their limits for them.

SUMMARY:

To be eligible for a free razor-clam license, individuals who are 65 years of age or older or under sixteen years of age must be residents. A resident is defined as a person who has lived in Washington for 30 days and has shown intent to continue residence within this state. Persons who have a physical disability permit in their possession may have another person dig their personal-use limit for them.

This act takes effect July 1, 1980.

House: (a) 97 0 Effective: July 1, 1980
Senate: (a) 47 0
House Concurred, Final Passage: 96 0 C 81 L 80
**SHB 1492**

**BRIEF TITLE:** Providing for the approval of property, casualty, and accident insurance for public employees.

**SPONSORS:** House Committee on State Government (Originally Sponsored by Representatives Rohrbach, Keller, Taller, Hughes, Ehlers, McGinnis, Salatino, Ellis, and Maxie)

**HOUSE COMMITTEE:** State Government

**SENATE COMMITTEE:** Financial Institutions and Insurance

**RATIONALE:**

Existing law regarding payroll deductions makes it procedurally difficult and costly to deduct premiums for property and casualty insurance plans. An Attorney General's Letter Opinion determined that payroll deductions that are indefinite as to the amount to be deducted are not in compliance with the law. Since property and casualty premiums tend to fluctuate due to the addition of automobiles, drivers, or the change in value of homes or possessions, it is necessary under existing law to file a new payroll deduction authorization for every change in an insured person's status.

Moreover, the State Employees Insurance Board (SEIB) is currently not authorized to screen property insurance or accident and casualty plans to determine which plans would be most beneficial to employees.

**SUMMARY:**

The State Employees Insurance Board is authorized to offer voluntary property insurance and accident and casualty insurance to state employees through a payroll deduction plan. Necessary changes in the payroll deduction law are made to permit a one-time payroll deduction authorization, thus allowing increases and decreases in premiums. The insurance plans must be approved by the SEIB, as is already required for other types of insurance. The Board must also promulgate rules setting forth the criteria by which it will evaluate the plans.

The SEIB is only authorized to approve property, accident and casualty insurance plans which are written by insurance carriers holding valid certificates of authority.

Language in existing law authorizing payroll deductions for accident and casualty premiums to a single insurer if that insurer can sign up 25 or more employees in an agency is deleted.

House: 97 0 Effective: June 12, 1980
Senate: 46 0
House Concurred, Final Passage: 94 0 C 120 L 80

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**SHB 1496**

**BRIEF TITLE:** Requiring health insurance conversion rights for employees and their spouses.

**SPONSORS:** House Committee on Insurance (Originally Sponsored by Representatives Galloway, Maxie, Keller, Smith (R.), Rinehart, Brekke, Winsley, Teutsch, McGinnis, Vrooman, Zimmerman, Garrett, Erak, Taylor, Ellis, Gallagher, Rohrbach, Granlund, and Gruger)

**HOUSE COMMITTEE:** Insurance

**SENATE COMMITTEE:** Financial Institutions and Insurance

**RATIONALE:**

Persons covered under group disability or health insurance policies as principal insureds may find themselves without insurance coverage upon termination of employment or membership in a group. Also,
the spouse and dependents of a principal insured covered by individual or group disability insurance or group health insurance may find themselves without disability or health insurance coverage if the principal insured dies or the marriage is terminated.

SUMMARY:

All individual disability policies must allow the principal insured's spouse and dependents to convert the insurance coverage of the insured if the insured dies or the marriage ends.

All group disability policies, group health care service plans, and group plans provided by health maintenance organizations must allow the insured the right to convert the policy upon termination of employment or membership in a group. The insured's spouse and covered dependents are given the right to convert the insurance coverage if the principal insured dies or the marriage is terminated.

Persons exercising conversion rights are not required to undergo a physical examination or to provide a statement of health or other proof of insurability.

The conversion rights for individual disability policies provide for the continuation of the same policy coverage. The conversion rights for group disability or health insurance policies provide for coverage normally offered by the insurer to employees leaving a group. The conversion coverage need not provide the same benefits as the group coverage.

Conversion rights must be written into all individual disability policies, group disability policies, group health care service plans, and group health maintenance organization plans.

| House: | 95 | 0 | Effective: June 12, 1980 |
| Senate: | 39 | 1 | C 10 L 80 |

SHB 1499

BRIEF TITLE: Providing for the definition of "low income senior citizen" for reduced utility rates.

SPONSORS: House Committee on Energy and Utilities
(Originally Sponsored by Representatives Monohon, Tupper, Erak, McCormick, Burns, Nelson (D.), Nisbet, Williams, Rinchart, Brown, North, Fuller, Charnley, Lux, Knowles, Salatino, May, Brekke, Eng, Vrooman, Sherman, Ellis, Gallagher)

HOUSE COMMITTEE: Energy and Utilities
SENATE COMMITTEE: Energy and Utilities

RATIONALE:

During the 1979 legislative session, a law was enacted which enabled local governing bodies to provide reduced service rates for utility services provided to low income senior citizens. The definition of low income senior citizens was left to local governing bodies providing the service. Some utilities have had difficulty in defining "low income senior citizens" thus hindering operation of the program. A baseline definition should expedite the desired rate reductions.

SUMMARY:

Low income senior citizens are defined, for the purposes of public utility districts, as persons 62 years of age or older with a combined income of $7,000. Other local governing bodies providing utility service may continue to define low income senior citizens as they so choose.

| House: (a) | 95 | 0 | Effective: June 12, 1980 |
| Senate: (a) | 48 | 0 |
| House Concurred. | 96 | 0 | C 160 L 80 |

HB 1508

BRIEF TITLE: Exempting ride-sharing vans from sales and motor vehicle excise taxation.

SPONSORS: Representatives Sherman, Chandler, Sommers, Charnley, Craswell, Martinis, Smith (R.), Rinehart, Heck, Granlund, Lux, Hughes, Salatino, Erak, Stratton, Pruitt, Monohon, Van Dyken, Maxie, Gallagher, Bauer, Brekke, Burns, Nisbet, Teutsch, Taylor, and Williams

HOUSE COMMITTEE: Energy and Utilities

RATIONALE:

It is believed by many that the United States needs to reduce its dependence on imported oil. One way to accomplish this goal is by increasing the use of vanpools for commuting. Each vanpool formed in Washington will conserve an average of 10,000 gallons of gasoline a year. Vanpools also reduce the amount of highway traffic and the need for parking facilities in congested areas.

Individuals and businesses interested in investing in vanpools are discouraged by high initial costs and financing difficulties. It has been contended that incentives are needed to reduce the initial costs of new vans. Removing sales, use, and excise taxes for vanpooling vehicles is expected to generate 250 new vanpools in 1980. It is estimated that these new vanpools would conserve 2,500,000 gallons of petroleum each year, and would reduce vehicle miles traveled by 37,500,000 miles each year.
SUMMARY:

Vans used for ride-sharing by seven persons or more are exempted from sales, use, and motor vehicle excise taxes. The registered owner is required to notify the Department of Licensing and to pay excise taxes for the remaining months of the year when the van is no longer used as a ride-sharing vehicle. The exemptions terminate on January 1, 1988.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 75 22 Effective: April 4, 1980
Senate: 47 0 C 166 L 80

SHB 1510

BRIEF TITLE: Extending grounds for termination of a franchise.

SPONSORS: House Committee on Commerce
(Originally Sponsored by Representatives Warnke and Geregeo)

HOUSE COMMITTEE: Commerce
SENATE COMMITTEE: Commerce

RATIONALE:

When holders of franchises breach their franchise agreement, the franchisor is permitted to terminate the agreement provided that the franchise holder is given notice and opportunity to cure the breach. Under current state law, if the franchisor cures the breach, the agreement may not be terminated regardless of the number of breaches that may occur.

In addition, the Department of Licensing, which administers the Franchise Investment Protection Act, is not permitted to direct that the Department's Attorney General bring civil suit to enforce the Act's provisions.

SUMMARY:

After three material and willful breaches of the same term of the franchise agreement occurring within twelve months, for which notice and opportunity to cure is provided, the franchisor may terminate the agreement upon any subsequent wilful and material breach of the same term occurring within the twelve month period without providing notice and opportunity to cure. The Director of Licensing may direct the Attorney General to bring a civil suit to enforce the franchise law.

House: 98 0 Effective: June 12, 1980
Senate: 47 1 C 63 L 80

SHB 1511

BRIEF TITLE: Revising laws requiring identification of legend drugs.

SPONSORS: House Committee on Social and Health Services
(Originally Sponsored by Representatives Pruitt, Mitchell, Teutsch, Whiteside, Stratton, Schmitten, Flint, Lux, Houchen, Vrooman, and Gallagher)

HOUSE COMMITTEE: Social and Health Services
SENATE COMMITTEE: Social and Health Services.

RATIONALE:

It is helpful to identify solid drugs quickly in order for poison control centers and hospital emergency rooms to prescribe antidotes for people ingesting lethal dosages of drugs.

SUMMARY:

The manufacture or distribution of prescription drugs in solid dosage forms is prohibited unless each capsule or tablet and each container of a prescription drug is imprinted with a symbol, company name, or national drug code number. A drug manufacturer or distributor must supply the Board of Pharmacy with drug identification material. The Board must provide such information to pharmacies, poison control centers, and hospital emergency rooms.

An appropriation of $22,656 is made to the Board of Pharmacy to carry out the purposes of this act.

House: 96 0 Effective: June 12, 1980
Senate: 47 0 C 83 L 80

SHB 1515

BRIEF TITLE: Revising requirements for health care planning.

SPONSORS: House Committee on Social and Health Services
(Originally Sponsored by Representatives Kreidler, Mitchell, Schmitten, Adams, Lux, and Brekke)

HOUSE COMMITTEE: Social and Health Services
SENATE COMMITTEE: Social and Health Services

RATIONALE:

The Legislature in the 1979 session passed SHB 249 implementing the National Health Planning and Resources Development Act of 1974. Congress has since amended the federal act with the result that the federal and state statutes now contain conflicting language.
SHB 1515

SUMMARY:

State law is updated to reflect amendments to the National Health Planning and Resources Development Act of 1974. A statement is added to the declaration of policy section concerning the strengthening of competitive forces in health services. Other changes in the law are as follows: 1) the threshold of $150,000 for certificate of need (CN) reviews must be adjusted annually; 2) the necessity for "state medical facilities plan" is eliminated; 3) the health planning cycle is extended from annual to triennial basis; 4) the Governor is required to designate the chairperson of the State Health Coordinating Council (SHCC); 5) "health maintenance organizations" are exempted from CN reviews; 6) CN reviews are required for inpatient major medical equipment (costing in excess of $150,000) and any substantial change in facility services; 7) special circumstances of health institutions, energy conservation, effect of competition on supply, efficiency and appropriateness of use are included as criteria for CN reviews; 8) the term of chairperson of SHCC is reduced from three to one year.

Upon signature by the Governor, the amendments to the CN program take effect January 1, 1981. The remainder of the bill takes effect June 12, 1980.

House: (a) 98 0  Effective: June 12, 1980
Senate: (a) 46 0
House Concurred,
Final Passage: 93 0  C 139 L 80

SHB 1516

BRIEF TITLE: Establishing requirements for in-home services.

SPONSORS: House Committee on Social and Health Services
(Originally Sponsored by Representatives Teutsch, Pruit, Brekke, Whiteside, Mitchell, Krediler, Stratton, May, Flint, Lux, Adams, Eng, Barr, Gallagher, Valle, Erak and Maxie)

HOUSE COMMITTEE: Social and Health Services
SENATE COMMITTEE: Social and Health Services

RATIONALE:

The Department of Social and Health Services (DSHS) provides three in-home service programs which seek to prevent inappropriate institutionalization and to assist families in short-term emergency situations. The three programs, home health, homemaker, and chore services, are marked by a lack of coordination, problems in recruiting and training service providers, and delays in reimbursement for service providers. A financial disincentive exists in the chore services program for the physically disabled chore recipients who wish to work. The $499.00 eligibility ceiling for chore services eliminates most disabled chore recipients from the work force.

SUMMARY:

DSHS must undertake a number of administrative reforms to (1) improve the coordination of services, (2) assist in recruiting service workers, (3) provide compensation to service providers on a prompt and regular basis, and (4) require a single caseworker to seek to coordinate and monitor the delivery of all three in-home services.

Eligibility for the chore services program for the disabled is more specifically and precisely set forth. DSHS must establish a sliding fee scale for participation in the chore program for the physically disabled. An appropriation of $270,000 is made to carry out the procedures of the act.

House: (a) 98 0  Effective: June 12, 1980
Senate: (a) 46 0
House Concurred,
Final Passage: 93 0  C 139 L 80

HB 1518

BRIEF TITLE: Modifying minimum rental requirements for oil and gas leases on state lands.

SPONSORS: Representatives Sanders, Schmitten, Erickson, Sommers, and Owen

HOUSE COMMITTEE: Natural Resources

RATIONALE:

Washington's current law governing oil and gas leases was enacted in 1955. An auction held by the Department of Natural Resources on August 14, 1979 resulted in the sale of oil and gas leases on 315,000 acres of state-controlled land. The annual rental price for these lands is $.50 per acre. Presently, a minimum royalty of $5.00 per acre becomes due in the lease year beginning on or after oil, gas, or other hydrocarbon substances are first produced in economically viable quantities.

SUMMARY:

The annual rental price for public lands leased for the purpose of prospecting for oil, gas or other hydrocarbon substances is increased from $.50 per acre to a minimum of $1.25 per acre. This new rental price may be increased by the Board of Natural Resources and is to be paid until such time as royalty payments begin accruing to the state.
The minimum royalty of $5.00 per acre is made a "floor" which may be increased by the Board of Natural Resources.

The royalty to be paid is the greater of the minimum royalty stated above, or the 12 and one-half percent of gross production royalty provided for in existing law.

House: 95 0 Effective: June 12, 1980
Senate: 49 0 C 151 L 80

SHB 1520

BRIEF TITLE: Granting DSHS personnel access to criminal records when investigating applicants for child care agency licenses.

SPONSORS: House Committee on Social and Health Services
(Originally Sponsored by Representatives Adams, Whiteside, Mitchell, Galloway, Gallagher, Hughes, Erak, and Stratton)
(By Department of Social and Health Services Request)

HOUSE COMMITTEE: Social and Health Services
SENATE COMMITTEE: Social and Health Services

RATIONALE:
The Department of Social and Health Services (DSHS) has no way of knowing whether persons applying for a license to care for children, expectant mothers, and adult developmentally disabled individuals have been convicted of or charged with crimes involving abuse or assault. There have been instances where persons convicted of child abuse or assault have been licensed by DSHS and have subsequently abused the people entrusted to them.

SUMMARY:
DSHS is authorized to access the State Patrol crime computer when investigating agencies and persons who wish to care for children, expectant mothers, and the developmentally disabled.

House: 98 0 Effective: June 12, 1980
Senate: 46 0 C 125 L 80

HB 1521

BRIEF TITLE: Regulating transfers of property by persons seeking eligibility for public assistance.

SPONSORS: Representatives Whiteside, Adams, Mitchell and Van Dyken

HB 1524

BRIEF TITLE: Modifying the law on public employment salary surveys.

SPONSORS: Representatives Ehlers and Taller

HOUSE COMMITTEE: State Government
SENATE COMMITTEE: State Government
HB 1524

RATIONALE:

It is becoming increasingly difficult for the Department of Personnel and the Higher Education Personnel Board to find private employers who are willing to provide salary data for the state employee salary survey because there is no assurance that the information will remain confidential.

Existing law requires that a survey be conducted prior to each regular session of the Legislature. With the passage of SJR 110, which provides for a regular session each year, this means that annual salary surveys are currently required. The original intent was to conduct surveys on a biennial cycle, and the proposed amendments would ensure that this practice is continued.

SUMMARY:

Certain private employer salary and fringe benefit data collected by the Department of Personnel and the Higher Education Personnel Board for the biennial state employee salary survey are exempted from the Public Disclosure Law. The type of information which is exempted is that which identifies a specific employer with the salary and benefits the employer provides.

Salary surveys are required to be conducted at least in the year prior to a 105-day regular session of the Legislature.

HB 1545

BRIEF TITLE: Making an appropriation to the State Library.

SPONSOR: Representative Thompson

HOUSE COMMITTEE: Appropriations

SENATE COMMITTEE: Ways and Means

RATIONALE:

The State Library, through a contract with the Blind Commission, has been providing a braille and taping service program and a radio reading services program. The source of funding for this program was federal vocational rehabilitation funds. A recent federal audit indicated that this source of funding could not be used for these activities. Therefore, the Governor has recommended that $266,000 in state funds be appropriated to replace the federal funds.

SUMMARY:

An appropriation of $266,000 in state general funds is made to replace the federal funds and to maintain current programs.

This bill contains an emergency clause and takes effect upon signature by the Governor.

HB 1555

BRIEF TITLE: Protecting unique wildlife.

SPONSORS: Representatives Schmitten, Becker, Flint, Jovanovich, Rosbach, Vrooman, Wilson, Martinis, Addison, Mitchell, Ellis, and Charnley

HOUSE COMMITTEE: Natural Resources

SENATE COMMITTEE: Natural Resources

RATIONALE:

Albino wildlife are very unique and seldomly seen. These animals are often poached because they make a “fine” trophy.

SUMMARY:

It is unlawful to hunt, trap, sell, buy, etc., any albino wild animal (wild animal excludes fish). A violation of this act is a gross misdemeanor ($250 to $1,000 fine and/or 30 days to one year in the county jail).

SHB 1533

BRIEF TITLE: Making an appropriation to the Department of Social and Health Services.

SPONSORS: House Committee on Appropriations

(Originally Sponsored by Representatives Thompson and Nelson (G.))

HOUSE COMMITTEE: Appropriations

SENATE COMMITTEE: Ways and Means

Note: An analysis of this bill is presented in the Budgetary Highlights section of this report.

House: 93 1 Effective: June 12, 1980
Senate: 40 0 C 11 L 80

House: 96 0 Effective: April 4, 1980
Senate: 30 19

House Refused to Concur.

Requested Conference:
Senate: 32 16
House Refused to Concur.

Senate: 35 12

House Concurred.

Final Passage: 84 13 C 167 L 80

House: 98 0 Effective: June 12, 1980
Senate: 49 0 C 44 L 80

[ 30 ]
SHB 1558

BRIEF TITLE: Exempting certain dwellings from the access roadway requirements of the fire code.

SPONSORS: House Committee on Local Government (Originally Sponsored by Representatives Zimmerman, Heck, Bauer, Monohon, Galloway, and Williams)

HOUSE COMMITTEE: Local Government
SENATE COMMITTEE: Local Government

RATIONALE:
In 1979 the Legislature adopted the 1976 edition of the Uniform Fire Code. The Code contains a new provision requiring a 20 foot wide, all-weather access roadway for fire department apparatus whenever any structure is built. It is thought that this provision creates unnecessary hardships on people desiring to build homes.

SUMMARY:
The application of the provisions of the Uniform Fire Code concerning access roadway requirements for fire department apparatus to duplexes, single family dwellings, and out-buildings is left to the discretion of the local government.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: (a)  93  1  Effective: March 3, 1980
Senate: (a)  45  0
House Concurred,
Final Passage:  96  1  C 64 L 80

SHB 1568

BRIEF TITLE: Requiring the use of gasohol in state vehicles.

SPONSORS: Representatives McCormick, Bond, Scott, Grimm, Oliver, Monohon, Kreidler, Sanders, Maxie, McGinnis, Burns, Taylor, Gallagher, Smith (C.), Mitchell, Granlund, Pruitt, Rinehart, Lux, Stratton, Valle, Bauer, and Erak

HOUSE COMMITTEE: Energy and Utilities
SENATE COMMITTEE: Energy and Utilities

RATIONALE:
Requiring state vehicles to use gasohol whenever it is available might establish a firm demand and thereby help create a larger alcohol for fuel production base. This should then result in more widespread use of gasohol statewide.

SUMMARY:
All state motor vehicles must use gasohol or cost-effective alternative fuels, rather than gasoline, whenever such fuels are available. Gasohol means motor vehicle fuel which contains nine and one-half or more percent alcohol by volume.

House: (a)  93  1  Effective: June 12, 1980
Senate: (a)  45  0
House Concurred,
Partial
Senate Refused:
To Recede:
House Concurred,
Final Passage:  96  1  C 169 L 80

SHB 1575

BRIEF TITLE: Permitting classification of county roads as primitive roads.

SPONSORS: House Committee on Local Government (Originally Sponsored by Representatives Charnley, Whiteside, Thompson, and Van Dyken)

HOUSE COMMITTEE: Local Government
SENATE COMMITTEE: Local Government

RATIONALE:
Counties have many unimproved, low use roads that they are unable to afford to keep up to modern road construction standards. Sometimes persons sue the county after an accident on such roads, claiming that they are not built to a particular design standard.

SUMMARY:
Counties may designate certain roads as primitive roads on which a question of design standard may not be raised in a lawsuit against the county. Such roads require specific signing to warn motorists. A road may only be designated as a primitive road if: (1) is not part of the primary county road system; (2) has a gravel or earth driving surface; and (3) has 100 or fewer annual average daily traffic.

House:  97  0  Effective: June 12, 1980
Senate:  49  0  C 45 L 80

HB 1585


SPONSORS: Representatives Smith (R.) and Newhouse
(By Code Reviser Request)

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary
HB 1585

RATIONALE:
Certain sections of the code relating to the Chiropractic Disciplinary Board were amended more than once by separate bills in the 1979 legislative sessions.

SUMMARY:
Specified sections of the code relating to the Chiropractic Disciplinary Board are reenacted as a single section of law.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 96 0 Effective: March 4, 1980
Senate: 49 0 C 46 L 80

HB 1586

BRIEF TITLE: Correcting double amendments to RCW 28A.57.312, 28A.57.357, and 28A.57.358.

SPONSORS: Representatives Smith (R.) and Newhouse
(By Code Reviser Request)

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:
Certain sections of the code relating to the board of directors of school districts were amended more than once by separate bills in the 1979 legislative sessions.

SUMMARY:
Specified sections of the code relating to the board of directors of school districts are reenacted as a single section of law.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 97 0 Effective: March 4, 1980
Senate: 49 0 C 47 L 80

HB 1587

BRIEF TITLE: Correcting double amendments in Title 51 RCW.

SPONSORS: Representatives Newhouse and Smith (R.)
(By Code Reviser Request)

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:
Certain sections of the code relating to industrial insurance were amended more than once by separate bills in the 1979 legislative sessions.

SUMMARY:
Specified sections of the code relating to industrial insurance are reenacted as a single section of law.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 96 0 Effective: Feb. 22, 1980
Senate: 49 0 C 14 L 80

HB 1588

BRIEF TITLE: Correcting double amendments to RCW 67.16.100.

SPONSORS: Representatives Newhouse and Smith (R.)
(By Code Reviser Request)

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:
Certain sections of the code relating to horse racing were amended more than once by separate bills in the 1979 legislative sessions.

SUMMARY:
Specified sections of the code relating to horse racing are reenacted as a single section of law.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 97 0 Effective: Feb. 22, 1980
Senate: 49 0 C 16 L 80

HB 1589

BRIEF TITLE: Correcting double amendments to RCW 72.64.110.

SPONSORS: Representatives Newhouse and Smith (R.)
(By Code Reviser Request)

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:
Certain sections of the code relating to county prisoners were amended more than once by separate bills in the 1979 legislative sessions.

SUMMARY:
Specified sections of the code relating to county prisoners are reenacted as a single section of law.

This bill contains an emergency clause and takes effect upon signature by the Governor.
HB 1593

BRIEF TITLE: Updating the Model Traffic Ordinance.

SPONSORS: Representatives Garrett, Patterson, Stratton, Struthers, and Ellis

HOUSE COMMITTEE: Transportation
SENATE COMMITTEE: Transportation

RATIONALE: The Washington Model Traffic Ordinance (MTO) was established in 1975 to serve as a comprehensive, uniform traffic laws guide. The guide can be adopted, by reference, by any local authority to serve as its local traffic ordinance. The local authority may adopt the MTO in full or in part, and may at any time exclude any section or sections it does not wish to include in its local traffic ordinance. The addition of any new section, amendment or repeal of an existing section in the Model by the Legislature automatically amends any city, town or county ordinance which has been adopted by reference. This makes it unnecessary for the local legislative authority to take action with respect to additions, amendments or repeals.

The MTO does not reflect new traffic statutes that were enacted during the 1977 and 1979 regular and special legislative sessions. The same applies to repeal of state traffic statutes that were referenced in the MTO.

SUMMARY: The MTO is updated to reflect enactment of new traffic laws and deletion of previous statutes in other sections of law.

House: 96 0 Effective: Feb. 22, 1980
Senate: 49 0 C 17 L 80

HB 1597

BRIEF TITLE: Authorizing issuance of certain school district bonds for energy efficiency purposes.

SPONSORS: Representatives Williams, Nisbet, Dunlap, McCormick, Bond, Scott, Mitchell, Smith (C.), and Oliver

HOUSE COMMITTEE: Energy and Utilities
SENATE COMMITTEE: Energy and Utilities

RATIONALE: Many existing school buildings and/or their heating systems utilize energy in an inefficient manner. Improving a school’s energy efficiency would yield significant energy savings. Bonding is one method of financing such improvements. Under current law a school district is enabled to issue bonds for the purpose of: 1) funding outstanding debts; 2) purchasing building sites; and 3) erecting and equipping new buildings. By including energy efficiency improvements as a purpose for bonding, school districts would have more options by which to finance appropriate improvements.

SUMMARY: The list of purposes for which school districts may borrow money and issue bonds is expanded to include improving energy efficiency of school district buildings and/or installing energy systems which utilize renewable or inexhaustible resources. School districts also are authorized to borrow money and issue bonds to finance major and minor structural changes and additions to facilities to carry out school district functions.

House: 91 0 Effective: June 12, 1980
Senate: (a) 45 0
House Concurred, Final Passage: 95 0 C 170 L 80

HB 1598

BRIEF TITLE: Adding two members to the Salmon Advisory Council.

SPONSORS: Representatives Schmitten and Monohon
(By Department of Fisheries Request)

HOUSE COMMITTEE: Natural Resources
SENATE COMMITTEE: Natural Resources

RATIONALE: The Salmon Advisory Council was formed in 1977 to advise the Department of Fisheries on the salmon enhancement program. Council members represent those user groups which are directly paying for the program. Since the federal government may support additional enhancement projects (upwards to $50 million) for non-Indians and Indians, some people believe that Indian representation on the Council would be appropriate.

SUMMARY: Three members are added to the Salmon Advisory Council. Two of these new council members are representatives of Indian tribes and are appointed by the Governor from a list submitted by the Northwest Indian Fisheries Commission. In addition, the number of sportsmen representatives is increased from two to three.
HB 1598

HB 1604

BRIEF TITLE: Modifying the allocation of funds appropriated to state retirement systems.

SPONSORS: Representatives Nelson (G.) and Thompson (By Office of Financial Management Request)

HOUSE COMMITTEE: Appropriations
SENATE COMMITTEE: Ways and Means

RATIONALE:
A law passed in 1979 provided benefit increases to certain retirees of the Public Employees Retirement System, the Teachers Retirement System, the Judges Retirement System, TIAA-CREF, and the Washington State Patrol Retirement System. The total cost estimated to fund these increases for TIAA-CREF retirees was correct, but the amounts allocated to individual schools has been shown to need adjustment.

SUMMARY:
Funds appropriated during the 1979 legislative session for the TIAA-CREF system are redistributed.

Effective: June 12, 1980

HB 1609

BRIEF TITLE: Increasing the maximum allowed state aid to local airport projects.

SPONSORS: House Committee on Transportation (Originally Sponsored by Representatives Sanders, Eberle, Bond, Sprague, Martinis, Brown, Charnley, Bender, Clayton, Isaacson, Addison, and Garrett)

HOUSE COMMITTEE: Transportation
SENATE COMMITTEE: Transportation

RATIONALE:
The policy of state assistance for the construction and support of locally owned airports was established in 1947. The limit of state participation was established at that time at $100,000 per project.

SUMMARY:
The level of state participation in funding locally owned, or Indian owned airports is raised from $100,000 to $250,000 per project.

In addition, technical changes are made to reflect the transfer of functions from the Aeronautics Commission to the Department of Transportation.

Effective: June 12, 1980

SHB 1610

FULL VETO

BRIEF TITLE: Creating the state investment board.

SPONSORS: House Committee on State Government (Originally Sponsored by Representatives McDonald, Sommers, Taller, Nelson (G.), Thompson, Becker, Nisbet, McGinnis, Garrett, Schmitten, Taylor, Williams, Struthers, Addison, Granlund, Hughes, Dunlap, Greengo, Sanders, Nelson (D.), and Hastings)

HOUSE COMMITTEE: State Government
SENATE COMMITTEE: State Government

RATIONALE:
Under existing law, approval authority to invest state trust and retirement funds is shared among the various retirement system boards and the State Finance Committee. Because of this fragmented and cumbersome structure, it is difficult to arrive at critical management decisions regarding investment policy. A consolidated investment board might alleviate this problem and result in greater management control over the state’s investments.

SUMMARY:
The authority to invest state trust and retirement funds is transferred from the State Finance Committee to a newly created State Investment Board, effective July 1, 1981. The new board consists of nine voting members and five nonvoting members, who advise the board on investment policy. The voting members include a member of PERS, appointed by the Governor; a member of LEOFF, appointed by the Governor; a member of TRS, appointed by the Superintendent of Public Instruction; a retired member of one of the state retirement systems, appointed by the Governor; the State Treasurer; the Director of the Department of Labor and Industries; the Director of the Department of Retirement Systems; a State Representative, appointed by the Speaker of the House of Representatives; and a State Senator, appointed by the Senate President. The nonvoting members will be appointed by the voting members. Neither the Senate nor the House members may serve as chairperson of
An executive director will be employed, subject to confirmation by the State Finance Committee, for a term of three years.

The funds over which the Investment Board will have investment authority are Public Employees' Retirement System funds, Law Enforcement Officers and Firefighters Retirement Fund, Teachers' Retirement System Fund, Washington State Patrol Retirement Fund, Judicial Retirement Fund, medical aid and accident funds, and permanent trust funds.

The State Treasurer has the direct responsibility to invest cash balances of treasury funds. The State Finance Committee retains the responsibility for debt management—the issuance and sale of bonds.

The Investment Board will be funded from the Investment Reserve Account subject to legislative appropriation. An appropriation of $5,000 is made to cover transition costs.

**VETO SUMMARY:**

The Governor's veto expressed concern with the composition of the new Investment Board in that: (1) legislators' participation on the Board might hinder the Legislature's evaluative role by a possible conflict of interest and (2) the appointed members of the Board would be insulated from public accountability. (See VETO MESSAGE)

**HB 1620**

**BRIEF TITLE:** Making an appropriation to the Department of Transportation.

**SPONSORS:** Representatives Wilson, Martinis, Eberle, Owen, Houchen, Nisbet, and Smith (R.)

(By Office of Financial Management Request)

**HOUSE COMMITTEE:** Transportation

**SENATE COMMITTEE:** Transportation

**RATIONALE:**

The state ferry system's operations and maintenance (O&M) budget deficit for the current biennium is forecasted at $14.0 million, a $10.6 million increase above the $3.4 million deficit estimated in the 1979 session. This is due primarily to lower revenues because of a five percent traffic reduction ($3.3 million) and higher fuel costs ($7.3 million). Actual fuel costs have increased from fifty-four cents a gallon in July 1979 to 72.5 cents in January 1980. These costs are expected to increase to 74 cents a gallon by July 1980 and to 96 cents a gallon by July 1981. The Transportation Commission considered a series of nine alternatives to fund this increased deficit, including fare increases, service reductions, additional tax subsidy or a combination of these actions. The Commission decided to increase fares by thirteen percent in May 1980 ($5.0 million revenue gain) and to request an additional tax subsidy by this $9.0 million supplemental appropriation. The Commission's decision is based upon a temporary seventy percent/thirty percent fares-to-tax subsidy ratio for the current biennium. The previous ratio was seventy-five percent/twenty-five percent.

Under present law, fuel taxes and Motor Vehicle Excise Taxes (MVET) in the Puget Sound Capital Construction Account that are not appropriated for ferry system capital improvements become available for O&M subsidy purposes by transfer to the Puget Sound Ferry Operations Account.

**SUMMARY:**

An appropriation of $9.0 million (all state funds) is made from the Puget Sound Ferry Operations Account to the Department of Transportation for the biennium ending June 30, 1981.

This bill contains an emergency clause and takes effect upon signature by the Governor.

**HB 1624**

**BRIEF TITLE:** Increasing the bond limit for salmon enhancement.

**SPONSORS:** Representatives Vrooman, Schmittcn, Martinis, Wilson, Monohon, Dunlap, Erak, Smith (R.), Sanders, Mitchell, and Addison

(By Department of Fisheries Request)

**HOUSE COMMITTEE:** Natural Resources

**SENATE COMMITTEE:** Natural Resources

**RATIONALE:**

In 1977, the Legislature authorized the sale of $31.5 million of bonds to pay for the construction of salmon enhancement facilities. The Legislature appropriated $31,340,000 to the Department of Fisheries for the construction of these facilities. In 1979, the Legislature dropped several of the proposed projects and added new appropriations for two projects. The net effect was an increase in total appropriation of $736,000. The new total appropriation is over the bond limit originally authorized by the Legislature. The Department may spend the lesser of the two amounts, either the appropriation or the bond authorization.
HB 1624

SUMMARY:
The authorization for the sale of bonds, the proceeds of which are used for construction of salmon enhancement facilities, is increased from $31.5 million to $32.5 million.

House: 97 0  Effective: June 12, 1980
Senate: 49 0  C 15 L 80

SHB 1630

BRIEF TITLE: Authorizing distillation of alcohol for use as a motor vehicle fuel.

SPONSORS: House Committee on Agriculture
(Originally Sponsored by Representatives Fancher, Kreidler, Zimmerman, Hastings, Addison, Amen, Schmitten, Taylor, Tilly, Barr, Whiteside, Struthers, Patterson, Mitchell, Flanagan, Nisbet, Tupper, Bond, Van Dyken, Rosbach, Smith (C.), Houchen, Rohrbach, Scott, Granlund, McGinnis, Oliver, Burns, Teutsch, Williams, Erik, Pruitt, Rinehart, and Bauer)

HOUSE COMMITTEE: Agriculture
SENATE COMMITTEE: Agriculture

RATIONALE:
Alcohol fuel manufacturing plants are subject to regulation by the state Liquor Control Board and the federal Bureau of Alcohol, Tobacco and Firearms. Alcohol stills and mash may not be owned without obtaining a license from the state Liquor Control Board. In order to encourage the production of alcohol fuels, there is a need to avoid duplicative inspection, regulatory requirements, and licensing expenses involved in dual jurisdiction shared by state and federal agencies.

SUMMARY:
If the operator of an alcohol fuel manufacturing plant has a federal permit to produce alcohol fuel, no state license or other state requirements are imposed. To remove alcohol from the premises at which it was produced, the alcohol must be denatured in accordance with the federally approved formula. No stills may be operated or mash possessed unless a federal permit is secured or unless licensed with the state Liquor Control Board. Present liquor laws relating to illegal purchase, sale, and transportation of spirituous liquor remain in effect.

This bill contains an emergency clause and takes effect upon signature by the Governor.

HB 1643

BRIEF TITLE: Authorizing bonds for common school construction.

SPONSORS: Representatives Thompson, Chandler, Heck, and Taylor

HOUSE COMMITTEE: Appropriations
SENATE COMMITTEE: Ways and Means

RATIONALE:
The 1979 Legislature enacted a bond bill which was to make available $104 million for common school construction. A technical defect in the bill prevented the issuance of the bonds. Now, a year later, some of the assumptions by which the need for $104 million was determined, have changed. Estimated revenues from trust lands have been revised upward by $40 million and school construction activity is proceeding at a slower pace than anticipated. Therefore, the Superintendent of Public Instruction (SPI) indicates a need for $30 million in bonds.

SUMMARY:
The previous bond bill of $104 million is repealed and replaced with a $30 million bond issue backed by the state General Fund. In addition to providing funds for common school construction, this act also pays off a debt owed to the common school construction fund for lands which were sold to the Parks Commission. The SPI is required to expend the $30 million prior to the end of the biennium so that the trust land obligation can be liquidated.

This bill contains an emergency clause and takes effect upon signature by the Governor.

HB 1658

BRIEF TITLE: Modifying provisions of the administrative contingency fund.

SPONSORS: Representatives Thompson, Nelson (G.), and King
(By Department of Employment Security Request)

HOUSE COMMITTEE: Appropriations
SENATE COMMITTEE: Ways and Means

RATIONALE:
Current state law prohibits the accrual of more than $100,000 to the Administrative Contingency Fund at the end of each quarter. Funds in excess of $100,000 at the end of the quarter are transferred to the State of Washington's account within the federally controlled Unemployment Trust Fund. Once this transfer occurs, these funds are no longer available for state
purposes. The revenue for the Administrative Contingency Fund is derived from interest and penalties paid by state employers for delinquent unemployment insurance taxes.

SUMMARY:
The $100,000 ceiling on the funds on deposit at the end of each quarter is removed and an appropriation of $1,184,000 (Administrative Contingency Fund) is made to the Department of Employment Security for the implementation of three computer systems related to the Unemployment Insurance Division and for the alteration of facilities to allow access by handicapped persons.

This bill contains an emergency clause and takes effect upon signature by the Governor.

HB 1663

BRIEF TITLE: Requiring inclusion of contractor's registration number in advertising materials.

SPONSORS: Representatives Warnke, Greengo, Tilly, Erickson, and Smith (R.)

HOUSE COMMITTEE: Commerce
SENATE COMMITTEE: Commerce

RATIONALE:
In 1979, consumer protection legislation was enacted prohibiting advertising by unlicensed contractors and requiring all written advertising by contractors to show their current registration number. A problem arose as to whether the registration number had to be on checks, envelopes, all contracts, invoices, and other materials used in businesses between contractors.

Currently, persons who do special or general contracting work of a casual, minor, or inconsequential nature under $250 in value do not have to post a bond or other means of security. The dollar limit of this provision was set in 1967.

SUMMARY:
Contractors' listings in the yellow pages of telephone books and all advertising prepared by contractors which show name or address must also show current registration number. However, signs on motor vehicles which require license plates to operate on highways and are used in business, and signs on the premises are not advertising and need not show current registration number.

The dollar limit under which persons are not required to post a bond or other means of security for contracting work is raised to $500.
HB 1676

RATIONALE:
In 1969 an ambiguous amendment was added to state law relating to the powers of city parking commissions. This amendment appears to preclude any city regulation of privately owned parking facilities. In addition, cities are restricted to operating only their own parking facilities which are used for park or civic center purposes.

SUMMARY:
Statutory language which appeared to preclude cities from establishing any regulations on privately owned parking facilities is stricken. The authority of cities to regulate privately owned parking facilities is thereby clarified.

The city parking commission may require that receipts be provided for parking fees at their own parking facilities. Cities may operate off-street parking facilities with city forces unless the facility is located on real property leased or rented to a city and is not used for park or civic center purposes.

HB 1681

BRIEF TITLE: Prioritizing requests for services to State Patrol Crime Lab.

SPONSORS: Representatives Brekke, Taller, Galloway, Brown, Erak, Tupper, Pruitt, Nelson (D.), Sanders, Burns, Jovanovich, and Granlund

HOUSE COMMITTEE: State Government
SENATE COMMITTEE: Judiciary

RATIONALE:
The Washington State Patrol Crime Laboratory System now provides only limited assistance to law enforcement agencies investigating and prosecuting most crimes against persons, but provides full services in cases involving controlled substances and homicide. The State Patrol maintains that its existing statutory mandate for the Crime Lab emphasizes the provision of services in drug cases. As a result, crimes which are committed most frequently against persons, such as rape, robbery, assault, hit and run with injury, burglary, and auto theft do not receive a high priority with respect to laboratory assistance.

SUMMARY:
The Crime Laboratory System must assign priority to requests for services with "due regard" to whether the case involves criminal activity against persons. Crime Lab services and local law enforcement personnel training are transferred from the Drug Assistance Unit to the newly created Crime Laboratory System. The State Advisory Council on Criminal Justice Services will assist the Laboratory System in developing policies to promote efficient use of laboratory services.

HB 1685

BRIEF TITLE: Permitting cities to regulate parking facilities not owned by the city.

SPONSORS: Representatives Charnley, Brown, Chandler, and Lux

HOUSE COMMITTEE: Local Government
SENATE COMMITTEE: Local Government

RATIONALE:
Statutory language which appeared to preclude cities from establishing any regulations on privately owned parking facilities is stricken. The authority of cities to regulate privately owned parking facilities is thereby clarified.

The city parking commission may require that receipts be provided for parking fees at their own parking facilities. Cities may operate off-street parking facilities with city forces unless the facility is located on real property leased or rented to a city and is not used for park or civic center purposes.

HB 1686

BRIEF TITLE: Utilizing accrual basis instead of cash basis in recognition of certain expenditures relating to school districts.

SPONSORS: Representatives Chandler and Heck (By Superintendent of Public Instruction Request)

HOUSE COMMITTEE: Education
SENATE COMMITTEE: Education

RATIONALE:
Washington State law presently requires cash basis recognition of expenditures for the bond interest and redemption funds, refunding bond funds, refunded bond funds and permanent insurance funds. The cash basis requires the expenditure to be recorded at the time paid, rather than when the debt is incurred.

Under the cash basis, school districts are experiencing difficulty in budgeting expenditures in the bond interest and redemption funds. Presently, school districts must budget additional expenditures for payment of prior year matured bonds and interest that will be paid in the following year. A review of the bond interest and redemption funds for fiscal year 1977–78 disclosed a large number of districts that overexpend their budget because of the difficulty in forecasting actual disbursements. Changing to a modified accrual basis would allow the districts to charge expenditures when bonds and interest become due.
SUMMARY:

School districts, except those with less than one thousand full time equivalent students, are required to use the accrual method of accounting for expenditures in the bond fund, permanent insurance fund, and the associated student body program fund.

House: 86 0 Effective: June 12, 1980
Senate: 49 0 C 18 L 80

SHB 1688

BRIEF TITLE: Providing for efficient energy use by state government.

SPONSORS: House Committee on Energy and Utilities
(Originally Sponsored by Representatives McCormick, Nisbet, Williams, Charnley, Tupper, Scott, Sherman, Sprague, Monohon, Bond, Nelson (D.), Erickson, Lux, Burns, Maxie, Salatino, Sanders, Brekke, Granlund, Addison, King, Galloway, Erak, Owen, and Becker)

HOUSE COMMITTEE: Energy and Utilities
SENATE COMMITTEE: Energy and Utilities

RATIONALE:

State buildings use a considerable amount of energy in their operation. Many of these buildings use excessive energy because of poor practices or lack of energy-efficient installations.

In addition, it is believed that equipment purchases should be considered in the light of energy efficiency because ultimate costs to the state will be less with the purchase of energy-efficient equipment.

SUMMARY:

Energy audits will be made of all state-owned buildings. If improvements in procedures are recommended, these will be adopted immediately. If energy-efficient installations are recommended, the Department of General Administration must develop a plan providing for installations within a five year period.

As a condition of new state leases, a lessor must audit or have audited the building, must implement indicated procedures upon completion of the audit, and must complete indicated installations during the term of the lease.

The Department of General Administration, in addition to coordinating the foregoing activities, will develop guidelines and criteria for the purchase of vehicles and other equipment that reduce overall energy-related costs and energy use.

The competitive bidding law is modified. As a general rule, when the state considers bids for purchase, manufacture and lease, first consideration will be given to the bid (complying with specifications) with the lowest life cycle cost (as defined). This method of evaluating bids will be used when it appears that an analysis of the life cycle cost will result in the lowest total cost to the state.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 92 4 Effective: April 4, 1980
Senate: (a) 45 4
House Concurred, Final Passage: 93 2 C 172 L 80

SHB 1729

BRIEF TITLE: Requiring the consent of both living parents for the adoption of a minor and making it unlawful to buy or sell children.

SPONSORS: House Committee on Judiciary
(Originally Sponsored by Representatives Smith (R.) and Erickson)

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:

Recent legislation which provides a method for terminating the parent and child relationship may have created some ambiguity regarding the procedure to be followed in a non-agency adoption where the child's natural parent or parents desire to consent to the child's adoption by another person or persons.

Further, there is a concern that current law does not provide sufficient penalties for buying or selling children.

SUMMARY:

A method is provided for parental consent to the adoption of a minor child in situations where the parent and child relationship has not already been terminated. Any adoptions commenced after September 1, 1979, (the effective date of last year's legislation) are valid so long as the adoption was done in accordance with the law as it existed prior to September 1, 1979.

Buying or selling a minor child is a class C felony. Transactions which are exempted include those between the parents of a child, those pursuant to a court order, those which are part of a lawful adoption, those involving a state agency, and those involving payments for prenatal care or legal costs associated with transfer of custody.

This bill contains an emergency clause and takes effect upon signature by the Governor.
HB 1762

BRIEF TITLE: Permitting courts to require contributions to a county or interlocal drug fund as a condition of probation.

SPONSORS: Representatives Rosbach, North, Fuller, Whiteside, Rohrbach, Keller, Zimmerman, Charnley, Brown, Williams, and Garrett

HOUSE COMMITTEE: Local Government
SENATE COMMITTEE: Local Government

RATIONALE:
A recent Attorney General's opinion indicates that courts do not possess the authority to require convicted criminal defendants to make monetary contributions to a county or interlocal drug fund. Drug funds are revolving funds used by local police officials to purchase drugs when their undercover officers have infiltrated drug rings. Superior courts have been levying such charges as a condition of probation for a number of years.

SUMMARY:
Courts may require convicted criminal defendants to make monetary contributions to a county or interlocal drug fund as one of the conditions imposed upon probation.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: (a) 97 0 Effective: Feb. 22, 1980
Senate: 49 0 C 19 L 80

PARTIAL VETO SUMMARY:
The Governor vetoed an incorrect reference in section 4 of the act. (See VETO MESSAGE)

SHB 1763

BRIEF TITLE: Establishing and funding eight additional drivers' licensing stations.

SPONSORS: House Committee on Transportation
(Originally Sponsored by Representatives Patterson, Chandler, Wilson, Teitsch, Craswell, Barnes, Rohrbach, North, Sherman, Eberle, Warnke, and Amen)

HOUSE COMMITTEE: Transportation
SENATE COMMITTEE: Transportation

RATIONALE:
The architectural plan for the state legislative building includes panels in the legislative chambers for works of art which have never been acquired. This measure provides a mechanism for facilitating the acquisition of works of art for the legislative building in order to complete the original architectural plan.

SUMMARY:
An eight-member joint bi-partisan legislative arts committee is established with overall authority and responsibility to create and implement an arts acquisition plan. The committee will acquire works of art, prepare a comprehensive arts acquisition plan for legislative review, and contract for the services of a jury of professionals in the arts to make recommendations to the committee regarding the selection of appropriate works of art for the legislative building. The Department of General Administration, the Washington Arts Commission, the State Capitol Historical Museum, and other agencies of the state will provide support and assistance to the committee at its request.

A special fund is created in the state treasury known as the capitol arts fund into which individual citizens may contribute moneys for the acquisition of works of art. Art objects and real property may also be contributed. Proceeds from these contributions will be used for art acquisition. No moneys may be expended for works of art for the legislative building without the approval of the joint legislative arts committee. The provisions of the bill expire on January 1, 1990.

House: (a) 94 0 Effective: June 12, 1980
Senate: (a) 42 6
House Concurred, Partial:
Senate Receded, Final Passage: 29 13 C 173 L 80 PV

SHB 1778

BRIEF TITLE: Establishing and funding eight additional drivers' licensing stations.

SPONSORS: House Committee on Transportation
(Originally Sponsored by Representatives Patterson, Chandler, Wilson, Teitsch, Craswell, Barnes, Rohrbach, North, Sherman, Eberle, Warnke, and Amen)

HOUSE COMMITTEE: Transportation
SENATE COMMITTEE: Transportation

RATIONALE:
The Department of Licensing (DOL) had earlier projected the need for ten new driver licensing stations by
1985. Because of rapid population growth in certain areas, seven of the ten stations are needed now.

SUMMARY:
An appropriation of $1,469,000 is made from the Highway Safety Fund to DOL for the biennium ending June 30, 1981. The money is to be used for the establishment of eight additional driver licensing stations and for funding 34 additional FTE’s/year to operate the stations and 3 FTE’s/year to operate new DOL Region VII. The eight stations will be located in Redmond/Kirkland, North Kitsap County, Federal Way, the Midway area, Oak Harbor, Oroville, Othello, and East King County.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 95 1 Effective: March 10, 1980
Senate: (a) 45 0
Final Passage: 96 0 C 121 L 80

SHB 1807

BRIEF TITLE: Directing stricter regulation and inspection of hazardous cargos.

SPONSORS: House Committee on Transportation (Originally Sponsored by Representatives Walk, Martinis, Wilson, Monohon, and Owen)

HOUSE COMMITTEE: Transportation
SENATE COMMITTEE: Transportation

RATIONALE:
The state must assure that the hazardous materials being transported on the highways are being handled in the safest manner possible.

SUMMARY:
The State Patrol may adopt federal standards relating to the safe transportation of hazardous materials. Additional rules may also be adopted and may be stricter than the federal standards. The State Patrol is to conduct an ongoing study of proposed regulations.

It is expressly provided that inspectors are authorized to open sealed cargoes for inspection. Farmers are exempted from the act, and a sixth member of the Technical Advisory Committee is named to represent the herbicide and pesticide industry.

House: 97 0 Effective: June 12, 1980
Senate: 49 0 C 48 L 80

HB 1829

BRIEF TITLE: Permitting voter registration at high schools and fire stations.

SPONSORS: Representatives Erickson, Oliver, Keller, Valle, Monohon, and Erak

HOUSE COMMITTEE: Constitution, Elections and Governmental Ethics
SENATE COMMITTEE: Constitution and Elections

RATIONALE:
Many citizens across the state have expressed their desire to encourage increases in voter registration by providing more accessible and convenient locations for registration. Some counties have responded by appointing a deputy registrar for schools and fire stations. It has been recommended that deputy registrars be appointed for schools and fire stations throughout the state.

SUMMARY:
The county auditors are directed to appoint a deputy registrar for each common school and for each fire station convenient to the public for registration purposes. The fire stations must be adequately staffed so that registration would not be a great inconvenience for the fire station personnel.

House:(a) 97 0 Effective: June 12, 1980
Senate: 49 0 C 48 L 80

HB 1841

BRIEF TITLE: Exempting state furnished meals to the aged from sales and use taxes.

SPONSORS: Representatives VanDyken, Whiteside, Adams, Sommers, Eberle, Addison, Flint, Rohrbach, Williams, Nisbet, Zimmerman, Smith (C.), Erickson, Maxie, and Charnley

HOUSE COMMITTEE: Revenue
SENATE COMMITTEE: Ways and Means

RATIONALE:
Senior citizen nutrition programs provide meals to senior citizens in congregate settings and to the homebound ("Meals on Wheels"). The funding for these programs is provided by federal and state revenues as well as by the recipients. Payments made by the recipients are solicited in the form of a suggested contribution (usually $1.00). This form of solicitation is provided for in the federal law.

The Department of Revenue has maintained that payments made by the recipients of these meals are subject to sales tax. The Department has found that as long as there is a "suggested" contribution, this
must be construed as a payment for the meal, and is therefore subject to sales tax.

The existing sales and use tax statutes grant tax exemptions for sales of insulin, prosthetic devices, and medically prescribed oxygen. Orthotic and ostomy devices are not given any exemption.

An orthotic device is a medical device used to support or control a part of the body (such as braces, crutches, and corsets). An ostomy device is used by persons after an ostomy (a surgical procedure in which part of the intestinal or urinary tract is removed and an artificial opening is constructed).

**SUMMARY:**

The sales and use tax will not be applied to payments made for food furnished by state-administered senior citizen nutrition programs. Orthotic and ostomy devices are exempted from the retail sales and use tax.

| House: 97 0 | Effective: June 12, 1980 |
| Senate: (a) 47 0 |
| House Concurred, Final Passage: 97 0 |

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**HB 1843**

**FULL VETO**

**BRIEF TITLE:** Providing for an inventory and energy efficiency and safety audit of existing school facilities.

**SPONSORS:** Representatives Heck, Chandler, Maxie (By Superintendent of Public Instruction Request)

**HOUSE COMMITTEE:** Education

**SENATE COMMITTEE:** Education

**RATIONALE:**

The State Board of Education is required to distribute moneys to schools for construction and remodeling of buildings. At present, the Board has no way to inventory school buildings to determine current or future construction needs. A computerized inventory system could provide this information.

The information generated by a school facilities inventory could be adapted to provide school districts with an audit of their building's energy and safety conditions as well as cost estimates for installing suggested modifications.

**SUMMARY:**

The State Board of Education, using qualified local organizations where available, is authorized to conduct a statewide computerized inventory and energy efficiency and safety audit of existing school facilities for the purpose of establishing and planning the common school system's construction needs. The Board is authorized to use moneys from the common school construction fund for this purpose.

This bill contains an emergency clause and takes effect upon signature by the Governor.

| House: 67 27 |
| Senate: (a) 29 15 |
| House Concurred, Final Passage: 56 42 |

**VETO SUMMARY:**

The Governor vetoed the bill because she believes the State Energy Office should do the energy audits and will be receiving federal funds to do them. Further, she said the measure did not provide for adequate reporting requirements. (See VETO MESSAGE)

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**SHB 1852**

**FULL VETO**

**BRIEF TITLE:** Relating to school districts' special elections.

**SPONSORS:** House Committee on Constitution, Elections and Governmental Ethics (Originally Sponsored by Representatives Oliver and Erickson)

**HOUSE COMMITTEE:** Constitution, Elections and Governmental Ethics

**SENATE COMMITTEE:** Rules suspended, placed directly on second reading

**RATIONALE:**

Some school districts have set special elections for the same date as the 1980 statewide political party caucuses. Unless the special election date is changed, many people who wish to attend the caucuses will be unable to do so because they also work at the polls. In other instances, caucus locations will have to be changed because many caucuses are scheduled to meet in public buildings which are used as polling places.

**SUMMARY:**

The law establishing special election dates is amended so that if a statewide political party caucus by a major political party is scheduled on the second Tuesday in March, then a special election may not be held on that date. It may be held instead on the third Tuesday in March.

This bill contains an emergency clause and takes effect upon signature by the Governor.

| House: 95 1 |
| Senate: (a) 47 0 |
| House Refused to Concur, Senate Receded, Final Passage: 44 1 |
VETO SUMMARY:
The Governor stated that the bill appears to be susceptible to constitutional challenge because the title of the bill relates only to special school district elections, while the substance of the bill covers special elections for all local jurisdictions. Based upon previous State Supreme Court rulings, the Governor believes that legal challenges to the bill would be successful and the results of special elections held pursuant to the bill would be invalidated. (See VETO MESSAGE)

HB 1870
BRIEF TITLE: Requiring a bill of lading for hazardous material to be red.
SPONSORS: Representatives Sherman, Martinis, Bender, Becker, Walk, Keller, and Charnley
HOUSE COMMITTEE: Transportation
SENATE COMMITTEE: Transportation
RATIONALE:
It has been suggested that bills of lading for hazardous materials be printed on paper of a distinctive color. The distinguishing color would expedite finding bills of lading for hazardous material in emergencies. It would also alert handlers and truck drivers of the fact that the cargo was sensitive and might need special handling.

In addition, present law requires that a shipper who has been charged with rebating (accepting or demanding a rate for transportation less than the established tariff rate) must be shown to have knowingly engaged in rebating. Rebating constitutes a gross misdemeanor.

SUMMARY:
The statutes authorizing the Utilities and Transportation Commission to regulate common carriers are amended to require bills of lading and manifests for hazardous materials to be printed on red or red bordered paper. Such paper may only be used for bills of lading and manifests for hazardous materials.

The criminal penalty provision for rebating is eliminated and civil penalties of $100 per violation are established. The Washington Utilities and Transportation Commission is authorized to assess and collect penalties for rebating against shippers in the same manner as penalties are assessed and collected against carriers. The requirement of knowingly participating in a rebating scheme is deleted. The Washington State Patrol is empowered to make arrests for criminal violations of the Public Service Law.

This bill takes effect July 1, 1980.

HB 1950
BRIEF TITLE: Revising laws relating to banking.
SPONSORS: Representatives Newhouse and Deccio
HOUSE COMMITTEE: Financial Institutions
SENATE COMMITTEE: Financial Institutions and Insurance
RATIONALE:
In 1979, the Legislature enacted a law which allowed bank branches to be relocated within a certain distance of existing drive-in facilities if the relocation was in an urban redevelopment project in a city over 45,000. In attempting to relocate a drive-in facility instead of a branch, a bank was denied that opportunity.

SUMMARY:
A bank may relocate either a branch or a drive-in facility in an urban redevelopment project.

SHB 1952
BRIEF TITLE: Making miscellaneous changes in law relating to employment compensation.
SPONSORS: House Committee on Labor
(Originally Sponsored by Representatives Lux, Clayton, King, and Heck)
(By Department of Employment Security Request)
HOUSE COMMITTEE: Labor
SENATE COMMITTEE: Labor
RATIONALE:
The Department of Employment Security requested legislation which would bring Washington law into conformity with federal legislation. If conformity is not achieved, federal support of this state’s unemployment program will cease. The loss would be approximately $40,000,000 in administrative funds. In addition, employers in the state would suffer tax credit loss.

Besides the conformity measure, the Department also requested legislation which would increase the minimum weekly compensation and provide that students would be disqualified from receiving benefits only when the student is registered for twelve hours or more.
SUMMARY:

Any lump sum payment under a government or private pension fund is to be prorated over the life expectancy of a retiree receiving such a payment. Weekly unemployment benefits of a retiree will be reduced by the prorated weekly amount of any retirement pension, including lump sum payments, Social Security and disability pensions. The reduction will operate only if such a reduction is required under federal law.

Provisions relating to benefit disqualification periods for educational employees are amended to conform with federal standards. Benefits will not be based on unemployment between school terms or during established vacation periods, if a professional staff member was employed prior to the break and is reasonably assured of employment following the break. This provision is applicable regardless of whether the academic terms are successive or the break is between two regular, but not successive terms, if the employee has agreed to work for the two terms.

Other educational institution employees are ineligible during such break periods if they have a written contract or notice of reemployment after the break periods. Employees of educational service districts, providing services to local school districts, are ineligible on the same basis.

The minimum weekly unemployment compensation benefits are changed from a flat $17 to a flexible 15% of the state average weekly rate. The percentage concept already in effect for maximum benefits will be applied to minimum benefits.

The student benefit disqualification will be applied only when the student is registered for twelve hours or more. If the student drops credits after registration, he or she will be eligible to apply for unemployment compensation, even though still attending classes on a part-time basis.

The provisions described in the first three paragraphs of this summary contain an emergency clause and take effect for weeks of unemployment beginning after March 31, 1980. The section pertaining to minimum weekly unemployment compensation benefits takes effect with benefit years beginning after June 30, 1980. The remaining provisions take effect June 12, 1980.

HB 1976

BRIEF TITLE: Providing for pollution control facilities.

SPONSORS: Representatives Bauer, Galloway, Heck, and Zimmerman

HOUSE COMMITTEE: Ecology

SENATE COMMITTEE: Ecology

RATIONALE:

Referendum 26 (Chapter 43.83A RCW), a bond issue providing state funding for liquid and solid waste facilities, was passed in 1972. Although the intent section of the law indicates that the measure's objective is to provide waste facilities and systems, the section defining projects eligible for funding uses only the term facilities. As a result, the question has been raised as to whether sponsors of non-facility projects, such as lake rehabilitation projects authorized by the appropriation of Referendum 26 monies, may actually utilize the referendum funds.

SUMMARY:

The goal of the Referendum 26 bond issue is to provide facilities and systems for the collection, treatment, control, or disposal of solid or liquid waste. The term "waste disposal facilities", and therefore the projects eligible for Referendum 26 funding, is expanded to include "systems".

SHB 1981

BRIEF TITLE: Modifying provisions relating to jail bonds.

SPONSORS: House Committee on Appropriations
(Originally Sponsored by Representatives Zimmerman, Thompson, and Struthers)
(By Office of Financial Management Request)

HOUSE COMMITTEE: Appropriations

SENATE COMMITTEE: Ways and Means

RATIONALE:

To carry out its responsibilities, the Jail Commission requires additional staff, computer support, office space, and architectural consulting services.

SUMMARY:

An appropriation of $187,000 is made to the Jail Commission from the General Fund – Local Jail Improvement and Construction Account. This appropriation increases the Jail Commission's capacity for
review of physical plant funding applications, grant awards, and construction monitoring.

This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 94 2 Effective: March 13, 1980
Senate: 45 0 C 143 L 80

SHB 1983

BRIEF TITLE: Revising laws relating to motor vehicle insurance.

SPONSORS: House Committee on Insurance
(Originally Sponsored by Representatives Rohrbach, Houchen, McGinnis, Ellis, and Zimmerman)

HOUSE COMMITTEE: Insurance
SENATE COMMITTEE: Financial Institutions and Insurance

RATIONALE:
In cases where a person is hit by a motor vehicle on which there is an insurance policy in force, but the limits of that policy are less than the amount of damages sustained by the victim, the courts have ruled that the uninsured coverage provided by the victim's own policy may not be tapped since the at-fault driver is not technically uninsured. To solve this problem, some companies have begun to offer underinsured coverage, which allows an injured person to collect from his own company when the damages that he suffers cannot be covered by the liability coverage offered under the driver's policy.

Courts have also allowed "stacking" of policies, which means that if an insured is paying several premiums to cover several vehicles and one of those vehicles is involved in an accident, damages may be paid up to the combined limit of all policies owned by the policyholder.

The minimum legal limits of financial responsibility were last adjusted in 1967.

SUMMARY:
Every insurance company must offer policyholders underinsured motor vehicle coverage in amounts equal to the limits of the policyholder's own liability coverage. The policyholder may reject all or part of such coverage.

"Underinsured motor vehicle" is defined to include vehicles on which there is no coverage in force as well as vehicles on which the maximum amount of coverage available is less than the damages which the injured party is legally entitled to recover.

Companies are not required to extend underinsured coverage to motorcycles, or to vehicles occupied by an insured or a family member, but not insured under the liability coverage of the policy.

Anti-stacking provisions state that if an insured has coverage available under more than one policy, the total limit of liability will not exceed the highest single limit provided by any one of the coverages, regardless of the number of people involved, claims made, or premiums paid.

The minimum limits of coverage which must be provided by any motor vehicle policy in an accident in which one person is injured are increased from $15,000 to $25,000, from $30,000 to $50,000 for coverage in an accident in which more than one person is injured, and from $5,000 to $10,000 to provide liability protection against property damage. The minimum amount of cash or securities which may be filed with the State Treasurer in lieu of insurance is increased from $35,000 to $60,000.

This bill takes effect September 1, 1980.

House: (a) 96 1 Effective: Sept. 1, 1980
Senate: (a) 44 3
House Concurred, Final Passage: 90 0 C 117 L 80

SHB 1988

BRIEF TITLE: Requiring that the holder of a security interest in a mobile home be notified of the movement of the home.

SPONSORS: House Committee on Judiciary
(Originally Sponsored by Representatives King, Warnke, Nisbet, Greengo, May, Salatino, Bauer, Mitchell, McGinnis, Oliver, Erickson, Kreidler, Ehlers, McCormick, Sherman, Scott, Bender, North, Maxie, Heck, Gruger, Knowles, O'Brien, and Winsley)
(By House Select Committee on Mobile Homes Request)

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:
Current law provides that a person moving a mobile home must obtain a permit from the Highway Commission and the local authorities. The Department of Transportation is thought to be a more appropriate agency to make these notifications than is the Highway Commission.

Current law also provides that a mobile home rental agreement is automatically renewed for a six-month term, or the term of the original rental agreement, whichever is shorter.

Committee hearings held since the 1979 session have identified a number of ambiguous provisions in the Mobile Home Landlord-Tenant Act. In light of the
experience under the Act, it appears legislative intent needs to be clarified and additional changes are warranted.

SUMMARY:

A person moving a mobile home must obtain a permit from the Department of Transportation.

A mobile home rental agreement is automatically renewed for the term of the original rental agreement. The definition of "transient" is modified to ensure that all persons using the lot as a primary residence are covered by the Act. A written lease must be offered to all tenants regardless of whether they are current tenants or prospective tenants. If the tenant waives the right to a one year lease, that waiver is valid for one year only and upon expiration of that period, the landlord must offer the tenant a one year lease. A tenant under any rental agreement, whether for a fixed term or on a month-to-month basis, may assign his or her rights under the agreement to the purchaser of the mobile home. The protection of tenants against retaliatory evictions or actions is strengthened by extending the time period during which a presumption of retaliatory action arises from ninety days to one hundred and twenty days from an assertion by the tenant of his or her rights under the act.

An appropriation of $5,000 is made from the general fund to the Department of Transportation. This bill contains an emergency clause and takes effect upon signature by the Governor.

House: 98 0  Effective: April 1, 1980
Senate: (a) 43 4
House Concurred.
Final Passage: 98 0  C 152 L 80

SHB 1989

BRIEF TITLE: Regulating the manufacture, installation, sale, transportation, and repair of manufactured homes.

SPONSOR: House Committee on Commerce
(Originally Sponsored by Representatives Warnke, May, Nisbet, Greengo, Salatino, Bauer, Mitchell, McGinnis, Kreidler, Charnley, Ehlers, McCormick, Sherman, Bender, Scott, North, Maxie, Gruger, Heck, Erickson, Knowles, Smith (R.), O'Brien, Winsley)
(By House Select Committee on Mobile Homes Request)

HOUSE COMMITTEE: Commerce
SENATE COMMITTEE: Commerce

RATIONALE:

Mobile homes must be designed and constructed in conformance with the National Mobile Home Construction and Safety Standards Act. State and local governments may not have a standard for any aspect of the performance covered by the federal standard that is not identical to the federal standard. However, the federal code does not cover such things as warranty service or maintenance and repair costs once a mobile homes leaves the manufacturer's plant.

There is no provision in the state law requiring minimum amounts of insurance coverage by drivers of pilot cars accompanying mobile homes being transported on public highways.

SUMMARY:

The Department of Labor and Industries is directed to adopt installation and warranty service standards and rules, which must conform to the National Mobile Home Construction and Safety Standards Act where applicable. The Department is authorized to employ agents to inspect and enforce the standards. Failure to remedy a breach of the standards is a violation of the Consumer Protection Act.

Manufacturers of mobile homes who designate service representatives in Washington must reasonably and timely compensate such representatives for providing warranty services to consumers.

Drivers of pilot vehicles accompanying a mobile home are required to be insured for the following minimum amounts: $100,000 for injury or death of one person in any one accident; $300,000 for injury or death of two or more persons in any one accident; and $50,000 for damage or destruction of property in any one accident.

Proof of insurance must be carried by the driver of the pilot vehicle, and failure to be properly insured constitutes a gross misdemeanor.

The Department of Labor and Industries is appropriated $147,022 to carry out the purposes of the act.

House: 95 0  Effective: June 12, 1980
Senate: 45 4  C 153 L 80

HJM 24

BRIEF TITLE: Requesting federal help in promoting use of wood to relieve energy shortage.

SPONSORS: Representatives Scott, Wilson, Monohon, Tupper, Grimm, Sprague, Charnley, McCormick, Sherman, King, Nelson (D.), Brekke, Williams, Sanders, Granlund, Vrooman, Pruitt, Warnke, Rinchart, Bauer, Fuller, Erak, North, Stratton, and Brown

HOUSE COMMITTEE: Energy and Utilities
SENATE COMMITTEE: Energy and Utilities
RATIONALE:
The forest products industry and government forest land managers have customarily entered into forest products contracts of relatively short duration. Utilities, on the other hand, look for long term fuel contracts (by decades) prior to committing monies for the construction of electric power plants. Accommodation of these divergent practices could result in increased use of wood waste for energy production and thereby contribute significantly to lessening our national dependence on imported oil.

SUMMARY:
The memorial asks the U.S. Forest Service to evaluate current national forest management practices and to make changes in regulations and practices necessary to enable greater use of wood and wood waste for energy production.

House: 95 0
Senate: 46 0

HJM 25

BRIEF TITLE: Requesting federal help in promoting development of geothermal resources.

SPONSORS: Representatives Zimmerman, Heck, Williams, Galloway, Nisbet, Monohon, Keller, Mitchell, and Bauer

HOUSE COMMITTEE: Natural Resources
SENATE COMMITTEE: Energy and Utilities

RATIONALE:
With the growing energy crisis and with the potential for geothermal resource development in Washington State, especially on federal lands, some believe it would behoove Congress to move more rapidly on legislation to develop this resource.

SUMMARY:
The joint memorial recognizes: (1) the continuing national over-reliance on imported petroleum; (2) the need for increased energy conservation and development; (3) that geothermal energy is an important resource; (4) that Washington State has five stratovolcanoes indicative of substantial geothermal resources; (5) that indications are that most of these geothermal resources are on federal lands; (6) the federal government needs to change its attitude in order to promote development of these resources; and (7) that legislation has been introduced in Congress which will aid the development of this resource.

The joint memorial asks that: (1) early and full consideration be given to this legislation and (2) that comprehensive legislation as helpful as possible be enacted.

House: 96 0
Senate: 46 0

SHJM 31

BRIEF TITLE: Requesting Congress to designate one federal agency to process complicated energy licensing applications.

SPONSORS: House Committee on Energy and Utilities
(Originally Sponsored by Representatives Williams, Eberle, Addison, Tupper, Zimmerman, Sprague, Dunlap, and Isaacson)

HOUSE COMMITTEE: Energy and Utilities
SENATE COMMITTEE: Energy and Utilities

RATIONALE:
In 1970, Washington instituted one-stop licensing for large-scale energy facilities. This speeded up the construction of safe, environmentally acceptable energy facilities and became a model emulated by one-half the states. The federal government does not have a similar process. Instead, each federal agency with licensing or approval responsibility acts independently in processing applications for the construction and operation of energy facilities. The federal licensing process is generally slower, more cumbersome, more uncertain, and more expensive than the state process.

SUMMARY:
The President is requested to issue an executive order followed by proposed legislation to designate one federal agency for coordinating federal licenses and permits for energy development projects. This agency will consolidate federal review procedures, and institute a process which provides for unified application, notice, hearings, and records. The agency will also establish a schedule for review and approval. If this schedule is not met, the project will be automatically approved unless the delay was justified.

Congress is requested to immediately consider and approve legislation to establish these requirements. It is also requested that the federal approval process for energy projects of 60 megawatts or less in Washington State be turned over to the state for a three-year trial period.

House: 96 0
Senate: 45 0
SHJR 37

BRIEF TITLE: Establishing a judicial performance and disciplinary commission.

SPONSORS: Committee on Judiciary
(Originally Sponsored by Representatives Newhouse, Knowles, Smith (R.) and Ellis)

HOUSE COMMITTEE: Judiciary
SENATE COMMITTEE: Judiciary

RATIONALE:
Efforts to maintain a competent and independent judiciary have produced a variety of methods for removing or disciplining judges. Methods of removal potentially available in Washington for judges of courts of record include impeachment, legislative joint resolution, and involuntary retirement. Judges of courts not of record may be removed through a recall election or under the authority of various statutes requiring public officers to forfeit their offices upon conviction for certain offenses. There are no constitutional or statutory provisions applying to judges in this state which authorize discipline short of removal. In the past twenty years, every state in the Union except Washington has created a commission of some type to deal with judicial discipline.

SUMMARY:
The joint resolution creates a "judicial qualifications commission". The commission contains seven persons: one judge selected by and from the court of appeals judges; one judge selected by and from the superior court judges; one judge selected by and from the district court judges; two attorneys selected by the Bar Association; and two lay persons selected by the Governor with Senate confirmation. The commission has recommendation power only, but the Supreme Court may not act without a recommendation from the commission. After receiving and reviewing such a recommendation, the court might either discipline or retire a judge. Discipline consists of censure, suspension, or removal and may be imposed for violation of a rule of judicial conduct. Retirement may be imposed for any disability which seriously interferes with job performance.

The Legislature must set the commissioners' terms of office and compensation. The commission must establish rules for its proceedings insuring due process and confidentiality.

The joint resolution provides an additional, not exclusive, method for disciplining judges.

House: 96 0
Senate: 40 0

SHCR 29

BRIEF TITLE: Providing for a joint legislative committee to consult with like members from other states on higher education reciprocity programs.

SPONSORS: House Committee on Higher Education
(Originally Sponsored by Representatives Heck, Galloway, Bauer, Zimmerman, Barnes, and Grimm)

HOUSE COMMITTEE: Higher Education
SENATE COMMITTEE: Higher Education

RATIONALE:
It is difficult for a single state or province of the Pacific Northwest, operating independently, to provide educational services of sufficient diversity and quality to meet the needs of all of its residents. Several jurisdictions acting cooperatively, however, might be able to offer a more comprehensive range of services in an economical manner. Most states and provinces currently have barriers to out-of-state students (such as higher tuition rates) that act as disincentives to a truly regional utilization of educational services.

SUMMARY:
A special joint legislative committee is created to consult with legislative representatives of Idaho, Oregon, Montana, Alaska, and British Columbia on the prospects for reciprocal arrangements in higher education. Members of the committee are authorized to call upon the Council for Postsecondary Education for assistance and to cooperate with the Council in this endeavor.

The committee and the Council must report their findings and recommendations to the Legislature by January 31, 1981.

House: 96 0
Senate: 45 4

HCR 33

BRIEF TITLE: Creating a 1980 Joint Ad Hoc Committee on Science and Technology.

SPONSORS: Representatives Baggirol, Berentson, Valle, Issacs and Bond

HOUSE COMMITTEE: Rules
SENATE COMMITTEE: Rules

RATIONALE:
In 1979, a Joint Ad Hoc Committee was established to oversee a legislative planning project on science and technology. That committee recommended the establishment of a legislative science and technology information system.
SUMMARY:

A 1980 Joint Ad Hoc Committee on Science and Technology is created to develop plans for the establishment of a legislative science and technology information system. The Senate and the House will provide necessary resources to support the plans developed, and the leadership of the Legislature is authorized to apply to the National Science Foundation for funds to support the information system.

The Joint Committee may appoint a technical advisory committee made up of representatives of the public and private scientific communities to assist the Legislature in the design and implementation of the information system.

HCR 35

BRIEF TITLE: Providing for the convening of special legislative sessions.

SPONSORS: Representatives King and Polk

HOUSE COMMITTEE: Rules suspended, placed on second reading

SENATE COMMITTEE: Rules suspended, placed on second reading

RATIONALE:

The Constitution now provides for the convening of special legislative sessions by resolution of the Legislature upon two-thirds vote of the members of each house. The Constitution further provides that such a resolution may be voted upon and executed during any interim in accordance with procedures instituted by the Legislature.

SUMMARY:

Procedures are adopted for voting upon and executing a resolution calling for a special legislative session. Members of either house may present a properly drafted proposed resolution to the Committee on Rules in their respective houses. Upon a majority vote of both House and Senate Committees on Rules, a vote of the members of both houses will be taken by written ballot.

House: Adopted
Senate: (a) 41 1
House Concurred: Adopted

2SSB 2381

BRIEF TITLE: Revising superior court clerks' fees.

SPONSOR: Senate Committee on Judiciary

(Originally Sponsored by Senators Talmadge, Bottiger and Gallaghan)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Judiciary

RATIONALE:

The cost of maintaining superior court clerks' offices has increased considerably in recent years. A portion of the filing fees collected by the clerks is earmarked for specific purposes with the remainder going to the county general fund. The basic filing fee in civil cases was increased in 1977 from thirty-two to forty-five dollars, but the increase was specifically earmarked to pay the salaries of superior court judges added during that session or to support the juvenile and family courts.

SUMMARY:

The basic civil filing fee in superior court is increased from forty-five to sixty dollars. The fee for filing a transcript or abstract of judgment is increased from five to fifteen dollars. The current fee of five dollars in garnishment actions will now be charged for each garnishee defendant (normally the debtor's employer) involved in the proceedings and for each writ of attachment. A new fee of eight dollars per hour will be charged for any searching of records maintained by the superior court clerk. The hourly fee charged for searching records is applicable only in those cases in which the search results in the issuance of a written report by the clerk. The fee charged for preparation of a passport application is increased from three to four dollars.

Two dollars of each filing fee paid in civil and probate cases is allocated to the payment of costs associated with the Judicial Information System. A Judicial Information System Account is created in the general funds.

Senate: 44 4 Effective: June 12, 1980
House: 96 0 C 70 L 80

SB 2433

BRIEF TITLE: Revising the definition of unemployable persons.

SPONSORS: Senators Day, Ridder and Shinpoch

SENATE COMMITTEE: Social and Health Services

HOUSE COMMITTEE: Social and Health Services

RATIONALE:

Presently there is an apparent controversy between the Public Assistance Sections of the Department of
SB 2433

Social and Health Services (DSHS) and the Department of Employment Securities as to the definition of an unemployable person. Insofar as qualifying for Public Assistance is concerned, this has resulted in applicants being shunted back and forth between the two agencies.

SUMMARY:

By July 1, 1981, the Secretary of DSHS and the Commissioner of the Department of Employment Securities must jointly promulgate rules which will uniformly define employable persons. A program report must be made to legislative committees. General assistance may be temporarily granted to recently separated Supplemental Security Income recipients.

This bill contains an emergency clause and takes effect upon signature by the Governor.

Senate: 45 2  Effective: June 12, 1980
House: 81 9  C 22 L 80

SSB 2616

BRIEF TITLE: Authorizing persons under twenty-one years of age to be on the premises of liquor licensees for certain professional purposes.

SPONSORS: Senate Committee on Commerce
(Originally Sponsored by Senators Bausch, von Reichbauer, Morrison, Ridder, and Vognild)

SENATE COMMITTEE: Commerce
HOUSE COMMITTEE: Commerce

RATIONALE:

Under current law, professional musicians between the ages of 18 and 21 are the only minors permitted on premises licensed to serve alcoholic beverages by the State Liquor Control Board. Admission is limited to the course of their employment as professional musicians, and does not permit them to consume alcoholic beverages. It is argued that disc jockeys, or sound or lighting technicians between the ages of 18 and 21 should be allowed the same right.

SUMMARY:

Professional disc jockeys, or professional sound or lighting technicians actively engaged in support of professional musicians or disc jockeys, 18 years and older, may enter and remain in any premises licensed to serve intoxicating beverages by the State Liquor Control Board. They may do so, however, only in the course of their professional employment.

Senate: 47 0  Effective: June 12, 1980
House: 90 5  C 23 L 80

SSB 2748

BRIEF TITLE: Increasing the compensation of members of the board of directors for irrigation districts.

SPONSORS: Senate Committee on Agriculture
(Originally Sponsored by Senators Day and Benitz)

SENATE COMMITTEE: Agriculture
HOUSE COMMITTEE: Local Government

RATIONALE:

Currently, directors of irrigation districts may receive up to twenty-five dollars per day as compensation when working on district business. The irrigation districts believe this amount of compensation is insufficient.

Drainage commission receive $8 per day as compensation when working on draining district business. No specific provision for subsistence and lodging exists in drainage district statutes.

SUMMARY:

The maximum level of compensation for members of irrigation district boards of directors is raised to forty dollars per day.

The maximum level of compensation for drainage district commissioners is raised to twenty-five dollars per day. Commissioners are entitled in the same manner as employees of municipal corporations or other political subdivision to receive reasonable subsistence and lodging expenses.

Senate: 45 2  Effective: June 12, 1980
House: 81 9  C 22 L 80

SSB 2751

BRIEF TITLE: Pertaining to pollution control facilities.

SPONSORS: Senate Committee on Ecology
(Originally Sponsored by Senators Rasmussen, Newschwander and Lysen)

SENATE COMMITTEE: Ecology
HOUSE COMMITTEE: Ecology

RATIONALE:

Current law (Chapter 82.34 RCW) authorizes the Department of Revenue to grant a tax credit against the cost of pollution control facilities installed on industrial, manufacturing, waste disposal, utility, or other commercial plants or establishments. In the case
of coal-fired steam electric generating plants, this credit had been granted for both the publicly-owned and privately-owned portions of jointly owned facilities. Recently, however, the Department of Revenue indicated that the public owners of a joint public/private coal-fired generating plant would no longer receive the tax credit, citing a provision in the definition section of the law. That provision excludes pollution control mechanisms installed for municipal corporations from the definition of "pollution control facility", and thus, according to the Department of Revenue, makes them ineligible for the tax credits.

Proponents of the bill claim that public owners of jointly-owned coal-fired power generating plants should receive these tax credits on the same basis as private owners.

The Court of Appeals has held that because a polluter must "knowingly" violate air quality standards, the air quality statutes are unenforceable.

SUMMARY:

Joint public–private coal–fired steam electric generating plants may receive tax credits against the cost of pollution control facilities (outlined in RCW 82.31-101 (1)). Such plants must have applied for a certificate no later than December 31, 1969. Any future pollution control facility improvements made to such plants will be eligible for these tax credits.

The word "knowingly" is struck from the provision relating to violations of air quality standards.

Senate: 47 0  Effective: June 12, 1980
House: (a)  93 4
Senate Concurred,
Final Passage: 45 0  C 175 L 80

SSB 2963

BRIEF TITLE: Relating to education and making an appropriation.

SPONSORS: Senate Committee on Ways and Means
(Originally Sponsored by Senator Donohue)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules suspended, placed on second reading

RATIONALE:

Under current law, a portion of school funding comes from local revenues which are deducted from the total costs of basic education to determine the necessary state support for the full funding of basic education. While these local revenues provide an important part of the funding for basic education, they are not included in appropriations made by the Legislature. If accurate projections of these local revenues are not made, appropriations for schools from state general fund sources would be either more or less than necessary for the full funding requirements.

Underestimating local deductible revenues gives more appropriation authority to the Superintendent of Public Instruction than intended and necessary, while overestimating these local sources has the effect of indicating a lower state obligation to schools than the real amount needed for full funding. Thus, by making the local deductible revenues state sources, earmarked and appropriated to schools, the total amount of full funding of basic education will be included in the appropriation act and will not be contingent upon the realization of local revenue sources.

In addition, the state and local school districts must comply with section 504 of the Federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 706) which requires handicapped access to buildings. Currently, in the area of modernizing or upgrading buildings, the state can only distribute common school construction funds for major structural changes. The majority of changes necessary for handicapped access fall outside the definition of minor structural changes. In addition, current statute requires that in order to receive common school construction funds local districts must match these funds with local bonds or tax levies. The state constitution prohibits local bonds or tax levies to be used for minor structural changes. Consequently, to distribute state funds for handicapped access these two statutes must be modified.

Last session the Governor vetoed the descriptive language and provisions of Section 196, Chapter 270, Laws of 1979 1st Ex. Session. This section is the biennial appropriation for the common school construction fund. Legal counsel has advised that to insure the appropriation made in Section 196 is valid, the funds should be appropriated again.

SUMMARY:

The school share of revenues from the real estate excise tax, the public utility district privilege tax, federal forest reserves and state forest lands no longer will be distributed to school districts in counties where these revenues are generated. These revenues will be transferred to the State General Fund and earmarked for the support of common schools. Losses to school districts from this change will be offset by legislative appropriations for the funding of basic education. Thus, there will be no loss of revenue to school districts and the state will appropriate the total amount required for basic education. In addition, the real estate excise tax is made a state tax. Collections of this tax will continue to be made by counties.

The local matching requirements for handicapped access projects are removed, modernization is defined to include minor structural changes for handicapped access projects and the necessary funds for the common school construction fund are appropriated.

The effective date of making the local deductible revenues is September 1, 1981, which coincides with the
SSB 2963

biennial budget. The remaining changes have an emergency clause and take effect April 1, 1980.

Senate:  46 2  Effective: See summary for dates.
House:  94 1  C 154 L 80

SSB 2977

FULL VETO

BRIEF TITLE:  Relating to energy conservation.

SPONSORS:  Senate Committee on Energy and Utilities
(Originally Sponsored by Senator Bottiger)

SENATE COMMITTEE: Energy and Utilities
HOUSE COMMITTEE: Energy and Utilities

RATIONALE:

An analysis of life cycle costs of energy consumption is presently required in planning for all major publicly owned or leased facilities to be constructed or renovated. Requiring life cycle analysis to specifically consider the use of renewable energy sources such as solar or wind energy should result in less use of scarce and costly nonrenewable energy sources.

SUMMARY:

The definition of lifecycle cost is clarified to be the cost of acquisition and operation of a facility over its economic life. The cost is calculated as acquisition cost plus operation, maintenance, and energy costs over its economic life. Anticipated increases in those costs will be reflected, discounted to present value at the current rate of borrowing public funds, as determined by the State Finance Committee.

The cost of energy consumed over the economic life of the facility is defined for purposes of the life cycle cost analysis to be the cost of energy as projected by the State Energy Office for the time period of operation of the facility. The Energy Office is required to update its projections of energy costs at least every two years.

The energy consumption analysis is required to include at least one energy system alternative which utilizes renewable energy systems and components. These are defined as methods of design and construction or equipment for the use of renewable energy forms such as solar heating, windmills and waste heat.

Public agencies are prohibited from accepting a proposed facility design, other than a design utilizing renewable energy systems and components, unless the prescribed life cycle cost analysis demonstrates that the proposed design alternative would incur the least life cycle energy costs.

Public agencies which will have completed the required life cycle cost analysis by December 31, 1980, are exempt from the provisions of this bill.

The Department of General Administration is directed to promulgate rules as appropriate to administer the act by November 1, 1980 in cooperation with the State Energy Office after consultation with affected agencies.

The state auditor is directed to inspect for compliance with this act as a part of the auditor's regular financial examinations.

Senate: (a)  45 0
House: (a)  97 0
Senate Concurred.
Final Passage:  47 0

VETO SUMMARY:

The Governor vetoed SSB 2977 because of technical imperfections in the legislation. She contended that rather than exempting buildings that have previously completed a life cycle cost analysis, the present language would exempt the agency. Therefore, any public agency that had ever done a life cycle cost analysis would not have to comply with the requirements of this legislation.

Additionally, the Governor stated that the omission of specific provisions requiring the prospective application of the legislation is unacceptable. (See VETO MESSAGE).

SB 3011

BRIEF TITLE: Eliminating the beaver tag requirement and increasing the trapper's license fee.

SPONSOR: Senator Bausch

SENATE COMMITTEE: Natural Resources
HOUSE COMMITTEE: Natural Resources

RATIONALE:

The law now provides that a person who traps beaver must obtain a state trapping license at a cost of $11. In addition, the licensee must purchase a supplemental beaver tag for each beaver trapped. The tags cost $2 apiece. The supplemental tag must be attached to the skin of the animal as soon as is feasible after the animal has been trapped. The supplemental tag fee encourages wastage of small beaver because their pelts are only worth $4–5.

SUMMARY:

The supplemental beaver tag is eliminated and the requirement that a tag be attached to the animal's skin is repealed. The license fee for a state trapping license is increased from $11 to $20 for any person over 16 years of age and to $12 for anyone under 16 years of age.

Senate:  38 1  Effective: June 12, 1980
House:  91 3  C 24 L 80
SSB 3133

BRIEF TITLE: Exempting all school buses from payment of vehicle license fees.

SPONSORS: Senate Committee on Transportation
(Originally Sponsored by Senators Scott, Gould, and Gaspard)

SENATE COMMITTEE: Transportation
HOUSE COMMITTEE: Transportation

RATIONALE:
Motor vehicles owned, leased, or rented by this state or any political subdivision are exempted from licensing fees and the motor vehicle excise tax. Private school buses are not.
Several disabled veterans' groups believe that the conditions under which special license plates are issued are not specified clearly enough in current law.

SUMMARY:
Buses or other vehicles used primarily by a private school to transport children to and from school, or school activities, are exempted from the payment of vehicle license fees and the motor vehicle excise tax. These vehicles must be owned and operated by the school.
In addition to existing requirements for a veteran to receive special motor vehicle license plates or general issue license plates without paying license fees or excise tax, he or she must have received an honorable discharge. The disabilities which qualify are specifically described. Disabled veterans receiving compensation or a pension from the Veterans' Administration or any branch of the Armed Forces may also obtain such plates.
Regulations for transfer of the plates are specified. Those issued these special license plates prior to the effective date of this act continue to be eligible. Unauthorized use is made a gross misdemeanor.

Senate: 45 1 Effective: June 12, 1980
House: (a) 96 1
Senate Concurred, Final Passage: 41 0 C 88 L 80

SSB 3140

BRIEF TITLE: Authorizing combined city-county housing authorities.

SPONSORS: Senate Committee on Local Government
(Originally Sponsored by Senators Walgren, Goltz and Rasmussen)

SENATE COMMITTEE: Local Government
HOUSE COMMITTEE: Local Government

RATIONALE:
Each city and county may, by resolution of its governing body, authorize the establishment of a housing authority. City and county governments are not now permitted to combine their housing authorities. In some counties, it may be more efficient to permit the county and cities to form a joint housing authority.

SUMMARY:
A joint city-county housing authority may be formed in any county when the legislative bodies of the county and the participating city or cities pass ordinances establishing a joint housing authority.
These ordinances must provide for the membership, method of appointment, and election of officers of housing authority boards of commissioners, as well as for housing authority organization, operating expenses, and other matters deemed important for the functioning of such joint housing authority.
Joint city-county housing authorities have all the powers, duties, and responsibilities now applicable to city and county authorities. The area of operation of joint housing authorities is the combined areas of the participating jurisdictions as defined in existing law.

Senate: 43 2 Effective: June 12, 1980
House: 97 0 C 25 L 80

SSB 3164

PARTIAL VETO

BRIEF TITLE: Authorizing and establishing priorities for urban state parks.

SPONSORS: Senate Committee on Parks And Recreation
(Originally sponsored by von Reichbauer, Fleming, Lewis, and Ridder)

SENATE COMMITTEE: Parks and Recreation
HOUSE COMMITTEE: Parks and Recreation

RATIONALE:
Locating state parks in or near urban areas might better serve the low income, handicapped, and the elderly, conserve energy, and assist local governments in providing adequate park facilities for their citizens. Current law does not allow the Parks and Recreation Commission to cooperate with federal or local government agencies on matters related to acquisition, development, redevelopment, renovation, care, control or supervision of parks which are located within the limits of any city.

SUMMARY:
The State Parks and Recreation Commission is no longer prohibited from cooperating with federal or
local governments in matters pertaining to the acquisition, development, redevelopment, renovation, care, control, or supervision of parks within a city's limits. By January 1, 1981, the Interagency Committee for Outdoor Recreation and the State Parks and Recreation Commission are directed to place a high priority of the development, redevelopment, and renovation of state parks located in urban areas. The State Parks and Recreation Commission is further required to revise its plans for such facilities.

The powers, functions, and duties of the Department of Game with respect to approximately 165 acres of land near Auburn are terminated and vested with the State Parks and Recreation Commission. The State Treasurer is instructed to transfer $1,500,000 from the general fund to the Game Fund to compensate the fund for the transfer of this property to the Parks and Recreation Commission. The effective date of this transfer is July 31, 1981 (Vetoed Section).

Senate: 45 3 Effective: June 12, 1980
House: (a) 62 35
Senate Concurred.
Final Passage: 36 5 C 89 L 80 PV

PARTIAL VETO SUMMARY:
The Governor vetoed the transfer of the Auburn Game Farm from the Game Department to the Parks and Recreation Commission. The Governor noted that this property transfer was not consistent with the Statewide Comprehensive Outdoor Recreation Plan. The Interagency Committee for Outdoor Recreation plan and due to the effective date, had the effect of obligating future legislatures. (See VETO MESSAGE)

SB 3169

BRIEF TITLE: Modifying workers' compensation period for temporary total disability.

SPONSORS: Senate Committee on Labor
(Originally Sponsored by Senator Conner)

SENATE COMMITTEE: Labor

HOUSE COMMITTEE: Labor

RATIONALE:
Present industrial insurance law prohibits payment of compensation for the date of injury or the first three days thereafter unless the disability continues for fourteen consecutive days from the date of injury. Proponents argue that these restrictions unfairly penalize the injured worker who attempts to return to work during the first three days following the industrial accident. Such workers, if they are subsequently disabled for fourteen consecutive days, receive compensation beginning the fourth day after the injury rather than the first day of disability.

Recent hearings of House and Senate Select Committees on Workers' Compensation and a critical Legislative Budget Committee audit have concentrated on problems in the rehabilitation program and other areas of industrial insurance. Legislative proposals were developed which included requiring the Department of Labor and Industries to develop a comprehensive rehabilitation plan by October 1, 1980. It was also recommended that there be established a joint House/Senate select committee to study the entire workers' compensation program.

Small employers have argued that legislation is needed so that the department will implement an existing regulation allowing such employers to group together within the industrial insurance fund for premium rating and dividend purposes.

SUMMARY:
Compensation is provided beginning the first day of disability if an injured worker attempts to return to work during the first three days after injury and is subsequently disabled for fourteen days.

The language providing for the change in the time periods is replaced with language having the same effect but which clarifies the intent of the legislation.

The Department of Industrial Insurance will develop a plan for medical, rehabilitation, and reemployment service and present it to appropriate committees of the Legislature by October 1, 1980. A bipartisan joint committee of the Legislature is created to conduct an examination of the present workers' compensation program. The committee may appoint interested parties as ex-officio, nonvoting members. The committee is to report initial findings and recommendations to the Legislature by January 1, 1981, and submit a final report by January 1, 1983. The committee will cease to exist on July 1, 1983 unless extended by law.

The Department of Industrial Insurance is allowed to insure employers as a group under certain conditions. To qualify under this section and be insured as a group, the employers in the group must be members of an organization that has existed for at least two years for a purpose other than obtaining workers' compensation coverage. The group must consist of at least half of the employers in the organization. The organization must consist of employers who are in similar industries and formation of the group program will substantially improve accident prevention and claim management for the group's employers. The employer group is to be treated as a single employing entity for purposes of dividends or premium discounts.
Senate: 46 0 Effective: June 12, 1980
House: (a) 95 0
Senate Concurred, Partial
House Receded, Partial,
Final Passage: 97 0
Senate Concurred, Final Passage: 38 1 C 129 L 80

SB 3181

BRIEF TITLE: Modifying the solar energy system tax exemption.

SPONSORS: Senators Gaspard, Rasmussen, Wojahn and Lee

SENATE COMMITTEE: Energy and Utilities

HOUSE COMMITTEE: Revenue

RATIONALE:
Under prevailing assessment practices, heat pumps and other heating and cooling systems that help conserve scarce energy resources may contribute more to the assessed values of buildings than currently conventional systems. Thus, decisions by property owners to invest in such systems can result in increased property tax burdens.

The 106% limit acts to reduce the statutory limit provided to counties ($1.80/$1,000 A.V) and cities ($3.60/$1,000 A.V). Within county and city levies, there are certain earmarked levies which are stated in terms of a tax rate (i.e., $.45/$1,000). These levies are not subject to the 106% limitation. Therefore, as the statutory maximum rate declines through the operation of the $106% limit, these earmarked levies take a larger and larger percentage of the county or city levy.

SUMMARY:
The law on property assessments is amended to ensure that an assessed value increase will not result from the decision to install an unconventional heating or cooling system in place of a conventional system. The assessed value placed on a building with an unconventional system can not exceed the assessed value the building would have with a conventional system.

This assessment requirement expires on December 31, 1987.

A solar property tax exemption is repealed, as this act makes the exemption unnecessary.

In addition, earmarked levies are made subject to the same reduction through the 106% limit as the total county or city levy. Three earmarked levies are affected: 1) the $.45/$1,000 levy for certain firemen's pension funds; 2) the $.025/$1,000 county levy for mental health; and 3) the $.01125/$1,000 minimum county levy for veterans' benefits. However, cities or counties are not required to reduce these levies. A county or city choosing to fund these activities at a higher level could still do so.

This bill contains an emergency clause and takes effect upon signature by the Governor.

Senate: (a) 42 2 Effective: April 1, 1980
House: (a) 95 0
Senate Concurred, Final Passage: 46 0 C 155 L 80

SB 3183

BRIEF TITLE: Facilitating the restoration of transportation services interrupted by the sinking of the Hood Canal floating bridge.

SPONSORS: Senators Walgren, Conner, Guess, Lee and Gallagher (By Department of Transportation Request)

SENATE COMMITTEE: Transportation

HOUSE COMMITTEE: Transportation

RATIONALE:
Under existing law, plans for the rebuilding of the Hood Canal Bridge must include the filing of an environmental impact statement and compliance with the Shorelines Management Act. This could result in an inordinate delay in rebuilding the bridge. Exemptions from the requirements of filing an environmental impact statement and complying with the Shorelines Management Act were enacted in 1979 for provision of interim transportation services across Hood Canal, including a temporary bridge.

In 1977, a 6% in-state preference for the present 6-vessel ferry acquisition program was enacted. The Urban Mass Transportation Administration (UMTA) has promulgated new regulations which expressly prohibit granting such a preference in any future contract involving UMTA funds.

SUMMARY:
The design and construction of the permanent Hood Canal Bridge are exempted from the requirements of filing an environmental impact statement and complying with the provisions of the Shorelines Management Act.

In order to qualify for the exemption from provisions of the Shorelines Management Act and the Environmental Protection Act, reconstruction of a permanent Hood Canal Bridge at the site of the original Hood Canal Bridge must be commenced prior to December 13, 1982.

The 6% in-state preference enacted in 1977 for the present 6-vessel ferry acquisition program is repealed.

This bill contains an emergency clause and takes effect upon signature by the Governor.
SB 3183

Senate: 45 0 Effective: Feb. 1, 1980
House: (a) 92 0
Senate Concurred,
Final Passage: 48 0 C 21 L 80

SB 3184

BRIEF TITLE: Authorizing Kittitas County to purchase and convey lands known as the Liberty townsitc.

SPONSORS: Senate Committee on Agriculture
(Originally Sponsored by Senators Hansen and Talmadge)

SENATE COMMITTEE: Agriculture
HOUSE COMMITTEE: Local Government

RATIONALE:
Liberty townsitc is located within the Wenatchee National Forest on land owned by the National Forest Service. Several Washingtonians permanently reside in this area, but have no legal interest in this land. These residents wish to acquire title to the property on which they live. Through their efforts, the federal government agreed to this plan, but authorized transfer of the property from the Forest Service to a local government entity only. Current state law requires local governments to sell property at public auction. This procedure could keep the Liberty residents from obtaining title to this property.

SUMMARY:
Counties are authorized to convey without auction county owned land which previously was a national forest townsitc. The transfer of the properties is exempted from the real property excise tax. The act expires on January 1, 1984.

Senate: 45 0 Effective: June 12, 1980
House: (a) 95 0
Senate Concurred,
Final Passage: 45 0 C 91 L 80

SB 3190

BRIEF TITLE: Authorizing transportation of members of the public to school sports activities by school transportation when such transportation has been authorized for students and school employees supervising the same.

SPONSORS: Senators Odegaard and Talley

SENATE COMMITTEE: Education
HOUSE COMMITTEE: Education

RATIONALE:
Currently, school districts may not transport members of the general public to any school-sponsored activities even though equipment, facilities, and employees are available to do so.

SUMMARY:
School districts are authorized to transport members of the general public to interscholastic activities when the transportation has been authorized for students and school employees. The district must be reimbursed for actual costs and the reasonable value of the use of the buses and facilities. Such transportation may be made available only if other private or public transportation is not available.

Senate: (a) 47 0 Effective: June 12, 1980
House: (a) 94 3
Senate Concurred,
Final Passage: 45 0 C 91 L 80

SB 3195

BRIEF TITLE: Providing for the purchase of the Heart Lake property by the Parks and Recreation Commission.

SPONSORS: Senate Committee on Parks and Recreation
(Originally Sponsored by Senators Peterson, von Reichbauer, and Wanamaker)

SENATE COMMITTEE: Parks and Recreation
HOUSE COMMITTEE: Parks and Recreation

RATIONALE:
In July 1978, the Department of Natural Resources placed a six month moratorium on harvesting timber and selling or leasing the land of a 384 acre parcel in Skagit County known as Heart Lake. A new two year moratorium was placed on the property in November 1979. The purpose of these moratoria was to give state and local officials and interested citizens time to develop a proposal for the acquisition of the property for public recreation purposes. Many believe that Heart Lake represents a unique natural recreation area that should be preserved because it is a vital link in the Fidalgo Lake Forest Trail.

SUMMARY:
Heart Lake is added to the trust lands purchase account. The State Parks and Recreation Commission and the Board of Natural Resources are to negotiate a transfer of the Heart Lake property to the State Parks and Recreation Commission for parks and recreation purposes.

Trust land purchase account funds to acquire Heart Lake are deposited in the Heart Lake Revolving Fund. These funds can be used by the Department of
Natural Resources to obtain property to replace Heart Lake and maintain the common school trust land base.

The Department of Natural Resources is required to pay all reasonable costs of the transfer from the Heart Lake Revolving Fund. Any agreement for this transfer cannot have an annual interest rate in excess of ten percent. The State Parks and Recreation Commission can use other sources of funds to help pay for the Heart Lake acquisition.

SB 3202
BRIEF TITLE: Repeal law relating to basic sciences.
SPONSOR: Senator Day
SENATE COMMITTEE: Social and Health Services
HOUSE COMMITTEE: Social and Health Services
RATIONALE:
During the 1979 session the basic sciences law was repealed. One section was inadvertently left intact.

SUMMARY:
The last existing section of the basic sciences law is repealed.

SSB 3207
PARTIAL VETO
BRIEF TITLE: Adding five judges to the King County Superior Court.
SPONSORS: Senate Committee on Judiciary
(Originally Sponsored by Senators Talmadge, Clarke, Marsh, McDermott and Van Hollebeck)
SENATE COMMITTEE: Judiciary
HOUSE COMMITTEE: Judiciary
RATIONALE:
Case loads in King County Superior Court have increased significantly over the last several years. Data collected by the King County Department of Judicial Administration shows that the number of cases filed in King County increased at the rate of 5.9 percent in 1978 and 9.0 percent in 1979. Projections based on this data indicate that the trend toward larger caseloads will continue. Using a "weighted caseload" analysis, which takes into account the average time needed to handle various types of cases, and applying it to projected caseloads for King County in 1980 and 1981, the State Court Administrator has determined that the addition of 8 to 10 superior court judges could be justified.

SUMMARY:
Up to five judges are added to the King County Superior Court bench, increasing the number of judges in that county to a possible maximum of 39. The new positions become effective, however, only if the county's legislative authority approves the addition of the positions and agrees to pay out of county funds, without reimbursement from the state, the same portion of expenses for the new judges as it pays for existing judicial positions.

The new judicial positions will be effective January 1, 1981, and must be filled in the 1980 general election.

SB 3211
BRIEF TITLE: Increasing special purpose district commissioners' compensation.
SPONSORS: Senators Moore, Vognild, Hansen and Sellar
SENATE COMMITTEE: Local Government
HOUSE COMMITTEE: Local Government
RATIONALE:
Current per diem compensation provided to water and sewer district commissioners is insufficient due to continued inflation.

SUMMARY:
Compensation to commissioners of water and sewer districts is increased from twenty-five to forty dollars for each day devoted to the business of the district. The yearly limit for the per diem compensation is raised from twelve hundred to two thousand four hundred dollars.
SB 3214

BRIEF TITLE: Repealing a limitation on road contract awards.

SPONSORS: Senators Wilson and Guess

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

RATIONALE:

County governments are not now permitted to accept bids for the construction or improvement of any county road if the bid exceeds the estimate of the county engineer by more than ten percent. This restriction does not apply to any other type of public work contract awarded by counties, nor does it apply to any public work contract awarded by cities or the Department of Transportation. Repeal of the restriction may prevent the additional expense of another bid solicitation and increased costs caused by the delay.

SUMMARY:

A county may award the contract for construction or improvement of any county road to the lowest and best bidder regardless of the amount by which the low bid exceeds the county engineer’s estimate. When an eighth or ninth class county moves up in class, it may retain the existing part-time county engineer rather than hire a full-time county road engineer.

Senate: 45 0 Effective: June 12, 1980
House: 94 0 C 93 L 80

SB 3219

BRIEF TITLE: Commemorating the 175th Anniversary of the Lewis and Clark Expedition.

SPONSORS: Senators Talley, Marsh, Henry, Odegard, and von Reichbauer

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: Transportation

RATIONALE:

To commemorate the 175th anniversary of the Lewis and Clark Expedition, the Longview Chamber of Commerce and the Lewis and Clark Committee have requested that a facility located on the historic trail bear the names of Lewis and Clark.

SUMMARY:

The official name of the bridge from Longview, Washington to Rainier, Oregon is changed from the Longview Columbia Bridge to the Lewis and Clark Bridge.

Senate: 47 0 Effective: June 12, 1980
House: 94 0 C 5 L 80

SB 3220

BRIEF TITLE: Modifying procedures for civil judgments.

SPONSORS: Senators Talmadge, Hayner and Vognild

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Judiciary

RATIONALE:

Under current Washington case law, a court may not award attorneys’ fees to the prevailing party in a lawsuit unless there is a contract, statute, or recognized ground of equity authorizing such an award. One existing statute allows the prevailing party to recover attorneys’ fees in damage actions where the amount involved is one thousand dollars or less. At the time this statute was enacted, the one thousand dollar limit coincided with the jurisdictional limit of district courts. In the 1979 session, the Legislature increased the jurisdiction of district courts to three thousand dollars with a further increase scheduled for July 1, 1981. It is believed that this attorneys’ fees statute should be amended to parallel the district court jurisdiction statute.

Another important aspect of this statute involves liability for attorney fees when one party has offered to settle the lawsuit with the other party. In some cases, the party who refuses the offer will be liable to pay the other party’s attorney fees; thus, it is thought that the offeror should have a period of time to prepare his or her lawsuit before having to respond to an offer of settlement.

A party against whom a judgment is entered must pay interest on the judgment at a rate not to exceed ten percent per year if the judgment is on a written contract providing for the payment of interest. The rate is eight percent per year in all other cases. It is believed that many parties are failing to pay off judgments because they can more than offset the interest penalty by investing the money.

SUMMARY:

The monetary limit of the current statute providing for the recovery of attorneys’ fees by the prevailing party in damage actions is increased from one thousand dollars or less to three thousand dollars or less. The limit is increased to five thousand dollars on July 1, 1981. A party making an offer of settlement concerning an action in superior court cannot serve the offer of settlement until thirty days after completion of service of process and filing of the summons and complaint.

The defendant, or party resisting relief, can be considered a prevailing party (and therefore entitled to
recovery of attorney fees) only in actions where the amount pleaded is Three Thousand dollars or less (five thousand dollars or less after July 1, 1981).

The interest rate on judgments is increased to a maximum twelve percent on written contracts which provide for the payment of interest, and to ten percent in all other cases.

When the jurisdictional limit for district courts is raised to $5,000, the limit in the attorney’s fees provision will be raised to a like amount.

The bill takes effect May 1, 1980.

SSB 3224

BRIEF TITLE: Revising laws governing elections of county weed boards.

SPONSORS: Senate Committee on Agriculture (Originally Sponsored by Senator Hansen)

SENATE COMMITTEE: Agriculture
HOUSE COMMITTEE: Constitutions, Elections and Governmental Ethics

RATIONALE:

Some county noxious weed boards were activated during the summer months which, with annual elections, cause poor voter participation due to the harvest rush. Nominations and elections of a board member must take place in the sector of the county in which they reside.

County weed boards want the ability to change the time of elections and allow elections for board members to take place at one central meeting.

SUMMARY:

County weed control boards may change the date and location for board nominations and elections with the approval of the State Weed Control Board. Upon approval of the State Noxious Weed Control Board, county weed control boards may change the terms of incumbent board members in order to coincide with changes in the election dates for board members.

This bill contains an emergency clause and takes effect upon signature by the Governor.

Senate: 44 0 Effective: March 10, 1980
House: (a) 91 0
Senate Concurred, Final Passage: 44 0 C 95 L 80

SSB 3226

BRIEF TITLE: Revising laws relating to prescriptions.

SPONSORS: Senate Committee on Social and Health Services (Originally Sponsored by Senator Day)

SENATE COMMITTEE: Social and Health Services
HOUSE COMMITTEE: Social and Health Services

RATIONALE:

In 1979 the Legislature passed an enactment authorizing pharmacists to fill prescriptions calling for legend drugs written by physicians licensed to practice in contiguous states and provinces. The Board of Pharmacy, subsequent to the passage of Chapter 139, Laws of 1979, 1st ex. session, determined that controlled substances did not necessarily fall within the purview of the wording used in the 1979 act.

SUMMARY:

The authority of physicians in contiguous states and provinces to write prescriptions for legend drugs is clarified.

Prescriptions for controlled substances, written by physicians in contiguous states, may be filled by pharmacists within the state of Washington.

Senate: 42 0 Effective: June 12, 1980
House: 97 0 C 71 L 80

SSB 3228

BRIEF TITLE: Modifying the motor vehicle emission control law.

SPONSORS: Senate Committee on Ecology (Originally Sponsored by Senator Williams)

SENATE COMMITTEE: Ecology
HOUSE COMMITTEE: Ecology

RATIONALE:

In the development of rules for the Motor Vehicle Inspection Program, a need has become evident for modification of certain provisions of the statutory authorization for that program. The requirement that the inspection occur within ninety days prior to vehicle license renewal may conflict with maintenance schedules of fleet vehicle owners. Because of the formation and drift characteristics of ozone, the requirement that the emission contributing area contain within its boundaries the nonattainment area will require that a much more extensive inspection area than necessary be established. The law is currently unclear as to whether the inspection fee is to be collected prior to or after the inspection. As currently envisioned, the program contractor would issue any
certificates of acceptance, contrary to present provisions of the law.

Motor vehicles in Vancouver contribute to federal air quality standard violations in the Portland area, but current law is unclear as to whether an out-of-state region can be declared the noncompliance area to correspond with an in-state emissions contributing area. The law does not specify whether program administration costs of the Department of Ecology are to be taken from the inspection fee, or are to be appropriated separately. The requirement that the Department of Ecology conduct a voluntary inspection program if the contracted program cannot be established by January 1, 1981, may not allow sufficient time for establishment of such a program.

SUMMARY:

Fleet vehicle owners are allowed 12 months between the inspection date and the date of vehicle license renewal. The circumstances under which an inspection area need not contain within its boundaries the related ozone violation areas are specified. The inspection fee is specified as payable prior to the inspection. Language requiring the Department of Ecology to issue the certificate of acceptance is deleted.

Where Washington vehicles contribute to air quality violations in contiguous areas of adjacent states, an emissions contributing area may be declared in Washington. A portion of the inspection fee is to be deposited in the general fund and the date for establishment of a voluntary inspection program is moved from January 1, 1981 to July 1, 1981. Inspection fees must be uniform in each inspection area. A free retest is authorized for vehicles that fail their first inspection. Air monitoring and reporting requirements are established for the Washington portion of the Portland-Vancouver area.

Senate: 25 21 Effective: June 12, 1980
House: (a) 90 7
Senate Concurred,
Final Passage: 30 16 C 176 L 80

SB 3235

BRIEF TITLE: Modifying restrictions on compensation of fire commissioners.

SPONSORS: Senators Lewis, Wilson, and Sellar

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

RATIONALE:

Some fire districts contract with other entities to provide the district’s fire protection and thus maintain no motor powered fire fighting equipment. The fire commissioners from these districts cannot receive per diem compensation even though they perform services similar to fire commissioners in districts owning such equipment that do receive per diem compensation.

SUMMARY:

Fire commissioners from districts that do not own motor powered fire fighting equipment may receive $25 per day for services in behalf of the district not to exceed $75 per month.

Senate: 44 0 Effective: June 12, 1980
House: 97 0 C 27 L 80

SB 3236

BRIEF TITLE: Making an attended hit and run involving personal injury a class C felony.

SPONSORS: Senators Walgren, Clarke, Hayner, Wojahn, Matson, and Pullen

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Judiciary

RATIONALE:

Under current law, a driver involved in a motor vehicle accident may be better off if he leaves the scene of the accident and is charged with hit and run than if he stays at the scene, identifies himself, and renders assistance to an injured person. The punishment for a hit and run conviction in which the accident resulted in death or injury to another person is imprisonment for not less than 30 days nor more than one year, or a fine of not less than $100 nor more than $500, or both. The penalty for other traffic offenses the driver could be charged with if he remains at the scene may be more severe. For example, a negligent homicide conviction carries a penalty of up to ten years imprisonment in the state penitentiary, or up to one year imprisonment in a county jail, or a fine of not more than $1,000, or both a fine and imprisonment. Similarly, the costs resulting from a driving while intoxicated conviction may also be considered more severe than the likely punishment following a conviction for hit and run following an accident involving injury or death to another. This disparity in the consequences resulting from leaving the scene of the accident opposed to remaining at the scene provides an incentive for a driver involved in an accident resulting in personal injury or death to leave the scene of the accident.

SUMMARY:

The offense of hit and run driving is designated a Class C felony if the accident results in injury to or death of another person. Conviction of a Class C felony carries a punishment of up to five years in prison, or a fine of up to $5,000, or both.
The last driver of a parked car who learns that the car has been set in motion and has been involved in an accident must:

1. make a reasonable effort to locate and identify himself to the owner of any unattended struck car or damaged property;
2. furnish his name, address, vehicle license and driver's license to the driver of any struck vehicle or if injuries have occurred, render assistance to any injured party and remain at the scene of the accident until he has so identified himself;
3. file an accident report.

If the last driver of the unattended runaway vehicle fails to comply with these terms, he may be subject to penalties including: conviction for a misdemeanor, driver's license revocation, or imprisonment for not less than thirty days or more than one year and/or a fine of not less than $100 nor more than $500.

This bill takes effect July 1, 1980.

Senate: (a) 44 2 Effective: July 1, 1980
House: 90 4 C 28 L 80

SSB 3237

BRIEF TITLE: Relating to highways.
SPONSORS: Senate Committee on Transportation (Originally Sponsored by Senator Henry)
SENATE COMMITTEE: Transportation
HOUSE COMMITTEE: Transportation
RATIONALE:
State law now provides that the Transportation Commission may grant to utilities or other governmental entities franchises to use state highway rights-of-way for the construction of facilities such as power, oil, and gas lines, water pipes, or public transit structures. Prior to consideration of such a franchise request or renewal, the Commission must provide public notice. Fourteen days must elapse after such notice before the Commission may grant a franchise.

SUMMARY:
The power to grant franchises is transferred to the Department of Transportation. The Department is directed to adopt regulations providing an opportunity for hearing on any franchise application that 1) during construction disrupts traffic along the highway right-of-way or 2) during or following construction causes a significant effect on the environment.

The 14-day waiting period for the granting of franchises is deleted, as well as public notification requirements for franchise renewal.
adoption with the Code Reviser for publication in the Washington State Register, it must also file the notice and rule with the Legislature and the appropriate review committees, together with the reasons for the rule's adoption. If a majority of the members of each review committee determines that a proposed rule is not within legislative intent, the review committees will notify the agency at least seven days prior to any hearing on the rule. At the hearing, the agency must include questions of legislative intent in its consideration of the proposed rule.

If the agency substantially amends a draft rule after publication of notice, new notice must be filed and a new hearing held; the same applies if the rule is substantially amended at a hearing.

Existing and emergency rules. If a majority of the members of each review committee finds that an existing rule is not within legislative intent or that the rule has not been properly adopted, the agency must be notified of the finding and reasons therefor. Within thirty days, the agency must file notice of a hearing on the rule in question and publish such notice in the Washington State Register. Questions of legislative intent must be considered at the hearing.

Sanctions. Within seven days after a hearing on a rule to which the review committees objected, the agency must notify the committee of its action. If both review committees find that the rule has not been modified or repealed to conform with legislative intent, they may file notice of their objection with the Code Reviser for publication in the Washington State Register and in the next supplement of the Washington Administrative Code. In any subsequent legal proceeding challenging the validity of a rule to which the committees filed notice of objection, the publication of the notice in no way establishes any presumption of the legality or constitutionality of the rule.

The review committees may recommend to the next legislative session revision or repeal of legislation under which a questionable rule was adopted. In addition, the committees are required to submit a report of their activities, together with recommendations concerning the rule-making process to the Legislature in 1981.

Rule purpose statement. The rules purpose statement must be filed with all proposed rules, and must indicate whether the rule is necessary as a result of federal law or federal or state court action. A copy of the law or court decision must be attached to the rule purpose statement.

Administrative Code revisions. An agency may withdraw a rule at any time before adoption, and the same rule may not be readopted without again following the required procedures. If an agency does not adopt a proposed rule within one year of publication in the Register, the procedure must be repeated as for a new rule.

Several provisions give the Code Reviser specific statutory authority with respect to editing style, form, and numerical arrangement. In addition, the Code Reviser is authorized to remove a rule from the Administrative Code on consent of the Attorney General if the rule is declared unconstitutional or the adopting agency ceases to exist.

Senate: 46 1 Effective: June 12, 1980
House: (a) 97 0
Senate Concurred,
Final Passage: 32 16 C 186 L 80 PV

PARTIAL VETO SUMMARY:
The Governor vetoed all of the bill's provisions relating to the new rules review process for state agencies and institutions of higher education. She stated her belief that "all aspects ... (of the process) ... , with the exception of publishing the notice of legislative dissent, can be accomplished within existing statutory authority ... "

She allowed the provisions relating to the rules purpose statement and the Administrative Code revision to become law. (See VETO MESSAGE)

SB 3241

BRIEF TITLE: Allowing military recruiters equal access to common schools and institutions of higher education.

SPONSORS: Senators Talmadge, Scott, Conner and Day

SENATE COMMITTEES: Education; Higher Education

HOUSE COMMITTEE: Education

RATIONALE:
The governing boards of local school districts and institutions of higher education have discretion in deciding which individuals and groups may have access to students and in deciding the frequency of recruiting visits. There is some concern that military recruiters may be given less than equal access to students.

SUMMARY:
The governing boards of local school districts and institutions of higher education must give military recruiters access to students, the campus, and student informational directories equal to those given to persons or groups informing students of other occupational and educational options. Only public schools and colleges are affected by this act.

Senate: (a) 46 1 Effective: June 12, 1980
House: (a) 96 0
Senate Concurred,
Final Passage: 45 0 C 96 L 80
SB 3244

BRIEF TITLE: Providing certain elective membership in the LEOFF retirement system.

SPONSORS: Senators Donohue, Shinpoch, Jones, Wojahn, Gaspard, Scott, and Lee

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Appropriations

RATIONALE:
The 1979 Legislature removed from the LEOFF Act the need for LEOFF II members entering membership on or after July 1, 1979, to pass the minimum medical and health standards formerly required. Certain problems arose as a result of that enactment with regard to employees who were unable to qualify for retirement system membership.

SUMMARY:
Any law enforcement officer or fire fighter may become a member of LEOFF II when:

1. The LEOFF I member is out of service for over six months and upon return to LEOFF employment cannot meet the minimum medical and health benefits;
2. The LEOFF eligible employee is covered by a retirement system other than LEOFF because of his failure to pass minimum medical and health standards. If the employee opts for LEOFF II membership, all accumulated contribution and service credit are transferred to the LEOFF system; or
3. The LEOFF-eligible employee is not covered by any retirement system. In this case, the employee can establish LEOFF II service credit by paying a contribution for all eligible service. The employer is then required to make employer contributions for that service.

Effective: June 12, 1980

Senate: 44 0
House: (a) 97 0
Senate Refused to Concur: 97 0
House Receded: 97 0
Final Passage: C 130 L 80

SB 3245

BRIEF TITLE: Clarifying certain public retirement laws.

SPONSORS: Senators Donohue, Shinpoch, Jones, Wojahn, Gaspard, and Scott

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Appropriations

RATIONALE:
Existing law on retirement systems contains several sections which are obsolete. In addition, the prohibition against belonging to more than one retirement system was never intended to apply to TIAA/CREF members.

SUMMARY:
The prohibition against belonging to more than one retirement system does not apply to TIAA/CREF members. Provisions enacted in 1941 which enable any first class school district to make retirement and disability payments are repealed. Additional statutes enacted in 1951 to address a problem related to the long vesting period required at that time in the various retirement systems are also repealed.

Senate: 43 0
House: 96 0
Effective: June 12, 1980
C 29 L 80

SSB 3250

BRIEF TITLE: Establishing a nursing home audit and cost reimbursement system.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored by Senators Fleming, Jones, Day, Sellar, McDermott, Ridder, and Morrison)
(By Senate Select Committee on Nursing Homes of the 45th Legislature Request)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Appropriations

RATIONALE:
The cost reporting, auditing, and reimbursement procedures for nursing homes are referred to only vaguely in existing statutes. Regulations under which these procedures have been enforced have been revised several times, causing confusion among the state, the Department of Social and Health Services (the Department), and nursing homes (the contractors). This confusion has resulted in litigation costing the state millions of dollars. Proponents of this bill believe the policies for nursing home cost reporting, auditing, and reimbursement should be set by legislation, which would result in a clarification of procedures.

SUMMARY:
Annual cost reports, including financial statements and a preliminary settlement report, are to be submitted by contractors to the Department not later than March 31 of each year. Two extensions of not more than thirty days each may be granted by the Department upon written request by the contractor. Late or improperly completed reports may result in temporary withholding by the Department of all or part of the funds due under the contract.
An independent certified public accountant, contracted by the Office of Financial Management, must audit the annual cost reports prior to submission to the Department. One hundred percent of the nursing home contractors must be audited during FY 1982; up to one hundred percent may be audited during FY 1983; and, the requirement for these specific audits terminates on June 30, 1983.

The Office of Financial Management is directed to hire a consultant to develop a uniform chart of accounts, a standard cost report form and regulatory auditing and accounting provision for adoption by the Department. Such consultant is to work in cooperation with an advisory committee composed of representatives from the Office of Financial Management, the Legislature, the Department, the Office of the State Auditor, the Washington Society of Certified Public Accountants, and the providers of nursing home services. The consultant is also required to provide ongoing financial consulting assistance to the patient classification system task force.

An automatic settlement procedure is established whereby the Department evaluates the cost reports, financial statements and audits: makes rulings and determinations thereon: and prepares a proposed final settlement report. The report is submitted to the contractor and will become final unless the contractor contests the findings within thirty days of its submission. The settlement report may be reopened for further audit and adjustment, if necessary.

Costs of the contractor are itemized, and the allowability of their costs are determined by the management auditor. Costs for temporary contract labor is included as an allowable cost, to the extent the costs do not exceed the average costs of a facility’s comparable permanent staff.

The depreciation base of an asset is the historical cost of the asset when first put into use as a nursing home. All capital improvements to a facility are capitalized and depreciated. The depreciation base of an asset can be changed once at time of sale for facilities participating in the medical care program on January 1, 1980, and with subsequent sales only after ten years have elapsed since the last arms-length transaction. Sales, exchanges or sale leaseback transactions will be treated as related party transactions if the lessee has owned the facility within the last five years. The methods of depreciation, depreciation lives, and other guidelines with respect to depreciating assets are specified.

A prospective rate-setting methodology, by which reimbursements to the contractor are determined, is established. The rates are set on the basis of four cost centers: nursing services, food, administration and operation, and property. These rates will be updated yearly according to economic trends and conditions.

A return on investment methodology is established. A pool is created by multiplying the sum of tangible fixed assets plus land and a working capital factor (net book value) by the product of 1.4 times the Hospital Insurance Trust Fund (HITF) interest rate. From the pool, two allowances are distributed: first, a financing allowance for each facility based on its net invested funds multiplied by the product of 1.07 times the HITF interest rate; second, a variable allowance which is distributed to all contractors based on their administrative efficiency in the prior year, where by the most efficient is given a factor of 5% and the least efficient is given a factor of 1%. Such percentages for each contractor is multiplied by that contractor’s total prospective rate for the ensuing year. The sum of these two allowances then added to the prospective rate for the ensuing year.

A bill procedure is established whereby the contractor submits a bill each month to the Department for care provided to authorized medical care recipients. Payments will be made according to the appropriate prospective rate. The Department will notify the contractor of the ineligibility of any recipient and the amount the recipient is required to pay for services.

Circumstances under which the Department may suspend payment to the contractor are specified.

Conditions of participation in the prospective reimbursement system are specified.

Each contractor is required to establish and maintain a “trust” account in for the deposit of money belonging to recipients. Accounting and disbursement procedures are specified.

A review process for disputes relating to the prospective cost reimbursement system is provided.

The Department is authorized to deny, revoke or suspend a license and/or impose monetary penalties for noncompliance with the provisions of the act.

A task force is created composed of a total of 12 members: four representatives of nursing homes (two from provider groups and two from consumer groups); four representatives of the executive branch (two from DSHS and two appointed by the Governor); and four representatives of the Legislature (one from each of the legislative social and health services committees and one from each of the legislative fiscal committees). The task force is directed to develop a patient classification system and standard hours for each classification by September 1, 1980 for legislative review.

The Department is required to submit to the Legislature by January 15, 1981 a report detailing the activities of DSHS with regard to preplacement screening for medical care recipients, as well as the Department’s nursing home admissions policy. Such report is to include program descriptions, client flow analyses, programmatic impacts, and cost effectiveness analyses.

An appropriation of $310,000 is made to implement the provisions of this act.

The provisions relating to disclosure of cost allocation, reporting and auditing have an effective date of July...
The provisions relating to the task force and the reporting consultant, take effect upon signature by the Governor. The effective date for the remainder of the act is July 1, 1982.

Senate: 42 6 Effective: See summary for dates.
House: (a) 86 10
Senate Concurred, Final Passage: 44 0 C 177 L 80

**SB 3253**

**PARTIAL VETO**

**BRIEF TITLE:** Rearranging the law on electricians.

**SPONSORS:** Senators Rasmussen and Matson

**SENATE COMMITTEE:** Commerce

**HOUSE COMMITTEE:** Commerce

**RATIONALE:**

Current state law provides for a three-member State Advisory Board for Electricians. The primary function of the Board is to regulate issuance of certificates of competency for journeyman electricians. State law also provides for a nine-member Board of Electrical Examiners whose duties include regulation of the issuance of certificates to electrical contractors and various specialty electrical contractors. To promote efficiency, these two boards could be combined into a single board.

On the same job site one inspector checks electrician licenses and another compliance inspector checks electrical contractor licenses. These two licenses could be checked by one compliance inspector rather than two.

**SUMMARY:**

The State Advisory Board for electricians is abolished, and its duties are transferred to the Board of Electrical Examiners.

The Electrician licensing laws are transferred to the laws licensing electrical contractors and the electrician licensing laws are repealed. One inspector will check the licenses of both electricians and electrical contractors.

Senate: (a) 45 0 Effective: June 12, 1980
House: 97 0 C 30 L 80 PV

**PARTIAL VETO SUMMARY:**

The Governor corrected a technical error by vetoing Section 14 of the bill. That section should have been stricken from the bill when it was amended by the Legislature to restore existing statutory provisions relating to the composition of the Board of Electrical Examiners (See VETO MESSAGE).

**SSB 3256**

**BRIEF TITLE:** Modifying the fish tax.

**SPONSORS:** Senate Committee on Natural Resources

(Originally Sponsored by Senators Gallaghan, Rasmussen, and Lee)

**SENATE COMMITTEE:** Natural Resources

**HOUSE COMMITTEE:** Natural Resources

**RATIONALE:**

Currently, the Department of Fisheries is responsible for collecting the privilege fees and fish sales taxes that are imposed on the fishing industry in this state. This duty is secondary to the agency’s primary responsibility of managing and conserving the food fish and shellfish resources of this state. The primary responsibility of the Department of Revenue is collecting taxes and administering tax laws and compared to the Department of Fisheries is more experienced and better equipped to handle tax collections.

**SUMMARY:**

The laws directing the Department of Fisheries to administer and collect privilege fees and fish sales taxes are repealed. An excise tax on the possession of food fish and shellfish landed in this state is established, and is levied on the owner who first possesses the food fish or shellfish after it is landed. Processors or handlers who do not own the food fish or shellfish are not liable for the tax.

The excise tax is a percentage of the value of the fish, and the tax rates are identical to the repealed privilege fee rates, except as the excise tax is imposed on oysters. The repealed privilege fee on oysters was based on the volume of oysters, but the new excise tax is based on the value of the oysters.

The tax does not apply to food fish raised by aquaculture businesses in this state, to food fish or shellfish previously landed outside of the state and shipped into Washington packaged for retail sale or frozen, or to net caught food fish from another state. The exemption for net caught food fish only applies if the state of Washington enters into a reciprocity agreement with another state within six months of the effective date of the Act.

A credit against the excise tax is granted for taxes paid in another state.

The money collected under this act is deposited in the general fund.

The authority of the Director of Fisheries to collect privileges fees and fish sales taxes which are owed prior to July 1, 1980 continues until July 1, 1984.

This act takes effect July 1, 1980.
SSB 3256

Senate: 46 0 Effective: July 1, 1980
House: (a) 97 0
Senate Concurred,
Final Passage: 45 0 C 98 L 80

SSB 3257

BRIEF TITLE: Establishing a program of poison control and drug information service.

SPONSORS: Senate Committee on Social and Health Services
(Originally Sponsored by Senators Day, Donohue, and Haley)

SENATE COMMITTEE: Social and Health Services
HOUSE COMMITTEE: Social and Health Services

RATIONALE:
Many persons ingest substances that are poisonous. It has been found necessary to create centers that maintain indices of substances that can be poisonous either due to volume or inherent characteristics so that doctors, hospitals and other persons may have a single source of rapid information relative to antidotes and methodologies to combat poisons. Presently several poison control centers are operated throughout the state without state support or direction.

SUMMARY:
Two regional poison control centers, one in Seattle and one in Spokane; and two satellite centers, one in Tacoma and one in Yakima, are established as part of the emergency medical care division of the Department of Social and Health Services.

$225,000 are appropriated in support of these centers.

This bill declares an emergency and takes effect upon signature by the Governor.

Senate: 45 1 Effective: April 4, 1980
House: 86 12 C 178 L 80

SSB 3271

BRIEF TITLE: Providing for membership transfers by former PERS members now in the Judicial Retirement System.

SPONSORS: Senators Van Hollebeke, Wojahn, Quigg and Hurley
(By Department of Licensing Request)

SENATE COMMITTEE: Commerce
HOUSE COMMITTEE: Commerce

RATIONALE:
Present law provides that persons desiring to become real estate brokers or real estate salesmen must submit an application for examination to the Director of Licensing. Because the Department of Licensing is considering contracting out examination services to private businesses, it is requesting the flexibility of allowing applications to be sent directly to the private business conducting the examination. The Department believes that such flexibility would be an important timesaving measure for applicants.

SUMMARY:
The requirement that examination applications for real estate brokers and real estate salesmen licenses be made through the Department of Licensing is removed.

This bill contains an emergency clause and takes effect upon signature by the Governor.

Senate: 41 4 Effective: March 4, 1980
House: 97 0 C 72 L 80
SB 3282

BRIEF TITLE: Modifying the Business Corporation Act.

SPONSORS: Senators Marsh, Hayner and Talmadge

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Judiciary

RATIONALE:

The Washington Business Corporation Act, Title 23A RCW, is based primarily on the Model Business Corporation Act developed by the American Bar Association. In 1976 the Washington State Bar Association directed its Section on Corporation, Business and Banking Law to conduct a review of Title 23A in light of changes made in the Model Business Corporation Act subsequent to Washington's enactment of it and in light of Washington's experience under Title 23A RCW. The first phase of the Bar Committee's review resulted in a series of "housekeeping" amendments which were presented to the Legislature in 1979 and enacted as Senate Bill 2119. This 1980 bill contains the first installment of the Bar Committee's work product on substantive amendments.

SUMMARY:

Indemnification of directors and officers. Directors may be indemnified for liability incurred as a result of actions taken in good faith in his or her official capacity which were reasonably believed to be in the best interests of the corporation. In all other cases a director may be indemnified if the good faith action was reasonably believed to be at least not opposed to the corporation's best interests. In certain situations a director who has not been granted indemnification may seek a court order of indemnification.

A corporation may advance sums of money to the director during litigation if it is determined that, based on available information, indemnification would not be impermissible under the statutory standards. A director, however, cannot be indemnified even if the rules for indemnification are met if it has been determined that personal benefit was improperly received in the transaction. There is a special provision entitling a director to indemnification in connection with the administration of an employee benefit plan established by the corporation. A corporation may not grant indemnification to a director in situations not authorized by statute; however, a corporation may restrict the right to indemnification. Any action to indemnify a director must be reported to the shareholders prior to the next shareholders' meeting.

The provisions for the indemnification of officers are similar to those concerning directors except that the corporation may broaden the number of situations in which officers can be indemnified through the articles of incorporation, bylaws, board action, or contract.

Shareholder meetings. If the articles of incorporation permit, shareholders may participate in shareholder meetings by means of a conference telephone or similar communications technique.

Voting agreements. Agreements among shareholders regarding the voting of shares are valid even though the formal provisions regarding the creation of a voting trust have not been complied with.

Duties of directors. New language is added to clarify that while the directors have the ultimate management responsibility for the corporation, they do not have to be involved in the day-to-day management. The articles of incorporation may also provide that these powers and duties may be conferred upon some other person or persons. The act also imposes an affirmative duty on a director to conduct himself or herself in a manner which the director believes to be in the best interest of the corporation and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances. It further allows a director to rely on certain kinds of information or reports such as those prepared by officers and employees, independent counsel, accountants, or a committee of the board.

Executive committees. The list of corporate actions that may not be delegated by the board of directors to a committee is expanded. These include the power to declare dividends or other distributions, to fill vacancies on the board of directors or a committee, to fix the compensation of any director or a committee member, to appoint other committees of the board to approve certain plans of merger, consolidation, or exchange of shares, or to reduce earned or capital surplus.

Fees and automatic dissolution. The penalty for failure to file an annual or initial report of a corporation is increased from five dollars to twenty-five dollars for each violation. Failure of a corporation to pay its annual license fee or failure to file its annual report for three consecutive years results in the automatic dissolution of the corporation. A provision of current law which allowed a corporation which had ceased to exist to reinstate within two years of its involuntary dissolution has been deleted. Failure of a foreign corporation to file an annual report or pay an annual license fee is grounds for revocation of the certificate of authority to transact business in this state. The Secretary of State is required to mail to each domestic and foreign corporation each year a notice that the annual license fee is due as well as the annual report. The penalty for failing to file the annual report is five dollars. A corporation which conducts business in this state without having paid its annual license fee is subject to a penalty of twenty-five dollars plus an additional license fee increase. A domestic corporation prior to automatic dissolution for failure to pay fees or file an annual report for three years, or a foreign corporation prior to revocation of its certificate of authority, may resume business by paying all current and past due license fees.

The Secretary of State may accept corporation reports which are "substantially" in conformance with the
SB 3282

requirements of the law. The effective date of those sections of the act relating to the Secretary of State's Office is January 1, 1980. The remaining sections take effect June 12, 1980.

Senate: (a) 41 0 Effective: See summary for dates.
House: (a) 97 0
Senate Concurred. Final Passage: 45 0 C 99 L 80

SSB 3297

BRIEF TITLE: Modifying the law on warrants.
SPONSORS: Senate Committee on Local Government (Originally Sponsored by Senators Wilson, Rasmussen, and Lewis)
SENATE COMMITTEE: Local Government
HOUSE COMMITTEE: Local Government
RATIONALE:
Ten years ago legislation was enacted which struck statutory interest limitations on governmental bonds and warrants. Several rate limitations were accidentally omitted.

SUMMARY:
Maximum rate limitations allowed on library district warrants, television reception improvement district bonds, and county road improvement district warrants are struck, thereby allowing the respective governing bodies to set rates for each issue. Interest on county, city, or town warrants may be calculated from the date of issue. A county treasurer may provide either personal notice or published notice when warrants are called. Library district boards may authorize that the first year's interest on warrants be paid from the proceeds of the sale of the warrants. Printed or engraved facsimile signatures of county officials may be used in lieu of actual signatures on county bonds.

This bill contains an emergency clause and takes effect upon signature by the Governor.

Senate: 48 0 Effective: March 10, 1980
House: (a) 97 6
Senate Concurred. Final Passage: 41 0 C 101 L 80

SSB 3309

BRIEF TITLE: Regulating ocularists.
SPONSORS: Committee on Social and Health Services (Originally Sponsored by Senators Day, Jones, Talmadge and Moore)
SENATE COMMITTEE: Social and Health Services
HOUSE COMMITTEE: Social and Health Services
RATIONALE:
Current law authorizes optometrists to fit prosthetic eyes. However, custom prosthetic eyes are manufactured and fitted by personnel that are not licensed under the law and this results in a conflict among professions.

SUMMARY:
The Department of Licensing is to administer a registration act authorizing ocularists (prosthetic eye manufacturers) to practice in certain specified categories involving prosthetic eyes. Standards of apprenticeship training, registration, and disciplinary proceedings are established. An examination by the Director of Licensing is required.

The Director of Licensing is authorized to determine the amount of the initial licensing fee.

A person must be at least 18 years old to be eligible for a license. Ocularists are prohibited from fitting or fabricating contact lenses and deceptive advertising is specified as grounds for discipline.

Senate: 46 1 Effective: June 12, 1980
House: (a) 91 6
Senate Concurred. Final Passage: 41 0 C 101 L 80

SB 3318

BRIEF TITLE: Revising laws relating to insurance.
SPONSORS: Senators Bausch and Clarke (By Insurance Commissioner Request)
SENATE COMMITTEE: Financial Institutions and Insurance
HOUSE COMMITTEE: Insurance
RATIONALE:
Surplus line insurance is insurance which is unavailable from insurers licensed in Washington State. The Insurance Commissioner has examined current statutes relating to surplus line insurers and believes that they do not provide sufficient protection to the people of the State of Washington. The Commissioner also believes that the current law does not allow him sufficient flexibility in assessing penalties and choosing the appropriate disciplinary action.

Under current law, an alien surplus line insurer (one that is located in a foreign country) must have capital and surplus on deposit anywhere in the world equal to that required of a domestic multiple line insurer or have an identical sum on deposit in the United States in trust for the benefit of U.S. policy holders. Because the required capital and surplus may be on deposit anywhere in the world, it is often difficult to determine, with the fluctuations of the currency market, if
the alien insurer is meeting the requirements of the law. Also, the Insurance Commissioner does not believe that moneys on deposit in foreign countries offer sufficient protection to Washington State citizens doing business with alien insurers. Since the enactment of the Arson Reporting Act in 1979, insurance agents and brokers have been uncertain as to the limits of their liability when they supply information in an arson investigation pursuant to the Act.

Not all health care service contractors cover the cost of an ambulance. Proponents believe that ambulance services should be covered the same as any other medical service.

SUMMARY:
Every person applying for or seeking renewal of a surplus line broker’s license must file a bond of $50,000. This bond is issued for the protection of the people of Washington State doing business with the surplus line broker, and satisfies the requirements of the general broker’s bond of $20,000 which is required of all brokers.

The Commissioner, at his discretion, may suspend or revoke a surplus line broker’s license or assess a fine for violation of the surplus line chapter (RCW 48.15). A surplus line broker may be fined up to $5,000 for placing insurance with a financially unsound insurer. The Insurance Commissioner may also assess fines of not less than $250 nor more than $10,000 on any person representing an unauthorized insurer who has not complied with the provisions of that chapter or upon an unauthorized insurer soliciting business other than as set forth in that chapter. The penalty for violations by licensed insurers is also raised to a maximum of $10,000.

Every alien surplus line insurer, in addition to meeting the capital and surplus requirements of multiple line insurers, must file a trust agreement with the Insurance Commissioner. The trust agreement must provide that the alien surplus line insurer have cash or other assets on deposit in the United States equal to one-half the capital and surplus requirement of multiple line insurers.

Any licensed insurance agent or broker is made specifically immune from liability in any suit where the agent or broker provided information in accordance with the Arson Reporting Act of 1979, unless actual malice is shown.

The definition of health care services is amended to include licensed ambulance services.

### SSB 3320

**BRIEF TITLE:** Permitting agencies to issue summary orders in contested cases.

**SPONSORS:** Senators Bottiger and Clarke

**SENATE COMMITTEE:** Judiciary

**HOUSE COMMITTEE:** Judiciary

**RATIONALE:**
The Administrative Procedures Act, among other things, establishes procedures for the adjudication of contested cases by a state agency. It is currently unclear whether an agency may make a summary disposition of a case in which there are no questions of fact at issue, only questions of law. Courts have this authority under the rules relating to summary judgments.

**SUMMARY:**
An agency subject to the Administrative Procedures Act may by rule provide for the entry of summary orders in appropriate cases. Parties are entitled to notice and a hearing prior to issuance of a summary order. A motion for a summary order will be granted if there are no genuine issues as to material facts and the moving party is entitled to the order as a matter of law.

Senate: (a) 47 0  Effective: June 12, 1980
House: 97 0  C 31 L 80

### SSB 3321

**BRIEF TITLE:** Providing for receipt of certain ballots if not postmarked when received.

**SPONSORS:** Senate Committee on Education
(Originally Sponsored by Senators McDermott and Hayner)
(By Superintendent of Public Instruction Request)

**SENATE COMMITTEE:** Education

**HOUSE COMMITTEE:** Education

**RATIONALE:**
Declarations of candidacy and elections of members to the State Board of Education and to the Educational Service District Boards are conducted by mail and the ballots must be postmarked by certain dates to be counted. The post office sometimes does not postmark mail or the postmark is illegible.

Private schools are not represented on the State Board of Education although decisions made by the Board do affect private schools.

Senate: 47 0  Effective: June 12, 1980
House: (a) 94 0
Senate Concurred. 45 0  C 102 L 80
SSB 3321

SUMMARY:
The requirements that the postmark be used to validate the timeliness of a declaration of candidacy or of a ballot is changed to a date of receipt if the postmark is missing or illegible.

One non-voting member, representing private schools, is added to the State Board of Education.

Senate: 47 2 Effective: June 12, 1980
House: (a) 93 4
Senate Concurred.
Final Passage: 42 0 C 179 L 80

SSB 3330

BRIEF TITLE: Permitting university hospitals to make purchases directly from cooperative hospital service organizations.

SPONSORS: Senate Committee on Social and Health Services
(Originally Sponsored by Senators Day, Moore, and Talmadge)

SENATE COMMITTEE: Social and Health Services
HOUSE COMMITTEE: Social and Health Services

RATIONALE:
Many hospitals, in order to reduce costs, have joined into cooperative purchasing groups which are authorized under provisions of the Internal Revenue Code.

SUMMARY:
Hospitals operated by universities may join in with cooperative hospital service organizations. The requirement of normal state purchasing procedures (such as bids, advertisements, etc.) is waived.

Senate: 47 0 Effective: June 12, 1980
House: (a) 97 0
Senate Concurred.
Final Passage: 45 0 C 103 L 80

SB 3331

BRIEF TITLE: Establishing penalties for the illegal transportation of dangerous commodities.

SPONSORS: Senators Henry, Guess and Talley

SENATE COMMITTEE: Transportation
HOUSE COMMITTEE: Transportation

RATIONALE:
Present law provides that a violation of any law or rule relative to the transportation of hazardous commodities constitutes a misdemeanor. As such, the penalty could be as little as a $10 bail forfeiture.

Senate: 29 18 Effective: June 12, 1980
House: (a) 93 2
Senate Concurred.
Final Passage: 36 8 C 105 L 80
SSB 3359

BRIEF TITLE: Relating to elections.
SPONSORS: Senate Committee on Constitution and Elections
(Originally Sponsored by Senator Woody)
SENATE COMMITTEE: Constitution and Elections
HOUSE COMMITTEE: Rules suspended, placed directly on second reading

RATIONALE:
Some school districts have set special elections for the same date as the 1980 statewide political party caucuses. Unless the special election date is changed, many people who wish to attend the caucuses will be unable to do so because they also work at the polls. In other instances, caucus locations will have to be changed because many caucuses are scheduled to meet at public buildings which are used as polling places. Currently, cities, towns, and districts must submit to the auditor written notice of their intent to participate in a special election 45 days prior to the election.

SUMMARY:
The law establishing special election dates is amended so that if a statewide political party caucus by a major political party is scheduled on the second Tuesday in March, then a special election may not be held on such date but may be held instead on the third Tuesday in March. Any county holding a special election pursuant to the provisions of the home rule chapter is exempted from this prohibition and may conduct all special elections scheduled within the county on the second Tuesday in March.
For those special elections to be held in March 1980, cities, towns, and districts will be permitted to provide written notice of their intent to participate in the special election 35 days prior to the election.
This bill contains an emergency clause and takes effect upon signature by the Governor.

Senate: (a) 46 0 Effective: Feb. 6, 1980
House: (a) 69 26
Senate Concurred:
Final Passage: 48 0 C 3 L 80

SSB 3362

BRIEF TITLE: Correcting laws relating to election precincts.
SPONSOR: Senator Woody
SENATE COMMITTEE: Constitutions and Elections
HOUSE COMMITTEE: Constitutions, Elections, and Government Ethics

RATIONALE:
In order to correlate census population counts to precincts, each county is required by law to prepare census correspondence lists. Those lists prepared by matching precinct maps with census maps provided by the Census Bureau will indicate the census units or portions of census units contained in each precinct. If there is only a portion of a census unit contained in a precinct, the auditor must specify the proportion of registered voters in a precinct who reside in that part of the census unit.
County auditors are required to prepare the lists according to rules promulgated by the Secretary of State. Each county must submit correspondence lists with the counties' detail maps depicting the precinct and census unit boundaries to the Secretary of State by July 1, 1980.
When this procedure was developed in 1977, the census maps were expected to be available for the counties' use by at least April of 1980, allowing at least three months for preparation of the lists. The Census Bureau has recently encountered key personnel turnover and administrative disruption. As a result, census maps will not be available until July-August 1980.

SUMMARY:
To compensate for the probable late delivery of the census maps and to allow the county auditors adequate time to prepare census correspondence lists, the Elections Division of the Secretary of State's Office has revised the time schedule for preparing correspondence lists. Consistent with the revised schedule, the statutory deadline for submitting correspondence lists and county detail maps is changed from July 1, 1980 to November 1, 1980. However, county precinct maps must be available for public inspection by July 1, 1980.
The Secretary of State is prohibited from associating county detail maps and correspondence lists with any voting results.

Senate: 48 0 Effective: June 12, 1980
House: (a) 97 0
Senate Concurred, Final Passage: 41 0 C 107 L 80

SB 3371

BRIEF TITLE: Establishing the Padilla Bay estuarine sanctuary in Skagit County.
SPONSORS: Senators Peterson, Wanamaker, and Goltz
(By Department of Ecology Request)
SENATE COMMITTEE: Natural Resources
HOUSE COMMITTEE: Ecology; Appropriations
RATIONALE:
The Department of Ecology is applying to the U.S. Department of Commerce for funds to establish an estuarine sanctuary in Padilla Bay, Skagit County. If money is granted to the state for the sanctuary, it must be matched by an equal amount of private or state money.

SUMMARY:
An appropriation of seventy thousand dollars is made from the state general fund to the Department of Ecology for the purpose of establishing an estuarine sanctuary in Padilla Bay, Skagit County. The money is appropriated for the biennium ending June 30, 1981, and must be matched by money from other public or private sources. The Department of Ecology may use the appropriated money for the purchase of tidelands within Padilla Bay. The Department must determine that the use of the property will be consistent with the Shorelines Management Act before acquiring any property. Hunting, fishing, boating, and noncommercial taking of shellfish may continue within the sanctuary boundaries in accordance with the regulations of the appropriate state agencies.

Senate: (a) 45  0  Effective: June 12, 1980
House: (a) 83  14
Senate Concurred, 48  0  C 180 L 80
Final Passage: 41  0

SB 3378

BRIEF TITLE: Authorizing county civil service transfers to the sheriff's office without meeting competitive examination requirements.

SPONSORS: Senators Moore, Vognild, and Van Hollebeke

SENATE COMMITTEE: Local Government

HOUSE COMMITTEE: Local Government

RATIONALE:
A county may desire to create new positions within the sheriff's office for functions previously performed by the sheriff's office, and employees in an existing county personnel system. Under current law, the existing county employee would have to compete with other applicants to qualify for the newly created positions within the sheriff's office, even though the functions of the two positions are identical.

SUMMARY:
In order to permanently transfer certain positions, the employees in an existing county personnel system may be transferred to newly created positions in that county's sheriff's office without meeting open competitive examination requirements if the transfer is approved by the Civil Service Commission. The transfer of such employees must be made before June 30, 1981.

This bill contains an emergency clause and takes effect upon signature by the Governor.

Senate: (a) 46  0  Effective: March 10, 1980
House: (a) 97  0
Senate Concurred, 41  0  C 108 L 80

SB 3378

SSB 3385

BRIEF TITLE: Relating to criminal justice.

SPONSORS: Senate Committee on Judiciary (Originally Sponsored by Senators Walgren and Donohue)

SENATE COMMITTEE: Judiciary

HOUSE COMMITTEE: Rules suspended, placed on second reading

RATIONALE:
The role and jurisdiction of various state and local agencies in the investigation of fires and reporting of data should be clarified. Also, the establishment of a uniform fire reporting system would significantly aid the development of fire prevention and control measures and reduce the incidence and severity of destructive fires. Because the system will help authorities perceive statewide fire incidence patterns, arson prevention efforts will be enhanced.

SUMMARY:
The chief of each fire department, as well as the sheriff or other designated county or city official in an area which is not within the jurisdiction of a fire department, is required to investigate all fires which occur within his or her jurisdiction. The investigating agency is required to notify the State Fire Marshal of any fires of criminal or undetermined cause within its jurisdiction. The State Fire Marshal, upon request of the local investigating agency, is required to assist in the investigation of any fire of criminal or undetermined origin.

A statewide uniform fire reporting system is established within the Office of the State Fire Marshal. Local officials are required to report statistical information to the State Fire Marshal on each fire occurring within their jurisdiction. A yearly report containing an analysis of the information reported is to be prepared by the State Fire Marshal and distributed to each chief fire official in the state.

An appropriation of $95,000 is made to the State Fire Marshal.

This bill contains an emergency clause and takes effect upon signature by the Governor.
SB 3404

BRIEF TITLE: Disestablishing various state funds and accounts.

SPONSORS: Senators Scott, Odegaard, and Lee

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: State Government

RATIONALE:

Various state funds and accounts are obsolete or unnecessary. In an on-going study, the Legislative Budget Committee has identified several of these accounts or funds which they recommend should be eliminated or consolidated.

SUMMARY:

Eight inactive and four active state funds or accounts are eliminated or consolidated into their "parent fund." The Lewis River Hatchery Fund and the Vehicle Title Guarantee Account are consolidated into their "parent fund" and the following accounts and funds are eliminated: Office Laboratory Construction Account; Voter Registration Assistance Account; Riot Reinsurance Reimbursement Fund; Old Age Pension Fund; Medical Prepayments Revolving Fund; Flood Control Contribution Fund; Pollution Facilities Construction Revolving Account; Water Pollution Control Facilities and Home Industries Revolving Fund; Building Authority Construction Account.

SB 3406

BRIEF TITLE: Abolishing current state school fund and transferring moneys therein to common school construction fund.

SPONSORS: Senators Scott, Odegaard, and Lee

SENATE COMMITTEE: Education

HOUSE COMMITTEE: Education

RATIONALE:

The current state school fund serves as a depository for moneys received by the state from the federal government for rentals and leases. Since the fund does not distribute moneys, the State Treasurer advises that it is unnecessary. The common school construction fund should be used to replace the current fund since the funds are earmarked for school construction.

SUMMARY:

The state school fund is abolished and all proceeds are transferred to the common school construction fund. Additional provisions clarify existing law by requiring that state appropriations for common schools be made at each regular legislative session in an odd-numbered year.

SSB 3405

BRIEF TITLE: Regulating administrative practice and procedure applicable to licenses and licensing.

SPONSORS: Senate Committee on State Government
(Originally Sponsored by Senators Day, Gallagahn, and Rasmussen)
(By Department of Licensing Request)

SENATE COMMITTEE: State Government

HOUSE COMMITTEE: State Government

RATIONALE:

Current language in the Code has been interpreted by the courts to allow certain state licensees one violation of state law without losing their licenses. In effect, the licensee need only promise not to commit the offense again.

The Attorney General's Office has indicated that the public would be better protected if the license could be revoked for a first violation.

SUMMARY:

The questionable provisions relating to suspension and revocation of licenses are deleted from the Code.
SUMMARY:
The hearing impaired are included as a group who can use guide dogs and receive the privileges and protections provided under "The White Cane Law" (Chapter 70.84 RCW). Hearing aid dogs are included in the statutory definition of "guide dog" along with seeing eye dogs.

Senate: 46 0 Effective: June 12, 1980
House: (a) 96 0
Senate Concurred.
Final Passage: 45 0 C 109 L 80

SB 3422

BRIEF TITLE: Increasing port districts' authority to operate facilities for the movement of freight and passengers.

SPONSORS: Senators Henry, Benitz, Hansen, and Talley

SENATE COMMITTEE: Transportation
HOUSE COMMITTEE: Transportation

RATIONALE:
The authority of port districts to provide directly or to contract for various cargo movements is presently unclear. Port districts have no authority to operate tour boats on the Columbia River.

SUMMARY:
Port districts are specifically authorized to perform directly, or by contract, all necessary activities for intermodal movement of interstate and foreign cargo. This includes insuring a sufficient level of rail service. Port districts are prohibited from manufacturing rail cars which will be used off port district property. Ports may not operate as motor carriers for compensation outside port district boundaries.

Port districts are further authorized to engage in the operation of tour boats on the Columbia River.

Senate: (a) 43 3 Effective: June 12, 1980
House: (a) 95 1
Senate Concurred.
Final Passage: 42 1 C 110 L 80

SSB 3457

BRIEF TITLE: Relating to state government.

SPONSORS: Senate Committee on Ways and Means (Originally Sponsored by Senator Rasmussen)

SENATE COMMITTEE: Ways and Means
HOUSE COMMITTEE: Rules suspended, placed on second reading

RATIONALE:
In 1979, the Washington State Supreme Court, in denying an appeal by the Department of Labor and Industries, reaffirmed a lower court decision (Wagner v. Labor and Industries, 92 Wn.2d 463 (1979)). The court held, in that decision, that the Department had illegally reduced the claimant's benefits under the Victims of Crime Program by offsetting the benefit by any social security disability benefit for which the claimant was eligible as a result of a qualified crime victim's injury. The budget impact of that decision on the Labor and Industries Department was $796,000, which included both retroactive and prospective payments.

The basis of the court decision was that the victims of crimes statute (Chapter 7.68 RCW) did not specifically provide for such an offset.

SUMMARY:
The victims of crimes statute is amended to provide that benefits payable under this statute are to be reduced by the amount of public or private insurance available. The victim or his beneficiary may seek damages from the person who is liable for the crime and receipt of such damages will not affect benefits received pursuant to the victims of crimes statute.

$2.8 million are appropriated from various fund sources to the Department of Labor and Industry for the biennium ending June 30, 1981.

The Department of Labor and Industries must report to the appropriate committees of the Legislature on the status of the group rating structure established in SSB 3169. Expenditure of the appropriation is directed to implement group dividends program.

This bill contains an emergency clause and takes effect upon signature by the Governor.

Senate: 46 0 Effective: April 1, 1980
House: (a) 97 0
Senate Refused.
to Concur:
House Refused.
to Recede:
Senate Concurred.
Final Passage: 48 0 C 156 L 80

SB 3474

BRIEF TITLE: Protecting landowners from tort liability for unintentional injuries to persons cutting firewood on their property.

SPONSORS: Senators Peterson and Talley

SENATE COMMITTEE: Natural Resources
HOUSE COMMITTEE: Judiciary
RATIONALE:
Due to the high cost of energy, there is increased interest in the use of firewood for residential heating. Many private and public landowners would make their lands available for collecting free firewood, if they were not liable for unintentional injuries that might occur while the firewood is being collected.

SUMMARY:
Private and public landowners may open their lands to the public for firewood gathering without liability for unintentional injuries. The liability exemption only applies when the firewood is collected for the personal use of private citizens and when the firewood is available to these people free of charge. However, the landowner may charge an administrative fee of up to $10 for collecting the firewood.

Senate: 47 0 Effective: June 12, 1980
House: (a) 97 0
Senate Concurred.
Final Passage: 44 1 C 111 L 80

SB 3487

BRIEF TITLE: Allowing transfer of certain retirement plan credits for persons having transferred employment between certain state universities.

SPONSOR: Senator Lysen

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Appropriations

RATIONALE:
Prior to 1973, classified employees of Washington State University were covered for retirement purposes under a contract with TIAA/CREF. Similar employees of the University of Washington were covered for retirement purposes by the Public Employees Retirement System. An employee who transferred from WSU to the UW would then accrue retirement benefits under two different plans. However, it would be more beneficial to transfer retirement credits to one plan.

SUMMARY:
Any former WSU classified employee who transferred to classified employment at UW in 1966 is allowed to transfer the service credit earned at WSU to the PERS system. Any such credit will be established with PERS upon receipt of a payment of an amount based on the PERS rates in effect during the same period.

The Department of Retirement Systems shall attempt to effect a transfer of the amounts to the transferring employee's credit with TIAA/CREF. If the amount which TIAA-CREF agrees to transfer is less than the required payment, the deficit will be paid by the transferring employee.

If an employee is in an employment position with an employer for at least nine months and if the employee makes the contribution required under PERS during this period, the employee is deemed to be in an eligible position under PERS during such period.

Senate: 49 0 Effective: June 12, 1980
House: (a) 94 0
Senate Concurred,
Final Passage: 45 0 C 112 L 80

SB 3499

BRIEF TITLE: Providing a program to aid fragile children.

SPONSORS: Senators Day, Jones, Bradburn, and Morrison

SENATE COMMITTEE: Social and Health Services

HOUSE COMMITTEE: Social and Health Services

RATIONALE:
There is a small number of developmentally disabled children who have multiple disabilities and need intensive medical care and treatment to continue living. Most of the children in this category must be maintained in a hospital where the mechanical facilities for maintaining life are available. Presently there is no available methodology or planning for any other type of maintenance and care as an alternative to continued hospitalization.

SUMMARY:
Certain classifications of children with multiple disabilities are delineated. Individual program plans must be developed for children within these classifications to develop an alternative methodology of care rather than hospitalization.

The Division of Developmental Disabilities of the Department of Social and Health Services is instructed to develop a controlled program of alternative services for these children and to report back to the Legislature in 1982.

The cost of this project is to be covered by an intradepartmental transfer of up to $1,500,000 from the Division of Medical Assistance to the Division of Developmental Disabilities for the biennium ending June 30, 1981.

Senate: (a) 48 0 Effective: June 12, 1980
House: 96 0 C 106 L 80
SSB 3509

PARTIAL VETO

BRIEF TITLE: Granting property tax relief to senior citizens owning a residence by a lease for life.

SPONSOR: Senate Committee on Ways and Means (Originally Sponsored by Senator Bausch)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Revenue

RATIONALE:

To qualify for senior citizen property tax relief, current law (Amendment 47 of the Constitution and RCW 84.36.381) requires a person to "own" the residence where he is living. The 1979 Legislature amended the statute to provide that a "life estate" would be an ownership interest which would qualify for the exemption.

Some senior citizens are living in residences pursuant to a "lease for life". For example, Panorama City in Olympia requires tenants to make an initial "down payment" and thereafter monthly payments with various cost of living increases during the course of the tenant's life.

Proponents of the legislation feel that a lease for life is functionally the same as a life estate and therefore should qualify for senior citizen property tax relief.

The definition of income employed for the senior citizen property tax exemption counts "income, from all sources whatsoever". An exception to this rule provides for the deduction of one-third social security, railroad retirement, and federal civil service pension income. The phrase "income, from all sources whatsoever" parallels the federal definition of gross income. Strict interpretation of these terms would result in an interpretation of "income" which would include the largest possible list of income sources.

Following this broad definition of income would result in including as business income or farm income, the gross receipts of the enterprise without deduction for business costs. This is not the definition which assessors have employed. However, the existing statute would appear to require utilization of gross rather than net income as a basis for determining eligibility.

A second problem has developed as a result of confusion over the one-third exclusion for social security, railroad retirement, and federal civil service pensions. The one-third exclusion was originally designed to approximate the employee contribution to the pension. This provision was believed to be necessary for social security and railroad retirement pensions because contributions under these programs were not easy to trace. In the case of federal civil service retirement, contributions are identifiable just as they are for state pensions. Accordingly, there is a question whether federal civil service pensions warrant treatment similar to social security and railroad retirement pensions when contributions can be identified. With respect to social security and railroad retirement, the one-third deduction has been brought into question in light of evidence which shows that the normal range of contributions is between 5% and 15%.

A final difficulty has arisen with respect to all contributory pensions. Seniors have had difficulty computing and taking the proper deduction from their pension income for the amount of their contribution. This has usually resulted in seniors not taking a deduction for their contributions to pensions and annuities.

SUMMARY:

A senior citizen living in a residence pursuant to a "lease for life" contract will receive property tax relief as set forth in the senior citizen property tax relief statute.

The definition of income for purposes of the senior citizen property tax exemption is clarified. The definition relies on federal adjusted gross income plus a distinct list of income sources to the extent they are not counted in adjusted gross income.

The income list includes all pension and annuity income. This inclusion results in the counting of money which is actually part of the applicant's original contribution. However, an adjustment is provided in the income limits to more than offset this impact.

The income limits for qualification are increased as follows. A person who has a combined disposable income of fourteen thousand dollars or less is exempt from all excess property taxes. A person who has a combined disposable income of ten thousand dollars or less is exempted from all regular property taxes on up to fifteen thousand dollars of valuation of his residence.

Senate: 47 0  Effective: June 12, 1980
House: (a) 95 0
Senate Refused, to Concur:
House Refused, to Recede:
Senate Refused, to Concur:
House Refused, to Recede:
Senate Concurred, Partial
House Receded, Final Passage: 98 0

PARTIAL VETO SUMMARY:

The Governor corrected a technical error by vetoing two sections which were duplicative of other sections. (See VETO MESSAGE)
SSB 3537

BRIEF TITLE: Relating to appropriations.

SPONSORS: Senate Committee on Ways and Means
(Originally Sponsored by Senator Odegaard)

SENATE COMMITTEE: Ways and Means
HOUSE COMMITTEE: Rules suspended, placed on second reading

RATIONALE:
A sick leave compensation program was instituted for many state employees in 1979. It was believed that compensating employees for a portion of unused sick leave might provide an incentive to reduce improper use of sick leave. Community college faculty, school district and educational service district employees were not included in the program.

SUMMARY:
All community college, common school and educational service district (ESD) employees are included under a sick leave compensation program.

Each January, the employee may choose to receive one day's pay for every four full days of sick leave accrued in the previous year. The employee must, however, maintain a minimum of 60 days sick leave.

Community colleges, common schools, and ESD's may award no more than 12 days sick leave per year, although contract provisions presently in force are not affected. Common school and ESD employees and community college faculty are not restricted in the maximum number of sick leave days they may accumulate. Previously they could accumulate a maximum of 180 days.

Any employee, at the time of retirement, or the employee's estate, in the case of death, will be compensated on the basis of one day's compensation for every four days sick leave accrued in the previous year. The employee must, however, maintain a minimum of 60 days sick leave.

Community colleges, common schools, and ESD's may delay these payments until July 1, 1981. School districts and ESD's may delay payments until September 1, 1981. The interest rate for these delayed payments will be 8 percent per year.

$24,000 are appropriated to the State Board for Community Colleges for administrative start-up costs in community colleges.

Senate: 45 2 Effective: June 12, 1980
House: (a) 92 4
Senate Conceded. Final Passage: 44 3 C 182 1. 80

SSB 3551

BRIEF TITLE: Establishing temporary tax incentives for alcohol fuel.

SPONSORS: Senate Committee on Agriculture
(Originally Sponsored by Senators Hansen, Day, Benitz, Wanamaker and Morrison)
(By Senate Committee on Agriculture Request)

SENATE COMMITTEE: Agriculture
HOUSE COMMITTEE: Revenue

RATIONALE:
The country's dependence on foreign sources of petroleum and depletable fossil fuels has become of great concern to the citizens. To help alleviate this concern, other potential sources of liquid fuel should be explored and developed. Alcohol fuels could provide a valuable source of liquid fuel and could create a market for certain agricultural crops and residues, and forest and industrial byproducts.

One way the state can aid in the production of alcohol fuels is to grant incentives through an exemption from the property leasehold taxes for alcohol fuel manufacturing plants and the business and occupation tax on gasohol sales.

SUMMARY:
Buildings, machinery, equipment and other property used primarily to manufacture alcohol fuels for use in motor vehicles and farm implements are exempted from property and leasehold taxes. Additions to existing alcohol fuel plants are also exempted from property and leasehold taxes. The exemption is for a six year duration beginning with the assessment year following the date the plant begins to operate. Only plants producing alcohol fuel by December 31, 1986, are eligible for this exemption.

Wholesale sales of gasohol are exempt from the business and occupation tax until December 31, 1986. The present tax exemption for wholesale sales of alcohol used in gasohol will terminate December 31, 1986.

Each year, the Department of Revenue is required to give the Legislature an estimate of the tax revenue foregone because of the tax exemptions given to manufacturers and distributors of alcohol fuel.

Senate: (a) 44 2 Effective: June 12, 1980
House: (a) 97 0
Senate Conceded. Partial:
House Refused.
To Recede:
Senate Conceded.
Final Passage: 47 1 C 157 L 80
SSB 3558

BRIEF TITLE: Creating a fleet opportunity board and setting forth its powers and duties and providing for the expiration thereof.

SPONSORS: Senate Committee on Natural Resources
(Originally Sponsored by Senators Conner, Vognild, Rasmussen, and Peterson)

SENATE COMMITTEE: Natural Resources
HOUSE COMMITTEE: Natural Resources

RATIONALE:
In order to protect the herring resource, the 1973 Legislature limited the number of commercial fishermen who can harvest herring in the Puget Sound district. Only fishermen already in the fishery in 1973 are now allowed to participate in the Puget Sound herring fishery. Thirty-one purse seine and six gillnet fishermen are licensed to fish for roe herring in Puget Sound. An additional four purse seine fishermen are licensed for the bait herring fishery.

SUMMARY:
A "Herring Fleet Opportunity Board" is created composed of five members: two purse seine operators, two gillnet operators, and one representative of the Department of Fisheries.

Board members are appointed by the Governor for terms ending at the conclusion of the 1983 legislative session.

The board must recommend to the Legislature prior to the 1981 session an equitable harvesting system for the herring fishery.

Senate: 48 0 Effective: June 12, 1980
House: (a) 94 3
Senate Concurred,
Final Passage: 43 0 C 113 L 80

SSB 3565

BRIEF TITLE: Increasing the time for which a temporary permit for driving trucks, buses, or cabs may be issued.

SPONSOR: Senator Henry

SENATE COMMITTEE: Transportation
HOUSE COMMITTEE: Transportation

RATIONALE:
Special endorsements are required on drivers' licenses to permit lawful operations of certain commercial vehicles. These endorsements are given by the Director of Licensing after successful completion of examinations. Temporary permits are valid for a period of ninety days and cost two dollars. Commercial driving courses normally extend for a four to five month period.

Agents of the County Auditor charge a one dollar handling fee for vehicle licensing and titling. It is believed that this fee is not sufficient to meet the increased costs due to inflation.

SUMMARY:
The period of time for which a temporary commercial permit is valid is extended to one hundred and eighty days. The fee for a temporary permit is raised to two dollars and fifty cents.

The amount of money the County Auditor's agents are allowed to charge for each application for vehicle licensing and titling is raised to one dollar and fifty cents.

Senate: 48 0 Effective: June 12, 1980
House: (a) 95 0
Senate Concurred,
Final Passage: 44 0 C 114 L 80

SB 3574

BRIEF TITLE: Maintaining the delinquency prevention services program without significant changes.

SPONSORS: Senators Odegaard, Sellar, Moore, Walgren, Conner, Donohue, and Day

SENATE COMMITTEE: Ways and Means
HOUSE COMMITTEE: Social and Health Services

RATIONALE:
Prior to the establishment of the Juvenile Justice Act, Delinquency Prevention Services provided counseling, etc., to those juveniles who might be classified as pre-delinquent. These services were provided in towns where little, if any, counseling services were available.

With the enactment of the Crisis Intervention section, the Department of Social and Health Services moved to eliminate Delinquency Prevention and replace it with the Crisis Intervention. In so doing, some areas lost these juvenile counseling services.

SUMMARY:
Delinquency Prevention Services are to remain as identifiable services in the locations where they were provided in fiscal year 1979.

Senate: 45 1 Effective: June 12, 1980
House: (a) 96 0
Senate Concurred,
Final Passage: 38 0 C 158 L 80
SSB 3581

BRIEF TITLE: Supplementing law relating to lease or rental of school property of whatsoever kind.

SPONSORS: Senate Committee on Education
(Originally Sponsored by Senators McDermott, Gould, Talmadge, Hayner, Gaspard, Ridder, and Morrison)

SENATE COMMITTEE: Education
HOUSE COMMITTEE: Education

RATIONALE:
Due to declining enrollment in the state's common schools over the past few years and resulting school closures, a number of school districts are faced with the problem of how to maximize the use of unused facilities and at the same time realize some economic benefit.

Current law governing the disposition of school district real property is silent regarding to whom, for what purpose, and for what period of time a school district may permit the occasional use, lease or rental of school property that is deemed surplus to the needs of the district, but which may be needed at some future date for school purposes. Furthermore, state constitutional limitations impose additional barriers for school district boards of directors seeking to maximize use of surplus property.

Several school districts have constructed facilities on land leased from the Department of Natural Resources. Although the districts wish to purchase the land, they are unable to do so since the time limit for such purchases terminated on January 1, 1976.

SUMMARY:
School district boards of directors are authorized to permit the rental, lease or occasional use of surplus real property lawfully held by the district to any person, corporation, or government entity for profit or nonprofit commercial or noncommercial purposes. Such use, rental or lease must be in the best interest of the district and must not interfere with the district's educational program and related activities.

The lease or rental agreement must permit recapture of the property so that the property is not placed beyond the control of the district should such property be needed for school purposes in the future.

School district boards of directors are directed to adopt a policy governing the use of surplus school property.

Joint use of school district property by any combination of persons, corporations or government entities for other than common school purposes is authorized but must comply with local zoning ordinances.

All potential users, lessees or tenants are required to pay such reasonable compensation for use of school district property, assessed on a basis that is nondiscriminatory within classes of users, as established by each school district board of directors.

Moneys to be expended for insurance, utility, maintenance and other costs resulting from such lease, rental or use agreements are to be deposited in the district's general fund. The remaining revenue must be deposited in the district's building fund.

The legislation does not affect the use of school facilities for community purposes authorized by current law.

The date by which school districts and institutions of higher education in certain instances must be afforded the opportunity to purchase land they presently lease from the Department of Natural Resources is extended from January 1, 1976 to January 1, 1981.

Senate: 47 0 Effective: June 12, 1980
House: (a) 96 0
Senate Concurred,
Final Passage: 45 0 C 115 L 80

SSB 3593

BRIEF TITLE: Vesting rights of the state in unappropriated public lands.

SPONSORS: Senators Henry, Guess, Van Hollebeke, Gallaghan, Quigg, Lee, Matson, von Reichbauer, Goltz, Donohue, Lewis, Talley, Peterson, Moore, Rasmussen, Day, Benitz, Odegaard, Walgren, Wanamaker, Talmadge, and Hansen

SENATE COMMITTEE: Natural Resources
HOUSE COMMITTEE: Natural Resources

RATIONALE:
Approximately 29 percent of the lands in Washington are controlled and managed by the federal government. All of the federal lands are important to the economy of this state; however, the federal agencies manage these lands on the basis of national policy and are frequently unresponsive to local concerns.

In addition, when Washington joined the Union it was required to disclaim title to unappropriated and unreserved lands. Some people believe that this was an unfair condition of statehood because most states did not have to meet this condition.

SUMMARY:
Unreserved and unappropriated federal lands in Washington are transferred to the state in fee title if the voters approve a state constitutional amendment. The constitutional amendment (SJ R 132) revokes the state's disclaimer of rights to unappropriated public lands. However, only 310,000 acres of Bureau of Land Management lands are actually claimed by the state. Most federal lands are specifically excluded from the
state's claim, including: (1) national parks and monuments, (2) national forests, (3) national wildlife sanctuaries, (4) military reservations and (5) Indian reservations.

The Department of Natural Resources will manage the appropriated lands under the multiple-use concept (i.e., recreation, agriculture, timber, mineral, energy transmission) and is required to conduct a study to determine whether these lands should be sold or retained in public ownership.

All rights and privileges of state citizens on the federal lands under federal laws are maintained after transfer to the state. Public lands administered by the federal government under international treaties and interstate compacts will continue to be administered by the state in conformance with those documents.

At least 25% of the revenue earned from these lands must be paid to the counties to compensate for monies the counties are now receiving from the federal government.

A civil action may be brought by a private citizen for any injury resulting from a violation of this law. A person who exercises jurisdiction over these public lands in violation of state law is subject to a prison sentence from two to ten years; a corporation or other entity is subject to a fine not to exceed $5,000.

This bill takes effect if the voters pass SJR 132 in the November, 1980 election.

Senate: (a) 41 6 Effective: See summary for date.  
House: (a) 90 7  
Senate Concurred.  
Final Passage: 42 1 C 116 L 80

SSB 3603

BRIEF TITLE: Authorizing a bond issue for pollution control facilities.

SPONSORS: Senate Committee on Ways and Means  
(Originally Sponsored by Senators Donohue, Williams, Bluechel, Odegaard, Gould, Gallagher, Wojahn, Talley, and McDermott)  
(By Executive Request)

SENATE COMMITTEE: Ways and Means  
HOUSE COMMITTEE: Appropriations

RATIONALE: In 1972, voters approved Referendum 26 in the amount of $225 million for a statewide capital investment program to finance waste disposal facilities. The $225 million bond issue has been used in a grant program for waste water treatment facilities, lake rehabilitation projects, agricultural pollution projects, and solid waste facilities.

The Department of Ecology, which administers Referendum 26, reports that the entire $225 million will soon be committed. Additional bonding authorization is required to allow continued operation and implementation of assistance programs initiated under Referendum 26.

SUMMARY:  
$450 million of general obligation bonds are authorized for construction and improvement of public waste disposal and management facilities.

The proceeds from the sale of the bonds are required to be deposited in an account within the general fund designated as the state and local improvements revolving account—waste disposal facilities, 1980.

Deposit interest earned on bond proceeds is to be credited to the general fund. The State's share of "cost sharing" is limited to not more than seventy-five percent of the total cost of any waste disposal or management facility. $150 million are earmarked for waste management systems capable of producing renewable or energy savings as a result of waste management. The purpose of this legislation is delineated so as not to encourage speculative development. If construction of increased capacity is desired in excess of that required to meet population forecasted for a ten-year period from the date of the grant award, approval by a general purpose unit of local government is required.

The Department of Ecology must administer the bond proceeds subject to legislative appropriation. The Department may use the funds to accomplish the purposes of this act through direct expenditures, grants to federal, state, and local agencies, and loans to the same. Incentives for integrated solid/liquid waste disposal facilities are also permitted.

Stipulation is made that not more than two percent of the proceeds from the bond issue may be used by the Department of Ecology for administration of the program. Expenditures of the bond proceeds for equipment used to collect garbage in support of recycling centers in areas where private centers exist, or on any project for control of radioactive waste is prohibited.

The act will be referred to a vote of the people in November, 1980.

Senate: 49 0 Effective: See summary for dates.  
House: (a) 97 0  
Senate Concurred.  
Final Passage: 38 2 C 159 L 80

[ 80 ]
SSB 3611

BRIEF TITLE: Authorizing the investment of municipal pension funds in state authorized investments.

SPONSORS: Senate Committee on Ways and Means
(Originally Sponsored by Senators Lewis and Day)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Appropriations

RATIONALE:
Currently funds of city employee retirement systems and funds of state retirement systems are invested differently.

The funds of the three city employee retirement systems (Seattle Employees Retirement System, the Spokane Employees Retirement System, and the Tacoma Employees Retirement System) must be invested pursuant to RCW 35.39.040. Funds of the state retirement systems are invested by the State Finance Committee and the Director of Retirement Systems (pursuant to RCW 43.84.150).

SUMMARY:
The existing authority for investment of municipal pension funds is repealed. Investment of such funds is authorized in the classes of investments approved for Washington State public retirement funds.

Senate: 49 0 Effective: June 12, 1980
House: 97 0 C 34 L 80

SSB 3629

BRIEF TITLE: Providing tax incentives for alcohol fuel.

SPONSORS: Senate Committee on Agriculture
(Originally Sponsored by Senators Hansen, Benitz, Day, Wanamaker, Gaspard and Morrison)
(By Senate Committee on Agriculture Request)

SENATE COMMITTEE: Agriculture

HOUSE COMMITTEE: Revenue

RATIONALE:
The country’s dependence on foreign sources of petroleum and deplettable fossil fuels has become of great concern to the citizens. To help alleviate this concern, other potential sources of liquid fuel should be explored and developed. Alcohol fuels could provide a valuable source of liquid fuel and could create a market for certain agricultural crops and residues, and forest and industrial byproducts.

One way the state can aid in the production and use of alcohol fuels is to provide a reduction in the motor vehicle fuel tax and sales and use tax.

SUMMARY:
Alcohol fuel is exempted from the motor vehicle fuel and special fuel tax. Since fuel that is not taxable as motor vehicle fuel becomes subject to sales and use tax, alcohol fuel is also exempted from sales and use tax. This exemption expires December 31, 1986.

The operators of licensed commercial and farm vehicles using gasohol may claim a refund of the motor vehicle fuel tax for the portion of gasoline that is used for off-road purposes.

Senate: (a) 47 0 Effective: June 12, 1980
House: (a) 94 1
Senate Concurred, Final Passage: 39 0 C 131 L 80

SSB 3636

PARTIAL VETO

BRIEF TITLE: Relating to nursing homes.

SPONSOR: Senate Committee on Ways and Means
(Originally Sponsored by Senator Fleming)

SENATE COMMITTEE: Ways and Means

HOUSE COMMITTEE: Rules suspended, placed on second reading

RATIONALE:
The Legislature and the Department of Social and Health Services (DSHS) has found that problems have arisen with certain statutory provisions relating to nursing homes, especially in the area of violations of standards, confidentiality, and patient assessment.

The 1979 Legislature codified many of the DSHS regulations regarding the operation of nursing homes and the care afforded their patients. Several of the statutory provisions enacted in 1979 have either been questioned by the federal government or have proved to be difficult to administer.

SUMMARY:
Operators of nursing homes are permitted to retain those portions of payments received which exceed actual audited costs in the cost centers for property and administration and operations.

The Department is prohibited from accessing private patient records unless: (1) the private patient or the patient’s guardian gives his permission or (2) the Department is investigating an alleged violation. No health care facility may require such permission as a condition for admittance.
The failure on the part of the Department to provide sufficient funds to meet the costs of the reimbursement standard allegedly violated is no longer a defense to a violation relating to the standards of care. The defense now is to show failure of DSHS to implement the entire cost reimbursement system. Additionally, the confidentiality provision for officials names in DSHS records of nursing homes is removed. A patient assessment system must be used for setting appropriate reimbursement to nursing homes instead of for setting reimbursement and levels of staffing.

Numerous housekeeping changes are made to the nursing home regulations. The requirement that a physician visit at least every 60 days and the provision mandating a program of self administration of medication by patients are deleted. All facilities are required to have sufficient personnel for feeding the patients. Each facility must train personnel to do purchasing and property control functions.

The requirement of written guidelines which would involve DSHS relative to initiation of guardianship proceedings is removed. Buildings constructed prior to 1980 and any new intermediate care facilities for the mentally retarded are granted a waiver of the space and equipment requirements.

Continuing medical supervision of a private patient may not be a condition of license.

The requirement that facilities meet all federal laws and regulations relative to health and safety is deleted. Failure to comply with standards after the scheduled date of correction is a daily violation and the Department is authorized to adopt rules and regulations relative to civil penalties. The time period for compliance is changed from 90 days to not more than 60 days.

An appropriation of $90,000 is made to enable DSHS to comply with facility patient review. $45,000 of the appropriation is to be from federal sources.

The section delaying the implementation of the 1979 act contains an emergency clause and takes effect upon signature by the Governor (April 4, 1980). The remaining provisions take effect June 12, 1980.
has a vital interest in the operation, maintenance, furnishing, remodeling and construction of capitol campus facilities.

Currently, decisions concerning these activities and charges to be assessed for them are made by the State Capitol Committee in conjunction with the Department of General Administration. The Legislature would like more input on and oversight of these decisions which so directly affect it.

SUMMARY:
A joint legislative committee on capitol facilities is created. This committee is authorized to advise and consult with the State Capitol Committee and the Department of General Administration on the need for new construction and remodeling of existing capitol buildings occupied wholly or in part by the Legislature.

The committee is also authorized to review charges assessed by the Department of General Administration for use of capitol campus facilities with respect to the operation, maintenance, remodeling, and furnishing of capitol campus buildings.

The joint committee is required to present its findings and any recommendations to the next regular session of the Legislature.

Senate: (a) 44 0
House: Adopted
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Vetoes
### HOUSE BILLS VETOED OR PARTIALLY VETOED

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 357</td>
<td>High. ed. student association</td>
<td>C 49 L 80 PV</td>
</tr>
<tr>
<td>HB 542</td>
<td>Ed. TV comm. abolish, create</td>
<td>C 123 L 80 PV</td>
</tr>
<tr>
<td>HB 1410</td>
<td>Gambling devices taxation</td>
<td>Vetoed</td>
</tr>
<tr>
<td>HB 1453</td>
<td>Wood study program, energy</td>
<td>Vetoed</td>
</tr>
<tr>
<td>HB 1475</td>
<td>Leg. sessions terminology</td>
<td>C 87 L 80 PV</td>
</tr>
<tr>
<td>SHB 1610</td>
<td>State investment board</td>
<td>Vetoed</td>
</tr>
<tr>
<td>HB 1763</td>
<td>Legislative art committee</td>
<td>C 173 L 80 PV</td>
</tr>
<tr>
<td>HB 1843</td>
<td>Energy audit schools</td>
<td>Vetoed</td>
</tr>
<tr>
<td>SHB 1852</td>
<td>Election, caucus conflicts</td>
<td>Vetoed</td>
</tr>
</tbody>
</table>

### SENATE BILLS VETOED OR PARTIALLY VETOED

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>SSB 2977</td>
<td>Renewable energy practices</td>
<td>Vetoed</td>
</tr>
<tr>
<td>SSB 3164</td>
<td>Urban state parks priorities</td>
<td>C 89 L 80 PV</td>
</tr>
<tr>
<td>SSB 3207</td>
<td>Superior court King County</td>
<td>C 183 L 80 PV</td>
</tr>
<tr>
<td>SB 3240</td>
<td>Coord. review, account. act</td>
<td>C 186 L 80 PV</td>
</tr>
<tr>
<td>SB 3253</td>
<td>Electricians rearranged</td>
<td>C 30 L 80 PV</td>
</tr>
<tr>
<td>SSB 3509</td>
<td>Sen. cit. prop. tax relief</td>
<td>C 185 L 80 PV</td>
</tr>
<tr>
<td>SSB 3636</td>
<td>Nursing home care standards</td>
<td>C 184 L 80 PV</td>
</tr>
</tbody>
</table>
To the Honorable, the House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to one portion House Bill No. 357 entitled:

"AN ACT Relating to higher education;"

The proviso beginning on page 1, line 24 and ending on page 2, line 1 would require that the Open Public Meetings Act apply to any policy recommending bodies, except tenure review committees, authorized by public higher education governing boards, which have student members who represent the interest of students.

While there may be reason to subject all policy recommending bodies in higher education to the Open Public Meetings Act, I cannot agree with singling out only those that have student representatives.

With the exception of the proviso beginning on page 1, line 24 and ending on page 2, line 1, which I have vetoed, the remainder of House Bill No. 357 is approved.

Respectfully submitted,

Dixy Lee Ray
Governor
To the Honorable, the House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to three sections of House Bill No. 542 entitled:

"AN ACT Relating broadcasting by radio and television, including instructional and public broadcasting . . ."

I agree that we need to establish a coordinating and planning mechanism to assure efficient and cost effective educational and public broadcasting. I have, however, vetoed Sections 1, 6, and 7. These three sections deal primarily with the funding for the Public Broadcasting Commission and in no way effect the intent or integrity of the legislation. I feel individual programs should be judged on merit and their funding levels evaluated as part of the overall priorities of the state during the regular budget process.

With the exception of Sections 1, 6, and 7 which I have vetoed, the remainder of House Bill No. 542 is approved.

Respectfully submitted,

Dixy Lee Ray
Governor
April 4, 1980

To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval House Bill No. 1410 entitled:

"AN ACT Relating to gambling . . ."

House Bill No. 1410 deals with a special tax imposed on certain gambling devices. The statutes that exist currently on the subject are technical and carefully interface with a complex federal law. It would appear that this bill is an attempt to accommodate changes in the federal code. However, the provisions of the bill raise technical questions which, when left unanswered render the scope, application, and ultimate effect of the bill indeterminable. I have grave concerns with any bill whose scope cannot be specifically determined. Moreover, in light of recent developments I refuse to allow a gambling bill which may have latent effects to become law.

For these reasons I have determined to veto House Bill No. 1410.

Respectfully submitted,

Dixy Lee Ray
Governor
To the Honorable, the House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval House Bill No. 1453 entitled:

"AN ACT Relating to the use of wood for energy and heating;"

House Bill No. 1453 directs the Department of Natural Resources to establish a program to study the use of wood for energy and heating purposes. Within the general program, the department is directed to undertake more specific actions. However, there is no direction in the bill that either increases the authority of the department or imposes greater duties than already exist in current law.

Our laws were purposely drafted in a general manner so that they could accommodate emergent needs. The fact that statutory authority already exists to do what this bill proposes is testimony of and a tribute to the established system.

This bill succeeds only in burdening our flexible laws with a narrow and specialized provision whose term of applicability is miniscule. Since this law adds nothing to the effectiveness of current law and because it has a pejorative effect on the underpinnings of our statutory system I have determined to veto House Bill No. 1453. However, in deference to the concerns of the legislature, I have directed the Department of Natural Resources to give such priority to the program as time and finances will allow.

Respectfully submitted,

Dixy Lee Ray
Governor
To the Honorable, the House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval of two sections House Bill No. 1475 entitled:

"AN ACT Relating to legislative sessions".

Section 3 of this bill amends RCW 28A.41.020 which was repealed by Section 7(1) of SB 3406 (Ch. 6, Laws of 1980), and Section 4 amends RCW 28A.41.050 which was previously amended by Section 3 of SB 3406 (Ch. 6, Laws of 1980). It is clear that the earlier enactment is preferred, and therefore I have vetoed these sections to preclude the necessity of further action to clarify intent.

With the exception of Sections 3 and 4 which I have vetoed, the remainder of House Bill No. 1475 is approved.

Sincerely,

Dixy Lee Ray
Governor
To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval, Substitute House Bill No. 1610 entitled:

"AN ACT Relating to state investments."

House Bill No. 1610 represents a major restructuring of the state's investment management. One fourteen member board, which is made up in significant part by executive and legislative appointees, is to replace the numerous boards that now exist. It is the composition of this new board that concerns me.

I challenge the legislative participation on the board. The legislature's duty is to make laws. A necessary part of this is an evaluation of current laws and an objective evaluation of how these laws are being carried out. This evaluative role by the legislature is critical and must not be hindered by a possible conflict of interest through actual participation in ongoing programs.

In addition, I question the appointed origin of the board members. The active and the retired members of the state's retirement systems must be responsive to public interest. The board that this bill proposes would be rife with appointed individuals who would be insulated from public accountability.

Lastly, I recognize the structural and administrative problems which this bill addresses. Many other states have selected a more centralized management system. However, since this bill would not significantly shift the state's investment authority until mid-1981, I am convinced that there is enough time to develop better alternatives to meet such challenges.

For the foregoing reasons, I have determined to veto Substitute House Bill No. 1610.

Respectfully submitted,

Dixy Lee Ray
Governor
To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval a portion of House Bill No. 1763 entitled:

"AN ACT Relating to works of art for the legislative building . . ."

This bill establishes a program to acquire works of art for the legislative building. Section 4 creates the capitol arts fund as the account to support this program. Subsection 2 of section 4 contains a misreference which renders its provisions unintelligible.

For this reason I have determined to veto subsection 2 of section 4 of House Bill No. 1763.

Respectfully submitted,

Dixy Lee Ray
Governor
To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval House Bill No. 1843
entitled:

"AN ACT Relating to the common schools."

The State Energy Office should be the focal point for all state
level energy related programs, including energy audits of public facil­
ities such as this bill envisions. The Energy Office has applied for
and expects to receive federal grants that would largely accomplish the
directives of this bill.

In addition, since the information expected to be developed by
these facility audits will be used in making capital budgeting decisions,
the appropriation should carry appropriate reporting requirements.

For the foregoing reasons, I have determined to veto House Bill No.
1843.

Respectfully submitted,

[Signature]

Dixy Lee Ray
Governor
February 1, 1980

To the Honorable, the House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute House Bill No. 1852 entitled:

"AN ACT Relating to school districts' special elections;"

I am entirely in sympathy with the intent of this act to avoid conflicts in scheduling between local special elections and statewide political party caucuses. However, the bill appears to be highly susceptible to constitutional challenge because its title refers only to school districts' special elections, while its substance deals with all local special elections. On the basis of previous State Supreme Court rulings under Article II, Section 19 of the State Constitution, I feel that legal challenges would probably be successful and that the results of special elections held under this bill's provisions would thereby be invalidated. This would include a number of bond issues and special levies.

For this reason, I have determined to veto Substitute House Bill No. 1852.

Sincerely,

Dixy Lee Ray
Governor
April 4, 1980

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval Substitute Senate Bill No. 2977 entitled:

"AN ACT Relating to energy conservation."

I am vetoing Substitute Senate Bill No. 2977 for technical reasons. The intent of section 6 was to prohibit retroactive application of the amended law by exempting any building, to be renovated or constructed, for which an agency had completed a life cycle cost analysis by December 31, 1980. However, as worded, section 6 exempts the agency rather than the building. Thus, any agency that has ever done a life cycle cost analysis would not have to comply with the new law; this is not acceptable. Also unacceptable is signing the bill without it containing a clause that clearly makes its application prospective only.

As the bill undoubtedly will be reintroduced next session, all public agencies that would be affected should study the bill's provisions and be prepared to implement them. Life cycle cost analysis is an important element in our response to the demands of our energy situation and it is unfortunate that this bill is technically faulty.

For these reasons, I have determined to veto Substitute Senate Bill No. 2977.

Respectfully submitted,

Dixy Lee Ray
Governor
March 10, 1980

To the Honorable, the Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to one section of Substitute Senate Bill 3164 entitled:

"AN ACT Relating to urban area state parks".

Section 5 of this bill provides for the transfer of the Auburn Game Farm from the Game Commission to the State Parks and Recreation Commission for the purpose of preserving this property as an urban area state park. An appropriation of $1,500,000 is made from General Fund-State revenues to compensate the Game Commission for the property.

While I strongly support the concept of urban area state parks, there is a necessity to be consistent with the priorities of the Statewide Comprehensive Outdoor Recreation Plan and the Interagency Committee for Outdoor Recreation Plan (IAC) if utilization of our scarce resources is to be most effective.

In addition, land acquisition projects submitted through the IAC are eligible for federal matching funds and should be maximized to the extent possible.

The effective date of this transfer is to be accomplished by July 31, 1981, the next biennium. This has the effect of obligating future legislatures.

Consequently, I have vetoed Section 5 and will ask the IAC to evaluate this proposal in their capital budget development plan for the 1981-83 biennium.

With the exception of Section 5, which I have vetoed, the remainder of Substitute Senate Bill 3164 is approved.

Sincerely,

[Signature]

Dixy Lee Ray
Governor
To the Honorable, to the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to part of Substitute Senate Bill No. 3207 entitled:

"AN ACT Relating to superior court judges."

Substitute Senate Bill No. 3207 creates five additional superior court judgeships in King County which have been made dependent upon county approval. I have no problem with the creation of the judgeships or the county approval conditions. However, the last five lines of the bill, added as a House amendment to the original Senate bill, provide an elective procedure for the selection of judges to the newly created positions. I cannot support this provision for the reason that such procedure destroys the Governor's historic right to appoint judges to the newly created positions.

The State Supreme Court in Fain v Chapman 89 WN 2d 48, 569 P. 2d 1135(1977) said the following about new judgeships:

"The provisions of Article 4, Section 5 of the constitution provide the framework within which newly created judgeships must be filled. The applicable provision provides:

If a vacancy occurs in the office of judge of the superior court, the governor shall appoint a person to hold the office until the election and qualification of the judge to fill the vacancy, which election shall be at the next succeeding general election."

Since the governor has had this power in the past I am bound by the commands of my office to protect this historic authority so that it may remain a viable power for this and subsequent administrations.

I have given due consideration to the technical issue involved with this veto and am satisfied that the veto is within my authority. The issue that I mention is of course veto of less than a physical section. During the 1979 legislative session, a similar bill creating new judgeships was passed. It also provided for election procedures but the procedures were set out in a separate section. There was no question, at that time
that I could separately veto the election procedures without invalidating the whole bill. There is no substantive change in the circumstances this time. Although the election procedures and judgeships creation have been placed together within one physical section, the subject matters remain separable. The State Supreme Court in *Apartment Ass'ns v Evans* 88 Wn 2d 563, 564 P. 2d 788(1977) indicates that as long as the subject matter is separable, a veto may affect one part without the other.

For these reasons, I have determined to veto the last five lines of Substitute Senate Bill No. 3207.

Respectfully submitted,

Dixy Lee Ray
Governor
April 4, 1980

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to several sections Senate Bill No. 3240 entitled:

"AN ACT Relating to state government".

The sections of this bill that establish legislative rules review committees and the procedures for that review are not necessary. All aspects of sections one through nine and 16 through 22, with the exception of publishing the notice of legislative dissent, can be accomplished within existing statutory authority and present administrative procedures.

With the exception of sections one through nine and 16 through 22 which I have vetoed, the remainder of Senate Bill No. 3240 is approved.

Respectfully submitted,

Dixy Lee Ray
Governor
To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval of one section, Senate Bill 3253 entitled:

"AN ACT Relating to electricians";

Section 14 of this bill was originally included in the bill as a vehicle for changing the composition of the Board of Electrical Examiners. In subsequent action the amendment was dropped, leaving RCW 19.28.123 unchanged.

If this section becomes law the Code Reviser will have to make a reference to a 1980 legislative action that really didn't accomplish anything. I have, therefore, vetoed this section to avoid confusion on the part of future users of the code.

With the exception of Section 14, which I have vetoed, Senate Bill 3253 is approved.

Respectfully submitted,

[Signature]

Dixy Lee Ray
Governor
April 4, 1980

To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to two sections of Substitute Senate Bill No. 3509 entitled:

"AN ACT Relating to property tax relief".

As a result of combining several legislative measures into one bill, RCW 84.36.381 has been amended by both sections 1 and 4 of this act and RCW 84.36.387 has been amended by both sections 2 and 6 of this act. Since the amendments by sections 1 and 2 of the act are duplicative of the amendments by sections 4 and 6 and since leaving them all in this act will cloud the status of RCW 84.36.381 and 84.36.387, I have vetoed sections 1 and 2.

With the exception of sections 1 and 2, which I have vetoed, the remainder of Substitute Senate Bill No. 3509 is approved.

Respectfully submitted,

Dixy Lee Ray
Governor
To the Honorable, the Senate
of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval as to three sections of Substitute Senate Bill No. 3636 entitled:

"AN ACT Relating to nursing homes".

This bill makes some necessary revisions in the nursing care standards which were passed during the 1979 legislative session. Several of these items were found to be in conflict with federal regulations or proved to be difficult to administer. However, several amendments to the bill made during the waning hours of the session will, I believe, produce certain unintended effects.

Section 1 was considered earlier in committee but withdrawn for the very reasons I have vetoed it. Although it may have been intended as a positive incentive to permit the retention of savings from management efficiencies, the inadvertent effect would be to allow operators to retain overpayments or to unconscionably retain funds intended as wage increases for support personnel. This would undoubtedly create legal disputes between the Department of Social and Health Services and the federal government as well as nursing home operators.

Sections 2 and 3 permit private patients or their guardians to deny access of state inspectors . . . "to their person, their comprehensive plans of care and their medical records . . ." Although this may have been intended to preserve the privacy of private patients, it would undermine the ability of the Department of Social and Health Services to assure quality of care for all nursing home residents - both those who are publically and privately supported. Denying access to the state inspectors would only serve to increase the vulnerability of frail elderly and disabled nursing home residents. It also might jeopardize the ability of the department to certify compliance of facilities with federal regulations necessary for participation in the Medicare and Medicaid programs.

For the foregoing reasons, I have vetoed Sections 1, 2, and 3. The remainder of the bill is approved.

Respectfully submitted,

Dixy Lee Ray
Governor
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## TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance Sheet</td>
<td>108</td>
</tr>
<tr>
<td>Revenue Legislation Summary</td>
<td>109</td>
</tr>
<tr>
<td>Appropriation Legislation Summary</td>
<td>110</td>
</tr>
<tr>
<td>Operating Budget</td>
<td></td>
</tr>
<tr>
<td>Charts</td>
<td>111</td>
</tr>
<tr>
<td>Summary</td>
<td>114</td>
</tr>
<tr>
<td>Agency/Program Index</td>
<td>115</td>
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<td>Agency/Program Summary</td>
<td>118</td>
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<tr>
<td>Budget Notes</td>
<td>127</td>
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TABLE I
BALANCE SHEET
GENERAL FUND REVENUE AND EXPENDITURE RECONCILATION
1979-81 BIENNUN
(Dollars in Millions)

<table>
<thead>
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<th>Revenues:</th>
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<tbody>
<tr>
<td>Beginning Fund Balance July 1, 1979</td>
<td>$ 410.6</td>
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<tr>
<td>Revenue Forecast as of June 1979</td>
<td>6,742.7</td>
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<tr>
<td>Revenue Forecast Revisions, December 1979</td>
<td>45.4</td>
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<tr>
<td>Revenue Forecast Revisions, March 1980</td>
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<tr>
<td>Increase in Tuition and Fees</td>
<td>3.5</td>
</tr>
<tr>
<td>Impact of 1980 Legislation (Table II)</td>
<td>4.9</td>
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<tr>
<td><strong>TOTAL REVENUE</strong></td>
<td><strong>$ 7,246.6</strong></td>
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</table>

<table>
<thead>
<tr>
<th>Expenditures:</th>
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</thead>
<tbody>
<tr>
<td>Appropriations - 1979 Legislation</td>
<td>$ 7,125.8</td>
</tr>
<tr>
<td>Unanticipated receipts through December 1979</td>
<td>18.8</td>
</tr>
<tr>
<td>Reserve for distribution to local governments</td>
<td>7.6</td>
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<tr>
<td>Appropriations - 1980 Legislation (Table III)</td>
<td>26.9</td>
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<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td><strong>$ 7,179.1</strong></td>
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</tbody>
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| ESTIMATED BALANCE                             | 67.5                |

| Less Reserve for K-12 - Revised Real Estate Excise Tax (local deductible revenue) | 29.5 |

| **ESTIMATED BALANCE 1979-81 BIENNUN**         | **$ 38.0**          |
## TABLE II

### REVENUE LEGISLATION SUMMARY

($ in thousands)

<table>
<thead>
<tr>
<th>BILL NO.</th>
<th>SUBJECT</th>
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<th>GENERAL FUND FEDERAL</th>
<th>GENERAL FUND TOTAL</th>
<th>ALL OTHER FUNDS</th>
<th>TOTAL ALL FUNDS</th>
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<tbody>
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<td>Chiropractors</td>
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<td>$13.0</td>
<td>$13.0</td>
<td>$13.0</td>
<td>$13.0</td>
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<tr>
<td>HB 1397</td>
<td>Urban trans. systems, taxes</td>
<td>(690.0)</td>
<td>--</td>
<td>(690.0)</td>
<td>--</td>
<td>(690.0)</td>
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<tr>
<td>HB 1419</td>
<td>Renewable energy resources</td>
<td>(406.0)</td>
<td>--</td>
<td>(406.0)</td>
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<td>(406.0)</td>
</tr>
<tr>
<td>HB 1481</td>
<td>Higher Institutions, waivers</td>
<td>(252.0)</td>
<td>--</td>
<td>(252.0)</td>
<td>--</td>
<td>(252.0)</td>
</tr>
<tr>
<td>HB 1483</td>
<td>Referendum 37 appropriation'</td>
<td>--</td>
<td>--</td>
<td>25,000.0</td>
<td>--</td>
<td>25,000.0</td>
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<td>HB 1486</td>
<td>Razor clamping licenses</td>
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<td>17.0</td>
<td>--</td>
<td>17.0</td>
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<tr>
<td>HB 1508</td>
<td>Ride-sharing vans tax exempt</td>
<td>(289.4)</td>
<td>--</td>
<td>(289.4)</td>
<td>--</td>
<td>(289.4)</td>
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<tr>
<td>HB 1533</td>
<td>DSHS Appropriation</td>
<td>--</td>
<td>8,500.0</td>
<td>8,500.0</td>
<td>--</td>
<td>8,500.0</td>
</tr>
<tr>
<td>HB 1624</td>
<td>Salmon Enhancement Bonding</td>
<td>(11.0)</td>
<td>--</td>
<td>(11.0)</td>
<td>--</td>
<td>(11.0)</td>
</tr>
<tr>
<td>HB 1643</td>
<td>School Construction Bonds</td>
<td>(1,012.5)</td>
<td>--</td>
<td>(1,012.5)</td>
<td>--</td>
<td>(1,012.5)</td>
</tr>
<tr>
<td>HB 1841</td>
<td>Meals, sales and Use Tax</td>
<td>(274.0)</td>
<td>--</td>
<td>(274.0)</td>
<td>--</td>
<td>(274.0)</td>
</tr>
<tr>
<td>SB 2751</td>
<td>Pollution Control Facilities</td>
<td>(825.0)</td>
<td>--</td>
<td>(825.0)</td>
<td>--</td>
<td>(825.0)</td>
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<tr>
<td>SB 3133</td>
<td>School Busses Vehicle Lic. Fees</td>
<td>(97.8)</td>
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<td>(97.8)</td>
<td>--</td>
<td>(97.8)</td>
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<td>SB 3282</td>
<td>Business Corp. Act Modifies</td>
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<td>240.0</td>
<td>--</td>
<td>240.0</td>
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<td>SB 3318</td>
<td>Insurance Revisions</td>
<td>9.5</td>
<td>--</td>
<td>9.5</td>
<td>--</td>
<td>9.5</td>
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<td>SB 3551</td>
<td>Alcohol Fuels Tax Incentive</td>
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<td>--</td>
<td>(65.0)</td>
<td>--</td>
<td>(65.0)</td>
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<td>SB 3636</td>
<td>Nursing Home Care Standards</td>
<td>--</td>
<td>45.0</td>
<td>45.0</td>
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<td>45.0</td>
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**GRAND TOTAL**

<p>|                | ($3,643.2) | $8,545.0 | $4,901.8 | $25,000.0 | $29,901.8 |</p>
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<thead>
<tr>
<th>BILL NO.</th>
<th>SUBJECT</th>
<th>AGENCY</th>
<th>GENERAL FUND STATE</th>
<th>GENERAL FUND FEDERAL</th>
<th>GENERAL FUND TOTAL</th>
<th>ALL OTHER FUNDS</th>
<th>TOTAL ALL FUNDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 38</td>
<td>Career Dev. Civil Serv. Emp.</td>
<td>Personnel</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$144.5</td>
<td>$144.5</td>
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<td>HB 542</td>
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<td>Broadcasting Commission</td>
<td>55.0</td>
<td>55.0</td>
<td>55.0</td>
<td>25.0</td>
<td>55.0</td>
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<td>Grand Jury State-wide</td>
<td>Organized Crime Advisory Board</td>
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<td>250.0</td>
<td>250.0</td>
<td>250.0</td>
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<td>HB 1427</td>
<td>Public Transit Excise Tax</td>
<td>OPM</td>
<td>3,000.0</td>
<td>3,000.0</td>
<td>3,000.0</td>
<td>3,000.0</td>
<td>3,000.0</td>
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<tr>
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<td>State Crime Lab</td>
<td>State Patrol</td>
<td>1,163.0</td>
<td>1,163.0</td>
<td>1,163.0</td>
<td>1,163.0</td>
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<tr>
<td>HB 1483</td>
<td>Referendum 37 appropriation</td>
<td>DSIS</td>
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<td>--</td>
<td>--</td>
<td>25,000.0</td>
<td>25,000.0</td>
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<td>Pharmacy</td>
<td>22.7</td>
<td>22.7</td>
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<td>270.0</td>
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<td>DSHS</td>
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<td>9,828.0</td>
<td>8,500.0</td>
<td>18,328.0</td>
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<td>*HB 1545</td>
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<td>266.0</td>
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<td>HB 1620</td>
<td>Transportation appropriation</td>
<td>DOT</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>9,000.0</td>
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<td>*HB 1558</td>
<td>Admin. Contingency Fund</td>
<td>Employment Security</td>
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<td>--</td>
<td>--</td>
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<td>School Discipline</td>
<td>SPI</td>
<td>68.2</td>
<td>68.2</td>
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<td>68.2</td>
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<tr>
<td>HB 1778</td>
<td>Drivers' License Stations</td>
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<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>1,469.0</td>
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<td>Jail Bonds</td>
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<td>Manufactured Homes</td>
<td>Labor &amp; Industries</td>
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<td>School Construction Bonds</td>
<td>SPI</td>
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<td>--</td>
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<td>30,000.0</td>
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<td>310.0</td>
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<td>310.0</td>
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<td>Poison Control, Drug Info.</td>
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<td>*SB 3371</td>
<td>Padilla Bay Sanctuary</td>
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<td>70.0</td>
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<td>70.0</td>
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<td>2,003.0</td>
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<td>45.0</td>
<td>90.0</td>
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</table>

**GRAND TOTAL**

- **$18,360.1**
- **$9,545.0**
- **$26,905.1**
- **$37,748.6**
- **$64,653.7**

*Supplemental Budget Bills.*
WASHINGTON STATE
1979-81 OPERATING BUDGET
TOTAL (ALL FUNDS)

SUPPLEMENTAL

GENERAL GOVERNMENT 22,466 94%
HUMAN RESOURCES 22,466 94%
NATURAL RESOURCES 5%
TRANSPORTATION 266 1%
PUBLIC SCHOOLS 1%
EDUCATION OTHER 1%

TOTAL (ALL FUNDS) 23,895 100%

OMNIBUS + SUPPLEMENT

GENERAL GOVERNMENT 1,789,188 19%
HUMAN RESOURCES 2,515,563 27%
NATURAL RESOURCES 412,575 4%
TRANSPORTATION 362,138 4%
PUBLIC SCHOOLS 2,712,564 29%
EDUCATION OTHER 1,512,316 16%

TOTAL STATE *9,304,344 100%

* Includes all appropriation measures passed during the 1979 Regular and Extraordinary Sessions and the 1980 supplemental budget.
WASHINGTON STATE OPERATING BUDGET VERSUS PERSONAL INCOME

PERCENT GROWTH SINCE 1970
WASHINGTON STATE
1979-81 BUDGET

OPERATING AND CAPITAL
INCLUDES 1980 SUPPLEMENTAL
(DOLLARS IN MILLIONS)

<table>
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<tr>
<th>Year</th>
<th>Capital</th>
<th>Operating</th>
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<td>71-73</td>
<td>667</td>
<td>3,585</td>
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<td>73-75</td>
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<td>4,350</td>
<td>4,898</td>
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<td>75-77</td>
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<td>6,636</td>
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<td>77-79</td>
<td>939</td>
<td>7,182</td>
<td>8,121</td>
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<td>1,993</td>
<td>11,857</td>
<td>13,850</td>
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<td>OPERATING BUDGET</td>
<td>GENERAL FUND STATE</td>
<td>GENERAL FUND FEDERAL</td>
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<tr>
<td>---</td>
<td>------------------</td>
<td>-------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>2</td>
<td>LEGISLAT &amp; JUDICA</td>
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<td>EXECUTIVE</td>
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<td>GEN GOV OTHER</td>
<td>486,649</td>
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<td>5</td>
<td>HUMAN RESOURCES</td>
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<td></td>
<td>DSHS</td>
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<tr>
<td></td>
<td>VETERANS AFFAIR</td>
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<td>6</td>
<td>NAT RESOUR &amp; TRAN</td>
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<td>NATURAL RESOUR</td>
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<td>TRANSPORTATION</td>
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<td>TOTAL EDUCATION</td>
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<td>SUP PUBLIC INST</td>
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<td>224,682</td>
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<td>COMM COLLEGES</td>
<td>321,723</td>
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<td>10</td>
<td>FOUR YR INST HE</td>
<td>602,274</td>
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</tr>
<tr>
<td>11</td>
<td>EDUCATION OTHER</td>
<td>26,155</td>
<td>27,695</td>
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<tr>
<td>12</td>
<td>TOT STATE BUDGET</td>
<td>5625,729</td>
<td>12,260</td>
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<td>13</td>
<td>SUNY/BLTD CLAIMS</td>
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<td>T-BUD/SUNY/BLTD</td>
<td>5630,980</td>
<td>1430,540</td>
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* Includes 1979 omnibus budget and 1980 supplemental budget; does not include appropriations made in other 1979 or 1980 legislation.
<table>
<thead>
<tr>
<th>AGENCY/PROGRAM</th>
<th>SECTION</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
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* TOT GEN GOV OTH | 486,649 | 486,649 | 70,229 | 70,229 | 697,732 | 697,732 | 1254,609 | 1254,609
## Senate Ways and Means

### Washington State 1979-81 Supplemental Operating Budget

**Dollars in Thousands**

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<th>Time</th>
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<th>Human Resources</th>
<th>Date</th>
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<th>Total All Funds</th>
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**Note:** The table above represents the supplemental operating budget for human resources in Washington State for the fiscal year 1979-81, broken down into various categories and subcategories. Each row indicates the total fund allocation in thousands of dollars for different sectors and their respective subcategories. The total funds are calculated by adding up the amounts from each category. The table is a printed extract from the Senate Ways and Means Committee report, which includes the date of presentation. The budget includes allocations for various programs such as mental health, public health, and community services. The table also highlights the total human resources budget and its subcategories, providing a comprehensive view of the financial distribution across different operational sectors.
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<th>GENERAL FUND FEDERAL</th>
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<th>TOTAL ALL FUNDS</th>
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|                         |                     |                      |                |                |            |             |             |              |

| TOTAL NAT RESOU        | 114,362             | 114,362              | 21,830         | 21,830         | 411,071   | 411,071     |               |               |
| ENVIRON HEARING        | 651                 | 651                  | 651            | 651            |           |             |               |               |
| 078 STATE ENERGY OF    | 1,021               | 1,021                | 5,140          | 5,140          | 6,161     | 6,161       |               |               |
| 079 OCEANOGRAPHIC C    | 384                 | 384                  | 384            | 384            |           |             |               |               |
| 080 COL RIV GORGE C    | 5                   | 5                    | 26             | 26             | 31        | 31          |               |               |
| 081 DEPT OF ECOLOGY    | 18,212              | 18,212               | 8,907          | 8,907          | 119,853   | 119,853     | 146,972       | 146,972       |
| 083 ENERGY FAC SITE    | 505                 | 505                  | 863            | 863            | 1,368     | 1,368       |               |               |
| 085 PARKS & RECREAT    | 24,749              | 24,749               | 100            | 100            | 3,714     | 3,714       | 28,563        | 28,563        |
| 086 ARCH/HIST PRESE    | 100                 | 100                  | 2,340          | 2,340          | 432       | 432         | 2,072         | 2,072         |
| 087 OUTDR RECREATIO    |                     |                      | 27,997         | 27,997         | 27,997    | 27,997      |               |               |
| 088 COMM & EC DEVEL    | 3,777               | 3,777                | 213            | 213            | 430       | 430         | 4,420         | 4,420         |
| 089 DEPT OF FISHERI    | 35,288              | 35,288               | 4,154          | 4,154          | 2,025     | 2,025       | 41,467        | 41,467        |
| 090 DEPT OF GAME       | 29                  | 29                   | 34,584         | 34,584         | 34,613    | 34,613      |               |               |
| 091 NATURAL RESOURC    | 21,652              | 21,652               | 452            | 452            | 67,726    | 67,726      | 89,830        | 89,830        |
| 092 DEPT OF AGRICUL    | 7,939               | 7,939                | 498            | 498            | 17,256    | 17,256      | 25,743        | 25,743        |
| 093 DEPT OF AGRICUL    |                     |                      |                |                |           |             |               |               |
| TOTAL TRANSPORT        | 18,126              | 1,163                | 19,289         | 19,289         | 126,944   | 126,944     | 145,070       | 145,070       |
| 094 STATE PATROL       | 9,994               | 1,163                | 11,157         | 11,157         | 69,897    | 69,897      | 79,891        | 79,891        |
| 095 VEH EQUIP SAFETY   |                     |                      | 8              | 8              | 8         | 8           |               |               |
| 096 TRAFFIC SAFETY     | 8,149               | 8,149                | 8,149          | 8,149          |           |             |               |               |
| 097 DEPT OF LICENSES   | 28,700              | 28,700               | 56,632         | 56,632         |           |             |               |               |
| 098 CTY ROAD ADMIN     | 190                 | 190                  | 190            | 190            |           |             |               |               |
| TOTAL NR & TRAN        | 132,888             | 1,163                | 133,651        | 133,651        | 401,823   | 401,823     | 556,141       | 557,304       |

Dollars in Thousands
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WASHINGTON STATE 1979-80 SUPPLEMENTAL OPERATING BUDGET (Dollars in thousands)

SENATE WAYS AND MEANS

TIME: 17:20   PAGE: 7 OF 10   SUPERINTENDENT OF PUBLIC INSTRUCTION

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# Higher Education

## Washington State 1979-81 Supplemental Operating Budget

### (Dollars in Thousands)

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<p>| | 602,274 | 602,274 | 478,421 | 478,421 | 1080,695 | 1080,695 |</p>
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1980 SUPPLEMENTAL BUDGET NOTES

SSB 3457 - DEPARTMENT OF LABOR AND INDUSTRIES

General Fund-State $2,003,000
Accident Fund-State 42,000
Medical Aid Fund-State 41,000
Electrical License Fund 681,000
Total $2,767,000

$1.9 million is appropriated to meet heavier than anticipated demands on the Victims of Crime Program. The remainder of the total appropriation is designated to implement legislation enacted in the 1979 Session.

SHB 1981 - JAIL COMMISSION

General Fund - local jail improvement and construction account $187,000

The use of jail bond proceeds is provided for staff administrative costs of the Jail Commission. The appropriation is to increase the Commission's capacity for reviewing physical plant funding applications, granting awards, and monitoring construction.

SHB 1533 - DEPARTMENT OF SOCIAL & HEALTH SERVICES - ADULT CORRECTIONS

General Fund-State $9,144,000

The Corporate Task Force appropriation of $920,000 is reduced by $797,000. Of this amount, $347,000 is identified for Treatment Alternative to Street Crime (TASC) in the counties of Pierce, Snohomish and Clark. $450,000 is transferred to the Public Health program ($200,000) and the Vocational Rehabilitation program ($250,000).

Skagit Valley Honor Camp is reduced by $1,236,000, reflecting its delayed implementation.

$2,444,000 is provided for the operation of Cedar Creek as an adult correctional facility. Funds for this purpose are transferred from Juvenile Rehabilitation.

$733,000 is provided for emergency beds.

$1,994,000 is provided for Geiger Field pre-release program.

$2,145,000 is provided for penitentiary lockdown expenses.
$788,000 is provided to supplement current appropriations for relief staff while correctional officers are in training.

$206,000 is provided for implementation of the modular home construction vocational training program at the penitentiary.

$22,000 is provided for the special detention of 8 residents at the Corrections Center.

$98,000 is provided for new Work/Training Release beds at Western State Hospital.

$474,000 is provided for the American Correctional Association (ACA) recommendations. The inmate grievance procedures item is funded at $198,000.

$300,000 is provided for a work-training release center (Bishop Lewis House).

A reduction of $60,000 is made in excess unemployment compensation funds.

Language changes are made to include 2nd degree arson as felons ineligible for Corporate Task Force project.

SHB 1533 - DEPARTMENT OF SOCIAL & HEALTH SERVICES - JUVENILE REHABILITATION PROGRAM

Appropriation authority is reduced by $2,468,000 to reflect transfer of the Cedar Creek appropriation.

SHB 1533 - DEPARTMENT OF SOCIAL & HEALTH SERVICES - NURSING HOMES

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$1,055,000 is provided for property reimbursement for FY 81.

$15,945,000 is provided for patient care.

A language change provides property payment based on 6/30/79 methodology and all lease payments made for ICF/MR facilities. The special assistant Attorney General is now a permissive expenditure.
SHB 1533 - DEPARTMENT OF SOCIAL & HEALTH SERVICES - INCOME MAINTENANCE

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$2,471,000 in state funds and $1,218,000 in federal funds are encumbered from the 1979-81 appropriation for an additional 1.0% grant standard increase for FY 81.

$4,942,000 in state funds and $2,436,000 in federal funds may be expended if sufficient savings are generated from FY 81 SSI increases. This will provide an additional 2.0% grant standard increase for FY 81.

The appropriation level of state funds is reduced by $4,732,000.

SHB 1533 - DEPARTMENT OF SOCIAL & HEALTH SERVICES - PUBLIC HEALTH

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The appropriation is made for Crippled Children Services at Children's Orthopedic Hospital, Deaconess Hospital, Mary Bridge Hospital and Providence Hospital (Snohomish).

SHB 1533 - DEPARTMENT OF SOCIAL & HEALTH SERVICES - VOCATIONAL REHABILITATION

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Additional funding is provided for the Extended Sheltered Employment Program.

SHB 1533 - DEPARTMENT OF SOCIAL & HEALTH SERVICES - ADMINISTRATION & SUPPORT SERVICES

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The appropriation is made to the local Institutional Impact Account, raising that account's appropriation to a total of $600,000.

SHB 1533 - DEPARTMENT OF SOCIAL & HEALTH SERVICES - COMMUNITY SERVICES ADMINISTRATION

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<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund-State</td>
<td>$120,000</td>
</tr>
</tbody>
</table>

This appropriation provides funding for a special adoptive services demonstration program for hard to place children.

Delinquency Prevention Services are to remain as they were in 1977-79.
SHB 1533 - DEPARTMENT OF SOCIAL & HEALTH SERVICES - ADULT CORRECTIONS

Capital Construction Account $ 414,000

The renovation and expansion of the Industries Building at the Penitentiary did not receive anticipated federal funds, so additional bonding capacity was provided.

Language modifications within this section provided the following changes:

1. The 100-bed honor camp was essentially discontinued and the funds redirected to developing 100 minimum secure beds at existing facilities; and,

2. The 500-bed facility was directed to be built on public land either currently owned by the state or the federal land acquired by the state.

SHB 1433 - WASHINGTON STATE PATROL

General Fund-State $ 1,163,000

Funds are provided for four satellite crime laboratories to be located in Kelso, Tri-Cities, Pierce County and Snohomish County. Funds are also provided for expansion of the Spokane laboratory and three additional staff for the existing laboratories.

HB 1658 - DEPARTMENT OF EMPLOYMENT SECURITY

Administrative Contingency Fund $ 1,184,000

This appropriation is made for revision of computer processes in order to improve administrative efficiency and modification of existing facilities for handicap access to the Department's local offices.

SHB 1545 - STATE LIBRARY

General Fund-State $ 266,000

Federal funds are replaced for the Braille and taping service, and the radio reading service.
Appendix
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### BILL NO. SESSION LAW TABLE

#### HOUSE

<table>
<thead>
<tr>
<th>BILL NO.</th>
<th>TITLE</th>
<th>CHAPTER NO.</th>
</tr>
</thead>
<tbody>
<tr>
<td>SHB 19</td>
<td>Civil rights restoration</td>
<td>C 75 L 80</td>
</tr>
<tr>
<td>SHB 38</td>
<td>Career dev. civil service</td>
<td>C 118 L 80</td>
</tr>
<tr>
<td>HB 209</td>
<td>Discretion. review/decision</td>
<td>C 76 L 80</td>
</tr>
<tr>
<td>HB 277</td>
<td>Comic book regulat. repealed</td>
<td>C 36 L 80</td>
</tr>
<tr>
<td>HB 322</td>
<td>Fire code hand-held candles</td>
<td>C 8 L 80</td>
</tr>
<tr>
<td>HB 357</td>
<td>High ed student association</td>
<td>C 49 L 80 PV</td>
</tr>
<tr>
<td>SHB 382</td>
<td>Smoke detectors required</td>
<td>C 50 L 80</td>
</tr>
<tr>
<td>SHB 395</td>
<td>Chiropractors</td>
<td>C 51 L 80</td>
</tr>
<tr>
<td>HB 427</td>
<td>Search warrants use limited</td>
<td>C 52 L 80</td>
</tr>
<tr>
<td>SHB 440</td>
<td>Parents school bus rides</td>
<td>C 122 L 80</td>
</tr>
<tr>
<td>HB 542</td>
<td>Ed TV comm. abolish, create</td>
<td>C 123 L 80 PV</td>
</tr>
<tr>
<td>SHB 551</td>
<td>Pornography, children</td>
<td>C 53 L 80</td>
</tr>
<tr>
<td>HB 646</td>
<td>Waste management revisions</td>
<td>C 144 L 80</td>
</tr>
<tr>
<td>HB 714</td>
<td>Taking of crabs</td>
<td>C 133 L 80</td>
</tr>
<tr>
<td>HB 762</td>
<td>S&amp;L negotiable transfers</td>
<td>C 54 L 80</td>
</tr>
<tr>
<td>HB 783</td>
<td>Retirement -- WSP</td>
<td>C 77 L 80</td>
</tr>
<tr>
<td>SHB 799</td>
<td>DSHS cert civil serv exempt</td>
<td>C 73 L 80</td>
</tr>
<tr>
<td>SHB 810</td>
<td>Compensating tax forest land</td>
<td>C 134 L 80</td>
</tr>
<tr>
<td>HB 829</td>
<td>Family court funding</td>
<td>C 124 L 80</td>
</tr>
<tr>
<td>HB 878</td>
<td>Sewer districts, powers</td>
<td>C 12 L 80</td>
</tr>
<tr>
<td>HB 1016</td>
<td>Sales, use exemptions</td>
<td>C 37 L 80</td>
</tr>
<tr>
<td>SHB 1090</td>
<td>Warrants revisions</td>
<td>C 145 L 80</td>
</tr>
<tr>
<td>2SHB 1141</td>
<td>Park reservation.system</td>
<td>C 38 L 80</td>
</tr>
<tr>
<td>SHB 1147</td>
<td>Grand Jury state-wide</td>
<td>C 146 L 80</td>
</tr>
<tr>
<td>SHB 1210</td>
<td>Remote 2nd class school dist.</td>
<td>C 39 L 80</td>
</tr>
<tr>
<td>HB 1371</td>
<td>County road projects</td>
<td>C 40 L 80</td>
</tr>
<tr>
<td>SHB 1397</td>
<td>Urban trans. systems, taxes</td>
<td>C 148 L 80</td>
</tr>
<tr>
<td>HB 1406</td>
<td>MV offenses double amend.</td>
<td>C 148 L 80</td>
</tr>
<tr>
<td>SHB 1413</td>
<td>State energy fair, 1983</td>
<td>C 161 L 80</td>
</tr>
<tr>
<td>HB 1414</td>
<td>Students financial aid</td>
<td>C 13 L 80</td>
</tr>
<tr>
<td>SHB 1416</td>
<td>Credit unions</td>
<td>C 41 L 80</td>
</tr>
<tr>
<td>HB 1418</td>
<td>Traffic infractions</td>
<td>C 128 L 80</td>
</tr>
<tr>
<td>SHB 1419</td>
<td>Renewable energy resources</td>
<td>C 149 L 80</td>
</tr>
<tr>
<td>SHB 1422</td>
<td>Courts of limited jurisdict.</td>
<td>C 162 L 80</td>
</tr>
<tr>
<td>HB 1427</td>
<td>Public transit excise tax</td>
<td>C 163 L 80</td>
</tr>
<tr>
<td>SHB 1429</td>
<td>Shellfish, private tidelands</td>
<td>C 55 L 80</td>
</tr>
<tr>
<td>HB 1433</td>
<td>State crime lab appropr.</td>
<td>C 164 L 80</td>
</tr>
<tr>
<td>HB 1432</td>
<td>School dist. director terms</td>
<td>C 35 L 80</td>
</tr>
<tr>
<td>HB 1434</td>
<td>Prosecuting attorneys recall</td>
<td>C 42 L 80</td>
</tr>
<tr>
<td>HB 1444</td>
<td>Low income utility fees</td>
<td>C 150 L 80</td>
</tr>
<tr>
<td>HB 1435</td>
<td>Fire district equipment use</td>
<td>C 43 L 80</td>
</tr>
<tr>
<td>HB 1447</td>
<td>Game code revisions</td>
<td>C 78 L 80</td>
</tr>
<tr>
<td>SHB 1454</td>
<td>County funds investment</td>
<td>C 56 L 80</td>
</tr>
<tr>
<td>SHB 1457</td>
<td>Joint health departments</td>
<td>C 57 L 80</td>
</tr>
<tr>
<td>HB 1458</td>
<td>PA recipients, nursing homes</td>
<td>C 79 L 80</td>
</tr>
<tr>
<td>HB 1460</td>
<td>Blind schools salaries</td>
<td>C 58 L 80</td>
</tr>
<tr>
<td>HB 1463</td>
<td>Mandatory attendance waiver</td>
<td>C 59 L 80</td>
</tr>
<tr>
<td>Bill No.</td>
<td>Bill Title</td>
<td>Code Section</td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>HB 1464</td>
<td>RV's sanitary sys rest areas</td>
<td>C 60 L 80</td>
</tr>
<tr>
<td>HB 1465</td>
<td>Legislative ethics boards</td>
<td>C 165 L 80</td>
</tr>
<tr>
<td>SHB 1466</td>
<td>School district bid levels</td>
<td>C 61 L 80</td>
</tr>
<tr>
<td>SHB 1471</td>
<td>Insurance revisions</td>
<td>C 135 L 80</td>
</tr>
<tr>
<td>HB 1475</td>
<td>Leg sessions terminology</td>
<td>C 87 L 80</td>
</tr>
<tr>
<td>SHB 1480</td>
<td>Students, programs, fees</td>
<td>C 80 L 80</td>
</tr>
<tr>
<td>SHB 1481</td>
<td>Higher institutions, waivers</td>
<td>C 62 L 80</td>
</tr>
<tr>
<td>HB 1483</td>
<td>Referendum 37 appropriation</td>
<td>C 136 L 80</td>
</tr>
<tr>
<td>SHB 1485</td>
<td>Controlled substances</td>
<td>C 138 L 80</td>
</tr>
<tr>
<td>HB 1486</td>
<td>Razor-clamming licenses</td>
<td>C 81 L 80</td>
</tr>
<tr>
<td>SHB 1492</td>
<td>Pub. emp. certain insurance</td>
<td>C 120 L 80</td>
</tr>
<tr>
<td>HB 1495</td>
<td>Ed services regis. exemp.</td>
<td>C 82 L 80</td>
</tr>
<tr>
<td>SHB 1496</td>
<td>Health ins conversion rights</td>
<td>C 10 L 80</td>
</tr>
<tr>
<td>SHB 1499</td>
<td>Low income sen cit utilities</td>
<td>C 160 L 80</td>
</tr>
<tr>
<td>HB 1508</td>
<td>Ride sharing vans tax exempt</td>
<td>C 166 L 80</td>
</tr>
<tr>
<td>SHB 1510</td>
<td>Franchise termination</td>
<td>C 63 L 80</td>
</tr>
<tr>
<td>HB 1511</td>
<td>Legend drugs identification</td>
<td>C 83 L 80</td>
</tr>
<tr>
<td>SHB 1515</td>
<td>Health care planning</td>
<td>C 139 L 80</td>
</tr>
<tr>
<td>SHB 1516</td>
<td>In-home services require</td>
<td>C 137 L 80</td>
</tr>
<tr>
<td>HB 1518</td>
<td>Oil, gas leases, state lands</td>
<td>C 151 L 80</td>
</tr>
<tr>
<td>SHB 1520</td>
<td>DSHS criminal records access</td>
<td>C 125 L 80</td>
</tr>
<tr>
<td>HB 1521</td>
<td>Property transfers pub ass't</td>
<td>C 84 L 80</td>
</tr>
<tr>
<td>HB 1524</td>
<td>Salary surveys, public emp.</td>
<td>C 11 L 80</td>
</tr>
<tr>
<td>SHB 1533</td>
<td>DSHS appropriation</td>
<td>C 167 L 80</td>
</tr>
<tr>
<td>HB 1545</td>
<td>State library appropriation</td>
<td>C 168 L 80</td>
</tr>
<tr>
<td>HB 1555</td>
<td>Protecting unique wildlife</td>
<td>C 44 L 80</td>
</tr>
<tr>
<td>SHB 1558</td>
<td>Fire code dwellings access</td>
<td>C 64 L 80</td>
</tr>
<tr>
<td>HB 1568</td>
<td>Gasohol use state vehicles</td>
<td>C 169 L 80</td>
</tr>
<tr>
<td>SHB 1575</td>
<td>Primitive roads classif.</td>
<td>C 45 L 80</td>
</tr>
<tr>
<td>HB 1585</td>
<td>Double amendment RCW 18</td>
<td>C 46 L 80</td>
</tr>
<tr>
<td>HB 1586</td>
<td>Double amendment RCW 28A</td>
<td>C 47 L 80</td>
</tr>
<tr>
<td>HB 1587</td>
<td>Double amendment RCW 51</td>
<td>C 14 L 80</td>
</tr>
<tr>
<td>HB 1588</td>
<td>Double amendment RCW 67</td>
<td>C 16 L 80</td>
</tr>
<tr>
<td>HB 1589</td>
<td>Double amendment RCW 72</td>
<td>C 17 L 80</td>
</tr>
<tr>
<td>HB 1593</td>
<td>Model traffic ordinance</td>
<td>C 65 L 80</td>
</tr>
<tr>
<td>HB 1597</td>
<td>School bonds energy efficien</td>
<td>C 170 L 80</td>
</tr>
<tr>
<td>HB 1598</td>
<td>Salmon advisory council</td>
<td>C 66 L 80</td>
</tr>
<tr>
<td>HB 1604</td>
<td>Retirement system funds</td>
<td>C 126 L 80</td>
</tr>
<tr>
<td>SHB 1609</td>
<td>Airport projects aid</td>
<td>C 67 L 80</td>
</tr>
<tr>
<td>HB 1620</td>
<td>Transportation approp.</td>
<td>C 119 L 80</td>
</tr>
<tr>
<td>HB 1624</td>
<td>Salmon enhancement bonding</td>
<td>C 15 L 80</td>
</tr>
<tr>
<td>SHB 1630</td>
<td>Alcohol motor vehicle use</td>
<td>C 140 L 80</td>
</tr>
<tr>
<td>HB 1643</td>
<td>School construction bonds</td>
<td>C 141 L 80</td>
</tr>
<tr>
<td>HB 1658</td>
<td>Admin. contingency fund</td>
<td>C 142 L 80</td>
</tr>
<tr>
<td>HB 1663</td>
<td>Contractor's regis. number</td>
<td>C 68 L 80</td>
</tr>
<tr>
<td>SHB 1676</td>
<td>School discipline</td>
<td>C 171 L 80</td>
</tr>
<tr>
<td>HB 1681</td>
<td>State patrol crime lab</td>
<td>C 69 L 80</td>
</tr>
<tr>
<td>HB 1685</td>
<td>Parking facilities reg.</td>
<td>C 127 L 80</td>
</tr>
<tr>
<td>HB 1686</td>
<td>School district expenditures</td>
<td>C 18 L 80</td>
</tr>
<tr>
<td>SHN 1688</td>
<td>State gov't eff. energy use</td>
<td>C 172 L 80</td>
</tr>
<tr>
<td>SHB 1729</td>
<td>Adoption consent parents</td>
<td>C 85 L 80</td>
</tr>
<tr>
<td>HB 1762</td>
<td>Interlocal, county drug fund</td>
<td>C 19 L 80</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Description</td>
<td>Citation</td>
</tr>
<tr>
<td>------------</td>
<td>--------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>SHB 1763</td>
<td>Legislative art committee</td>
<td>C 173 L 80 PV</td>
</tr>
<tr>
<td>SHB 1778</td>
<td>Drivers' license stations</td>
<td>C 121 L 80</td>
</tr>
<tr>
<td>SHB 1807</td>
<td>Hazardous cargo transport.</td>
<td>C 20 L 80</td>
</tr>
<tr>
<td>HB 1829</td>
<td>Voter reg. schools fire hall</td>
<td>C 48 L 80</td>
</tr>
<tr>
<td>HB 1841</td>
<td>Meals, sales &amp; use tax</td>
<td>C 86 L 80</td>
</tr>
<tr>
<td>HB 1870</td>
<td>Bill of lading hazard. cargo</td>
<td>C 132 L 80</td>
</tr>
<tr>
<td>HB 1950</td>
<td>Banking</td>
<td>C 9 L 80</td>
</tr>
<tr>
<td>SHB 1952</td>
<td>Unemployment compensation</td>
<td>C 74 L 80</td>
</tr>
<tr>
<td>HB 1976</td>
<td>Pollution control facilities</td>
<td>C 21 L 80</td>
</tr>
<tr>
<td>SHB 1981</td>
<td>Jail bonds</td>
<td>C 143 L 80</td>
</tr>
<tr>
<td>SHB 1983</td>
<td>Motor vehicle insurance</td>
<td>C 117 L 80</td>
</tr>
<tr>
<td>SHB 1986</td>
<td>Mobile homes, movement, rent</td>
<td>C 152 L 80</td>
</tr>
<tr>
<td>SHB 1989</td>
<td>Manufactured homes</td>
<td>C 153 L 80</td>
</tr>
<tr>
<td>BILL NO.</td>
<td>SESSION LAW TABLE</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>-------------------</td>
<td></td>
</tr>
<tr>
<td>SBB 2381</td>
<td>Superior court clerks fees</td>
<td>C 70 L 80</td>
</tr>
<tr>
<td>SB 2433</td>
<td>Unemployable persons defined</td>
<td>C 174 L 80</td>
</tr>
<tr>
<td>SSB 2616</td>
<td>Minors, disc jockeys taverns</td>
<td>C 22 L 80</td>
</tr>
<tr>
<td>SBB 2748</td>
<td>Irrigation dist. board comp.</td>
<td>C 23 L 80</td>
</tr>
<tr>
<td>SSB 2751</td>
<td>Pollution control facilities</td>
<td>C 175 L 80</td>
</tr>
<tr>
<td>SSB 2963</td>
<td>Common schools, funds</td>
<td>C 154 L 80</td>
</tr>
<tr>
<td>SB 3011</td>
<td>Beaver tag elim. trapper fee</td>
<td>C 24 L 80</td>
</tr>
<tr>
<td>SSB 3133</td>
<td>School busses veh. lic. fees</td>
<td>C 88 L 80</td>
</tr>
<tr>
<td>SSB 3140</td>
<td>City-county housing</td>
<td>C 25 L 80</td>
</tr>
<tr>
<td>SSB 3164</td>
<td>Urban state parks priorities</td>
<td>C 89 L 80 PV</td>
</tr>
<tr>
<td>SSB 3169</td>
<td>Workers' comp. modified</td>
<td>C 129 L 80</td>
</tr>
<tr>
<td>SB 3181</td>
<td>Solar energy sys. tax exempt</td>
<td>C 155 L 80</td>
</tr>
<tr>
<td>SB 3183</td>
<td>Hood Canal bridge</td>
<td>C 2 L 80</td>
</tr>
<tr>
<td>SSB 3184</td>
<td>Liberty townsite purchase</td>
<td>C 90 L 80</td>
</tr>
<tr>
<td>SB 3190</td>
<td>School sports transportation</td>
<td>C 91 L 80</td>
</tr>
<tr>
<td>SSB 3195</td>
<td>Heart Lake purchase</td>
<td>C 4 L 80</td>
</tr>
<tr>
<td>SB 3202</td>
<td>Basic sciences repealer</td>
<td>C 26 L 80</td>
</tr>
<tr>
<td>SSB 3207</td>
<td>Superior court King County</td>
<td>C 183 L 80 PV</td>
</tr>
<tr>
<td>SB 3211</td>
<td>Special purpose districts</td>
<td>C 92 L 80</td>
</tr>
<tr>
<td>SB 3214</td>
<td>Road contract awards</td>
<td>C 93 L 80</td>
</tr>
<tr>
<td>SB 3219</td>
<td>Lewis &amp; Clark commemorated</td>
<td>C 5 L 80</td>
</tr>
<tr>
<td>SB 3220</td>
<td>Civil judgment procedures</td>
<td>C 94 L 80</td>
</tr>
<tr>
<td>SSB 3224</td>
<td>County weed boards</td>
<td>C 95 L 80</td>
</tr>
<tr>
<td>SSB 3226</td>
<td>Prescriptions</td>
<td>C 71 L 80</td>
</tr>
<tr>
<td>SSB 3228</td>
<td>MV emission control</td>
<td>C 176 L 80</td>
</tr>
<tr>
<td>SB 3235</td>
<td>Fire commissioners, comp.</td>
<td>C 27 L 80</td>
</tr>
<tr>
<td>SB 3236</td>
<td>Hit &amp; run personal injuries</td>
<td>C 97 L 80</td>
</tr>
<tr>
<td>SSB 3237</td>
<td>Franchises, highway util.</td>
<td>C 28 L 80</td>
</tr>
<tr>
<td>SB 3240</td>
<td>Coord. review, account. act</td>
<td>C 186 L 80 PV</td>
</tr>
<tr>
<td>SB 3241</td>
<td>Military recruiters access</td>
<td>C 96 L 80</td>
</tr>
<tr>
<td>SB 3244</td>
<td>LEFF elective membership</td>
<td>C 130 L 80</td>
</tr>
<tr>
<td>SB 3245</td>
<td>Clarifying public retirement</td>
<td>C 29 L 80</td>
</tr>
<tr>
<td>SSB 3250</td>
<td>Nursing home cost system</td>
<td>C 177 L 80</td>
</tr>
<tr>
<td>SB 3253</td>
<td>Electricians rearranged</td>
<td>C 30 L 80 PV</td>
</tr>
<tr>
<td>SSB 3256</td>
<td>Fish tax modified</td>
<td>C 98 L 80</td>
</tr>
<tr>
<td>SSB 3271</td>
<td>PERS members transfers JRS</td>
<td>C 7 L 80</td>
</tr>
<tr>
<td>SB 3280</td>
<td>Real estate brokers &amp; sales</td>
<td>C 72 L 80</td>
</tr>
<tr>
<td>SB 3282</td>
<td>Business corp. act modified</td>
<td>C 99 L 80</td>
</tr>
<tr>
<td>SSB 3297</td>
<td>Warrants</td>
<td>C 100 L 80</td>
</tr>
<tr>
<td>SSB 3309</td>
<td>Ocularists regulated</td>
<td>C 101 L 80</td>
</tr>
<tr>
<td>SB 3318</td>
<td>Insurance revisions</td>
<td>C 102 L 80</td>
</tr>
<tr>
<td>SB 3320</td>
<td>Agencies, summary orders</td>
<td>C 31 L 80</td>
</tr>
<tr>
<td>SSB 3321</td>
<td>Ballots receipt</td>
<td>C 179 L 80</td>
</tr>
<tr>
<td>SSB 3330</td>
<td>Univ. hospitals, purchases</td>
<td>C 103 L 80</td>
</tr>
</tbody>
</table>
SB 3331  Dangerous commodities trans.  C 104 L 80
SB 3334  Lien, enforcement judgments  C 105 L 80
SSB 3359  Election, caucus conflicts  C 3 L 80
SB 3362  Election precinct corr.  C 107 L 80
SB 3371  Padilla Bay Sanctuary  C 180 L 80
SB 3378  Civil service transfers sheriff  C 108 L 80
SSB 3385  Fires reporting fire marshal  C 181 L 80
SB 3404  Disestablishing accounts  C 32 L 80
SSB 3405  Admin. practices-licensing  C 33 L 80
SB 3406  School fund abolished  C 6 L 80
SB 3415  Hearing aid dogs, white cane  C 109 L 80
SB 3422  Port districts, facilities  C 110 L 80
SSB 3457  Crime victims insurance  C 156 L 80
SB 3474  Landlords firewood liability  C 111 L 80
SB 3487  Retirement plan credits  C 112 L 80
SB 3499  Fragile children aid  C 106 L 80
SSB 3509  Sen. cit. prop. tax relief  C 185 L 80 PV
SSB 3537  Sick leave prog. comm. coll.  C 182 L 80
SSB 3551  Alcohol fuels tax incentive  C 157 L 80
SSB 3558  Fleet opportunity board  C 113 L 80
SB 3565  Temporary driving permit  C 114 L 80
SB 3574  Delinquency prevention prog.  C 158 L 80
SSB 3581  School prop. lease, rental  C 115 L 80
SB 3593  Unappropriated lands  C 116 L 80
SSB 3603  Poll. control, exempt bonds  C 159 L 80
SSB 3611  Municipal pension funds  C 34 L 80
SSB 3629  Tax incent. alcohol fuels  C 131 L 80
SSB 3636  Nursing home care standards  C 184 L 80 PV
SESSION LAW BILL NO. TABLE

<table>
<thead>
<tr>
<th>CHAPTER NO.</th>
<th>TITLE</th>
<th>BILL NO.</th>
</tr>
</thead>
<tbody>
<tr>
<td>C 2 L 80</td>
<td>Hood Canal Bridge</td>
<td>SB 3183</td>
</tr>
<tr>
<td>C 3 L 80</td>
<td>Election, caucus conflicts</td>
<td>SSB 3359</td>
</tr>
<tr>
<td>C 4 L 80</td>
<td>Heart Lake purchase</td>
<td>SSB 3195</td>
</tr>
<tr>
<td>C 5 L 80</td>
<td>Lewis &amp; Clark commemorated</td>
<td>SB 3219</td>
</tr>
<tr>
<td>C 6 L 80</td>
<td>School fund abolished</td>
<td>SB 3406</td>
</tr>
<tr>
<td>C 7 L 80</td>
<td>PERS members transfers JRS</td>
<td>SSB 3271</td>
</tr>
<tr>
<td>C 8 L 80</td>
<td>Fire code hand-held candles</td>
<td>HB 322</td>
</tr>
<tr>
<td>C 9 L 80</td>
<td>Banking</td>
<td>HB 1950</td>
</tr>
<tr>
<td>C 10 L 80</td>
<td>Health ins conversion rights</td>
<td>SHB 1496</td>
</tr>
<tr>
<td>C 11 L 80</td>
<td>Salary surveys, public emp.</td>
<td>HB 1524</td>
</tr>
<tr>
<td>C 12 L 80</td>
<td>Sewer districts, powers</td>
<td>HB 878</td>
</tr>
<tr>
<td>C 13 L 80</td>
<td>Students financial aid</td>
<td>HB 1414</td>
</tr>
<tr>
<td>C 14 L 80</td>
<td>Double amendment RCW 51</td>
<td>HB 1587</td>
</tr>
<tr>
<td>C 15 L 80</td>
<td>Salmon enhancement bonding</td>
<td>HB 1624</td>
</tr>
<tr>
<td>C 16 L 80</td>
<td>Double amendment RCW 67</td>
<td>HB 1588</td>
</tr>
<tr>
<td>C 17 L 80</td>
<td>Double amendment RCW 72</td>
<td>HB 1589</td>
</tr>
<tr>
<td>C 18 L 80</td>
<td>School district expenditures</td>
<td>HB 1686</td>
</tr>
<tr>
<td>C 19 L 80</td>
<td>Interlocal, county drug fund</td>
<td>HB 1762</td>
</tr>
<tr>
<td>C 20 L 80</td>
<td>Hazardous cargo transport</td>
<td>SHB 1807</td>
</tr>
<tr>
<td>C 21 L 80</td>
<td>Pollution control facilities</td>
<td>HB 1976</td>
</tr>
<tr>
<td>C 22 L 80</td>
<td>Minors, disc jockeys taverns</td>
<td>SSB 2616</td>
</tr>
<tr>
<td>C 23 L 80</td>
<td>Irrigation dist. board comp.</td>
<td>2SSB 2748</td>
</tr>
<tr>
<td>C 24 L 80</td>
<td>Beaver tag elim. trapper fee</td>
<td>SB 3011</td>
</tr>
<tr>
<td>C 25 L 80</td>
<td>City-county housing</td>
<td>SSB 3140</td>
</tr>
<tr>
<td>C 26 L 80</td>
<td>Basic sciences repealer</td>
<td>SB 3202</td>
</tr>
<tr>
<td>C 27 L 80</td>
<td>Fire commissioners, comp.</td>
<td>SB 3235</td>
</tr>
<tr>
<td>C 28 L 80</td>
<td>Franchises, highway util.</td>
<td>SSB 3237</td>
</tr>
<tr>
<td>C 29 L 80</td>
<td>Clarifying public retirement</td>
<td>SB 3245</td>
</tr>
<tr>
<td>C 30 L 80 PV</td>
<td>Electricians rearranged</td>
<td>SB 3253</td>
</tr>
<tr>
<td>C 31 L 80</td>
<td>Agencies, summary orders</td>
<td>SB 3320</td>
</tr>
<tr>
<td>C 32 L 80</td>
<td>Disestablishing accounts</td>
<td>SB 3404</td>
</tr>
<tr>
<td>C 33 L 80</td>
<td>Admin. practices-licensing</td>
<td>SSB 3405</td>
</tr>
<tr>
<td>C 34 L 80</td>
<td>Municipal pension funds</td>
<td>SSB 3611</td>
</tr>
<tr>
<td>C 35 L 80</td>
<td>School dist. director terms</td>
<td>HB 1432</td>
</tr>
<tr>
<td>C 36 L 80</td>
<td>Comic book regulat. repealed</td>
<td>HB 277</td>
</tr>
<tr>
<td>C 37 L 80</td>
<td>Sales, use exemptions</td>
<td>SHB 1016</td>
</tr>
<tr>
<td>C 38 L 80</td>
<td>Park reservation system</td>
<td>2SHB 1141</td>
</tr>
<tr>
<td>C 39 L 80</td>
<td>Remote 2nd class school dist.</td>
<td>SHB 1210</td>
</tr>
<tr>
<td>C 40 L 80</td>
<td>County road projects</td>
<td>HB 1371</td>
</tr>
<tr>
<td>C 41 L 80</td>
<td>Credit unions</td>
<td>SHB 1416</td>
</tr>
<tr>
<td>C 42 L 80</td>
<td>Prosecuting attorneys recall</td>
<td>HB 1434</td>
</tr>
<tr>
<td>C 43 L 80</td>
<td>Fire district equipment use</td>
<td>HB 1435</td>
</tr>
<tr>
<td>C 44 L 80</td>
<td>Protecting unique wildlife</td>
<td>HB 1555</td>
</tr>
</tbody>
</table>

(C 1 L 80 is Initiative 62 (state tax revenue limitation) approved by the people at the November, 1979 general election.)
C 45 L 80  Primitive roads classif.  SHB 1575
C 46 L 80  Double amendment RCW 18    HB 1585
C 47 L 80  Double amendment RCW 28A  HB 1586
C 48 L 80  Voter reg. schools fire hall  HB 1829
C 49 L 80 PV  High ed. student association  HB 357
C 50 L 80  Smoke detectors required  SHB 382
C 51 L 80  Chiropractors  SHB 395
C 52 L 80  Search warrants use limited  HB 427
C 53 L 80  Pornography, children    SHB 551
C 54 L 80  S&L negotiable transfers  HB 762
C 55 L 80  Shellfish, private tidelands  SHB 1429
C 56 L 80  County funds investment  SHB 1454
C 57 L 80  Joint health departments  SHB 1457
C 58 L 80  Blind schools salaries  HB 1460
C 59 L 80  Mandatory attendance waiver  HB 1463
C 60 L 80  RV's sanitary sys rest areas  HB 1464
C 61 L 80  School district bid levels  SHB 1466
C 62 L 80  Higher institutions, waivers  SHB 1481
C 63 L 80  Franchise termination  SHB 1510
C 64 L 80  Fire code dwellings access  SHB 1558
C 65 L 80  Model traffic ordinance  HB 1593
C 66 L 80  Salmon advisory council  HB 1598
C 67 L 80  Airport projects aid  SHB 1609
C 68 L 80  Contractor's regis. number  HB 1663
C 69 L 80  State patrol crime lab  HB 1681
C 70 L 80  Superior court clerk fees  2SSB 2381
C 71 L 80  Prescriptions  SSB 3226
C 72 L 80  Real estate brokers & sales  SB 3280
C 73 L 80  DSHS cert civil serv. exempt  SHB 799
C 74 L 80  Unemployment compensation  SHB 1952
C 75 L 80  Civil rights restoration  SHB 19
C 76 L 80  Discretion. review/decision  HB 209
C 77 L 80  Retirement -- WSP  HB 783
C 78 L 80  Game code revisions  HB 1447
C 79 L 80  PA recipients, nursing homes  HB 1458
C 80 L 80  Students, programs, fees  SHB 1480
C 81 L 80  Razor-clamming licenses  HB 1486
C 82 L 80  Ed services regis. exemp.  HB 1495
C 83 L 80  Legend drugs identification  SHB 1511
C 84 L 80  Property transfers pub ass't  HB 1521
C 85 L 80  Adoption consent parents  SHB 1729
C 86 L 80  Meals, sales & use tax  HB 1841
C 87 L 80 PV  Leg sessions terminology  HB 1475
C 88 L' 80  School busses veh. lic fees  SSB 3133
C 89 L 80 PV  Urban state parks priorities  SSB 3164
C 90 L 80  Liberty townsit purchase  SSB 3184
C 91 L 80  School sports transportation  SB 3190
C 92 L 80  Special purpose districts  SB 3211
C 93 L 80  Road contract awards  SB 3214
C 94 L 80  Civil judgment procedures  SB 3220
C 95 L 80  County weed boards  SSB 3224
C 96 L 80  Military recruiters access  SB 3241
C 97 L 80  Hit & run personal injuries  SB 3236
C 98 L 80  Fish tax modified  SSB 3256
C 99 L 80  Business corp. act modified  SB 3282
C 100 L 80  Warrants  SSB 3297
C 101 L 80  Ocularists regulated  SSB 3309
C 102 L 80  Insurance revisions  SB 3318
C 103 L 80  Univ. hospitals, purchases  SSB 3330
C 104 L 80  Dangerous commodities trans.  SB 3331
C 105 L 80  Lien, enforcement judgments  SB 3334
C 106 L 80  Fragile children aid  SB 3499
C 107 L 80  Election precinct corr.  SB 3362
C 108 L 80  Civil serv transfers sheriff  SB 3378
C 109 L 80  Hearing aid dogs, white cane  SB 3415
C 110 L 80  Port districts, facilities  SB 3422
C 111 L 80  Landlords firewood liability  SB 3474
C 112 L 80  Retirement plan credits  SB 3487
C 113 L 80  Fleet opportunity board  SSB 3558
C 114 L 80  Temporary driving permit  SB 3565
C 115 L 80  School prop. lease, rental  SSB 3581
C 116 L 80  Unappropriated lands  SB 3593
C 117 L 80  Motor vehicle insurance  SHB 1983
C 118 L 80  Career dev. civil service  SHB 38
C 119 L 80  Transportation appro.  HB 1620
C 120 L 80  Pub. emp. certain insurance  SHB 1492
C 121 L 80  Drivers' license stations  SHB 1778
C 122 L 80  Parents school bus rides  SHB 440
C 123 L 80  Ed TV comm. abolish, create  HB 542
C 124 L 80  Family court funding  HB 829
C 125 L 80  DSHS criminal records access  SHB 1520
C 126 L 80  Retirement system funds  HB 1604
C 127 L 80  Parking facilities reg.  HB 1685
C 128 L 80  Traffic infractions  HB 1418
C 129 L 80  Workers' comp. modified  SSB 3169
C 130 L 80  LEOFF elective membership  SSB 3244
C 131 L 80  Tax incent. alcohol fuels  SSB 3629
C 132 L 80  Bill of lading hazard. cargo  HB 1870
C 133 L 80  Taking of crabs  SHR 714
C 134 L 80  Compensating tax forest land  SHB 810
C 135 L 80  Insurance revisions  SHB 1471
C 136 L 80  Referendum 37 appropriation  HB 1483
C 137 L 80  In-home services require.  SHB 1516
C 138 L 80  Controlled substances  SHR 1485
C 139 L 80  Health care planning  SHB 1515
C 140 L 80  Alcohol motor vehicle use  SHB 1630
C 141 L 80  School construction bonds  HB 1643
C 142 L 80  Admin. contingency fund  HB 1658
C 143 L 80  Jail bonds  SHR 1981
C 144 L 80  Waste management revisions  HB 646
C 145 L 80  Warrants revisions  SHR 1090
C 146 L 80  Grand jury state-wide  SHB 1147
C 147 L 80  Urban trans. systems, taxes  SHB 1397
C 148 L 80  MV offenses double amend.  HB 1406
<table>
<thead>
<tr>
<th>Code</th>
<th>Page</th>
<th>Description</th>
<th>Bill</th>
</tr>
</thead>
<tbody>
<tr>
<td>C 149 L 80</td>
<td>Renewable energy resources</td>
<td>SHB 1419</td>
<td></td>
</tr>
<tr>
<td>C 150 L 80</td>
<td>Low income utility fees</td>
<td>HB 1444</td>
<td></td>
</tr>
<tr>
<td>C 151 L 80</td>
<td>Oil, gas leases, state lands</td>
<td>HB 1518</td>
<td></td>
</tr>
<tr>
<td>C 152 L 80</td>
<td>Mobile homes, movement, rent</td>
<td>SHB 1988</td>
<td></td>
</tr>
<tr>
<td>C 153 L 80</td>
<td>Manufactured homes</td>
<td>SHB 1989</td>
<td></td>
</tr>
<tr>
<td>C 154 L 80</td>
<td>Common schools, funds</td>
<td>SSB 2963</td>
<td></td>
</tr>
<tr>
<td>C 155 L 80</td>
<td>Solar energy sys. tax exempt</td>
<td>SB 3181</td>
<td></td>
</tr>
<tr>
<td>C 156 L 80</td>
<td>Crime victims insurance</td>
<td>SSB 3457</td>
<td></td>
</tr>
<tr>
<td>C 157 L 80</td>
<td>Alcohol fuels tax incentive</td>
<td>SSB 3551</td>
<td></td>
</tr>
<tr>
<td>C 158 L 80</td>
<td>Delinquency prevention prog.</td>
<td>SB 3574</td>
<td></td>
</tr>
<tr>
<td>C 159 L 80</td>
<td>Poll. control, exempt bonds</td>
<td>SSB 3603</td>
<td></td>
</tr>
<tr>
<td>C 160 L 80</td>
<td>Low income sen cit utilities</td>
<td>SHB 1499</td>
<td></td>
</tr>
<tr>
<td>C 161 L 80</td>
<td>State energy fair, 1983</td>
<td>SHB 1413</td>
<td></td>
</tr>
<tr>
<td>C 162 L 80</td>
<td>Courts of limited jurisdict.</td>
<td>SHB 1422</td>
<td></td>
</tr>
<tr>
<td>C 163 L 80</td>
<td>Public transit excise tax</td>
<td>HB 1427</td>
<td></td>
</tr>
<tr>
<td>C 164 L 80</td>
<td>State crime lab appropr.</td>
<td>HB 1433</td>
<td></td>
</tr>
<tr>
<td>C 165 L 80</td>
<td>Legislative ethics boards</td>
<td>HB 1465</td>
<td></td>
</tr>
<tr>
<td>C 166 L 80</td>
<td>Ride sharing vans tax exempt</td>
<td>HB 1508</td>
<td></td>
</tr>
<tr>
<td>C 167 L 80</td>
<td>DSHS appropriation</td>
<td>SHB 1533</td>
<td></td>
</tr>
<tr>
<td>C 168 L 80</td>
<td>State library appropriation</td>
<td>HB 1545</td>
<td></td>
</tr>
<tr>
<td>C 169 L 80</td>
<td>Gasohol use state vehicles</td>
<td>HB 1568</td>
<td></td>
</tr>
<tr>
<td>C 170 L 80</td>
<td>School bonds energy efficien.</td>
<td>HB 1597</td>
<td></td>
</tr>
<tr>
<td>C 171 L 80</td>
<td>School discipline</td>
<td>SHB 1676</td>
<td></td>
</tr>
<tr>
<td>C 172 L 80</td>
<td>State gov't eff. energy use</td>
<td>SHB 1688</td>
<td></td>
</tr>
<tr>
<td>C 173 L 80 PV</td>
<td>Legislative art committee</td>
<td>SHB 1763</td>
<td></td>
</tr>
<tr>
<td>C 174 L 80</td>
<td>Unemployable persons defined</td>
<td>SB 2433</td>
<td></td>
</tr>
<tr>
<td>C 175 L 80</td>
<td>Pollution control facilities</td>
<td>SSB 2751</td>
<td></td>
</tr>
<tr>
<td>C 176 L 80</td>
<td>MV emission control</td>
<td>SSB 3228</td>
<td></td>
</tr>
<tr>
<td>C 177 L 80</td>
<td>Nursing home cost system</td>
<td>SSB 3250</td>
<td></td>
</tr>
<tr>
<td>C 178 L 80</td>
<td>Poison control, drug info</td>
<td>SSB 3257</td>
<td></td>
</tr>
<tr>
<td>C 179 L 80</td>
<td>Ballots receipt</td>
<td>SSB 3321</td>
<td></td>
</tr>
<tr>
<td>C 180 L 80</td>
<td>Padilla Bay Sanctuary</td>
<td>SB 3371</td>
<td></td>
</tr>
<tr>
<td>C 181 L 80</td>
<td>Fires reporting fire marshal</td>
<td>SSB 3385</td>
<td></td>
</tr>
<tr>
<td>C 182 L 80</td>
<td>Sick leave prog. comm. coll.</td>
<td>SSB 3537</td>
<td></td>
</tr>
<tr>
<td>C 183 L 80 PV</td>
<td>Superior court King County</td>
<td>SSB 3207</td>
<td></td>
</tr>
<tr>
<td>C 184 L 80 PV</td>
<td>Nursing home care standards</td>
<td>SSB 3636</td>
<td></td>
</tr>
<tr>
<td>C 185 L 80 PV</td>
<td>Sen. cit. prop. tax relief</td>
<td>SSB 3509</td>
<td></td>
</tr>
<tr>
<td>C 186 L 80 PV</td>
<td>Coord. review, account. act</td>
<td>SB 3240</td>
<td></td>
</tr>
</tbody>
</table>
CONFIRMED GUBERNATORIAL APPOINTMENTS

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Community College District No. 16 Board of Trustees
Community College District No. 16 Board of Trustees
Community College District No. 16 Board of Trustees
Community College District No. 16 Board of Trustees
Community College District No. 17 Board of Trustees
Community College District No. 18 Board of Trustees
Community College District No. 19 Board of Trustees
Community College District No. 20 Board of Trustees
Community College District No. 21 Board of Trustees
Community College District No. 22 Board of Trustees
Community College District No. 22 Board of Trustees
Emergency Medical Services Committee
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Emergency Medical Services Committee
Emergency Medical Services Committee
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Higher Education Personnel Board
Washington State Horse Racing Commission
Washington State Horse Racing Commission
Washington State Horse Racing Commission
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1980

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May
North
Owen
Greengo, Republican Chairman
Addison
Austin
Fuller
Oliver
Sanders
Struthers

HOUSE CONSTITUTION, ELECTIONS AND GOVERNMENTAL ETHICS

Erickson, Democratic Chairwoman
Eng
Granlund
Gruger
Hughes
Oliver, Republican Chairwoman
Barnes
Eberle
Fuller
Hastings

SENATE AGRICULTURE

Hansen, Chairman
Bilitz
Day
Gaspar
Wanamaker
Wilson

SENATE COMMERCE

Van Hollebeke, Chairman
Wojahn, Vice Chairwoman
Hurley
Morrison
Quigg
Williams

SENATE CONSTITUTION AND ELECTIONS

Woody, Chairwoman
Bottiger
Haley
Henry
Lewis
Marsh
Peterson
Pullen
Ridder
HOUSE ECOLOGY

Valle, Democratic Chairwoman
Brekke
Galloway
Hughes
Pruitt
Rinehart
Barr, Republican Chairman
Isaacson
Nisbet
Sanders
Smith, C.
Whiteside

HOUSE EDUCATION

Heck, Democratic Chairman
Bender
Ehlers
Eng
Galloway
Sommers
Valle
Warnke
Chandler, Republic Chairman
Craswell
McDonald
Nelson, G.
Taller
Taylor
Tupper
Van Dyken

HOUSE ENERGY AND UTILITIES

McCormick, Democratic Chairwoman
Charnley
Grimm
Martinis
Monohon
Nelson, D.
Scott
Sherman
Bond, Republican Chairman
Dunlap
Isaacson
Nisbet
Sprague
Tupper
Williams
Wilson

SENATE ECOLOGY

Williams, Chairman
Bradburn
Donohue
Goltz
Guess
Hansen
Scott

SENATE EDUCATION

McDermott, Chairman
Gaspard, Vice Chairman
Gould
Hayner
Morrison
Ridder
Talmadge

SENATE ENERGY AND UTILITIES

Bottiger, Chairman
Benitz
Gould
Hayner
Hurley
Lewis
Lysen
Williams
Wilson
Woody
HOUSE FINANCIAL INSTITUTIONS

Eng, Democratic Chairman
Knowles
Kreidler
Lux
Rinehart
Sommers
Winsley, Republican Chairwoman
Deccio
Eberle
Newhouse
Rosbach
Schmitten

HOUSE HIGHER EDUCATION

Grimm, Democratic Chairman
Burns
Erickson
Gruger
Salatino
Barnes, Republican Chairman
McGinnis
Oliver
Patterson
Teutsch

HOUSE INSTITUTIONS

Becker, Democratic Chairwoman
Granlund
Nelson, D.
Owen
Walk
Struthers, Republican Chairman
Barr
Houchen
Mitchell
Winsley

SENATE FINANCIAL INSTITUTIONS
AND INSURANCE

Bausch, Chairman
Bluechel
Clarke
Day
Donohue
Jones
von Reichbauer
Walgren

SENATE HIGHER EDUCATION

Goltz, Chairman
Benitz
Guess
Odegaard
Scott
Shinpochnvon Reichbauer

(SENATE SOCIAL AND HEALTH SERVICES)
HOUSE INSURANCE

Keller, Democratic Chairman
Adams
Erak
Garrett
Maxie
Smith, R.
Dawson, Republican Chairman
Ellis
Houchen
McGinnis
Oliver
Zimmerman

HOUSE JUDICIARY

Smith, R., Democratic Chairman
Knowles
Sherman
Thompson
Newhouse, Republican Chairman
Austin
Ellis
Tilly

HOUSE LABOR

Lux, Democratic Chairman
Jovanovich
King
Monohon
Scott
Clayton, Republican Chairman
Dunlap
Fancher
Flanagan
Smith, C.

HOUSE LOCAL GOVERNMENT

Charnley, Democratic Chairman
Brown
Garrett
Keller
North
Stratton
Vrooman
Zimmerman, Republican Chairman
Barr
Chandler
Rosbach
Teutsch
Van Dyken
Whiteside

(SENATE FINANCIAL INSTITUTIONS AND INSURANCE)

SENATE JUDICIARY

Marsh, Chairman
Talmadge, Vice Chairman
Bottiger
Clarke
Hayner
Hurley
Jones
Pullen
Van Hollebeke
Woody

SENATE LABOR

Lysen, Chairman
Vognild, Vice Chairman
Matson
McDermott
Moore
Morrison
Sellar

SENATE LOCAL GOVERNMENT

Wilson, Chairman
Bluechel
Bradburn
Fleming
Henry
Lee
Moore
Sellar
Talley
HOUSE NATURAL RESOURCES

Vrooman, Democratic Chairman
Adams
Jovanovich
Martinis
McCormick
Monohon
Owen
Smith, R.
Schmitten, Republican Chairman
Dawson
Ellis
Flint
McDonald
Mitchell
Rosbach
Wilson

HOUSE PARKS AND RECREATION

North, Democratic Chairwoman
Brown
Stratton
Fuller, Republican Chairman
Taylor
Sprague

HOUSE REVENUE

Sommers, Democratic Chairwoman
Brown
Erickson
Galloway
Granlund
Nelson, D.
O'Brien
Rinehart
Craswell, Republican Chairwoman
Addison
Bond
Flanagan
Greengo
Hastings
Sanders
Winsley

SENATE NATURAL RESOURCES

Peterson, Chairman
Conner, Vice Chairman
Gallaghan
Haley
Lee
Lysen
Odegaard
Quigg
Rasmussen
Talley
Vognild

SENATE PARKS AND RECREATION

von Reichbauer, Chairman
Bausch
Lewis
Quigg
Wanamaker
Wojahn
Woody

(SENATE WAYS AND MEANS)
HOUSE RULES
Bagnariol, Democratic Chairman
Bauer
Bender
Gallagher
King
Knowles
Maxie
May
O'Brien
Salatino
Berentson, Republican Chairman
Amen
Bond
Deccio
Dunlap
Flanagan
Newhouse
Patterson
Polk
Tilly

HOUSE SOCIAL AND HEALTH SERVICES
Adams, Democratic Chairman
Brekke
Kreidler
Lux
May
Pruitt
Stratton
Whiteside, Republican Chairman
Austin
Flint
Houchen
Mitchell
Schmitten
Teutsch

HOUSE STATE GOVERNMENT
Ehlers, Democratic Chairman
Burns
Jovanovich
O'Brien
Pruitt
Salatino
Walk
Taller, Republican Chairman
Addison
Flint
Greengo
McGinnis
Tupper
Williams

SENATE RULES
Cherber, Chairman
Clarke
Conner
Fleming
Gaspard
Guess
Hayner
Matson
Odegaard
Ridder
Sellar
Shinphoch
Talley
Walgren
Wojahn

SENATE SOCIAL AND HEALTH SERVICES
Day, Chairman
Moore, Vice Chairman
Bradburn
Haley
Hurley
Pullen
Talmadge
Vognild

SENATE STATE GOVERNMENT
Rasmussen, Chairman
Shinphoch, Vice Chairman
Day
Gallaghan
Gould
McDermott
Wanamaker
### HOUSE TRANSPORTATION

- Martinis, Democratic Chairman
- Bender
- Burns
- Charnley
- Erak
- Gallagher
- Garrett
- McCormick
- Sherman
- Walk
- Wilson, Republican Chairman
- Clayton
- Dawson
- Eberle
- Isaacson
- Patterson
- Smith, C.
- Sprague
- Struthers
- Tilly

### HOUSE APPROPRIATIONS

- Thompson, Democratic Chairman
- Bauer
- Becker
- Ehlers
- Grimm
- Gruger
- Heck
- Hughes
- Keller
- Maxie
- Valle
- Vrooman
- Warnke
- Nelson, G., Republican Chairman
- Amen
- Barnes
- Chandler
- Deccio
- Fancher
- McDonald
- Nisbet
- Polk
- Taller
- Taylor
- Williams
- Zimmerman

### SENATE TRANSPORTATION

- Henry, Chairman
- Talley, Vice Chairman
- Conner
- Gallagher
- Guess
- Hansen
- Lee
- Peterson
- Quigg
- Van Hollebeke
- von Reichbauer
- Wanamaker

### SENATE WAYS AND MEANS

- Donohue, Chairman
- McDermott, Vice Chairman
- Bausch
- Bluechel
- Clarke
- Fleming
- Gaspard
- Goltz
- Jones
- Marsh
- Matson
- Morrison
- Odegaard
- Rasmussen
- Ridder
- Scott
- Sellar
- Shinpoch
- Walgren
- Wojahn
STATUTORY AND SELECT COMMITTEE APPOINTMENTS

1980

ACTUARY, OFFICE OF STATE
(RCW 44.44.010)

REPRESENTATIVES
Scott Blair
Helen Sommers
Frank Warnke

SENATORS
Marcus Gaspard
John Jones
Ruthe Ridder

ARTS COMMISSION, WASHINGTON STATE
(RCW 43.46.020)

REPRESENTATIVES
Joan Houchen

SENATORS
James A. McDermott

JOINT LEGISLATIVE ARTS COMMITTEE
(SHB 1763 -- Appointments to be announced at a later date.)

BUDGET COMMITTEE, LEGISLATIVE
(RCW 44.28.010)

REPRESENTATIVES
Otto Amen
John A. Bagnariol
Wayne Ehlers
S. E. "Sid" Flanagan
Gary Nelson
William Polk
Alan Thompson
Frank Warnke

SENATORS
George Clarke
Hubert F. Donohue
George Fleming
Jim Matson
Sid Morrison
Gary M. Odegaard
A. L. "Slim" Rasmussen
George Sellar

CAPITAL FACILITIES, JOINT LEGISLATIVE COMMITTEE ON
(SCR 120 -- Appointments to be announced at a later date.)

COLUMBIA INTERSTATE COMPACT COMMISSION
(RCW 43.57.010)

REPRESENTATIVES
Dennis Heck
Rolland Schmitten

SENATORS
Al Henry
Jim Matson
CRIME INTELLIGENCE ADVISORY BOARD  
(RCW 43.43.858)

REPRESENTATIVES

Alex A. Deccio
Wayne Ehlers
Walt Knowles
Earl F. Tilly

SENATORS

Del Bausch
George Clarke
Jim Matson
A. L. "Slim" Rasmussen

EDUCATION COMMISSION OF THE STATES  
(RCW 28A.92.020)

REPRESENTATIVES

Rod Chandler
Phyllis K. Erickson

SENATORS

Ruthe Ridder

ENERGY & UTILITIES, JOINT COMMITTEE ON  
(RCW 44.39.010)

REPRESENTATIVES

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Ron Dunlap
Geraldine McCormick
Marion Kyle Sherman

SENATORS

Max E. Benitz
P. Ted Bottiger
King Lysen

ETHICS, LEGISLATIVE BOARD ON  
(RCW 44.60.020)

REPRESENTATIVES

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William J. S. "Bill" May
Paul Pruitt
Roger Van Dyken

SENATORS

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H. A. "Barney" Goltz
George Sellar
Bruce A. Wilson

GAMBLING COMMISSION  
(RCW 9.46.040)

REPRESENTATIVES

Brad Owen
Gene Struthers

SENATORS

Ray Van Hollebeke
F. "Pat" Wanamaker
HOME RULE, JOINT LEGISLATIVE COMMITTEE ON
(C 194 L 79 1st Ex. Sess.)

REPRESENTATIVES

Donn Charnley
Avery Garrett
Frances North
Wilma Rosbach
Roger Van Dyken
Harold Zimmerman

INSURANCE BOARD, STATE EMPLOYEES
(RCW 41.05.020)

REPRESENTATIVES

Irving Newhouse

INTERNATIONAL PERFORMING FESTIVAL ARTS
STEERING COMMISSION
(RCW 43.31.950)

REPRESENTATIVES

Duane Berentson
Frank Warnke

JAIL COMMISSION, WASHINGTON STATE
(RCW 70.48.030)

REPRESENTATIVES

Mary Kay Becker

JUDICIAL COUNCIL
(RCW 2.52.010)

REPRESENTATIVES

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Earl Tilly
Chief Justice to Appoint

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Sam C. Guess
George L. Sellar
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Dianne H. Woody

SENATORS

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SENATORS

Alan Bluechel
A. N. "Bud" Shimpoch

SENATORS

Jeannette Hayner
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SENATORS

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Ray Van Hollebeke
R. Lorraine Wojahn
LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE
(LEAP)
(RCW 44.48)

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Joe Taller
Alan Thompson

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MUNICIPAL RESEARCH COUNCIL
(RCW 43.110.010)

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Hal Zimmerman

SENATORS
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R. H. "Bob" Lewis
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OCEANOGRAPHIC COMMISSION OF WASHINGTON
(RCW 43.94.020)

REPRESENTATIVES
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Barbara Granlund
Jerry Vrooman

SENATORS
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Don Talley

SALMON ADVISORY COUNCIL
(RCW 75.18.110)

REPRESENTATIVES
John Martinis

SENATORS
Lowell Peterson

SCIENCE AND TECHNOLOGY, JOINT AD HOC COMMITTEE ON
(HCR 80-33)

REPRESENTATIVES
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Ray Isaacson
Richard "Dick" King
Georgette Valle

SENATORS
H. A. "Barney" Goltz
Kent Pullen
A. N. "Bud" Shinpoch
STATUTE LAW COMMITTEE  
(RCW 1.08.001)

REPRESENTATIVES

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Irving Newhouse
Rick Smith

SENATORS

George Clarke
Phil Talmadge

SUNSET ACT, SELECT JOINT COMMITTEE ON THE WASHINGTON  
(RCW 43.131.120)

REPRESENTATIVES

Otto Amen
Wayne Ehlers
Dick King
Earl Tilly
George Walk

SENATORS

William S. Day
Susan E. Gould
F. "Pat" Wanamaker
Bruce A. Wilson
R. Lorraine Wojahn

TIMBER TAXATION ADVISORY COMMITTEE, JOINT LEGISLATIVE  
(RCW 84.33.200)

REPRESENTATIVES

Wendell Brown
Ellen Craswell
Helen Fancher
W. H. "Bill" Fuller
John Martinis
Rolland Schmitten
Gary H. Scott
Helen Sommers

SENATORS

Del Bausch
H. A. "Barney" Goltz
Jim Matson
Sid W. Morrison
Gary M. Odegaard
George L. Sellar
Gordon L. Walgren
R. Lorraine Wojahn

TRADE FAIRS, ADVISORY COUNCIL ON INTERNATIONAL  
(RCW 43.31.090)

REPRESENTATIVES

John A. Bagnariol
Duane Berentson

SENATORS

Hubert F. Donohue
R. H. "Bob" Lewis
TRANSPORTATION COMMITTEE, LEGISLATIVE
(RCW 44.40.010)

REPRESENTATIVES

Duane Berentson
Donn Charnley
Harold Clayton
Don Dawson
P. J. "Jim" Gallagher
John Martinis, Chairman
Geraldine McCormick
E. G. "Pat" Patterson
Marion Kyle Sherman
Earl Tilly
George Walk
Simeon R. "Sim" Wilson, Secretary

SENATORS

Paul Conner, Vice Chrmn.
Sam C. Guess
Frank "Tub" Hansen
Lowell Peterson
J. T. Quigg
George L. Sellar
Don Talley
Ray Van Hollebeke
Peter von Reichbauer
Gordon L. Walgren
F. "Pat" Wanamaker

Liaison:
Del Bausch
Marcus Gaspard
Phil Talmadge

WASHINGTON/BRITISH COLUMBIA GOVERNMENTAL COOPERATION,
JOINT LEGISLATIVE COMMITTEE ON
(SCR 79-106)

REPRESENTATIVES

Helen Fancher
Gary Scott

SENATORS

George Clarke
Bruce A. Wilson

WORKERS' COMPENSATION, SELECT JOINT COMMITTEE ON
(SSB 3169 -- Appointments to be announced at a later date.)